

By: Creighton

S.B. No. 2942

A BILL TO BE ENTITLED

AN ACT

relating to certain charter school programs and students.

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

SECTION 1. Section 12.252, Education Code, is amended by adding Subsection (c) to read as follows:

(c) In matters related to operation of a charter school under this subchapter, a charter school or charter holder is immune from liability and suit to the same extent as a school district, and the employees and volunteers of the charter school or charter holder are immune from liability and suit to the same extent as school district employees and volunteers. A member of the governing body of a charter school or of a charter holder governed by this chapter is immune from liability and suit to the same extent as a school district trustee.

SECTION 2. Section 12.258(a), Education Code is amended to read as follows:

(a) A person who is at least 18 years of age and not more than 60 ~~[50]~~ years of age is eligible to enroll in an adult education program operated under a charter granted under this subchapter if the person:

(1) has failed to complete the curriculum requirements for high school graduation; or

(2) has failed to perform satisfactorily on an assessment instrument required for high school graduation.

SECTION 3. Section 12.260, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b), a student enrolled in an adult education program operated by an entity described by Section 12.256(1)(D) or by a partnering nonprofit entity is eligible for receipt of a high school diploma under this subchapter if the student performs satisfactorily on an assessment instrument prescribed by the Texas Higher Education Coordinating Board under Section 130.455, provided that the student meets all other applicable requirements for receipt of a diploma.

SECTION 4. Section 12.261(b), Education Code, is amended to read as follows:

(b) An expansion amendment submitted under Subsection (a) is considered approved if the commissioner does not provide written notice to the eligible entity of the disapproval of the expansion amendment on or before the 30th day following receipt of the amendment ~~[August 1]~~.

SECTION 5. Section 12.262(b), Education Code, is amended to read as follows:

(b) The commissioner shall include in the accountability framework adopted under Subsection (a) performance domains that measure:

- (1) academic growth;
- (2) career readiness; and
- (3) ~~[one-year post-graduation and longitudinal postsecondary outcomes,~~
- ~~[(4) longitudinal wage and career growth, and~~

1           ~~[(5)]~~ operational performance.

2           SECTION 6. Sections 12.263(b), (e), and (f), Education  
3 Code, are amended to read as follows:

4           (b) For purposes of determining the average daily  
5 attendance of an adult education program operated under a charter  
6 granted under this subchapter, a student is considered to be in  
7 average daily attendance, with a 100 percent attendance rate, for:

8           (1) all of the instructional days of the school year, if the  
9 student is enrolled for at least 75 percent of the school year;

10          (2) three-quarters ~~[half]~~ of the instructional days of the  
11 school year, if the student is enrolled for at least 50 percent but  
12 less than 75 percent of the school year;

13          (3) half ~~[a-quarter]~~ of the instructional days of the school  
14 year, if the student is enrolled for at least 25 percent but less  
15 than 50 percent of the school year; or

16          (4) a quarter ~~[one-tenth]~~ of the instructional days of the  
17 school year, if the student is enrolled for at least 10 percent but  
18 less than 25 percent of the school year.

19          (e) For purposes of the college, career, or military  
20 readiness outcomes bonus under Section 48.110, notwithstanding  
21 Subsection (f) of that section, an annual graduate of an adult  
22 education program operated under a charter granted under this  
23 subchapter demonstrates career readiness by earning an  
24 industry-accepted certificate not later than six months after  
25 completing the program. The commissioner must make a bonus payment  
26 under this section not later than the end of the six-week period  
27 following the graduate's demonstration of career readiness, or a

1 shorter period if the commissioner determines that available data  
2 accurately reflects the graduate's career readiness.

3 (f) In addition to funding provided under Subsection (a), an  
4 eligible entity granted a charter under this subchapter is entitled  
5 to receive for the adult education program an annual allotment,  
6 provided in accordance with a schedule established by commissioner  
7 rule, equal to the maximum basic allotment under Section 48.051(a)  
8 or (b) multiplied by:

9 (1) for each credit earned by a student enrolled in the  
10 adult education program during the preceding six-week period, or a  
11 shorter period determined to be reasonable by the commissioner  
12 [~~school year~~]:

13 (A) 0.025 [~~0.01~~] for a course other than a career  
14 and technology education course; and

15 (B) 0.05 [~~0.02~~] for a career and technology  
16 education course; and

17 (2) 0.2 [~~0.1~~] for each student who successfully  
18 completed the adult education program and earned a high school  
19 diploma during the preceding six-week period, or a shorter period  
20 determined to be reasonable by the commissioner [~~school year~~].

21 SECTION 7. Section 12.264(b), Education Code, is amended to  
22 read as follows:

23 (b) From any gifts, grants, or donations appropriated or  
24 otherwise available to the commissioner for the purpose, the  
25 commissioner shall provide to an eligible entity granted a charter  
26 under this subchapter funding for costs associated  
27 with establishing a new campus for an adult education program

operated under this subchapter not later than the 45th day after the date the charter is granted or a charter holder notifies the commissioner of a decision to replicate its adult education program at a new campus. An entity is only eligible to receive funding under this section for a new campus if that campus has a minimum enrollment capacity of at least 200 students, except that an entity is also eligible to receive a one-time allotment of funding under this section if it establishes multiple campuses with an aggregate enrollment capacity of at least 200 students.

SECTION 8. (a) A student is entitled to the benefits of the Foundation School Program if, on September 1 of the school year, the student:

(1) is 5 years of age or older and under 21 years of age and has not graduated from high school, or is at least 21 years of age and under 26 years of age and has been admitted by a school district to complete the requirements for a high school diploma; or

(2) is at least 18 years of age and under 60 ~~[50]~~ years of age and is enrolled in an adult education program provided under the adult high school charter school program under Subchapter G, Chapter 12.

SECTION 9. Section 48.005(j), Education Code is amended to read as follows:

(j) A district or charter school is eligible to earn full average daily attendance under Subsection (a) if the district or school provides at least 43,200 minutes of instructional time to students enrolled in:

(1) a dropout recovery school or program operating

under Section 12.1141(c) or Section 39.0548;

(2) an alternative education program operating under Section 37.008;

(3) a school program located at a day treatment facility, residential treatment facility, psychiatric hospital, or medical hospital; or

(4) a school program offered at a correctional facility ~~[~~or~~~~

~~[(5) a school operating under Subchapter C, Chapter 12].~~

SECTION 10. This Act takes effect September 1, 2025.