

By: Hancock

S.B. No. 544

A BILL TO BE ENTITLED

AN ACT

relating to the transportation allotments provided under the Foundation School Program to school districts that permit students to select a campus of attendance.

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

SECTION 1. Section 42.155(b), Education Code, is amended by amending Subdivision (3) and adding Subdivision (4) to read as follows:

(3) "Linear density" means:

(A) for purposes of Subsection (c), the average number of regular eligible students transported daily, divided by the approved daily route miles traveled by the [respective] transportation system; and

(B) for purposes of Subsection (c-1), the average number of school choice eligible students transported daily, divided by the approved daily route miles traveled by the transportation system.

(4) "School choice eligible student" means a student who resides two or more miles from the student's campus of choice, measured along the shortest route that may be traveled on public roads, and who is not classified as a student eligible for special education services.

SECTION 2. Section 42.155, Education Code, is amended by adding Subsection (c-1) and amending Subsection (d) to read as

follows:

(c-1) This subsection applies only to a district that offers students residing in the district a variety of choices in selecting a campus for attendance and provides transportation to the selected campus at no cost to the students. The choices of campus offered must represent multiple factors, such as the sex of students enrolled at the campus, the subject matter or learning methods emphasized at the campus, and the degree to which athletic and other extracurricular activities are available at the campus. In addition to the regular transportation allotment under Subsection (c), a district is entitled to an allotment based on the daily cost per school choice eligible student of operating and maintaining the transportation system for school choice eligible students and the linear density of that system. In determining the cost, the commissioner shall give consideration to factors affecting the actual cost of providing those transportation services in the district. The average actual cost is to be computed by the commissioner and included for consideration by the legislature in the General Appropriations Act. The allotment per mile of approved route may not exceed the amount set by appropriation.

(d) A district or county may apply for and on approval of the commissioner receive an additional amount of up to 10 percent of its regular transportation allotment under Subsection (c) to be used for the transportation of children living within two miles of the school they attend who would be subject to hazardous traffic conditions if they walked to school. Each board of trustees shall provide to the commissioner the definition of hazardous conditions

1 applicable to that district and shall identify the specific
2 hazardous areas for which the allocation is requested. A hazardous
3 condition exists where no walkway is provided and children must
4 walk along or cross a freeway or expressway, an underpass, an
5 overpass or a bridge, an uncontrolled major traffic artery, an
6 industrial or commercial area, or another comparable condition.

7 SECTION 3. This Act takes effect September 1, 2013.