



Input on SB 1750

Relating to instructional facilities funding
for certain open-enrollment charter schools

April 1, 2025

The **Association of Texas Professional Educators (ATPE)** offers the following input on Senate Bill (**SB**) **1750** by Sen. Angela Paxton:

As a professional organization representing educators across Texas, ATPE supports public education in all its forms. At the same time, we believe strongly that all schools receiving taxpayer dollars—whether traditional or charter—should be held to the same standards of fiscal responsibility, transparency, and accountability.

SB 1750 is important because it offers an opportunity to clarify the issue of facility ownership in the public charter school sector. As it stands, state dollars can be used to lease facilities owned by private or related-party entities, allowing public funds to support the acquisition of private property, often with limited long-term public benefit or oversight. We believe taxpayer funds should only be used to build or acquire facilities that remain public assets—not to enrich for-profit entities or private real estate companies.

Raising or removing the \$60 million cap on charter school facilities funding, as this bill proposes, must be carefully weighed against existing needs across the public education system. Texas continues to underfund:

- Teacher pay and benefits,
- Classroom instructional materials,
- Early learning programs, and
- Student support services.

Expanding facilities funding for charter schools, especially without ensuring ownership clarity, risks diverting critical resources from the core work of teaching and learning.

Charter facilities funding must be used responsibly. We appreciate the inclusion of Section 12.106(e-2), which requires charter schools to certify that no official financially benefits from a real estate transaction. However, this requirement is limited in scope and relies on self-reporting. It must be strengthened with independent audits, public disclosure of lease agreements, and enforceable conflict-of-interest provisions.

The Association of Texas Professional Educators (ATPE) is the leading educator association in Texas and has been a strong voice for Texas educators since 1980. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for the more than 5 million Texas public schoolchildren. ATPE is the ally and the voice of Texas public school educators.

Moreover, state facilities funding should only be used for bond-financed construction or property purchases—not leases. This is consistent with how independent school districts (ISDs) must operate. If charter schools want access to state facilities dollars, they must follow the same rules as traditional public schools.

We urge the committee to strike Section 3(f)(1) of the bill. If public charter schools are going to receive facilities funding guaranteed under the Foundation School Program (FSP), the rules must be consistent with those applied to ISDs. That means equal per-student rates, equal allowable uses, and equal public accountability.

Charter schools should not have more flexible or expansive uses of funding if they are seeking parity in state support. This is a fairness issue, but also one of fiscal responsibility and public trust. Public schools, both charter and traditional, serve Texas students and should be treated fairly. But fairness requires consistency in both funding and accountability. SB 1750 presents an opportunity to:

- Align funding rules across sectors,
- Eliminate taxpayer funding of private real estate gains,
- Focus facilities investments on public assets with long-term value, and
- Ensure any increase in charter funding does not come at the expense of teacher salaries and student support services.

ATPE appreciates SB 1750's intent to address growing facility needs in the charter sector. But any changes to funding levels must come with stronger safeguards, clear ownership requirements, and equity in the treatment of both charter and traditional public schools. Taxpayer dollars should be used to support students and teachers, not private real estate interests or loosely defined capital expenditures.

We respectfully urge the committee to:

- Strengthen ownership and transparency provisions of the bill,
- Prohibit the use of state funds for leased facilities,
- Strike Section 3(f)(1) of the bill, and
- Ensure that charter schools receiving FSP funds follow the same rules and limitations as ISDs.

Thank you for your service and your commitment to all Texas students and educators. For additional information, contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.