

By: Lucio

S.B. No. 1706

A BILL TO BE ENTITLED

AN ACT

relating to applicability of educator certification and class size requirements to open-enrollment charter schools.

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

SECTION 1. Section 12.104(b), Education Code, as amended by Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under

- 1 Section 28.025;
- 2 (F) special education programs under Subchapter
- 3 A, Chapter 29;
- 4 (G) bilingual education under Subchapter B,
- 5 Chapter 29;
- 6 (H) prekindergarten programs under Subchapter E
- 7 or E-1, Chapter 29;
- 8 (I) extracurricular activities under Section
- 9 33.081;
- 10 (J) discipline management practices or behavior
- 11 management techniques under Section 37.0021;
- 12 (K) health and safety under Chapter 38;
- 13 (L) public school accountability under
- 14 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
- 15 (M) the requirement under Section 21.006 to
- 16 report an educator's misconduct;
- 17 (N) intensive programs of instruction under
- 18 Section 28.0213;
- 19 (O) the right of a school employee to report a
- 20 crime, as provided by Section 37.148; ~~and~~
- 21 (P) bullying prevention policies and procedures
- 22 under Section 37.0832;
- 23 (Q) the right of a school under Section 37.0052
- 24 to place a student who has engaged in certain bullying behavior in a
- 25 disciplinary alternative education program or to expel the student;
- 26 ~~and~~
- 27 (R) the right under Section 37.0151 to report to

1 local law enforcement certain conduct constituting assault or
2 harassment;

3 (S) [~~(P)~~] a parent's right to information
4 regarding the provision of assistance for learning difficulties to
5 the parent's child as provided by Sections 26.004(b)(11) and
6 26.0081(c) and (d);

7 (T) educator certification requirements under
8 Chapter 21; and

9 (U) elementary class size limits under Section
10 25.112.

11 SECTION 2. To the extent of any conflict, this Act prevails
12 over another Act of the 86th Legislature, Regular Session, 2019,
13 relating to nonsubstantive additions to and corrections in enacted
14 codes.

15 SECTION 3. The change in law made by this Act applies only
16 to a charter granted or renewed on or after the effective date of
17 this Act. A charter granted or renewed before the effective date of
18 this Act is governed by the law in effect on the date the charter was
19 granted or renewed, and the former law is continued in effect for
20 that purpose.

21 SECTION 4. This Act applies beginning with the 2019-2020
22 school year.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2019.