

By: Isaac

H.B. No. 4475

A BILL TO BE ENTITLED

AN ACT

relating to a program to serve students who's safety at school is in jeopardy.

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

SECTION 1. Chapter 48, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. SAFETY PROTECTION GRANT PROGRAM

Sec. 48.600. AVOIDANCE CHOICE. Notwithstanding any other provision of this code, as provided by this subchapter an eligible student may attend a public school in the district in which the student resides or may use a safety protection grant to attend another district, or accredited private school chosen by the student's parent.

Sec. 48.601. ELIGIBILITY.

A student is eligible to receive a safety protection grant to attend another school if the student's parents determine that the student's safety is in jeopardy.

Sec. 48.602. FINANCING. (a) A student who under this subchapter uses a safety protection grant to attend a public school in a school 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.

(b) A school district is entitled to the allotment provided by Section 48.107 for each eligible student using a safety

1 protection grant. If the district has a local revenue level greater
2 than the guaranteed local revenue level but less than the level
3 established under Section 48.257, a school district is entitled
4 under rules adopted by the commissioner to additional state aid in
5 an amount equal to the difference between the cost to the district
6 of providing services to a student using a public education grant
7 and the sum of the state aid received because of the allotment under
8 Section 48.107 and money from the available school fund
9 attributable to the student.

10 (c) A school district is entitled to additional facilities
11 assistance under Section 48.301 if the district agrees to:

12 (1) accept a number of students using safety
13 protection grants that is at least one percent of the district's
14 average daily attendance for the preceding school year; and

15 (2) provide services to each student until the student
16 either voluntarily decides to attend a different school or
17 graduates from high school.

18 (d) If a parent selects a private school, then funding shall
19 be calculated as the lesser of the following;

20 (1) The amount of funding as calculated under 29.203,
21 or;

22 (2) the actual amount of tuition charged by the
23 school.

24 (e) A school district chosen by a student's parent under
25 Section 29.201 is entitled to accept or reject the application for
26 the student to attend school in that district.

27 (f) A school district chosen by a student's parent under

1 Section 29.201 may not charge the student tuition.

2 Sec. 48.603. ACCREDITED PRIVATE SCHOOLS (a) The
3 commissioner shall adopt rules to implement the program including
4 the calculation of funding for private school participation. Rules
5 shall be designed to prohibit fraud and abuse. The rules may not in
6 any form effect or attempt to control the programs, curricula, or
7 other operations of private schools.

8 (a) The comptroller shall establish the safety protection
9 account in the state treasury.

10 (b) No federal funds or Available School Funds shall be used
11 to fund programs under this subsection.

12 Sec. 48.604. SAFETY PROTECTION ACCOUNT. (a) The safety
13 protection account is established in the foundation school fund and
14 is administered by the comptroller.

15 (b) The account consists of:

16 (1) money transferred to the credit of the account
17 under Section 48.304, Education Code; and

18 (2) other amounts appropriated to the account by the
19 legislature.

20 (c) Money in the account may be used only to award grants for
21 the payment of tuition for enrollment of eligible students at
22 qualifying schools in the manner prescribed by Section 48.602 and
23 rules adopted by the comptroller.

24 (d) Interest and income from the assets of the account shall
25 be credited to and deposited in the account.

26 SECTION 2. Subchapter G, Chapter 48, Education Code, is
27 amended by adding Section 48.304 to read as follows:

1 Sec. 48.304. SAFETY PROTECTION GRANT. (a) A person to whom
2 the commissioner awards a grant under Subchapter J, Chapter 48.601,
3 Education Code, is entitled to receive an amount equal to the amount
4 of the grant as provided by that subchapter.

5 (b) The agency shall transfer to the credit of the safety
6 protection account established under Section 48.604, Education
7 Code, the amount appropriated to the agency for purposes of this
8 section for use by the comptroller in awarding grants as provided by
9 Subchapter J, Chapter 48.601, Education Code.

10 SECTION 3. The comptroller in cooperation with the
11 commissioner shall adopt rules to prohibit fraud and abuse and for
12 implementation of this program.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2023.