

AN ACT

relating to the sparsity adjustment for certain school districts under the Foundation School Program.

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

SECTION 1. Section 42.105, Education Code, as effective September 1, 2015, is amended to read as follows:

Sec. 42.105. SPARSITY ADJUSTMENT. (a) Notwithstanding Sections 42.101, 42.102, and 42.103, a school district that has fewer than 130 students in average daily attendance shall be provided an adjusted basic allotment on the basis of 130 students in average daily attendance if it offers a kindergarten through grade 12 program and has preceding or current year's average daily attendance of at least 90 students or is 30 miles or more by bus route from the nearest high school district. A district offering a kindergarten through grade 8 program whose preceding or current year's average daily attendance was at least 50 students or which is 30 miles or more by bus route from the nearest high school district shall be provided an adjusted basic allotment on the basis of 75 students in average daily attendance. An average daily attendance of 60 students shall be the basis of providing the adjusted basic allotment if a district offers a kindergarten through grade 6 program and has preceding or current year's average daily attendance of at least 40 students or is 30 miles or more by bus route from the nearest high school district.

1        (b) Subsection (c) applies only to a school district that:

2                (1) does not offer each grade level from kindergarten  
3 through grade 12 and whose prospective or former students generally  
4 attend school in a state that borders this state for the grade  
5 levels the district does not offer;

6                (2) serves both students residing in this state and  
7 students residing in a state that borders this state who are  
8 subsequently eligible for in-state tuition rates at institutions of  
9 higher education in either state regardless of the state in which  
10 the students reside; and

11                (3) shares students with an out-of-state district that  
12 does not offer competing instructional services.

13        (c) Notwithstanding Subsection (a) or Sections [42.101](#),  
14 [42.102](#), and [42.103](#), a school district to which this subsection  
15 applies, as provided by Subsection (b), that has fewer than 130  
16 students in average daily attendance shall be provided an adjusted  
17 basic allotment on the basis of 130 students in average daily  
18 attendance if it offers a kindergarten through grade four program  
19 and has preceding or current year's average daily attendance of at  
20 least 75 students or is 30 miles or more by bus route from the  
21 nearest high school district.

22        SECTION 2. This Act takes effect September 1, 2015.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2593 was passed by the House on May 15, 2015, by the following vote: Yeas 134, Nays 5, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2593 was passed by the Senate on May 24, 2015, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor