

SENATE AMENDMENTS

2nd Printing

By: Chisum

H.B. No. 2864

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program to provide supplemental technology-based instruction to students in rural school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.919 to read as follows:

Sec. 29.919. TECHNOLOGY-BASED SUPPLEMENTAL INSTRUCTION PILOT PROGRAM. (a) The commissioner shall establish a pilot program under which state grant funds are provided to finance technology-based supplemental instruction to students at the sixth through 12th grade levels at participating campuses.

(b) A campus is eligible to participate in the program and receive state grant funds if the campus is located in a school district that:

(1) has an enrollment of fewer than 5,000 students;
and

(2) is not located in an area defined by the United States Office of Management and Budget as a standard metropolitan statistical area as of January 1, 2007.

(c) The commissioner shall develop an application and selection process for selecting campuses to participate in the program. The commissioner shall give priority to a campus that offers a relatively limited course selection to students, in

1 comparison to the course selections generally offered to students
2 in metropolitan areas.

3 (d) A campus selected to participate in the program is
4 entitled to receive state grant funds in an amount not to exceed
5 \$200 each school year for each student in an eligible grade level
6 served through the program. The state grant funds must be used to
7 provide technology-based supplemental instruction for students at
8 the eligible grade levels. Permissible expenditures under the
9 program include costs incurred to provide:

10 (1) research-based instructional support;
11 (2) teacher training;
12 (3) academic tutoring or counseling;
13 (4) distance learning opportunities that use the
14 Internet and are aligned with the essential knowledge and skills
15 adopted under Section 28.002 for the subject areas of English
16 language arts, social studies, mathematics, science, and languages
17 other than English, as applicable; and

18 (5) distance learning opportunities that enable
19 students to earn college credit in the subject areas of English
20 language arts, social studies, mathematics, science, or languages
21 other than English.

22 (e) As a condition of receiving a state grant, a campus must
23 contribute additional funding for activities provided at the campus
24 through the program, in an amount equal to at least \$100 each school
25 year for each student in an eligible grade level served through the
26 program. The additional funding required by this subsection may
27 consist of local funds, private funds, or state funds other than

1 grant funds provided under this section. For program activities
2 provided at the high school level, the high school allotment
3 provided under Section 42.2516(b)(3) may be used to meet the
4 additional funding requirement prescribed by this subsection.

5 (f) A campus participating in the program must make
6 instructional support services available to students outside of
7 regular school hours for at least 10 hours each week.

8 (g) The commissioner shall pay the costs of the program
9 using funds available for that purpose, not to exceed \$4 million
10 each fiscal year or a greater amount specified by the General
11 Appropriations Act.

12 (h) Using funds available for the program in an amount not
13 to exceed \$150,000 each fiscal year, the commissioner shall
14 contract for an evaluation of the program's effectiveness in
15 improving student performance. Not later than December 1, 2008,
16 the commissioner shall deliver an interim report containing the
17 results of the evaluation. Not later than December 1, 2010, the
18 commissioner shall deliver a final report regarding the program to
19 the legislature.

20 (i) The commissioner shall adopt rules necessary to
21 implement this section.

22 (j) This section expires September 1, 2011.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2007.

ADOPTED

MAY 22 2007

FLOOR AMENDMENT NO. 1

Letty Spaw
Secretary of the Senate
BY: *[Signature]*

1 Amend H.B. No. 2864 in Section 1 of the bill, in added Section
2 29.919, Education Code (Senate committee printing, page 1, lines 62
3 through 64), by striking added Subsection (f) and substituting the
4 following:

5 (f) A campus participating in the program must provide
6 students with individual access to technology-based supplemental
7 instruction for at least 10 hours each week.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2864** by Chisum (Relating to a pilot program to provide supplemental technology-based instruction to students in rural school districts.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2864, As Engrossed: a negative impact of (\$8,150,000) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$4,000,000)
2009	(\$4,150,000)
2010	(\$4,000,000)
2011	(\$4,150,000)
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2008	(\$4,000,000)
2009	(\$4,150,000)
2010	(\$4,000,000)
2011	(\$4,150,000)
2012	\$0

Fiscal Analysis

The bill would direct the Commissioner of Education to establish a pilot program providing grants to school districts with enrollment of fewer than 5,000 students that are not located in a standard metropolitan statistical area for the purpose of providing technology-based supplemental instruction.

The bill stipulates that the grant award amounts equate to \$200 per student served per year, not to exceed \$4 million in total expenditures annually, and would require that participating school districts contribute an additional \$100 per student served per year.

The bill would require the Texas Education Agency (TEA) to conduct a performance evaluation of the pilot program, providing an interim report to the legislature by December 1, 2008 and a final evaluation by December 1, 2010. The bill stipulates that evaluation costs not exceed \$150,000 per

fiscal year.

The pilot program would conclude at the end of fiscal year 2011.

Methodology

For purposes of this estimate, it is assumed that grants are awarded in the maximum total amount allowable under the provisions of the bill of \$4 million per year in fiscal years 2008 through 2011 in General Revenue. It is assumed that evaluation costs would be incurred in the maximum total amount allowable under the provisions of the bill at \$150,000 per year in fiscal year 2009 and in fiscal year 2011. For purposes of this estimate it is assumed that the evaluation expenditure is in excess of the \$4 million program limitation

Local Government Impact

Eligible school districts would be required to apply to grant funds under the program, and districts receiving grant awards would be required to match state grant funds at a rate of \$100 per student served per year.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp, UP, JSc

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2864** by Chisum (Relating to a pilot program to provide supplemental technology-based instruction to students in rural school districts.), **As Introduced**

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