

BILL ANALYSIS

Senate Research Center
85R12893 CAE-D

S.B. 1882
By: Menéndez; Bettencourt
Education
4/4/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Charter schools and school districts educate over 5.3 million Texas public school students. Encouraging collaboration between districts and charter schools, whether through facilities sharing, shared professional development, or a host of innovative partnership ideas, will allow more students to access high-quality schools, regardless of type. District-charter partnerships focus on building collaboration, instead of competition, between traditional school districts and charter schools.

S.B. 1882 creates conditions that encourage cooperation and innovation between districts and charter schools. If school districts and charter schools choose to partner, both entities enter into a written agreement to share teaching responsibilities, facilities, or other education resources.

S.B. 1882 incentivizes this partnership in two ways. In the partnership, the school district receives the higher of the maintenance and operations (M&O) funding amount that the district or charter school would be entitled to for each student in the partnership. Also, the district or charter will receive a one year pause in the accountability system, receiving individual domain scores but an overall rating of "undesignated" for that first year without restarting the intervention clock.

As proposed, S.B. 1882 amends current law relating to a school district contract to partner with an open-enrollment charter school to operate a district campus and share education resources.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 11.174, Education Code) and SECTION 2 (Section 42.010, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.174, as follows:

Sec. 11.174. CONTRACT WITH OPEN-ENROLLMENT CHARTER SCHOOL REGARDING OPERATION OF DISTRICT CAMPUS. (a) Authorizes the board of trustees (board) of a school district (district) to contract with the governing body of an open-enrollment charter school (school) for the district to partner with the charter school to operate a district campus and share teachers, facilities, or other education resources on that campus.

(b) Prohibits the board of a district from entering into a contract as provided by Subsection (a) if the charter of the school has been previously revoked or the school has received an unacceptable performance rating under Subchapter C (Accreditation), Chapter 39 (Public School System Accountability), for each of the three school years preceding the school year of the proposed operation of the district campus as described by Subsection (a).

(c) Requires the commissioner of education (commissioner), except as provided by Subsection (d), to continue to evaluate and assign performance ratings under

Section 39.054 (Methods and Standards for Evaluating Performance) to a district, district campus, and school subject to a contract described by Subsection (a).

(d) Provides that this subsection applies only to a campus subject to a contract described by Subsection (a) that received a D or F for a performance rating under Subchapter C, Chapter 39, for the school year before the district and the school began operation of the district campus. Requires the commissioner, notwithstanding any other law, to assign a campus subject to this subsection a performance rating of "undesignated" under Section 39.054 for the first school year of the operation of the campus by the district and the school. Prohibits the commissioner from imposing a sanction or taking action against the campus under Subchapter E (Accreditation Interventions and Sanctions), Chapter 39, for failure to satisfy academic performance standards during that first school year.

(e) Authorizes the commissioner to adopt rules as necessary to administer this section.

SECTION 2. Amends Subchapter A, Chapter 42, Education Code, by adding Section 42.010, as follows:

Sec. 42.010. SCHOOL DISTRICT ENTITLEMENT FOR CERTAIN STUDENTS. (a) Provides that this section applies only to a district and a school that enter into a contract to operate a district campus and share teachers, facilities, or other education resources as provided by Section 11.174.

(b) Provides that, notwithstanding any other provision of this chapter, a district and school to which this section applies collectively are entitled to receive the greater of the following amount for each student in weighted average daily attendance at the campus:

(1) the amount to which the district would be entitled under this chapter;
or

(2) the amount described by Section 12.106 (State Funding).

(c) Requires the amount provided under Subsection (b) to be allocated in accordance with the contract described by Subsection (a).

(d) Requires the commissioner to adopt rules as necessary to administer this section.

SECTION 3. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 4. Effective date: upon passage or September 1, 2017.