

By: Eissler

H.B. No. 2364

A BILL TO BE ENTITLED

AN ACT

relating to an exception to the wealth per student limitation for certain school districts.

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

SECTION 1. Subchapter A, Chapter 41, Education Code, is amended by adding Section 41.0022 to read as follows:

Sec. 41.0022. EXCEPTION TO WEALTH PER STUDENT LIMITATION FOR CERTAIN SCHOOL DISTRICTS. (a) Notwithstanding any other provision of this chapter, a school district is not required to satisfy any wealth per student limitation prescribed by Section 41.002 and is not required to take any action under Section 41.003 to achieve the equalized wealth level if the district is located at least partially in a county with a population of 1.5 million or more and:

(1) 20 percent or more of the students in prekindergarten through fifth grade in the district are classified as students of limited English proficiency, as defined by Section 29.052;

(2) 50 percent or more of the total students in the district are economically disadvantaged, as determined by the commissioner, and have family incomes below the federal poverty level;

(3) 65 percent or more of the students in prekindergarten through fifth grade in the district are

1 economically disadvantaged, as determined by the commissioner;

2 (4) the district has a student mobility rate of 25
3 percent or higher, as determined by the commissioner; and

4 (5) 75 percent or more of the total students in the
5 district are minority students, as determined by the commissioner.

6 (b) A school district that establishes eligibility for the
7 exception provided by this section is entitled to the exception for
8 a period of four consecutive school years. After that period, the
9 district remains eligible for the exception until the student
10 population of the district results in district percentages
11 regarding at least two of the criteria specified in Subsection (a)
12 that are more than five percentage points below the percentages
13 specified in Subsection (a) for those criteria.

14 (c) The commissioner shall adopt rules as necessary to
15 administer this section.

16 SECTION 2. This Act takes effect September 1, 2009.