

An eligible student may attend a public school in the district in which the student resides or may use a public education grant to attend any other district chosen by the student's parent. *Education Code 29.201*

Eligible Students

A student is eligible to receive a public education grant or to attend another public school in the district in which the student resides if the student is assigned to attend a public school campus assigned an unacceptable rating that is made publicly available under Education Code 39.054 for:

1. The student achievement domain under Education Code 39.053(c)(1); and
2. The school progress domain under Education Code 39.053(c)(2). [See AIA]

After a student has used a public education grant to attend a school in a district other than the district in which the student resides:

1. The student does not become ineligible for the grant if the school on which the student's initial eligibility is based no longer meets the criteria described above; and
2. The student becomes ineligible for the grant if the student is assigned to attend a school that does not meet the criteria described above.

Education Code 29.201, .202

Funding

A district is entitled to a public education grant allotment for each eligible student using a public education grant.

A district is entitled to additional facilities assistance under Education Code 42.4101 if the district agrees to:

1. Accept a number of students using public education grants that is at least one percent of the district's average daily attendance for the preceding school year; and
2. Provide services to each student until the student either voluntarily decides to attend a school in a different district or graduates from high school.

Average Daily Attendance

A student who uses a public education grant to attend a public school in a district other than the district in which the student resides is included in the average daily attendance of the district in which the student attends school.

Education Code 29.203(a)–(c)

Admission	A district chosen by a student's parent under Education Code 29.201 above is entitled to accept or reject the application for the student to attend school in that district, but may not use criteria that discriminate on the basis of the student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socio-economic status.
Priorities	A district that has more acceptable applicants for attendance under public education grants than available positions must give priority to students at risk of dropping out of school, as defined by Education Code 29.081 [see EHBC] and must fill the available positions by lottery.
Exception	To achieve continuity in education, however, a district may give preference over at-risk students to: <ol style="list-style-type: none">1. Enrolled students; and2. Siblings or other children residing in the same household as enrolled students, for the convenience of parents, guardians, or custodians of those children.
Tuition	A district chosen by a student's parent under a public education grant may not charge the student tuition. <i>Education Code 29.203(d)–(e)</i>
Transportation	The district in which a student resides shall provide each student attending a school in another district under a public education grant transportation free of charge to and from the school the student would otherwise attend. <i>Education Code 29.203(f)</i>
Contract for Services	The board may contract for the provision of educational services to a student eligible to receive a public education grant. <i>Education Code 29.205</i>
Notice to Parent	Not later than February 1 of each year, a district shall notify the parent of each student in the district assigned to attend a campus described by Education Code 29.202 above that the student is eligible for a public education grant. The notice must contain a clear, concise explanation of the public education grant program and of the manner in which the parent may obtain further information about the program. <i>Education Code 29.204(b)</i>