

By: Patrick

S.B. No. 1740

A BILL TO BE ENTITLED

AN ACT

relating to the public education grant program.

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

SECTION 1. Section 29.201, Education Code, is amended to read as follows:

Sec. 29.201. PARENTAL CHOICE. Notwithstanding any other provision of this code, as provided by this subchapter a [~~an eligible~~] student may attend a public school in the district in which the student resides or may use a public education grant to attend a public school in any other district chosen by the student's parent.

SECTION 2. Section 29.203(d), Education Code, is redesignated as Section 29.2011, Education Code, and amended to read as follows:

Sec. 29.2011. ACCEPTANCE BY CHOSEN CAMPUS. (a) [(d)] A school district may not [chosen by a student's parent under Section 29.201 is entitled to accept or] reject an [the] application under Section 29.201 for a [the] student to attend school at a campus chosen by the student's parent unless positions at the campus are unavailable because the campus is at full capacity [in that district 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].

(b) A school district that has more [~~acceptable~~] applicants

1 for attendance at a campus under this subchapter than available
2 positions [~~must give priority to students at risk of dropping out of~~
3 ~~school as defined by Section 29.081 and~~] must fill the available
4 positions at the campus as follows:

5 (1) students residing in the assigned attendance zone
6 of the campus must be accepted first;

7 (2) students residing in the school district in which
8 the campus is located must be accepted next; and

9 (3) students residing in a school district other than
10 the district in which the campus is located must be accepted if
11 positions remain after accepting students under Subdivisions (1)
12 and (2).

13 (c) If a school district has more applicants from students
14 in a category under Subsection (b) than available positions, the
15 district shall fill the available positions by lottery.

16 (d) Notwithstanding Subsections (b) and (c) [~~However~~], to
17 achieve continuity in education, a school district may give
18 preference [~~over at-risk students~~] to enrolled students and to the
19 siblings of enrolled students residing in the same household or
20 other children residing in the same household as enrolled students
21 for the convenience of parents, guardians, or custodians of those
22 children.

23 SECTION 3. Section 29.203(f), Education Code, is
24 redesignated as Section 29.2012, Education Code, and amended to
25 read as follows:

26 Sec. 29.2012. TRANSPORTATION. If the school a student
27 would otherwise attend is a campus assigned an unacceptable

1 performance rating under Section 39.054, the [~~(f) The~~] school
2 district in which the [~~a~~] student resides shall provide
3 transportation free of charge to and from the school the student
4 attends [~~each student attending a school in another district~~] under
5 this subchapter [~~transportation free of charge to and from the~~
6 ~~school the student would otherwise attend~~].

7 SECTION 4. Section 29.204(b), Education Code, is amended to
8 read as follows:

9 (b) Not later than February 1 of each year, a school
10 district shall notify the parent of each student in the district
11 [~~assigned to attend a campus described by Section 29.202~~] that the
12 student is eligible for a public education grant. The notice must
13 contain a clear, concise explanation of the public education grant
14 program and of the manner in which the parent may obtain further
15 information about the program.

16 SECTION 5. Section 29.205, Education Code, is amended to
17 read as follows:

18 Sec. 29.205. CONTRACT AUTHORITY. The board of trustees of a
19 school district may contract under Section 11.157 for the provision
20 of educational services to a district student eligible to receive a
21 public education grant [~~under Section 29.202~~].

22 SECTION 6. Sections 29.202, 29.203(b), (c), and (g),
23 29.204(a), 42.157, and 42.4101, Education Code, are repealed.

24 SECTION 7. This Act applies beginning with the 2013-2014
25 school year.

26 SECTION 8. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.