

By: Dominguez

H.B. No. 2391

Substitute the following for H.B. No. 2391:

By: Dutton

C.S.H.B. No. 2391

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the methods by which students may be admitted to public
3 schools and the disclosure of information regarding public school
4 admission methods.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 12.117, Education Code, is amended by
7 adding Subsections (a-1) and (b-1) to read as follows:

8 (a-1) An open-enrollment charter school that fills
9 available positions by lottery under Subsection (a)(2)(A) may use a
10 weighted lottery that assigns weights to applicants so that an
11 applicant's probability of admission increases if the applicant is:

12 (1) eligible to participate in a special education
13 program under Section 29.003;

14 (2) a student of limited English proficiency, as
15 defined by Section 29.052; or

16 (3) a student at risk of dropping out of school, as
17 defined by Section 29.081(d).

18 (b-1) An open-enrollment charter school shall post in a
19 prominent and appropriate location on the school's public Internet
20 website notice of:

21 (1) the method by which the school fills available
22 positions in the school, including whether the school uses:

23 (A) a lottery; or

24 (B) a weighted lottery; and

1 (2) if the school fills available positions by
2 weighted lottery under Subsection (a-1), the weights assigned to
3 applicants under that subsection.

4 SECTION 2. Section 12.1173(a), Education Code, is amended
5 to read as follows:

6 (a) The commissioner by rule shall adopt a common admission
7 application form for use by an applicant for admission to an
8 open-enrollment charter school that provides for the submission of
9 information that the commissioner considers appropriate, including
10 information necessary for an open-enrollment charter school to
11 implement a weighted lottery under Section 12.117(a-1).

12 SECTION 3. Section 25.001, Education Code, is amended by
13 adding Subsection (k) to read as follows:

14 (k) If a school district elects to admit students not
15 described by Subsection (b) into the district's schools, the
16 district shall post in a prominent and appropriate location on the
17 district's public Internet website notice of:

18 (1) the method by which the district admits those
19 students; and

20 (2) if the district uses a weighted lottery to admit
21 those students, the weights assigned to applicants for the lottery,
22 including the weights assigned to an applicant who is:

23 (A) eligible to participate in the school's
24 special education program under Section 29.003;

25 (B) a student of limited English proficiency, as
26 defined by Section 29.052; or

27 (C) a student at risk of dropping out of school,

1 as defined by Section 29.081(d).

2 SECTION 4. Section 12.117(a-1), Education Code, as added by
3 this Act, applies beginning with admissions for the 2022-2023
4 school year.

5 SECTION 5. This Act takes effect September 1, 2021.