

By: Paxton

H.B. No. 3868

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for the Public Education Grant.

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

SECTION 1. Amend Chapter 22.203, Education Code, by adding Subsection D-1 and amending Subsection D as follows:

Sec. 29.203. FINANCING.

(d-1) No later than June 1 of each year, each district must report its student enrollment capacity for the next school year, by grade level for each campus, to the Commissioner of Education.

~~[(d)]~~ (d-2) A school district chosen by a student's parent under Section 29.201 is entitled to ~~[accept or]~~ reject the application for the student to attend school in that district only if the declared capacity in Subsection D-1 has been reached. The district ~~[grade level and campus enrollment is equal to or greater but]~~ may not use criteria that discriminate on the basis of a student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status. A school district that has more ~~[acceptable]~~ applicants for attendance under this subchapter than available positions ~~[must give priority to students at risk of dropping out of school as defined by Section 29.081 and]~~ must fill the available positions by lottery. However, to achieve continuity in education, a school district may give preference ~~[over at-risk students]~~ to enrolled students and to the siblings of enrolled students residing in the

1 same household or other children residing in the same household as
2 enrolled students for the convenience of parents, guardians, or
3 custodians of those children.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.