

Questions and Answers About Texas' New Public Education Grant Program

The Texas Legislature has granted parents a new opportunity to seek the best education possible for their children by establishing a new program called the Public Education Grant Program. Now, students who are assigned to low-performing public schools have a choice to attend another public school, including one outside their own district. The Texas Education Code Section 29.201, recently enacted in Senate Bill 1, states that an eligible child 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 parents. Where your child attends school is no longer necessarily determined by where you live. The Texas Legislature has decided that no child should be forced to attend a consistently low-performing campus.

The following questions and answers explain the program in more detail. The program is new and many districts may not be familiar with it yet. Be polite and courteous, but persevere and feel free to give school officials a copy of this brochure. It may be their first opportunity to learn of this program, which goes into effect on September 1, 1995. Most school officials will try to cooperate with parents and should be willing to educate your child once they know of the program. If you have any problems or experience any difficulties please let us know. We will try to help as much as possible. Also, it can be very effective to contact your local newspaper. They may be very interested in this new and exciting program.

Q. What Is a public education grant (PEG)?

A. Your PEG is the total state and local funding per student for the district in which your student resides. Texas Education Code (TEC) 29.203(b). In most districts this will be between \$4000 to \$5000, but it could be higher. With a PEG, an eligible student may attend a public school in the district in which the student resides, or any other district chosen by the parent. *TEC 29.203(b)*

Q. Who Is eligible for a public education grant (PEG)?

A. Any student assigned to attend a public school campus:

1. At which 50% or more of the students did not perform satisfactorily on a TAAS assessment instrument in the preceding three years; or
2. That was, at any time in the preceding three years, identified as a low-performing campus by the TEA. *TEC 29.202*

The list of such schools can be obtained from the Texas Public Policy Foundation or the Texas Education Agency, Division of Evaluation and Assessment. You can also request a copy of the

Taas scores for your campus for the preceding three years from your campus Principal, the school district office, or the Texas Education Agency.

Q. How can I tell if my child's school assignment qualifies me for a PEG?

A. Each campus in Texas is required to provide you, upon request, with a school report card that includes TAAS scores for that campus. You should ask for the report card for the last three years. If any group of students has more than a 50% unsatisfactory rating in the preceding three years, or if the school has been rated as low performing at any time in the preceding three years, every child assigned to that campus is entitled to a Public Education Grant.

Q. To whom does the PEG belong, my child or the school district?

A. A student's Public Education Grant is the entitlement of the student, under the supervision of the parent, guardian, or custodian. It is not the entitlement of any school district, and is paid to a school district solely as a means of administrative convenience. *TEC 29.203(b)*. In other words, it is your child's money, not the school district's, and the parent now has much more say in where the child should attend. The Legislature has shifted to child-centered funding instead of district funding.

Q. How do I use my PEG?

A. According to the TEA, a parent of an eligible student simply chooses a public school outside the district of residence and requests enrollment under the Public Education Grant Program. If a parent wants their child to attend a public school campus in their resident district, but other than the low-performing campus to which they would be assigned, the school district central office should be advised and a request for transfer and reassignment under the Public Education Grant program should be made. Their district may have other choice programs as well.

Q. What if more students want to attend a school than it can hold?

A. A lottery will be held. A school district that has more acceptable applicants for attendance than available positions must give priority to students who are at risk of dropping out of school and must fill the available positions by lottery. Currently enrolled students and siblings or other

children living in the same household as enrolled students can be given priority over at risk students. *TEC 29.203(c)*.

Q. Which students are at risk of dropping out and thus receive a priority?

A. A student in grades 7 through 12 who was retained for two or more years, or has math or reading skills two or more grades below level, or failed two or more courses and is not expected to graduate from high school in four years, or did not perform satisfactorily on a TAAS test, or is pregnant or a parent is classified as at risk. *TEC 29.081*.

Q. Can a district reject my child?

A district in which the student does not reside may accept or reject the student's application to attend school, but it may not use criteria that discriminate on the basis of race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status. School districts should be happy to accept out of district students and will receive full compensation from your child's district of residence through the PEG. *TEC 29.203(c)*.

Q. Will I be charged tuition if I go out of district?

A. No. The district you choose for your child cannot charge you tuition in addition to your Public Education Grant. Neither may it charge tuition greater than the district's average expenditure per student. If the tuition is less than the amount of your PEG, your child's district of residence is entitled to the remainder. The receiving district reports attendance to the losing district which receives the child's state funding and forwards the PEG to the receiving district. *TEC 29.203(d)*.

Q. Is transportation provided?

A. The district of the child's residence is only required to provide transportation to the campus the child would otherwise attend. The receiving district outside your residence boundary is not required to provide transportation. Thus, in most cases, it will be up to the parent to provide transportation. *TEC 29.203(e)*.

Q. Can I change schools at any time?

A. Yes, the law does not contain any limitation on when or how often a change is made, as long as the student is eligible.

Q. Is there specific language I should use in making a request?

A. If the school you select does not have a form for requesting enrollment under the Public Education Grant Program, simply make the following request in writing to the Principal of the selected school, with a copy to the Superintendent of both the receiving and losing school districts:

I respectfully request enrollment for my child, (NAME), at (NAME OF SCHOOL), under the Public Education Grant Program, Texas Education Code 29.201. MY child would otherwise be assigned to attend the low performing public school campus (NAME OF OLD SCHOOL) in the (NAME OF OLD SCHOOL DISTRICT). Signed, parent, guardian, or custodian's name.

Where can I get more help?

The following sources may be able to help you if you need more assistance:

1. The Texas Education Agency Division of Evaluation and Assessment Austin, Texas 512-463-9734
2. Your state representative or senator whose address you may be able to obtain from your county election office, or from the Blue Pages of your phone book.
3. The Texas Public Policy Foundation 8122 Datapoint Drive, Suite 300 San Antonio, Texas 78229 1-800-694-TPPF (8773)
4. Texas Justice Foundation 8122 Datapoint Drive, Suite 906 San Antonio, Texas 78229 210-614-7157
5. Your local newspaper.
6. Your local school superintendent, central office, or school board members.

About the Author: Allan Parker, President of the recently formed Texas Justice Foundation, is a former Professor of Law at St. Mary's University in San Antonio where he taught Education Law and Civil Procedure. He was a Visiting Professor at the University of Texas and studied International Human Rights at the Rene Cassin Internationale Institut Des Droits De L'Homme in

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