

BILL ANALYSIS

Senate Research Center
82R10117 KKA-F

H.B. 2366
By: Truitt (Nelson)
Education
5/10/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2366 establishes that Westlake Academy, the only municipally owned and operated open-enrollment charter school in Texas, is a work-site open-enrollment charter school for the purposes of federal funding. This bill exempts municipal employees' children from the admission lottery, so long as the number of children admitted constitutes only a small percentage, as may be further specified by federal regulation, of the school's total enrollment.

Texas charter schools are generally governed by the Texas Education Code and an array of federal laws. One of these federal laws is the Charter Schools Program (CSP). Adherence to CSP regulations can gain federal funds for charter schools. If a charter school receiving funds has more applicants than positions, the CSP requires the school to establish a lottery to determine which students will be admitted. Generally, all students must participate in the lottery. Certain categories of applicants, however, may be exempted. One exempt category is children of employees in a work-site charter school (so long as the total number of students allowed under this exemption constitutes only a small percentage of the school's total enrollment).

H.B. 2366 amends current law relating to the authority of an open-enrollment charter school operated by a municipality to give a preference in admissions to children of employees of the municipality.

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 Section 12.117, Education Code, by adding Subsection (c), as follows:

(c) Provides that an open-enrollment charter school authorized by a charter granted under this subchapter to a municipality:

(1) is considered a work-site open-enrollment charter school for purposes of federal regulations regarding admissions policies that apply to open-enrollment charter schools receiving federal funding; and

(2) notwithstanding Subsection (a) (requiring the governing body of the school, for admission to an open-enrollment charter school, to perform certain actions), may admit children of employees of the municipality to the school before conducting a lottery to fill remaining available positions, provided that the number of children admitted under this subdivision constitutes only a small percentage, as may be further specified by federal regulation, of the school's total enrollment.

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