

By: Hinojosa

H.B. No. 394

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to notification of an application for a charter for an  
3 open-enrollment charter school or of the establishment of an  
4 open-enrollment charter school campus and to an annual report by  
5 open-enrollment charter schools on transfer students and waiting  
6 lists for admission.

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

8 SECTION 1. Section [12.1101](#), Education Code, is amended to  
9 read as follows:

10 Sec. 12.1101. NOTIFICATION OF CHARTER APPLICATION OR  
11 ESTABLISHMENT OF CAMPUS. (a) The commissioner by rule shall adopt a  
12 procedure for providing notice to the following persons on receipt  
13 by the commissioner of an application for a charter for an  
14 open-enrollment charter school under Section [12.110](#) or of notice of  
15 the establishment of a campus as authorized under Section  
16 [12.101\(b-4\)](#):

17 (1) the board of trustees of each school district from  
18 which the proposed open-enrollment charter school or campus is  
19 likely to draw students, as determined by the commissioner; and

20 (2) each member of the legislature that represents the  
21 geographic area to be served by the proposed school or campus, as  
22 determined by the commissioner.

23 (b) The notice provided under Subsection (a) must identify  
24 the public elementary school or schools in closest proximity to the

1 address or intersection at which the proposed open-enrollment  
2 charter school or campus is likely to be located.

3 (c) Not later than the 30th day after the date on which an  
4 applicant or charter holder acquires property intended to serve as  
5 the location of a proposed open-enrollment charter school or campus  
6 for which notice was provided under Subsection (a), the applicant  
7 or charter holder shall provide notice of the address of the  
8 acquired property to the board of trustees of each school district  
9 provided notice under that subsection.

10 (d) An open-enrollment charter school or campus may not open  
11 unless notice has been provided for that school or campus in  
12 accordance with this section.

13 SECTION 2. Subchapter D, Chapter 12, Education Code, is  
14 amended by adding Section 12.1191 to read as follows:

15 Sec. 12.1191. REPORT ON TRANSFERS AND WAITING LIST. Each  
16 open-enrollment charter school shall annually report to the  
17 commissioner in accordance with commissioner rule:

18 (1) the number of students who transferred from the  
19 school during the year for which the report is made and the school  
20 to which each student transferred; and

21 (2) the school's current waiting list for admission,  
22 if any, with each student on the list represented by a unique  
23 identification number that does not reveal the student's identity.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect on the 91st day after the last day of the  
2 legislative session.