

By: Keffer of Dallas, Van Arsdale, Paxton,  
Harper-Brown, Taylor

H.B. No. 2877

Substitute the following for H.B. No. 2877:

By: Delisi

C.S.H.B. No. 2877

A BILL TO BE ENTITLED

AN ACT

relating to the state's responsibility regarding public education.

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

SECTION 1. Section 42.001, Education Code, is amended to read as follows:

Sec. 42.001. STATE POLICY. (a) It is the policy of this state that the provision of public education is a state responsibility and that an ~~[a thorough and]~~ efficient system be provided and ~~[substantially]~~ financed through a combination of state and local revenue sources so that each student enrolled in the public school system shall have access to programs and services that are necessary to meet the purposes set out in Section 28.001 ~~[appropriate to the student's educational needs and that are substantially equal to those available to any similar student, notwithstanding varying local economic factors]~~.

(b) The public school finance system of this state shall adhere to a standard of neutrality that provides for substantially equal access to similar programs and services that are necessary to meet the purposes set out in Section 28.001 ~~[revenue per student at similar tax effort, considering all state and local tax revenues of districts after acknowledging all legitimate student and district cost differences]~~.

(c) For purposes of fulfilling the state's responsibility for the provision of public education under Section 1, Article VII,

1 Texas Constitution:

2 (1) "General diffusion of knowledge" means the result  
3 of an educational system that makes available, free of tuition, the  
4 curriculum required by the legislature to persons entitled to  
5 attend public school under general law.

6 (2) "Suitable provision for the support and  
7 maintenance of an efficient system of public free schools" means  
8 that the legislature:

9 (A) ensures that an educational system is  
10 available to all school-age residents of this state;

11 (B) identifies the resources necessary for the  
12 delivery of the curriculum required by Section 28.002;

13 (C) ensures that funding is available to provide  
14 the resources described by Paragraph (B);

15 (D) ensures that funding described by Paragraph  
16 (C) is provided in a manner that affords the greatest possible  
17 flexibility to school districts in use of funds; and

18 (E) ensures that funding for instructional  
19 materials is provided through the available school fund.

20 (3) "Efficient system of public free schools" means a  
21 system in which:

22 (A) accountability provisions, based primarily  
23 on performance standards that measure student academic  
24 achievement, ensure that funds provided for the delivery of the  
25 required curriculum are used in a manner that enables school  
26 districts to meet performance indicators established under Section  
27 39.051; and

1           (B) school districts, in addition to the level of  
2 revenue required to be raised to make suitable provision for the  
3 support and maintenance of an efficient system of public free  
4 schools, are permitted to raise additional local revenue to provide  
5 enhanced local educational programs and services, without a  
6 requirement that the state ensure that total local funding is  
7 substantially equal throughout the state.

8           SECTION 2. Section 42.002, Education Code, is amended to  
9 read as follows:

10           Sec. 42.002. PURPOSES OF FOUNDATION SCHOOL PROGRAM. (a)  
11 The purposes of the Foundation School Program set forth in this  
12 chapter are to guarantee that each school district in the state has:

13           (1) adequate resources to provide each eligible  
14 student a basic instructional program and facilities suitable to  
15 meet the purposes set out in Section 28.001 [~~the student's~~  
16 ~~educational needs~~]; and

17           (2) access to a substantially equalized program of  
18 financing in excess of basic costs for certain services, as  
19 provided by this chapter.

20           (b) The Foundation School Program consists of:

21           (1) two tiers that in combination provide for:

22           (A) [~~sufficient~~] financing for all school  
23 districts to provide a basic program of education that is rated  
24 academically acceptable or higher under Section 39.072 and meets  
25 other applicable legal standards; and

26           (B) substantially equal access to funds to  
27 provide an enriched program; and

1           (2) a facilities component as provided by Chapter 46.

2           SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2005.