By: Isaac

H.B. No. 3143

A BILL TO BE ENTITLED

1   AN ACT

2   relating to establishing the safety protection grant program under

3   which the parent of a student whose safety is in jeopardy may elect

4   to transfer the student to another public school campus or receive

5   funding for the student to attend private school.

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

7   SECTION 1.   Chapter 38, Education Code, is amended by adding

8   Subchapter H to read as follows:

9   SUBCHAPTER H. SAFETY PROTECTION GRANT PROGRAM

10   Sec. 38.401. DEFINITION.   In this subchapter, "program"

11   means the safety protection grant program established under this

12   subchapter.

13   Sec. 38.402. SCHOOL CHOICE.   Under the safety protection

14   grant program, the parent of an eligible student may elect for the

15   student to:

16   (1)   be transferred to another school district campus

17   or another school district as provided by Section 38.404; or

18   (2)   receive a safety protection grant to offset the

19   cost of educating the student in a private school, including a home

20   school, as provided by Section 38.405.

21   Sec. 38.403. ELIGIBILITY.   (a)   A student is eligible to

22   participate in the program if:

23   (1)   the student is enrolled in a school district; and

24   (2)   the student's parent determines that the student's

1 safety is in jeopardy at the school in which the student is

2 enrolled.

3 (b) A student may participate in the program until the

4 earliest of the following dates:

5 (1) the date on which the student graduates from high

6 school; or

7 (2) the date on which the student is no longer eligible

8 to attend a public school under Section 25.001.

9 Sec. 38.404. TRANSFER. (a) On request of the parent of an

10 eligible student, the board of trustees of the school district in

11 which the student is enrolled shall transfer the student to:

12 (1) another district campus; or

13 (2) another school district.

14 (b) A transfer under this section must be to a campus or

15 school district, as applicable, agreeable to the student's parent.

16 (c) Section 25.034 does not apply to a transfer under this

17 section.

18 (d) A receiving school district may not charge a tuition fee

19 under Section 25.038 to a student who transfers to the district

20 under this section.

21 (e) A school district to which a student seeks to transfer

22 under this section may accept or reject the transfer request in

23 accordance with district policy.

24 Sec. 38.405. FINANCING. (a) A student who transfers to a

25 school district other than the district in which the student

26 resides under the program is included in the average daily

27 attendance of the district in which the student attends school.

1   (b) A school district is entitled to the allotment provided

2 by Section 48.1075 for each eligible student participating in the

3 program. If the district has a local revenue level greater than the

4 guaranteed local revenue level but less than the level established

5 under Section 48.257, a school district is entitled under rules

6 adopted by the commissioner to additional state aid in an amount

7 equal to the difference between the cost to the district of

8 providing services to a student participating in the program and

9 the sum of the state aid received because of the allotment under

10 Section 48.1075 and money from the available school fund

11 attributable to the student.

12   (c) A school district is entitled to additional facilities

13 assistance under Section 48.3015 if the district agrees to:

14   (1) accept a number of students participating in the

15 program that is at least one percent of the district's average daily

16 attendance for the preceding school year; and

17   (2) provide services to each student participating in

18 the program until the student:

19   (A) voluntarily decides to attend another

20 school;

21   (B) graduates from high school; or

22   (C) is no longer eligible to attend a public

23 school under Section 25.001.

24   (d) If a student's parent elects for the student to receive

25 a safety protection grant to attend a private school under the

26 program, the amount of the grant is the lesser of:

27   (1) the amount of the allotment a school district

1 would have been entitled to receive for the student under Section

2 48.1075(a) if the student had transferred to the district under the

3 program; or

4   (2) the amount of tuition charged for the student by

5 the private school.

6   (e) Federal money or money in the available school fund may

7 not be used to pay for safety protection grants under the program.

8   Sec. 38.406. SAFETY PROTECTION ACCOUNT. (a) The safety

9 protection account is an account in the foundation school fund

10 administered by the comptroller.

11   (b) The account consists of:

12   (1) money transferred to the credit of the account

13 under Section 48.312;

14   (2) investment earnings and interest earned on money

15 in the account; and

16   (3) other amounts appropriated to the account by the

17 legislature.

18   (c) Money in the account may be used only to award safety

19 protection grants for students to attend a private school under the

20 program.

21   Sec. 38.407. RULES. The commissioner shall adopt rules as

22 necessary to implement this subchapter, including rules to prevent

23 fraud or abuse. The rules may not affect or attempt to control the

24 program, curriculum, or other operation of a private school that

25 receives money under the program.

26   SECTION 2. Subchapter C, Chapter 48, Education Code, is

27 amended by adding Section 48.1075 to read as follows:

Sec. 48.1075. SAFETY PROTECTION GRANT PROGRAM ALLOTMENT. (a) Except as provided by Subsection (b), for each student in average daily attendance who is participating in the safety protection grant program under Subchapter H, Chapter 38, to attend school in a district other than the district in which the student resides, the district in which the student attends school is entitled to an annual allotment equal to the basic allotment multiplied by a weight of 0.1.

(b) The total number of allotments under this section to which a district is entitled may not exceed the number by which the number of students participating in the safety protection grant program to attend school in the district exceeds the number of students who reside in the district and participate in the safety protection grant program to attend school in another district.

SECTION 3. Subchapter G, Chapter 48, Education Code, is amended by adding Sections 48.3015 and 48.312 to read as follows:

Sec. 48.3015. ADDITIONAL ASSISTANCE FOR DISTRICTS WITH STUDENTS PARTICIPATING IN SAFETY PROTECTION GRANT PROGRAM. (a) A district is entitled to additional assistance under this section as provided by Section 38.405(c).

(b) The amount of additional assistance under this section is computed by subtracting the number of students residing in the district and participating in the safety protection grant program to attend school in another district for the year in which the assistance is granted from the number of students participating in the safety protection grant program to attend school in the district for that year and multiplying the difference by $266.

1 Sec. 48.312. SAFETY PROTECTION GRANT. (a) A person to whom
2 the commissioner awards a safety protection grant under Subchapter
3 H, Chapter 38, is entitled to receive an amount equal to the amount
4 of the grant as provided by that subchapter.
5   (b) The agency shall transfer to the credit of the safety
6 protection account established under Section 38.406 the amount
7 appropriated to the agency for purposes of this section for use by
8 the commissioner in awarding grants as provided by Subchapter H,
9 Chapter 38.
10   SECTION 4. This Act applies beginning with the 2025-2026
11 school year.
12   SECTION 5. 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, 2025.