

Testimony on Senate Bill 968  
Senate Education Committee  
86<sup>th</sup> Legislature, April 16, 2019  
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Senate Bill 968 seeks to clarify the jurisdiction of Texas municipalities as it concerns the establishment and expansion of charter schools. The Foundation supports this measure for the reasons stated below.

***Charter Schools in Texas***

The Foundation supports expanding innovation and competition through encouraging the growth of charter schools. Research has found that charter schools tend to perform [more efficiently](#) than their traditional counterparts and that increased choices in a region encourage more efficient district behavior. Caroline Hoxby of Stanford University has [found](#) that charter schools in proximity to traditional schools increased the academic performance of students within traditional schools. Last year Sarah Cordes [found](#) that students in traditional New York City schools experienced increases in academic achievement when charter schools entered the neighborhood. Notably, those increases were most pronounced when traditional schools and charter schools were co-located in the same building.

Approximately 140,000 Texas students are on waiting lists, hoping to be chosen in a lottery for one of the limited open seats at a nearby charter school. In Austin alone, [10,000 students](#) are waiting to get a seat.

About 606,000 Texas children are currently assigned to D- and F-rated school districts. In such cases, a nearby charter is often the only option to help ensure a child's success. With 58 percent of Texas third-graders reading below grade level, Texas should support the expansion of robust, high-performing charter schools to provide immediate alternatives to students trapped in D- and F-rated districts.

Texas families also choose charter schools because charters often better meet their student's unique needs by providing, for example, more individualized student attention, smaller school settings, character building, college classes, STEM options, flexible schedules, and an atmosphere more conducive to the student's education attainment.

By welcoming the growth of charter operators and structures in Texas, the state encourages efficient, innovative new actors while simultaneously encouraging efficiency and achievement in traditional public schools.

***Senate Bill 968***

Senate Bill 968 simply provides that charter schools be treated as school districts for the purposes of:

- Zoning
- Permitting
- Code compliance

- Development
- Land development agreements
- Impact fees
- Drainage fees

The bill also provides that charter schools may not be singled out for exclusion by a political subdivision.

These provisions ensure that charter schools receive equal treatment with independent school districts for the purposes of establishment and development within their respective jurisdictions.

***Recommendation***

The Foundation supports this bill as a key clarification of:

1. the position that charter schools hold in this state as Texas public schools, and
2. the responsibility of municipalities to operate impartially toward all Texas public schools.