

1-1 By: West S.B. No. 1775
 1-2 (In the Senate - Filed March 8, 2013; March 25, 2013, read
 1-3 first time and referred to Committee on Education; April 15, 2013,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 6, Nays 1, 1 present not voting;
 1-6 April 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13				X
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1775 By: West

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to school campus information, student transfers, and the
 1-22 public education grant program.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 8.051, Education Code, is amended by
 1-25 adding Subsection (e) to read as follows:

1-26 (e) Each regional education service center shall
 1-27 consolidate and submit to the agency or the entity contracting with
 1-28 the agency under Section 25.0012(b) the school availability
 1-29 information required under Section 25.0012 for any school located
 1-30 in the area served by the center. Each school district and
 1-31 open-enrollment charter school shall provide the necessary
 1-32 information to the regional education service center once each
 1-33 year. The information shall be submitted by the center in the
 1-34 manner and format specified by the agency or contracting entity.
 1-35 Each regional education service center shall provide additional
 1-36 campus information and enrollment services as required by the
 1-37 commissioner.

1-38 SECTION 2. Subchapter A, Chapter 25, Education Code, is
 1-39 amended by adding Section 25.0012 to read as follows:

1-40 Sec. 25.0012. SCHOOL AVAILABILITY INFORMATION. (a) A
 1-41 school district, open-enrollment charter school, or regional
 1-42 education service center shall prominently display and maintain on
 1-43 the entity's Internet website a list that includes:

1-44 (1) each campus located within the district, area
 1-45 served by the school, or region;

1-46 (2) the number of students that may attend each
 1-47 campus;

1-48 (3) the number of students attending each campus;

1-49 (4) the number of available student positions at each
 1-50 campus, as determined by the district;

1-51 (5) intensive programs offered at each campus,
 1-52 including optional flexible school day and credit recovery
 1-53 programs;

1-54 (6) college and career readiness programs offered at
 1-55 each campus, including dual credit programs, international
 1-56 baccalaureate programs, advanced placement programs, magnet
 1-57 programs, and Advancement Via Individual Determination (AVID)
 1-58 programs; and

1-59 (7) expanded learning programs, including extended
 1-60 day programs, extended year programs, and 21st Century Community

2-1 Learning Center programs.

2-2 (b) The agency may contract for the services of one or more
 2-3 contractors to develop, implement, maintain, and publicize an
 2-4 Internet website that enables the public to identify by zip code the
 2-5 school district campuses and open-enrollment charter schools
 2-6 located in a student's district of residence and contiguous
 2-7 districts that match identified performance and program offerings,
 2-8 including the program offerings in Subsections (a)(5)-(7). For
 2-9 each campus identified, the Internet website shall display the
 2-10 information specified in Subsections (a)(2) and (3) and the process
 2-11 by which a student may enroll in a campus that is not the campus to
 2-12 which the student is assigned. In awarding a contract under this
 2-13 subsection, the agency must consider an applicant's demonstrated
 2-14 competence and qualifications in maximizing Internet website
 2-15 accessibility and ease of use.

2-16 (c) In addition to any amount appropriated by the
 2-17 legislature, the agency may accept funds from any other public or
 2-18 private entity to carry out the requirements of this section. Funds
 2-19 accepted under this subsection may not be accepted on terms
 2-20 inconsistent with the requirements of this section.

2-21 SECTION 3. Section 25.031, Education Code, is amended to
 2-22 read as follows:

2-23 Sec. 25.031. ASSIGNMENTS AND TRANSFERS; OPEN ENROLLMENT [~~IN~~
 2-24 ~~DISCRETION OF GOVERNING BOARD~~]. (a) In conformity with this
 2-25 subchapter and rules adopted by the commissioner, the board of
 2-26 trustees of a school district or the board of county school trustees
 2-27 or a school employee designated by the board shall ~~may~~ assign and
 2-28 transfer any student from one school facility or classroom to
 2-29 another within its jurisdiction.

2-30 (b) Except as otherwise provided by this section, a school
 2-31 district that has more applicants for a transfer to a school
 2-32 facility than available positions must give priority to students at
 2-33 risk of dropping out of school as defined by Section 29.081 and must
 2-34 fill the available positions by lottery.

2-35 (c) The board of trustees of a school district may adopt a
 2-36 policy that establishes admissions criteria, including audition or
 2-37 performance criteria, for admission to a campus or program,
 2-38 including a magnet campus or program, that offers specialized areas
 2-39 of study and focus for students.

2-40 (d) Except as otherwise provided by Subsection (b) or (c),
 2-41 by this subchapter, or by commissioner rule, a school district
 2-42 shall permit open enrollment in any campus in the district.

2-43 (e) In permitting transfers under this section, a school
 2-44 district may not discriminate on the basis of a student's race,
 2-45 ethnicity, sex, or socioeconomic status.

2-46 (f) A student permitted to transfer to a campus under this
 2-47 section may continue to attend that campus and the campuses to which
 2-48 students from that campus are regularly assigned for higher grade
 2-49 levels until the student graduates from high school.

2-50 SECTION 4. Section 29.201, Education Code, is amended to
 2-51 read as follows:

2-52 Sec. 29.201. PARENTAL CHOICE. Notwithstanding any other
 2-53 provision of this code, as provided by this subchapter an eligible
 2-54 student may attend a public school in the district in which the
 2-55 student resides or may use a public education grant to attend any
 2-56 other district chosen by the student's parent until the student
 2-57 decides to attend a school in a different district or graduates from
 2-58 high school.

2-59 SECTION 5. Subsection (b), Section 29.202, Education Code,
 2-60 is amended to read as follows:

2-61 (b) After a student has used a public education grant to
 2-62 attend a school in a district other than the district in which the
 2-63 student resides, [+

2-64 [~~(1)~~] the student does not become ineligible for the
 2-65 grant if the school on which the student's initial eligibility is
 2-66 based no longer meets the criteria under Subsection (a) [~~, and~~

2-67 [~~(2)~~ the student becomes ineligible for the grant if
 2-68 the student is assigned to attend a school that does not meet the
 2-69 criteria under Subsection (a)].

3-1 SECTION 6. Subsections (c) and (d), Section 29.203,
3-2 Education Code, are amended to read as follows:

3-3 (c) A school district is entitled to additional facilities
3-4 assistance under Section 42.4101 if the district enrolls ~~[agrees~~
3-5 ~~to~~.

3-6 [~~(1) accept~~] a number of students using public
3-7 education grants that is at least one percent of the district's
3-8 average daily attendance for the preceding school year~~[, and~~

3-9 [~~(2) provide services to each student until the~~
3-10 ~~student either voluntarily decides to attend a school in a~~
3-11 ~~different district or graduates from high school]~~.

3-12 (d) [~~A school district chosen by a student's parent under~~
3-13 ~~Section 29.201 is entitled to accept or reject the application for~~
3-14 ~~the student to attend school in that district but may not use~~
3-15 ~~criteria that discriminate on the basis of a student's race,~~
3-16 ~~ethnicity, academic achievement, athletic abilities, language~~
3-17 ~~proficiency, sex, or socioeconomic status.] A school district that
3-18 has more [~~acceptable~~] applicants for attendance under this
3-19 subchapter than available positions must [~~give priority to students~~
3-20 ~~at risk of dropping out of school as defined by Section 29.081 and~~
3-21 ~~must~~] fill the available positions by lottery. However, to achieve
3-22 continuity in education, a school district may give priority
3-23 [~~preference over at-risk students to enrolled students and~~] to the
3-24 siblings of enrolled students residing in the same household or
3-25 other children residing in the same household as enrolled students
3-26 for the convenience of parents, guardians, or custodians of those
3-27 children.~~

3-28 SECTION 7. This Act applies beginning with the 2013-2014
3-29 school year.

3-30 SECTION 8. This Act takes effect immediately if it receives
3-31 a vote of two-thirds of all the members elected to each house, as
3-32 provided by Section 39, Article III, Texas Constitution. If this
3-33 Act does not receive the vote necessary for immediate effect, this
3-34 Act takes effect September 1, 2013.

3-35 * * * * *