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Texas Education Agency

201 East Eleventh Street
Austin, Texas



- STATE BOARD OF EDUCATION
- STATE COMMISSIONER OF EDUCATION
- STATE DEPARTMENT OF EDUCATION

78701

October 12, 1971

Dr. Hector P. Garcia
1315 Bright at Morgan Avenue
Corpus Christi, Texas 78405

Dear Dr. Garcia:

We have studied most carefully the request that public school transportation be provided at State expense for the twenty-four (24) elementary students who formerly attended the Travis Elementary School of the Corpus Christi Independent School District, and whose parents elected to transfer them to the Sanders Elementary School when the students were reassigned to the Lozano Elementary School on September 14, 1971.

We regret to advise that we can find no way under State Board of Education Policy pursuant to the school transportation laws that public school transportation can be provided at State expense for these twenty-four (24) children as well as the some three hundred (300) other children in the Corpus Christi Independent School District whom, we understand, have transferred from schools in the district they would normally attend to other schools.

Since the implementation of the Foundation School Program Transportation Laws in 1949, this Agency under State Board of Education Policy has consistently interpreted these statutes to mean that a student is eligible for transportation at State expense only if he or she is enrolled in the school of his or her attendance zone as determined by the school district's board of trustees.

The State Board of Education in its meeting of July 10, 1971 did amend its school transportation policies to assist school districts that found it necessary to reassign certain students as the result of a Federal Court Order for desegregation or a voluntary plan for desegregation approved by the Department of Health, Education, and Welfare. The pertinent portion reads as follows:



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"A pupil living less than two miles from a school teaching his grade in what had been his normal attendance zone becomes eligible for State transportation purposes if he, as a result of a Federal Court Order or a school district voluntary desegregation plan approved by the Department of Health, Education; and Welfare, is assigned to attend another school that is two or more miles from his residence."

At the same time, however, the State Board of Education reaffirmed its position that a student who voluntarily transfers to a school outside his normal attendance zone is not eligible for transportation at State expense. We quote this portion of the policy:

"A pupil who transfers voluntarily from the school in his normal attendance zone as a result of a provision in a Federal Court Order, a school district desegregation plan, or school district policy on transfers within the district shall not be considered eligible for State transportation purposes."

Mr. Graham and I were pleased to meet with you, Dr. Clotilde Garcia, and the representative group of parents and appreciated the very thorough manner in which the request for transportation assistance was presented.

Very truly yours,



J. W. Edgar
Commissioner of Education