

By: Bailes

H.B. No. 2621

A BILL TO BE ENTITLED

AN ACT

relating to open-enrollment charter school admission procedures  
and reporting requirements for certain admission information.

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

SECTION 1. Section 12.117(a), Education Code, is amended to  
read as follows:

(a) For admission to an open-enrollment charter school, the  
governing body of the school shall:

(1) require the applicant to complete and submit the  
common admission [an] application form described by Section 12.1173  
not later than a reasonable deadline the school establishes; and

(2) on receipt of more acceptable applications for  
admission under this section than available positions in the  
school:

(A) fill the available positions by lottery; or

(B) subject to Subsection (b), fill the available  
positions in the order in which applications received before the  
application deadline were received.

SECTION 2. Section 12.1171, Education Code, is amended to  
read as follows:

Sec. 12.1171. ADMISSION TO OPEN-ENROLLMENT CHARTER SCHOOLS  
SPECIALIZING IN PERFORMING ARTS. Notwithstanding Section 12.117,  
the governing body of an open-enrollment charter school that  
specializes in one or more performing arts may require an applicant

1 to audition for admission to the school in addition to completing  
2 and submitting the common admission application form under Section  
3 12.1173.

4 SECTION 3. Subchapter D, Chapter 12, Education Code, is  
5 amended by adding Section 12.1173 to read as follows:

6 Sec. 12.1173. COMMON ADMISSION APPLICATION FORM; WAITING  
7 LIST FOR ADMISSION. (a) The commissioner by rule shall adopt a  
8 common admission application form for use by an applicant for  
9 admission to an open-enrollment charter school that provides for  
10 the submission of information that the commissioner considers  
11 appropriate.

12 (b) The commissioner shall publicize the availability of  
13 the form adopted under this section.

14 (c) The commissioner by rule shall adopt guidelines for an  
15 open-enrollment charter school that receives more acceptable  
16 applications for admission than available positions at the school  
17 to create and manage a waiting list each school year for applicants  
18 who are not admitted.

19 (d) The commissioner shall adopt any other rules as  
20 necessary to implement this section, including rules to ensure this  
21 section complies with federal law regarding confidentiality of  
22 student medical or educational information, including the Health  
23 Insurance Portability and Accountability Act of 1996 (42 U.S.C.  
24 Section 1320d et seq.) and the Family Educational Rights and  
25 Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law  
26 relating to the privacy of student information.

27 SECTION 4. Subchapter D, Chapter 12, Education Code, is

1 amended by adding Section 12.1174 to read as follows:

2 Sec. 12.1174. ENROLLMENT AND WAITING LIST REPORT. (a) Not  
3 later than October 1 of each school year, in the form prescribed by  
4 commissioner rule, the governing body of a charter holder shall  
5 report to the agency for that school year:

6 (1) the following information for each campus  
7 operating under the charter holder's charter:

8 (A) the number of students enrolled;

9 (B) the enrollment capacity; and

10 (C) if a charter holder uses a waiting list for  
11 admission to a campus:

12 (i) the total number of students on the  
13 waiting list; and

14 (ii) the number of students on the waiting  
15 list disaggregated by grade level; and

16 (2) the information described by Subdivision (1)  
17 aggregated for all campuses operating under the charter holder's  
18 charter.

19 (b) Not later than October 1 of each year, the commissioner,  
20 from information provided to the commissioner by each charter  
21 holder under this subchapter, shall identify each group of charter  
22 holders considered by the commissioner to be corporate affiliates  
23 or substantially related charter holders. Not later than November  
24 1 of each year, the agency, using the information reported under  
25 Subsection (a), shall aggregate the information for each group of  
26 charter holders identified by the commissioner under this  
27 subsection.

1        (c) Not later than December 31 of each year, the  
2 commissioner shall post on the agency's Internet website:

3            (1) the information reported by charter holders under  
4 Subsection (a); and

5            (2) the information aggregated by the agency under  
6 Subsection (b).

7        SECTION 5. Not later than January 1, 2020, the commissioner  
8 of education shall adopt a common admission application form,  
9 waiting list guidelines, and any other rules as necessary to  
10 implement Section 12.1173, Education Code, as added by this Act.

11        SECTION 6. Sections 12.117 and 12.1171, Education Code, as  
12 amended by this Act, and Section 12.1174, Education Code, as added  
13 by this Act, apply beginning with the 2020-2021 school year.

14        SECTION 7. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2019.