

1-1 By: Bettencourt S.B. No. 2117
1-2 (In the Senate - Filed March 7, 2019; March 21, 2019, read
1-3 first time and referred to Committee on Education; April 29, 2019,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 10, Nays 0; April 29, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 2117 By: Hughes

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to state funding and accountability intervention and
1-23 sanction provisions applicable to school district campuses and
1-24 programs operated under school district and charter partnerships.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 11.157, Education Code, is amended to
1-27 read as follows:

1-28 Sec. 11.157. CONTRACTS FOR EDUCATIONAL SERVICES. (a) The
1-29 board of trustees of an independent school district may contract
1-30 with a public or private entity for that entity to provide
1-31 educational services for the district.

1-32 (b) A school district that contracts with the governing body
1-33 of an open-enrollment charter school to jointly operate a campus or
1-34 campus program qualifies for funding under Section 42.2511 for each
1-35 student or the portion of each student's school day under the
1-36 direction of the open-enrollment charter school if the most recent
1-37 accountability rating of:

1-38 (1) the campus was a C or higher under Subchapter C,
1-39 Chapter 39; and

1-40 (2) the open-enrollment charter school was a C or
1-41 higher under Subchapters C and D, Chapter 39.

1-42 (c) The commissioner may adopt rules and collect data to
1-43 determine the portion of funding a school district is entitled to
1-44 under Subsection (b) if the district contracts with an
1-45 open-enrollment charter school to jointly operate a campus program.

1-46 SECTION 2. Sections 11.174(a) and (i), Education Code, are
1-47 amended to read as follows:

1-48 (a) A school district campus ~~[qualifies for an exemption~~
1-49 ~~from intervention as provided by Subsection (f) and]~~ qualifies for
1-50 funding as provided by Section 42.2511 if the board of trustees of
1-51 the district contracts to partner to operate the district campus as
1-52 provided by this section with:

1-53 (1) the governing body of an open-enrollment charter
1-54 school; or

1-55 (2) on approval by the commissioner, an entity granted
1-56 a charter by the district under Subchapter C, Chapter 12, that is
1-57 eligible to be awarded a charter under Section 12.101(a).

1-58 (i) A [The] contract entered into as provided by this
1-59 section [of a campus subject to Subsection (f)] must provide that
1-60 any student residing in the attendance zone of the district campus

2-1 as the attendance zone existed before operation of the district
2-2 campus under the contract shall be admitted for enrollment at the
2-3 campus. The contract must establish enrollment preference for
2-4 students who do not reside in the attendance zone as follows:

2-5 (1) other students residing in the school district in
2-6 which the campus is located; and

2-7 (2) students who reside outside the school district.

2-8 SECTION 3. Section 39A.107, Education Code, is amended by
2-9 adding Subsection (a-1) to read as follows:

2-10 (a-1) If, after a turnaround plan has been ordered under
2-11 Section 39A.101, the commissioner approves a contract under Section
2-12 11.174, the campus turnaround plan is considered to have been
2-13 approved by the commissioner as provided by Subsection (a).

2-14 SECTION 4. Sections 42.2511(a) and (b), Education Code, are
2-15 amended to read as follows:

2-16 (a) This section applies only to:

2-17 (1) a school district and an open-enrollment charter
2-18 school that enter into a contract to operate a district campus as
2-19 provided by Section 11.174; ~~and~~

2-20 (2) a charter granted by a school district for a
2-21 program operated by an entity that has entered into a contract under
2-22 Section 11.174, provided that the district does not appoint a
2-23 majority of the governing body of the charter holder; and

2-24 (3) a school district that contracts with an
2-25 open-enrollment charter school to jointly operate a campus or
2-26 campus program as provided by Section 11.157(b).

2-27 (b) Notwithstanding any other provision of this chapter or
2-28 Chapter 41, a school district subject to this section is entitled to
2-29 receive for each student in average daily attendance at the campus
2-30 or program described by Subsection (a) an amount equivalent to the
2-31 difference, if the difference results in increased funding,
2-32 between:

2-33 (1) the amount described by Section 12.106; and

2-34 (2) the amount to which the district would be entitled
2-35 under this chapter.

2-36 SECTION 5. Sections 11.174(f) and (g), Education Code, are
2-37 repealed.

2-38 SECTION 6. This Act applies beginning with the 2019-2020
2-39 school year.

2-40 SECTION 7. The Texas Education Agency is required to
2-41 implement a provision of this Act only if the legislature
2-42 appropriates money specifically for that purpose. If the
2-43 legislature does not appropriate money specifically for that
2-44 purpose, the Texas Education Agency may, but is not required to,
2-45 implement a provision of this Act using other appropriations
2-46 available for that purpose.

2-47 SECTION 8. This Act takes effect immediately if it receives
2-48 a vote of two-thirds of all the members elected to each house, as
2-49 provided by Section 39, Article III, Texas Constitution. If this
2-50 Act does not receive the vote necessary for immediate effect, this
2-51 Act takes effect September 1, 2019.

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