

By: Homer

H.B. No. 3176

A BILL TO BE ENTITLED

AN ACT

relating to the compensatory education allotment.

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

SECTION 1. Section 42.152(c), Education Code, is amended to read as follows:

(c) Funds allocated under this section shall be used ~~only~~ to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by Section 29.081, and all other students. Specifically, the funds, other than an indirect cost allotment established under state Board of Education rule, which may not exceed 15 percent, may be used ~~only~~ to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Section 29.081 or an alternative education program established under Section 37.008 or to support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 50 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program under section 29.081, a district's compensatory education allotment may be used

1 ~~only~~ for costs supplementary to the regular education program,
2 such as costs for program and student evaluation, instructional
3 materials and equipment and other supplies required for quality
4 instruction, supplemental staff expenses, salary for teachers of
5 at-risk students, smaller class size, and individualized
6 instruction. A home-rule school district or an open-enrollment
7 charter school must use funds allocated under Subsection (a) for a
8 purpose authorized in this subsection but is not otherwise subject
9 to Subchapter C, Chapter 29. Notwithstanding any other provisions
10 of this section:

11 SECTION 2. Section 42.152(c) is amended by adding a new (3)
12 to read as follows:

13 (3) For the purposes of this chapter, alternative education
14 programs designed specifically to serve students "at risk of
15 dropping out" as defined in Section 29.081 are considered programs
16 supplemental to the overall educational program and the
17 compensatory education allotment may be used to fund these programs
18 and services.

19 SECTION 3. The definition created by (3) above shall apply
20 to the Compensatory Education Allotment beginning with the
21 2001-2002 school year.

22 SECTION 4. This Act takes effect immediately if it received
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2003.