

AN ACT

relating to granting charters to public junior colleges for open-enrollment charter schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter E, Chapter 12, Education Code, is amended to read as follows:

SUBCHAPTER E. COLLEGE OR UNIVERSITY OR JUNIOR COLLEGE

CHARTER SCHOOL

SECTION 2. Sections 12.151, 12.152, 12.154, and 12.155, Education Code, are amended to read as follows:

Sec. 12.151. DEFINITIONS [~~DEFINITION~~]. In this subchapter, "public junior college" and "public senior college or university" have [~~has~~] the meanings [~~meaning~~] assigned by Section 61.003.

Sec. 12.152. AUTHORIZATION. (a) In accordance with this subchapter and Subchapter D, the State Board of Education may grant a charter on the application of:

(1) a public senior college or university for an open-enrollment charter school to operate on the campus of the public senior college or university or in the same county in which the campus of the public senior college or university is located; or

(2) 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

1 college is located.

2 Sec. 12.154. CONTENT. (a) Notwithstanding Section
3 12.110(d), the State Board of Education may grant a charter under
4 this subchapter to a public senior college or university only if the
5 following criteria are satisfied in the public senior college's or
6 university's application, as determined by the State Board of
7 Education:

8 (1) the college or university charter school's
9 educational program must include innovative teaching methods;

10 (2) the college or university charter school's
11 educational program must be implemented under the direct
12 supervision of a member of the teaching or research faculty of the
13 public senior college or university;

14 (3) the faculty member supervising the college or
15 university charter school's educational program must have
16 substantial experience and expertise in education research,
17 teacher education, classroom instruction, or educational
18 administration;

19 (4) the college or university charter school's
20 educational program must be designed to meet specific goals
21 described in the charter, including improving student performance,
22 and each aspect of the program must be directed toward the
23 attainment of the goals;

24 (5) the attainment of the college or university
25 charter school's educational program goals must be measured using
26 specific, objective standards set forth in the charter, including
27 assessment methods and a time frame; and

1 (6) the financial operations of the college or
2 university charter school must be supervised by the business office
3 of the public senior college or university.

4 (b) Notwithstanding Section 12.110(d), the State Board of
5 Education may grant a charter under this subchapter to a public
6 junior college only if the following criteria are satisfied in the
7 public junior college's application, as determined by the State
8 Board of Education:

9 (1) the junior college charter school's educational
10 program must be implemented under the direct supervision of a
11 member of the faculty of the public junior college;

12 (2) the faculty member supervising the junior college
13 charter school's educational program must have substantial
14 experience and expertise in teacher education, classroom
15 instruction, or educational administration;

16 (3) the junior college charter school's educational
17 program must be designed to meet specific goals described in the
18 charter, such as dropout recovery, and each aspect of the program
19 must be directed toward the attainment of the goals;

20 (4) the attainment of the junior college charter
21 school's educational program goals must be measured using specific,
22 objective standards set forth in the charter, including assessment
23 methods and a time frame; and

24 (5) the financial operations of the junior college
25 charter school must be supervised by the business office of the
26 junior college.

27 Sec. 12.155. SCHOOL NAME. The name of a college or

1 university charter school or junior college charter school must
2 include the name of the public senior college or university or
3 public junior college, as applicable, operating the school.

4 SECTION 3. Section 12.156(a), Education Code, is amended to
5 read as follows:

6 (a) Except as otherwise provided by this subchapter,
7 Subchapter D applies to a college or university charter school or
8 junior college charter school as though the college or university
9 charter school or junior college charter school, as applicable,
10 were granted a charter under that subchapter.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1423 was passed by the House on April 30, 2009, by the following vote: Yeas 130, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1423 was passed by the Senate on May 25, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor