

By: Keffer of Dallas

H.B. No. 2877

A BILL TO BE ENTITLED

AN ACT

relating to public education.

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

SECTION 1. Chapter 42, Education Code, is amended 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 a thorough and efficient system be provided and financed through state and local revenue sources.

(b) In providing revenue to ensure that each student enrolled in the public school system has access to appropriate programs and services required by this section, the public school finance system of this state shall adhere to a standard of neutrality that provides for substantially equal access to similar 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. This subsection may not be construed as prohibiting a school district from providing enhanced educational programs and services using local revenue.

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

(1) "General diffusion of knowledge" means the result

1 of an educational system that makes available, free of tuition, the
2 curriculum required by the legislature to persons entitled to
3 attend public school under general law.

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

7 (A) ensures that an educational system is
8 available to all school-age residents of Texas;

9 (B) identifies the resources necessary for the
10 delivery of the required curriculum in Section 28.002;

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

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

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

18 (3) "Efficient system of public free schools" means a
19 system in which:

20 (A) accountability provisions, based primarily
21 on performance standards that measure student academic achievement
22 and ensure that funds provided for the required curriculum are used
23 in a manner that meets the performance indicators in Section
24 39.0261 and Section 39.051 in the Education Code; and

25 (B) in addition to the level of revenue required
26 to be raised for suitable provision, school districts are permitted
27 to raise additional local revenue to provide enhanced local

1 educational programs and services, without a requirement that the
2 state ensure that total local funding is substantially equal
3 throughout the state.

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

7 (1) adequate resources to provide each eligible
8 student an accredited instructional program and facilities
9 suitable to the student's educational needs; and

10 (2) access to substantially equalized financing for an
11 enriched program.

12 (b) The Foundation School Program consists of:

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

14 (A) financing for all school districts in
15 accordance with Section 42.001; and

16 (B) substantially equal access to funds to
17 provide an enriched program; and

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