



28           (2) (a) A charter school shall enroll an eligible student who submits a timely  
29 application, unless the number of applications exceeds the capacity of a program, class, grade  
30 level, or the school.

31           (b) (i) If the number of applications exceeds the capacity of a program, class, grade  
32 level, or the school, then students shall be selected on a random basis except that the school  
33 may give preference to a student of a parent who has actively participated in the development  
34 of the school and to siblings of students presently enrolled in the school.

35           (ii) The school may give preference to students who reside within:

36           (A) the school district in which the school is located[;];

37           (B) the municipality in which the school is located; or

38           (C) a two-mile radius from the school.

39           (c) When a public school converts to charter status, the school shall give enrollment  
40 preference to students who would have otherwise attended it as a regular public school.

41           (3) A charter school may not discriminate in its admission policies or practices on the  
42 same basis as other public schools may not discriminate in their admission policies and  
43 practices.

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**Legislative Review Note**  
**as of 1-14-05 11:36 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0136**

**Charter School Enrollment**

*01-Feb-05*

*12:30 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**