# Chapter 62. Commissioner's Rules Concerning the Equalized Wealth Level

*Statutory Authority: The provisions of this Chapter 62 issued under the Texas Education Code, §41.006, unless otherwise noted.*

### §62.1001. Authority of Trustees; Duration of Agreements.

(a) Trustees of independent school districts may not delegate their authority to enter into agreements necessary to achieve the purposes of the Texas Education Code, Chapter 41. Nor may the trustees authorize any exclusive franchises on the right to negotiate on behalf of the district.

(b) Consolidations under the Texas Education Code, Chapter 41, Subchapter B; detachments and annexations under Subchapter C; and tax base consolidations under Subchapter F are permanent in duration and districts may not enter into agreements that purport to limit the duration of the agreement. Nor may the parties create by agreement any right to cancel the agreement.

*Source: The provisions of this §62.1001 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720.*

### §62.1011. Election Duties of Board of Trustees.

For the purposes of an election ordered under the Texas Education Code, Chapter 41, the board of trustees that orders the election shall perform any applicable duty assigned to the county judge or to the county commissioners court under the Texas Education Code, Chapter 13.

*Source: The provisions of this §62.1011 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720.*

### §62.1031. Date of Agreement for Purposes of Determining Election Date.

For the purposes of the Texas Education Code, §41.012, the date of an agreement entered by the board of trustees of a school district under the Texas Education Code, Chapter 41, Subchapter E or F, is the date that the agreement is certified by the commissioner of education.

*Source: The provisions of this §62.1031 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720.*

### §62.1041. Weighted Students in Average Daily Attendance for Purposes of Tax Rate Rollback.

In determining the number of weighted students in average daily attendance for the purposes of tax rate rollback calculations under the Texas Tax Code, §26.08, the number calculated under the Texas Education Code, §42.302, is adjusted:

(1) as provided by the Texas Education Code, §41.123, by adding the number of weighted students in average daily attendance attributed to the district through a contract to educate nonresident students under the Texas Education Code, Chapter 41, Subchapter E; and

(2) by adding the number of weighted students in average daily attendance attributed to the district through the purchase of attendance credits under the Texas Education Code, Chapter 41, Subchapter D.

*Source: The provisions of this §62.1041 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720.*

### §62.1051. Definition of Parcel Detached and Annexed by Commissioner.

For the purposes of implementing the Texas Education Code, Chapter 41, Subchapter G, a parcel shall be defined as one or more separately described items of real property, together with the improvements and personal property located on the property, that have the same taxable situs or that are:

(1) contiguous to each other;

(2) used as a unit or subject to the same predominant use; and

(3) located within the boundaries of a single school district.

*Source: The provisions of this §62.1051 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720.*

**§62.1071. Manual for Districts Subject to Wealth Equalization.**

(a) The processes and procedures that the Texas Education Agency (TEA) uses in the administration of the provisions of the Texas Education Code (TEC), Chapter 41, and the fiscal, procedural, and administrative requirements that school districts subject to the TEC, Chapter 41, must meet are described in the official TEA publication *Manual for Districts Subject to Wealth Equalization 2010-2011 School Year*, revised January 2011, provided in this subsection.

Figure: 19 TAC §62.1071(a)

(b) The specific processes, procedures, and requirements used in the manual for districts subject to wealth equalization are established annually by the commissioner of education and communicated to all school districts.

(c) School district actions and inactions in previous school years and data from those school years will continue to be subject to the annual manual for districts subject to wealth equalization with respect to those years.

*Source: The provisions of this §62.1071 adopted to be effective May 9, 2011, 36 TexReg 2831.*