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College seeks ruling that could affect fees it pays **(<http://weatherforddemocrat.com/top-news/x1636938749/College-seeks-ruling-that-could-affect-fees-it-pays>)**

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WEATHERFORD — Weatherford College attorneys have asked State Attorney General Greg Abbott's office for an opinion on whether the college is considered a school district.

Under Section 395.002 (B) of the Local Government Code, the City of Weatherford is a political subdivision and can impose an impact fee on land within its corporate boundaries or extraterritorial jurisdictions. Under the code, school districts are exempt from paying such impact fees. In a letter from State Rep. Bill Callegari, the City of Weatherford states it believes the code applies only to school districts, not college districts.

Weatherford College Vice President of Institutional Advancement Brent Baker said the college had recently added a new academic building and a softball complex and the city had assessed impact fees on the new construction. Baker said the college's attorneys had cited state laws that waived fees for the WISD.

"In many facets, independent school districts and junior colleges are interchangeable," Baker said. "The college attorneys are simply asking for an opinion on this."

Baker said he did not know how much the impact fees were on the new additions but did say the city has "supported us incredibly well" during the expansion.

"This is not a contentious issue in any way," Baker said. "Obviously, however, any dollars we are able to save by not having to pay the fees will ultimately save the taxpayer money."

In Callegari's letter, he cites State Senator Bob Deuell who authored SB 883. In his bill, Deuell states "SB 883 exempts independent school districts from impact fees, unless certain conditions are met."

The senator further opined that "independent school districts are not able to choose where they develop," and "growing school populations dictate that new schools be built which results in impact fees for the school district." Callegari wrote "both of these statements clearly indicate that the primary author of Senate Bill 883 intended school district as used in section 395.022(b) to mean an independent school district only."

Independent school districts are governed by the Texas Education Code, Title 2, "Public Education;" while junior college districts are governed by Texas Education Code, Title 3, "Higher Education." Independent school districts are responsible for implementing the state's system of public education to

“ensure that all children have access to a quality education.” Tex. Ed. Code Ann. § 4.001 (West).

On the other hand, junior college districts offer “continuing education, remedial and compensatory education consistent with open-admission policies, according to the Texas Education Code Ann. § 130.0011 (West). Finally, in most instances, the governing board for an independent school district operates and is elected separately from the governing board for a junior college district. See Tex. Ed. Code Ann. § 130.082 (West); see also Tex. Ed. Code Ann. § 11.051 (West).

City Manager Jerry Blaisdell said the city has no position on the matter but admits he can understand why the college is getting a ruling.

“It’s not an issue one way or another,” Blaisdell said. “It would be a fairly significant financial impact to them either way.”

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