

## **BILL ANALYSIS**

S.B. 1882  
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Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties see a benefit in partnerships between public school districts and open-enrollment charter schools. S.B. 1882 seeks to incentivize and increase the occurrence of these partnerships by providing a funding entitlement for certain district campuses operated under a partnership between a district and a charter school.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTIONS 1 and 2 of this bill.

### **ANALYSIS**

S.B. 1882 amends the Education Code to establish that, if the board of trustees of a public school district contracts with the governing body of an open-enrollment charter school for the district to partner with the charter school to operate a district campus, the campus qualifies for an exemption from certain intervention by the commissioner of education as provided by the bill and for the funding set out by the bill. The bill authorizes a charter school to contract with a district to operate a district campus only if the charter of the charter school has not been previously revoked and the charter school has received for the three school years preceding the school year of the proposed operation of the district campus an overall performance rating of acceptable or higher and a financial accountability rating indicating financial performance of satisfactory or higher.

S.B. 1882 requires a district to consult with campus personnel regarding the provisions to be included in the contract between the district and the charter school before entering into the contract and requires a district campus to be granted a campus or campus program charter to operate as a district campus. The bill requires the commissioner to continue to evaluate and assign overall and domain performance ratings to a district campus subject to an applicable contract, but prohibits the commissioner from imposing a sanction or taking certain action against a campus for failure to satisfy academic performance standards during that first two school years the charter school operates the campus. This prohibition applies only to a campus subject to a contract to operate as a district campus that received an unacceptable overall performance rating for the school year before the operation of the district campus under the contract began. The bill establishes that the overall performance rating received by the campus during those first two school years is not included in calculating consecutive school years and is not considered a break in consecutive school years for purposes relating to the required submission of a campus turnaround plan.

S.B. 1882 authorizes a district campus subject to the prohibition against such commissioner sanction or action that receives an unacceptable overall performance rating for any school year after the first two school years the district and the charter school began operation of the campus to receive an exemption from a sanction or other action only if the campus receives approval for the exemption from the commissioner. The bill requires a contract for the operation of a district campus to include a provision addressing student eligibility for enrollment. The bill requires the contract of a campus subject to the prohibition against commissioner sanction or action to provide that any student residing in the attendance zone of the campus as the attendance zone existed before operation of the campus under the contract be admitted for enrollment at the campus and requires the contract to establish a certain manner of enrollment preference for students who do not reside in the attendance zone.

S.B. 1882 authorizes the commissioner to adopt rules as necessary to administer the bill's provisions relating to a contract regarding operation of a district campus, which expressly do not prohibit a contract between a district and another entity for the provision of services for the campus.

S.B. 1882 entitles a district that has entered into a contract with a charter school to operate a district campus to receive for each student in average daily attendance at the campus an amount equivalent to the difference, if the difference results in increased funding, between the amount to which the district would be entitled under the foundation school program and the amount of state funding to which the open-enrollment charter school would be entitled. The bill requires the commissioner to adopt rules as necessary to administer the entitlement. The bill establishes that the commissioner is required to implement the bill's provisions only if the legislature appropriates money specifically for that purpose and that, if the legislature does not appropriate money specifically for that purpose, the commissioner may, but is not required to, implement the bill's provisions using other appropriations available for the purpose. The bill applies beginning with the 2017-2018 school year.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.