

## **BILL ANALYSIS**

C.S.H.B. 2593  
By: Price  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note Texhoma, Texas is a unique community. Located at the peak of the Panhandle, Texhoma reflects its name by straddling the Texas-Oklahoma border. There is a Texhoma, Texas, and a Texhoma, Oklahoma. These parties note that Texhoma Independent School District on the Texas side (Texas District) is unlike any other school district in the state, serving students residing in the Texas portion of the Texhoma community, as well as, those in Oklahoma (Oklahoma District). Students attending pre-kindergarten through fourth grade attend school in the Texas District, and students attending grades fifth through twelfth attend school in the Oklahoma District. The parties express concern that even though the Texas portion of the district serves students from both states, it does not receive funding for those students living in Oklahoma and is thus operating with a fraction of the funds needed. Furthermore, the parties explain that the Texas portion of the district's average daily attendance fluctuates throughout the year and the district is constantly on the cusp of not meeting certain attendance requirements, which would mean funding cuts for this tiny district. C.S.H.B. 2593 seeks to address these concerns.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2593 amends the Education Code to require a school district that has fewer than 130 students in average daily attendance, that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in a state that borders Texas for the grade levels the district does not offer, that serves both students residing in Texas and students residing in a state that borders Texas who are subsequently eligible for in-state tuition rates at institutions of higher education in either state regardless of the state in which the students reside, and that shares students with an out-of-state district that does not offer competing instructional services to be provided an adjusted basic allotment on the basis of 130 students in average daily attendance if it offers a kindergarten through grade four program and has preceding or current year's average daily attendance of at least 75 students or is 30 miles or more by bus route from the nearest high school district.

### **EFFECTIVE DATE**

September 1, 2015.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2593 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Section 42.005, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) This subsection applies only to a school district that serves both students residing in this state and students residing in a state that borders this state who are subsequently eligible for in-state tuition rates at institutions of higher education in either state regardless of the state in which the students reside and a school district that shares students with an out-of-state district that does not offer competing instructional services. In determining the average daily attendance of a school district to which this section applies, the attendance of a student who is a resident of another state but who attends a school located in the district and operated by the district is included without regard to the location of the student's residence.

No equivalent provision.

### HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

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.

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

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

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

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

(c) Notwithstanding Subsection (a) or Sections 42.101, 42.102, and 42.103, a school district to which this subsection applies, as provided by Subsection (b), 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 four program and has preceding or current year's average daily attendance of at least 75 students or is 30 miles or more by bus route from the nearest high school district.

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

SECTION 2. Same as introduced version.