

Amend CSHB 636 as follows:

(1) On page 1, line 6, strike "(c) and (d)" and substitute "(c), (d), (d-1), and (e)".

(2) On page 1, line 10, after the period, insert the following:

Funds available to a service area in which there is no eligible adult basic education service provider providing student contact hours shall be distributed proportionally by the agency to other eligible adult basic education service providers in the county. If there are no other eligible adult basic education service providers in the county, the funds allocated for that county shall be distributed proportionally by the agency throughout the state to eligible adult basic education service providers by service area.

(3) On page 1, line 11, strike "(d) Subsection (c) applies only to the" and substitute the following:

(d) The agency by rule shall establish a method by which adult basic education service providers are paid on a student contact hour and student performance and completion basis. In adopting a method under this subsection, the agency shall require that the total number of eligible student contact hours must be based on the student's level of performance on a designated literacy or basic skills test so that the number of eligible student contact hours funded is increased for a student with a lower performance level.

(d-1) Adult basic education service providers providing student contact hours for the 2008-2009 school year are entitled to at least the same level of student contact hours in the 2009-2010 and 2010-2011 school years as the service provider provided in the 2008-2009 school year. This subsection expires September 1, 2011.

(e) The

(4) On page 1, line 17, strike "2008-2009 school year" and substitute the following:

preceding school year shall be allocated to new student contact hours. The agency may not set the student contact hour rate for new student contact hours at a rate higher than the average rate for student contact hours in the preceding school year