

BILL ANALYSIS

Senate Research Center
87R1497 MM-D

S.B. 204
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When students and families choose to transfer to a school in a different district than where they reside and require bus transportation, the two independent school districts (ISDs) must complete an interlocal agreement. A 2017 Attorney General opinion, KP-0166, reiterated the need for independent school districts to pursue an interlocal agreement when students and families choose to transfer to a school in a different district than where they reside and require bus transportation. Oftentimes, the ISDs are unable to come to an agreement, leaving the receiving district to pursue a waiver from the Texas Education Agency (TEA)—a cumbersome step and additional barrier to school choice.

During the 2018-2019 school year, districts statewide pursued 103 waivers for interlocal agreements, meaning that they are already taking responsibility for their students' transportation. After TEA implemented restrictions on these waivers in 2019, only 18 waivers were sought in the 2019-2020 school year. These extra steps are dissuading families from making what they feel is the appropriate choice for their students.

S.B. 204 will strike the need for an interlocal agreement and make it easier for students to go to schools in districts of their choice by allowing them access to bus transportation.

As proposed, S.B. 204 amends current law relating to the operation of a public school transportation system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 34.007(a), Education Code, to authorize a board of county school trustees or a school district board of trustees to establish and operate an economical public school transportation system outside the county or district, as applicable, if students served by the county system or enrolled in the school district reside outside the county or district, as applicable, rather than if the county or school district enters into an interlocal contract as provided by Chapter 791 (Interlocal Cooperation Contracts), Government Code.

SECTION 2. Effective date: upon passage or September 1, 2021.