

BILL ANALYSIS

Senate Research Center
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S.B. 1872
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, schools are given credit only for a student who graduates with the student's cohort group. The Texas Education Agency defines a cohort as all students tracked from the beginning year through the fall after the expected graduation.

While this calculation is applicable to all public schools, it disparately impacts charter schools that serve a majority of students who will graduate outside of their cohort. While most public schools are able to offset the impact of this calculation by the numbers of students who do graduate within their cohort, charter schools choosing to serve a majority of students who are outside of their cohort are not. Because these calculations do not adjust for a school that chooses to serve a large percentage of students who have dropped out of school for an extended period of time, "dropout recovery charter schools" can find themselves consistently rated as unacceptable solely because of the population they choose to serve.

However, many of these dropout recovery charter schools meet academic and financial standards and show great accomplishments with high-risks students.

S.B. 1872 allows the commissioner of education to grant dropout recovery charters that can demonstrate their academic and financial success the ability to replicate and provide easier access to this population.

As proposed, S.B. 1872 amends current law relating to revision of open-enrollment charter school charters to add charter schools under certain circumstances.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 12.1141, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 12, Education Code, by adding Section 12.1141, as follows:

Sec. 12.1141. REVISION: ADDING SCHOOLS UNDER CERTAIN CIRCUMSTANCES. (a) Prohibits the commissioner of education (commissioner), except as provided by Subsection (b), from denying approval for a charter holder to add one or more additional open-enrollment charter schools under an existing open-enrollment charter granted to the charter holder if:

(1) the charter holder meets all criteria established by rule for adding a charter school under an existing charter other than criteria for performance based on dropout and completion rates of one or more existing charter schools under the charter and those criteria would be met if:

(A) a student enrolled at a charter school for 45 or fewer school days were not considered a dropout; and

(B) a student who graduates from a charter school before or during the student's sixth year of high school were considered a high school graduate; and

(2) each additional charter school:

(A) will serve only high school students; and

(B) will be in the geographical area described for the charter under Section 12.111(a)(14) (requiring that each charter granted under this subchapter describe the geographical area served by the program).

(b) Authorizes the commissioner to, in accordance with commissioner rule, limit the number of additional charter schools approved under Subsection (a) or limit the enrollment of an additional charter school as necessary to conform to the capacity limits of the charter holder or the demand for services in the geographical area, as determined by the commissioner, but prohibits the commissioner from limiting the enrollment of an additional charter school to less than the number of students currently enrolled at the high school level at a charter school operated by the charter holder that focuses on dropout recovery.

SECTION 2. Effective date: upon passage or September 1, 2011.