

BILL ANALYSIS

C.S.H.B. 4205
By: Craddick
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that although there have been recent legislative efforts to provide for the improvement of schools that receive poor performance ratings, public school districts still need more flexibility in making the right decision regarding how to turn schools within the district around. C.S.H.B. 4205 seeks to add another tool to a district's toolbox in addressing the needs of its students by expanding the circumstances under which a closed district campus may be repurposed to serve students at that campus location.

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

ANALYSIS

C.S.H.B. 4205 amends the Education Code to authorize a closed public school district campus to be repurposed to serve students at that campus location if the commissioner of education approves a new campus identification number for the repurposed campus and finds that the repurposed campus offers a distinctly different academic program and is operated under a contract, approved by the district's board of trustees, with a nonprofit organization exempt from federal taxation under Section 501(c)(3) of the federal Internal Revenue Code of 1986 that:

- has a governing board that is independent of the district;
- has a successful history of operating public school district campuses or open-enrollment charter schools, a majority of which have been assigned an overall performance rating of B or higher for the preceding school year, that cumulatively serve 10,000 or more students; and
- has been assigned an overall performance rating of B or higher for the preceding school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4205 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises the requisite conditions for repurposing a campus, as that pertains to a campus operated by a certain nonprofit organizations by:

- replacing the requirement that the campus be operated in partnership with the organization with the requirement that the campus be operated under a contract, approved by the district's board of trustees, with the organization;
- requiring that organization to have a governing board that is independent of the district;
- replacing the requirement for the organization to have a successful history of operating a campus or charter school serving 10,000 or more students with the requirement for the organization to have a successful history of operating campuses or charter schools that cumulatively serve 10,000 or more students; and
- requiring that the majority of the campuses or charter schools operated by the organization have been assigned an overall performance rating of B or higher for the preceding school year.