

BILL ANALYSIS

Senate Research Center

S.B. 2117
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Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1882, which passed in the 85th session, provided incentives for traditional independent school districts to enter into partnerships with:

- an open-enrollment charter school;
- an institution of higher education;
- a non-profit; and
- a governmental entity.

Under such partnerships, districts could receive:

- a potential increase in state funding;
- the better of the calculation between local entitlement of funding or the state funding of open-enrollment charters; and
- an exemption from state accountability interventions for two years.

Unfortunately, since implementation, interested parties have learned two valuable lessons:

- Two of the original three districts that were touted by policymakers as examples of DCPs were excluded from receiving a funding increase in their innovation partnerships; and
- Many districts have utilized the accountability exemption forestalling the mandatory five-year intervention in a chronically failing school.

S.B. 2117 will ensure previous and future districts receive a funding increase for those districts who enter into an innovation partnership and align the accountability exemption/pause with the requirement to order closure or a board of managers after a five-year chronically failing campus. (Original Author's/Sponsor's Statement of Intent)

S.B. 2117 amends current law relating approval of school district and charter school partnerships to operate school district campuses and programs and to eligibility for state funding.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 11.157, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.157, Education Code, as follows:

Sec. 11.157. CONTRACTS FOR EDUCATIONAL SERVICES. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that a school district under contract with an open-enrollment charter school to jointly operate a campus or campus program during the 2017–2018 school year and under any renewal of that contract is eligible to receive funding under Section 42.2511 (School District Entitlement For Certain Students) for each student or the portion of each student's school day under the direction of the open-enrollment charter school. Authorizes the commissioner of education to adopt rules to determine the portion of funding a school district is entitled to under this subsection.

SECTION 2. Amends Sections 42.2511(a) and (b), Education Code, as follows:

(a) Provides that this section applies only to certain entities, including a school district that contracts with an open-enrollment charter school to jointly operate a campus or campus program as provided by Section 11.157(b). Makes nonsubstantive changes.

(b) Provides that, notwithstanding any other provision of this chapter (Foundation School Program) or Chapter 41 (Equalized Wealth Level), a school district subject to this section is entitled to receive for each student in average daily attendance at the campus or program, rather than the campus, described by Subsection (a) an amount equivalent to the difference, if the difference results in increased funding, between certain specified amounts.

SECTION 3. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 4. Effective date: upon passage or September 1, 2019.