

By: Dominguez

H.B. No. 2391

A BILL TO BE ENTITLED

AN ACT

relating to the use of weighted lotteries for student admission to public schools or for student transfers within a school district.

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

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

(a-1) An open-enrollment charter school that fills available positions by lottery under Subsection (a)(2)(A) may use a weighted lottery that assigns weights to applicants so that an applicant's probability of admission increases if the applicant is:

(1) eligible to participate in the school's special education program under Section 29.003;

(2) a student of limited English proficiency, as defined by Section 29.052; or

(3) educationally disadvantaged.

SECTION 2. Section 25.001, Education Code, is amended by adding Subsection (k) to read as follows:

(k) If a school district elects to admit students not described by Subsection (b) into the district's schools by lottery, the district may use a weighted lottery that assigns weights to applicants so that an applicant's probability of admission increases if the applicant is:

(1) eligible to participate in the school's special education program under Section 29.003;

1           (2) a student of limited English proficiency, as  
2 defined by Section 29.052; or

3           (3) educationally disadvantaged.

4           SECTION 3. Subchapter B, Chapter 25, Education Code, is  
5 amended by adding Section 25.0311 to read as follows:

6           Sec. 25.0311. TRANSFER WITHIN DISTRICT BY LOTTERY. If the  
7 board of trustees of a school district elects to allow a student  
8 enrolled in the district to transfer from the student's assigned  
9 campus to another campus in the district by lottery, the board may  
10 use a weighted lottery that assigns weights to applicants so that an  
11 applicant's probability of receiving the transfer increases if the  
12 applicant is:

13           (1) eligible to participate in the school's special  
14 education program under Section 29.003;

15           (2) a student of limited English proficiency, as  
16 defined by Section 29.052; or

17           (3) educationally disadvantaged.

18           SECTION 4. This Act applies beginning with the 2021-2022  
19 school year.

20           SECTION 5. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2021.