

**Written Testimony of David Anderson**  
*General Counsel*  
**Raise Your Hand Texas**

Before the Texas State Senate Committee on Education  
The Honorable Larry Taylor Chair  
**March 25, 2021**

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**Senate Bill 28 by Senator Paul Bettencourt**

**Position: Oppose**

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**KEY POINTS**

- The State Board of Education must maintain oversight of new charter applications.
  - Our communities have a right to expect that their voices can reach elected officials capable of responding to their concerns.
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Senate Bill 28 repeals the provision allowing the State Board of Education (SBOE) to disapprove a State Education Commissioner's proposal to grant a new charter application in Texas. The SBOE is currently the only elected body overseeing the approval of new charter applications and Raise Your Hand Texas believes elected officials must maintain some oversight on both new charter applications and expansions.

In Texas, our public schools are accountable to the state through an assessment and rating system and to the public through democratic local elections.

State-authorized charters are only accountable to an elected State Board of Education at the point of charter authorization. At this time, no elected officials have any oversight over the largest source of charter school expansion through charter amendments. SB28 moves our public schools further away from our traditional expectations of accountability to elected officials when it should extend oversight to all charter expansions.

Our communities have a right to expect that their voices can reach elected officials capable of responding to their concerns. This is certainly the case for school districts, which are governed by elected trustees who make decisions on the expansion and location of most public schools, and must hold elections authorizing bonds for their construction. Yet those local elected officials find themselves unable to influence the expansion of charter schools approved by an unelected Commissioner of Education.

A constituent might then turn to their legislators to express concern about the effect of additional schools on the facilities they are taxing themselves to build and maintain. Yet legislators have no control over charter authorization or expansion, despite a significant impact on the state budget.

A member of the public can contact their elected State Board of Education about an application for a new charter and get a hearing before that body. But even the State Board has no authority over charter expansion. A State Board member may have approved a charter at the other side of the state years ago, yet have no ability to influence expansion amendments approved solely by an unelected Commissioner of Education.

Providing some oversight by elected officials is not a pro or anti-charter position. It is the way a democratic society functions. We ask that the State Board of Education's authority to disapprove a new charter be retained, and that the Committee consider enhancing that authority to require approval for expansions of existing charters.

We look forward to working with the Committee on these important issues.

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