

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

9 (3) "Linear density" means:

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

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

18 (4) "School choice eligible student" means a student
19 who:

20 (A) chooses to attend a campus other than the
21 campus to which the student would regularly be assigned because the
22 campus of choice offers unique academic programs not available at
23 the regularly assigned campus;

24 (B) resides two or more miles from the student's

1 campus of choice, measured along the shortest route that may be
2 traveled on public roads; and

3 (C) is not classified as a student eligible for
4 special education services.

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

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

27 (d) A district or county may apply for and on approval of the

1 commissioner receive an additional amount of up to 10 percent of its
2 regular transportation allotment under Subsection (c) to be used
3 for the transportation of children living within two miles of the
4 school they attend who would be subject to hazardous traffic
5 conditions if they walked to school. Each board of trustees shall
6 provide to the commissioner the definition of hazardous conditions
7 applicable to that district and shall identify the specific
8 hazardous areas for which the allocation is requested. A hazardous
9 condition exists where no walkway is provided and children must
10 walk along or cross a freeway or expressway, an underpass, an
11 overpass or a bridge, an uncontrolled major traffic artery, an
12 industrial or commercial area, or another comparable condition.

13 SECTION 3. This Act takes effect September 1, 2015.