

House Public Education Committee Hearing: Charter Day 4.9.19

| TCSA Position: SUPPORT | |
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| HB 2190 Rep. Todd Hunter Admissions | Support. Permits certain public charter schools to admit children of staff members that live outside of the school's service area. The school's student enrollment must be over 200, and the school must be located in a county with a population less than 400,000 that contains a municipality of at least 300,000. |
| HB 2487 Rep. Harold Dutton Collective Bargaining | Support. Treats public charter schools the same as an ISD and other political subdivisions when it comes to negotiating collective bargaining agreements with labor unions. Currently, ISDs cannot be required to enter into collective bargaining negotiations with labor unions. This bill applies the same standards to public charter schools. |
| HB 2987 Rep. Ana-Marie Ramos Charter School Boards | Support. Requires public charter schools to post additional information on their websites about their school board members, including substantial interests in business entities doing business with the school (this information is currently reported to TEA through required documentation and required to be noticed and shared at open meetings), and the board members' terms (also already annually reported to TEA). TCSA worked with the bill author to ensure the privacy of board members would be protected. |
| HB 3013 Rep. James Talarico Discipline | Support. TCSA worked with the bill author to ensure public charter schools and ISDs have the same discretion in suspension and expulsions. The committee substitute bill will prohibit expulsions based on non-behavior factors, such as attendance, parent involvement, or academics. |
| HB 3155 Rep. Joe Deshotel Antidiscrimination Bill | Support. This bill would prevent municipalities from using zoning, permitting, and other local regulations to discriminate against public charter schools. Ensures that public charter schools are treated the same as ISDs for zoning, fees, land development agreements, and exemptions; prohibits a municipality from enacting an ordinance that would place a moratorium on state-approved public charter schools from locating in the city. |
| HB 3398 Rep. Jarvis Johnson Data-error Accountability Appeal | Support. Allows public schools to appeal a data-entry error made by the school that impacts a public school's accountability grade. This bill ensures that public charter schools and ISDs are not closed based on data-entry errors and ensures accountability grades represent the schools' true academic outcomes. Requires TEA to change the grade or provide a "Not Rated" notation for the school year for which a school successfully appeals its grade. |
| HB 3861 Rep. Dwayne Bohac District Charter Partnerships | Support. Ensures ISDs and public charter schools that jointly operate campus programs are eligible for the same funding available under SB 1882 (85 th Legislative Session). |

| TCSA Position: ON (NEUTRAL) | |
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| HB 636 Rep. James White Conflicts of interest | On. Requires a business entity to disclose to a public charter school's board if there are any interested parties in the transaction prior to entering into any contract that must be approved by the board or that is over \$1M. |
| HB 2406 Rep. Charlie Geren Political Advertising | On. Specifically adds public charter schools to election statute prohibiting the use of public funds or internal mail systems for political advertising. Public charter schools are already prohibited by state and federal law from spending public funds or using taxpayer resources on political advertising. TCSA has no objections to the content, but this bill is redundant and unnecessary. |
| HB 2621 Rep. Ernest Bailes Charter Admissions | On. Requires public charter schools to use an enrollment application developed by the state and to submit waiting list information to the state. TEA will be required to produce an annual de-duplicated waitlist number for policymakers and the public. |
| HB 3877 Rep. Ana-Marie Ramos Financial Reporting | On. Amends Section 140.006(c) of the Local Government Code to require public charter schools to provide a link to annual financial reports on the school's website home page. Public charter schools are already required to post this information online. This bill simply requires it to be linked on the home page. |

TCSA Position: AGAINST

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| <p>HB 43 Rep. Gina Hinojosa Discipline</p> | <p>Against. This bill would force public charter schools to admit students with serious disciplinary histories, including violent behavior, juvenile court adjudication, or criminal history, even if the school does not have a facility or space to separate violent students from their peers. It does not provide funding for charter schools to create a DAEP or contract with JJAEP facilities, which are required by law to be physically separated from other students, and it does not require ISDs to allow public charter schools to contract to send students to a district-run DAEP or county-run JJAEP. This bill also does not provide public charter schools the same authority given to ISDs to uphold a disciplinary placement from an ISD when a student transfers districts. Currently, when a student transfers from one ISD to another, the receiving district is able to put a student directly into its DAEP if the students was ordered into one by his or her home district. Public charter schools do not have this authority and this bill does not permit it.</p> |
| <p>HB 139 Rep. Mary Gonzalez Charter Expansion</p> | <p>Against. The bill is aimed at limiting public charter school expansions. The bill requires a public charter school to notify each ISD within the proposed geographic boundary of the new campus's specific address 18 months before the campus opens, which is before TEA approves a new charter application or an existing charter's request for expansion. Public charter schools are unable to secure campus sites until after the school has been approved for a charter expansion or initial approval. It would not be possible to comply with this law based on TEA's current approval timeline, which the bill does not address.</p> |
| <p>HB 570 Rep. Giovanni Capriglione Board Meetings</p> | <p>Against. This bill would require public charter school boards to hold an open meeting within the county where the school is located or broadcast the meeting on the internet. While TCSA does not object to ensuring public charter school boards are accountable to parents and taxpayers through open meetings requirements, this bill singles out public charter schools for the broadcast requirement and does not include ISDs. Additionally, this bill is more restrictive for public charter schools than ISDs. Current law requires ISDs and public charter schools to hold an opening meeting within the district's attendance boundaries or geographic boundary. TCSA has requested the office submit a committee substitute that addresses these inequities.</p> |
| <p>HB 1003 Rep. Nicole Collier Charter Expansion</p> | <p>Against. The bill requires public charter schools to limit their enrollment so that the majority of students enrolled in the school are from the attendance zone of the ISD boundaries within which the public charter school is located. This bill runs counter to the very concept of open enrollment charter schools that are designed to serve students from a wide variety of neighborhoods, or have a specialized mission or focus that is by its nature not a fit for every child (a Montessori approach, for example). It could also significantly impact enrollment at the ISD.</p> |
| <p>HB 1730 Rep. Yvonne Davis Charter Expansion</p> | <p>Against. The bill limits public charter school expansions by prohibiting new campuses from being built within a mile of another public charter school unless the existing school has reached maximum enrollment for 2 years. This bill doesn't take into account that many public charter schools only serve specific grades or have a specialized mission. It would prevent public charter schools from opening near each other when they are complementary, like an elementary campus opening near a middle school; or a STEM focused school locating near an IB focused school.</p> |
| <p>HB 1853 Rep. Leo Pacheco Teacher Certification & Labor Unions</p> | <p>Against. Public charter schools would be required to hire only certified teachers, which is more restrictive than the law in place for ISDs. The bill also prohibits public charter schools from preventing or dissuading a teacher from joining a teacher's association, which is already illegal under federal and state law, making this section of the bill redundant.</p> |
| <p>HB 1981 Rep. Sheryl Cole Charter Expansion</p> | <p>Against. The bill is aimed at limiting public charter school expansions by requiring the notice for a new public charter school application or a public charter school expansion to include the closest ISD campus. It is not possible for public charter schools to secure facilities until they are approved by TEA to open or expand. It would be impossible to comply with this law without also addressing the TEA approval timeline, which the bill does not do.</p> |
| <p>HB 2510 Rep. Gina Hinojosa Discipline</p> | <p>Against. Requires public charter schools to follow all process and procedural requirements related to student suspensions and expulsions in Chapter 37 of state law, this is unnecessary because public charter schools are already required to meet federal due process requirements, which mirror state law. Requires public charter schools to post student codes of conduct on their websites, even though ISDs are not required to do the same.</p> |

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| <p>HB 2760 Rep. Steve Allison Charter Expansion</p> | <p>Against. The bill adds significant time and regulatory barriers to the public charter school expansion process. The TEA commissioner would be required to create a detailed report about the financial impact that a new public charter school campus could have on a local ISD. That report is not required to include the potential positive impact to student outcomes that could come from a high performing charter school expanding in a chronically under-performing ISD. The bill would also give SBOE the ability to veto any public charter school expansion. This will further politicize public charter schools, despite their positive impact on student achievement.</p> |
| <p>HB 2776 Rep. Steve Allison Parent Notification</p> | <p>Against. Public charter schools would be required to post an “informed choice report” including their student demographics, available extra-curricular activities, availability of PE, whether the school has a library, etc. This requirement does not apply to ISDs and is simply extra red tape aimed at charter schools.</p> |
| <p>HB 2964 Rep. Yvonne Davis Charter Employees</p> | <p>Against. While this bill includes many worthy changes to state law, it goes one step too far and therefore TCSA must oppose it. The problematic section gives ISDs the ability to determine which employees are eligible to work at public charter schools. Employee eligibility rules are currently set by the state, which creates a level playing field for both public charter schools and ISDs. TCSA is attempting to work with the author on language that would be acceptable.</p> |
| <p>HB 3263 Rep. Alma Allen Whistleblower Act</p> | <p>Against. This bill adds public charter schools to the Texas Whistleblower Act, which is currently overbroad and opens the door to frivolous lawsuits. The Whistleblower Act should be reformed so that all governmental entities are better protected from frivolous lawsuits that waste taxpayer resources to defend. Until that happens, TCSA must oppose this bill. Furthermore, this language was added to HB3 as an amendment, so does not need to be addressed as a stand-alone bill.</p> |
| <p>HB 4209 Rep. Yvonne Davis Charter School Boards</p> | <p>Against. Limits public charter school autonomy by requiring them to allow parents of enrolled children to elect school board members and limit board terms to 4 years. ISD elections are not limited to only parents of enrolled children and board member terms are not limited to 4 years.</p> |