

By: Hancock

S.B. No. 1513

A BILL TO BE ENTITLED

AN ACT

relating to state funding for certain children to attend certain private school.

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

SECTION 1. Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.1535 to read as follows:

Sec. 29.1535. STATE FUNDING FOR ELIGIBLE CHILDREN TO ATTEND QUALIFIED PRIVATE SCHOOLS. (a) This section:

(1) "Eligible school district" means a school district that is:

(A) wholly located in a county with a population of more than 2.3 million; and

(B) has a student population that is more than 27,000 and less than 31,000.

(2) "Eligible student" means a person that resides in an eligible district that is:

(A) eligible under Section 29.153(b) for enrollment in a district kindergarten program; or

(B) otherwise eligible to enroll in public school in this state.

(3) "Private school" has the meaning assigned by Section 5.001.

(b) In accordance with this section and rules adopted under this section, an eligible school district shall pay the costs of an

1 eligible student that attends a private school that meets the  
2 requirements of this section.

3 (c) The amount of money for an eligible student that a  
4 school district shall pay under this section is:

5 (1) an amount equal to the average total funding for  
6 each student in the student's grade level in the district during the  
7 preceding school year for maintenance and operations, including  
8 state and local funding; or

9 (2) if the student is enrolled in a prekindergarten  
10 program and the district did not operate a prekindergarten program  
11 during the preceding school year, the statewide average amount of  
12 funding to which a district would be entitled under the Foundation  
13 School Program for an additional student in average daily  
14 attendance on a half-day basis.

15 (d) An eligible student who attends a private school under  
16 this section:

17 (1) is included in determining the average daily  
18 attendance under Section 42.005 of the school district in which the  
19 student would otherwise attend school; and

20 (2) is considered to be enrolled in a public school for  
21 purposes of Section 42.003.

22 (e) A private school may not charge an eligible student  
23 attending a school under this section tuition or require fees in  
24 addition to the amount paid by a school district under Subsection  
25 (b).

26 (f) An eligible district shall establish:

27 (1) standards with which a private school must comply

1 for the school to be eligible to receive payment under this section;

2 (2) a method for the application for and the delivery  
3 of that payment; and

4 (3) the manner in which the parent of an eligible  
5 student must apply for funding to permit the child to attend the  
6 private school.

7 (g) The standards established under Subsection (f)(1) must:

8 (1) provide a fair process for admission to the  
9 private school that:

10 (A) may give preference to siblings of an  
11 enrolled student or children residing in the same household as an  
12 enrolled student;

13 (B) requires that the private school not refuse  
14 to enroll a child on the basis of the child's race, national origin,  
15 ethnic background, religion, or disability; and

16 (C) establishes a policy to fill positions in  
17 case the private school has more applicants under this section than  
18 available positions; and

19 (2) if the private school provides a prekindergarten  
20 program, require that the private school comply with:

21 (A) the standards for certification of  
22 effectiveness of the school readiness certification system adopted  
23 under Section 29.161; and

24 (B) any additional standards the district  
25 determines appropriate.

26 (h) The agency shall contract with the State Center for  
27 Early Childhood Development for the center to provide technical

1 assistance to a private school to assist the entity as necessary in  
2 meeting the standards required by Subsection (g)(2). The center  
3 shall charge the private school an amount equal to the actual costs  
4 of delivering the technical assistance.

5 (i) The commissioner shall adopt rules as necessary to  
6 administer this section.

7 SECTION 2. (a) The changes in law made by this Act apply  
8 beginning with the 2016-2017 school year.

9 (b) The commissioner of education shall adopt rules to  
10 implement Section 29.1535, Education Code, as added by this Act,  
11 beginning with the 2016-2017 school year.

12 SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.