

## **BILL ANALYSIS**

Senate Research Center  
81R7513 CAS-D

H.B. 1423  
By: Guillen et al. (Shapiro)  
Education  
5/12/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, university-sponsored charter schools are exempt from the statewide cap on charter schools. Junior colleges are eligible to offer charter schools, but they fall under the charter school cap that allows a maximum of 215 charter schools in the state.

H.B. 1423 exempts public junior colleges from the charter school cap by authorizing junior colleges to open charter schools in the same manner as universities. The bill requires junior college charter schools to be under the direct supervision of a faculty member with substantial experience and expertise in teacher education, classroom instruction, or educational administration. The bill specifies that the junior colleges must design their charter schools around specific goals, such as dropout recovery, and that they must establish objective measures to determine how well they meet those goals.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Subchapter E, Chapter 12, Education Code, to read as follows:

#### **SUBCHAPTER E. COLLEGE OR UNIVERSITY OR JUNIOR COLLEGE CHARTER SCHOOL**

SECTION 2. Amends Sections 12.151, 12.152, 12.154, and 12.155, Education Code, as follows:

Sec. 12.151. New heading: DEFINITIONS. Defines "public junior college" and "public senior college or university." Makes nonsubstantive changes.

Sec. 12.152. AUTHORIZATION. (a) Authorizes the State Board of Education (SBOE), in accordance with this subchapter and Subchapter D (Open-Enrollment Charter School), to grant a charter on the application of a public junior college for an open-enrollment charter school to operate on the campus of the public junior college or in the same county in which the campus of the public junior college is located. Makes nonsubstantive changes.

Sec. 12.154. CONTENT. (a) Creates this subsection from existing text. Authorizes SBOE, notwithstanding Section 12.110(d) (relating to SBOE approving or denying an application based on certain criteria), to grant a charter under this subchapter to a public senior college or university only if certain criteria are satisfied in the public senior college's or university's application, as determined by SBOE.

(b) Authorizes SBOE, notwithstanding Section 12.110(d), to grant a charter under this subchapter to a public junior college or university only if certain criteria are satisfied in the public junior college's application, as determined by SBOE.

Sec. 12.155. SCHOOL NAME. Requires that the name of a college or university charter school or junior college charter school include the name of the public senior college or university or public junior college, as applicable, operating the school.

SECTION 3. Amends Section 12.156(a), Education Code, to make conforming changes.

SECTION 4. Effective date: upon passage or September 1, 2009.