

CHAPTER 454

H.B. No. 973

An Act relating to contracts and tuition for the education of students residing in school districts that do not offer classes at all grade levels.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter C, Chapter 21, Education Code, is amended by adding Section 21.082 to read as follows:

Sec. 21.082. CONTRACTS AND TUITION FOR EDUCATION OUTSIDE DISTRICT. (a) A school district that does not offer each grade level from kindergarten through grade 12 may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those grade levels in one or more other accredited districts. In each contract, the districts also shall agree to the transfer of school funds or other payments proportionate to the transfer of attendance.

(b) The district in which the students reside shall pay tuition to any accredited district with which it has a contract under this section for each of its students attending school in that district at a grade level for which the district has contracted. The amount of the tuition paid may exceed the amount provided for by Section 21.063 of this code if the board of trustees of the district in which the students reside finds the excess payment to be in the best interest of the district's educational program.

(c) A district is not required to pay tuition to any district with which it has not contracted for the attendance by any of its students at a grade level for which it has contracted under this section with another district.

(d) A contract under this section may not be for a period exceeding five years.

SECTION 2. This Act applies to contracts and tuition for school attendance for the 1985-1986 school year and thereafter.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 4, 1985, by a non-record vote; passed by the Senate on May 24, 1985, by the following vote: Yeas 29, Nays 0.

Approved: June 11, 1985

Effective: August 26, 1985