

By: Hughes

S.B. No. 1045

A BILL TO BE ENTITLED

AN ACT

relating to academic accountability ratings for certain school districts, open-enrollment charter schools, and contracted entities that offer full-time online programs through the state virtual school network.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 30A, Education Code, is amended by adding Sections 30A.1011, 30A.1012, and 30A.1013 to read as follows:

Sec. 30A.1011. AUTHORITY TO OPERATE FULL-TIME ONLINE PROGRAM. (a) A school district or open-enrollment charter school may not operate more than one full-time online program under this chapter.

(b) The provisions of this section may not be waived by the commissioner.

Sec. 30A.1012. CONTRACTING FOR FULL-TIME ONLINE PROGRAM. (a) A school district or open-enrollment charter school that contracts with an entity to operate a full-time online program for the district or school shall report to the agency:

(1) the identity of the contracted entity each year the contracted entity operates the full-time online program; and

(2) information required to be reported under Section 42.006 regarding staff and finances as if the full-time online program were a campus.

1 (b) A school district or open-enrollment charter school
2 shall revoke a contract with an entity to operate a full-time online
3 program for the district or school if the entity has received for
4 the three most recent school years a campus or district
5 accountability rating of D or F under Subchapter C, Chapter 39. A
6 school district or open-enrollment charter school shall include a
7 contract revocation provision in each contract entered into with an
8 entity to operate a full-time online program for the district or
9 school under this section.

10 (b-1) For purposes of Subsections (b) and (c), an
11 accountability rating for a school year before the 2018-2019 school
12 year may not be considered. This subsection expires September 1,
13 2021.

14 (c) The agency shall notify a school district or
15 open-enrollment charter school that the district or school is
16 subject to Subsection (b) if its full-time online program has
17 received for the three most recent school years accountability
18 ratings described by Subsection (b). Failure to receive notice
19 under this subsection does not affect the requirement imposed on
20 the district or school under Subsection (b).

21 (d) A school district or open-enrollment charter school may
22 not contract with an entity to operate a full-time online program
23 for the district or school if the contracted entity operated a
24 full-time online program for a district or school and the
25 contracting entity was subject to a contract revocation under
26 Subsection (b) within the preceding 10 years.

27 (e) The administering authority shall include a list of

1 entities subject to a contract revocation under Subsection (b) on
2 the state virtual school network Internet website.

3 (f) An entity under this section includes a corporate
4 affiliate or an entity that is substantially related to the entity.

5 (g) The provisions of this section may not be waived by the
6 commissioner.

7 Sec. 30A.1013. REVOCATION OF APPROVAL FOR FULL-TIME ONLINE
8 PROGRAM. If the commissioner revokes approval for a school
9 district or open-enrollment charter school to operate a full-time
10 online program under this chapter, the district or school may not
11 operate a full-time online program under this chapter during the
12 10-year period following the revocation.

13 SECTION 2. Section [30A.110](#), Education Code, is amended by
14 adding Subsections (d), (d-1), and (d-2) to read as follows:

15 (d) An entity that operates a full-time online program shall
16 receive an accountability rating under Chapter [39](#). An entity that
17 operates multiple full-time online programs shall receive an
18 accountability rating for:

19 (1) each full-time online program as if the program
20 were a campus; and

21 (2) the entity as if the entity were a school district
22 or open-enrollment charter school and each full-time online program
23 were a campus of the district or school.

24 (d-1) This subsection applies only to a school district or
25 open-enrollment charter school that provides instruction to
26 students while students are located on the physical premises of a
27 district or school campus and provides separate instruction to

students enrolled full-time in courses provided through a district or school full-time online program. In determining the performance ratings under Section 39.054 of a school district or open-enrollment charter school subject to this subsection, the commissioner shall evaluate the performance of students enrolled in a district or school full-time online program separately from the performance of other district or school students and assign:

(1) separate district or school overall and domain performance ratings for the district's or school's full-time online program; and

(2) separate campus overall and domain performance ratings for each full-time online program.

(d-2) Subsection (d-1) and this subsection expire September 1, 2021.

SECTION 3. This Act applies beginning with the 2019-2020 school year.

SECTION 4. The Texas Education Agency is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Education Agency may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2019.