

By: Pitts

H.B. No. 3245

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to compensatory education allotments under the foundation  
3 school program.

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

5 SECTION 1. Sections 42.152(i)-(l), (n), and (p), Education  
6 Code, are amended to read as follows:

7 (i) From the total amount of funds appropriated for  
8 allotments under this section, the commissioner may [~~shall~~], each  
9 fiscal year, withhold an [~~\$7,500,000 or a greater~~] amount as  
10 determined in the General Appropriations Act and distribute that  
11 amount for programs under Subchapter A, Chapter 33. A program  
12 established under that subchapter is required only in school  
13 districts in which the program is financed by funds distributed  
14 under this section or other funds distributed by the commissioner  
15 for a program under that subchapter. In distributing those funds,  
16 preference shall be given to a school district that received funds  
17 for a program under this subsection for the preceding school year.

18 (j) The commissioner shall coordinate any [~~the~~] funds  
19 withheld under Subsection (i) and any other funds available for the  
20 program and [~~shall~~] distribute those funds. To receive available  
21 funds for the program, a school district must apply to the  
22 commissioner. In distributing any funds under this subsection, the  
23 [~~The~~] commissioner shall give a preference to the districts that  
24 apply that have the highest concentration of at-risk students. For

1 each school year that a school district receives funds under this  
2 subsection [~~section~~], the district shall allocate an amount of  
3 local funds for school guidance and counseling programs that is  
4 equal to or greater than the amount of local funds that the school  
5 district allocated for that purpose during the preceding school  
6 year.

7 (k) After deducting any [~~the~~] amount withheld under  
8 Subsection (i) from the total amount appropriated for the allotment  
9 under Subsection (a), the commissioner shall reduce each district's  
10 tier one allotments in the same manner described for a reduction in  
11 allotments under Section 42.253.

12 (l) From the total amount of funds appropriated for  
13 allotments under this section, the commissioner may [~~shall~~], each  
14 fiscal year, withhold an [~~the~~] amount not more than [~~of~~] \$2.5  
15 million for transfer to the investment capital fund under Section  
16 7.024.

17 (n) After deducting any [~~the~~] amount withheld under  
18 Subsection (l) from the total amount appropriated for the allotment  
19 under Subsection (a), the commissioner shall reduce each district's  
20 allotment under Subsection (a) proportionately and shall allocate  
21 funds to each district accordingly.

22 (p) The commissioner may [~~shall~~]  
23 [~~(1)~~] withhold, from the total amount of funds  
24 appropriated for allotments under this section, an amount not to  
25 exceed five percent of the amounts allocated under this section and  
26 distribute that amount for [~~sufficient to finance~~] extended year  
27 programs under Section 29.082. In distributing any funds under

1 this subsection, the commissioner shall ~~[not to exceed five percent~~  
2 ~~of the amounts allocated under this section; and~~

3           ~~[(2)]~~ give priority to applications for extended year  
4 programs to districts with high concentrations of educationally  
5 disadvantaged students.

6           SECTION 2. This Act takes effect September 1, 2003.