



Texas Public Policy Foundation

Center for Education Policy

Texas Legislature's *83rd Session* in Review

By James Golsan

The 83rd Texas Legislature saw some truly meaningful reforms come to Texas public education. Though we certainly hoped for more, at the end of the day, it can be said without question our lawmakers took positive steps toward improving education opportunities for Texas students, as well as toward making our education system as a whole more flexible, competitive, and efficient.



Charter Schools

On the public education reform front, Senate Bill (SB) 2 took significant steps to overhaul the Texas charter school system. Most significantly, it did a gradual expansion of the cap on public open-enrollment charter schools. Starting in the fall of 2014, the state will add about 15 new charter schools per year, leaving us with a cap of 305 open-enrollment charter schools in 2019. This is a significant step toward addressing the ever growing waitlist of students attempting to attend charter schools, currently numbering over 100,000.

SB 2 made other significant alterations to Texas charter school law as well. School districts are now required to at least entertain an offer from charter schools when selling an unused building in their district. Renewal and revocation processes for charter holders have been revised and streamlined, and a new kind of district charter has been made available to school districts, one that lets them operate their own open-enrollment charter without outsourcing the management of as much to a traditional open-enrollment charter provider.

Another strength of SB 2 is that it does not change laws regarding charter schools facilities funding. As much means that Texas charter schools retain their status as laboratories of efficiency in public education as they were originally envisioned in 1995.

Online Learning

The other significant win this session for the Center for Education Policy was the passage of House Bill 1926, which made significant positive reforms to the state's virtual education market. For the first time since the inception of the Texas Virtual School Network, private and non-profit providers of online content will be able to participate in the network

without having to partner with an ISD to do so. This should make for a significant reduction in red tape for private providers attempting to provide content, and significantly improve course options for Texas students looking for digital alternatives to their locally provided courses.

However, it should be noted that for as strong a piece of legislation as HB 1926 is in many regards, it did not take steps to address student eligibility for online learning in Texas. The requirement that Texas students must have spent the previous year attending Texas public schools before enrolling full time in online learning in this state remains a significant limiting factor for the growth of digital learning in Texas.

Private School Choice

Unfortunately, for all the positives that took place in public education reform, private school choice was unable to gain traction during the 83rd Texas Legislature. Education tax credit scholarships, statewide education scholarships, and scholarships for special needs students were all considered before the Senate Education Committee. While SB 23 (tax credit scholarships) and SB 115 (special needs scholarships) were both successfully voted out of committee, neither was ultimately discussed on the Senate floor.

For all the positives that took place in public education reform, private school choice was unable to gain traction. This indicates there is still much work to be done in convincing many of our lawmakers that private school choice is good for Texas.

Private school choice efforts on the House side were even more frustrating, as no private school choice bill was given a vote in any committee. Further, during the House budget debate, an amendment designed to block all funding for private school scholarships was passed 103-43. This indicates that there is still much work to be done in convincing many of our lawmakers that private school choice is good for Texas.

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Parent-Trigger

A strengthening of Texas' parent-trigger law shared a similarly frustrating fate. While Texas is one of only seven states with an active parent-trigger law—which allow parents to petition for the reconstitution of a failing public school into a public charter school—the fact that it takes a parent up to six years to pull the trigger renders Texas' version highly ineffective. SB 1263 would have shortened that period to three years and significantly strengthened the trigger, bringing us much more in line with other states that have enacted such laws. Unfortunately, the bill was unable to push through the House Public Education Committee.

Home-Rule Districts

Though SB 2 made many substantial improvements to Texas charter law, it did not take steps to improve Texas' so far untried home-rule school district option. HB 3611 would have addressed many of the current failings in the home-rule school law, most notably the 25 percent voter currently required in an election during which a school district is considering conversion to a home-rule charter. Unfortunately, while the bill was given a hearing before the House Public Education Committee, it was never given a vote.

The reforms the Legislature made on the public side, between charter and virtual schools, were significant. The failures of private school choice efforts, however, mean we still have a long way to go.

Conclusion

At the end of the day, we can definitively say that the Texas education system took positive steps toward becoming more open and competitive in 2013. The reforms the Legislature made on the public side, between charter and virtual schools, were significant. The failures of private school choice efforts, however, mean we still have a long way to go toward truly empowering parents to choose the best education for their child in Texas. ★

