

By: Stucky

H.B. No. 3163

A BILL TO BE ENTITLED

AN ACT

relating to campuses of an open-enrollment charter school.

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

SECTION 1. Section 12.101(b-4), Education Code, is amended by adding a new Subsection (4) to read as follows:

(b-4) Notwithstanding Section 12.114, approval of the commissioner under that section is not required for establishment of a new open-enrollment charter school campus if the requirements of this subsection are satisfied. A charter holder having an accreditation status of accredited and at least 50 percent of its student population in grades assessed under Subchapter B, Chapter 39, or at least 50 percent of the students in the grades assessed having been enrolled in the school for at least three school years may establish one or more new campuses under an existing charter held by the charter holder if:

(1) the charter holder is currently evaluated under the standard accountability procedures for evaluation under Chapter 39 and received a district rating in the highest or second highest performance rating category under Subchapter C, Chapter 39, for three of the last five years with at least 75 percent of the campuses rated under the charter also receiving a rating in the highest or second highest performance rating category and with no campus with a rating in the lowest performance rating category in the most recent ratings;

1 (2) the charter holder provides written notice to the
2 commissioner of the establishment of any campus under this
3 subsection in the time, manner, and form provided by rule of the
4 commissioner; and

5 (3) not later than the 60th day after the date the
6 charter holder provides written notice under Subdivision (2), the
7 commissioner does not provide written notice to the charter holder
8 that the commissioner has determined that the charter holder does
9 not satisfy the requirements of this section~~.~~; and

10 (4) the charter holder cannot establish one or more
11 new campuses under an existing charter held by the charter holder if
12 the new campuses would be located within a public school district
13 that is currently evaluated under the standard accountability
14 procedures for evaluation under Chapter 39 and received a district
15 rating in the highest or second highest performance rating category
16 under Subchapter C, Chapter 39, for three of the last five years
17 with at least 75 percent of the campuses rated in the public school
18 district receiving a rating in the highest or second highest
19 performance rating category and with no campus with a rating in the
20 lowest performance rating category in the most recent ratings.

21 SECTION 2. This Act applies beginning with the 2021-2022
22 school year.

23 SECTION 3. 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, 2021.