

By: Bernal

H.B. No. 2255

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for a request for the revision of a charter for an open-enrollment charter school.

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

SECTION 1. Section 12.114, Education Code, is amended to read as follows:

Sec. 12.114. REVISION. (a) A revision of a charter of an open-enrollment charter school that is not an expansion amendment may be made only with the approval of the commissioner. An expansion amendment may be made only in the manner provided by this section.

(b) Not more than once during each biennium ~~[each year]~~, an open-enrollment charter school may request approval of an expansion amendment to:

(1) increase ~~[to revise]~~ the maximum allowable student enrollment described by the school's charter;

(2) add a new campus or site;

(3) relocate an existing campus or site more than five miles from its current location;

(4) extend the grade levels described by the school's charter; or

(5) expand the geographic boundaries described by the school's charter.

(c) A ~~[Not later than the 60th day after the date that a]~~

1 charter holder shall submit [~~submits~~] to the commissioner a  
2 completed request for approval for an expansion amendment [~~, as~~  
3 ~~defined by commissioner rule, including a new school amendment,~~]  
4 and shall include information needed for an evaluation under  
5 Subsection (d).

6 (d) The commissioner shall thoroughly review a request for  
7 approval for an expansion amendment to ensure it is in the best  
8 interests of all students in this state and may not approve a  
9 request if during each of the two years preceding the date of the  
10 request the open-enrollment charter school has not served at least  
11 the lesser of:

12 (1) the state average of students eligible to receive  
13 services under Subchapter A, Chapter 29; or

14 (2) the average of students eligible to receive  
15 services under Subchapter A, Chapter 29, in each school district in  
16 which the charter school operates a campus.

17 (e) Subsection (d) may not be waived.

18 (f) The [~~the~~] commissioner shall provide to the charter  
19 holder written notice of approval or disapproval of an [~~the~~]  
20 amendment requested under this section.

21 (g) [(d)] A charter holder may submit a request for approval  
22 for an expansion amendment up to 18 months before the date on which  
23 the expansion will be effective. A request for approval of an  
24 expansion amendment does not obligate the charter holder to  
25 complete the proposed expansion.

26 SECTION 2. Section 12.101(b-4), Education Code, is  
27 repealed.

1           SECTION 3. The changes in law made by this Act apply only to  
2 a request for approval of a revision to the charter of an  
3 open-enrollment charter school submitted on or after the effective  
4 date of this Act.

5           SECTION 4. This Act takes effect September 1, 2021.