



# To the Administrator Addressed

<b>DATE:</b>	July 15, 2021
<b>SUBJECT:</b>	SB 204 and Out-of-District Transportation Requirements of TEC §34.007 and Related Waivers
<b>CATEGORY:</b>	Transportation
<b>NEXT STEPS:</b>	Share with appropriate staff

Senate Bill 204 recently passed during the 87th Regular Legislative Session, amending the law relating to the operation of a public school transportation system, as provided in Texas Education Code (TEC), §34.007.

Amended TEC, §34.007(a), provides that “[a] board of county school trustees or a school district board of trustees may establish and operate an economical public school transportation system: (1) in the county or district, as applicable; or (2) outside the county or district, as applicable, if the county or school district enters into an interlocal contract as provided by Chapter 791, Government Code; or (3) *outside the district if students enrolled in the district reside outside the district and the district:*

(A) *has an active policy adopted by the board that prohibits screening transfer students*

*disciplinary history, or attendance record, regardless of any relevant district or innovation plan adopted by the board or authorized to screen transfer students under any other authority; and*

(B) *certifies that the district has:*

- (i) *an overall performance rating of C or higher under Section 39.054 for the preceding school year or the most recent school year in which a performance rating was assigned;*
- (ii) *an overall accountability score of 70 or higher for the preceding school year or the most recent school year in which a performance rating was assigned as calculated by the agency for purposes of determining the*
- (iii) *the same or better overall performance rating under Section 39.054 for the preceding school year or the most recent school year in which a performance rating was assigned as the school district from which the district will transport students*

598.996B0d0 0 792eWB 0.90 0 0V50.054o(g is:995 (nd3

Sincerely,

Jeff Cottrill  
Deputy Commissioner of Governance and Accountability