All Prefiled Amendments for: HB 21

Anchia

Amendment	851526

Anderson, Rodney

Amendment	851504

Bernal

Amendment	851487
Amendment	851491

Biedermann

Amendment	851523

Blanco

Amendment	851494
Amendment	851505
Amendment	851507

Canales

Amendment	851524

Collier

Amendment	851490

Darby

Amendment	851518

Davis, Sarah

Amendment	851535

Giddings

Amendment	851517
Amendment	851536

González, Mary

Amendment	851522
Amendment	851521
Amendment	851511
Amendment	851512
Amendment	851513
Amendment	851514

Gooden

Amendment	851498

Isaac

Amendment	851528

Johnson, Eric

Amendment	851534

King, Ken

Amendment	851525

Krause

Amendment	851520

Lambert

Amendment	851508

Martinez, "Mando"

Amendment	851496

Meyer

Amendment	851510

Minjarez

Amendment	851488
Amendment	851489

Moody

Amendment	851503

Nevárez

Amendment	851499
Amendment	851500
Amendment	851501
Amendment	851502

Raney

Amendment	851519

Rodriguez, Eddie

Amendment	851527

Springer

Amendment	851516
Amendment	851515
Amendment	851531

All Prefiled Amendments for: HB 21

Thompson, Ed

Amendment	851497

Thompson, Senfronia

Amendment	851492
Amendment	851493

Uresti, Tomas

Amendment	851530
Amendment	851532

Walle

Amendment	851509

The following 46 amendments were published on 4/18/17 10:06 PM

851526

17 APR 17 PM 4:25

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Anchia

Amend C.S.H.B. No. 21 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Sections 42.152(a) and (c), Education Code, are amended to read as follows:

(a) For each student who is educationally disadvantaged or who is a student who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.25 [~~0.2~~], and by 2.41 for each full-time equivalent student who is in a compensatory, intensive, or accelerated [~~remedial and support~~] program under Section 29.081 because the student is pregnant.

(c) Funds allocated under this section shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by Section 29.081, and all other students. Specifically, the funds, other than an indirect cost allotment established under State Board of Education rule, which may not exceed 25 [~~45~~] percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Section 29.081 or a disciplinary alternative education program established under Section 37.008, to pay the costs associated with placing students in a juvenile justice alternative education program established under Section 37.011, or to support a program eligible under Title I of the Elementary and Secondary Education

Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program under Section 29.081, a district's compensatory education allotment shall be used for costs supplementary to the regular education program, such as costs for program and student evaluation, instructional materials and equipment and other supplies required for quality instruction, supplemental staff expenses, salary for teachers of at-risk students, smaller class size, and individualized instruction. A home-rule school district or an open-enrollment charter school must use funds allocated under Subsection (a) for a purpose authorized in this subsection but is not otherwise subject to Subchapter C, Chapter 29. For purposes of this subsection, a program specifically designed to serve students at risk of dropping out of school, as defined by Section 29.081, is considered to be a program supplemental to the regular education program, and a district may use its compensatory education allotment for such a program.

851504

17 APR 17 PM 2:27

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: ANDERSON OF DALLAS

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.040 to read as follows:

Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The commissioner by rule shall adopt procedures to identify nationally recognized, norm-referenced assessment instruments as additional alternative assessment instruments that may be used to evaluate student achievement for purposes of complying with accountability requirements under this chapter.

(b) Additional alternative assessment instruments identified as provided by Subsection (a) may be used:

(1) for grades three through eight, provided that the commissioner obtains any necessary waiver from the application of any conflicting federal law or regulation as provided by Subsection (e); and

(2) for secondary-level courses.

(c) In adopting procedures to identify additional alternative assessment instruments under Subsection (a), the commissioner shall provide that the additional alternative assessment instruments may only be used after the expiration of:

(1) any contract in existence on September 1, 2017, between the agency and an entity for services to develop or administer assessment instruments required by Section 39.023; or

(2) the renewal of a contract described by Subdivision (1).

(d) The procedures adopted to identify all additional alternative assessment instruments under Subsection (a) must be

consistent with the federal procedures required by the Every Student Succeeds Act (20 U.S.C. Section 6311) for state approval of nationally recognized high school academic assessment instruments that are available for local selection, including requiring each additional alternative assessment instrument identified to be aligned with the essential knowledge and skills for the appropriate grade level in the subject assessed.

(e) For purposes of using additional alternative assessment instruments in grades three through eight, the commissioner shall seek a waiver from the application of any conflicting federal law or regulation as a result of the use of multiple assessment instruments for assessing students in the same grade.

SECTION _____. As soon as practicable after the effective date of this Act, the commissioner of education shall:

(1) adopt rules regarding alternative assessment instruments as required by Section 39.040, Education Code, as added by this Act; and

(2) request from the United States Department of Education a waiver from the application of any conflicting federal law or regulation as required by Section 39.040(e), Education Code, as added by this Act, or a written notification that a waiver is not required.

851487

17 APR 12 PM 4:23

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Bernal

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 19, lines 12-13, strike "<u>, or a greater amount provided by appropriation,</u>".

(2) On page 19, lines 14-15, strike "<u>, or a greater amount provided by appropriation,</u>".

851491

17 APR 17 AM 10:53

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Bernal

Amend C.S.H.B. 21 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION and renumber subsequent SECTIONS of the bill accordingly:

SECTION ____. Section 34.002(c), Education Code, is amended to read as follows:

(c) The commissioner shall reduce the basic allotment provided under Section 42.101 for each student in average daily attendance by $125 for a [~~A~~] school district that fails or refuses to meet the safety standards for school buses established under this section [~~is ineligible to share in the transportation allotment under Section 42.155~~] until the first anniversary of the date the district begins complying with the safety standards.

(2) On page 20, strike line 16 and renumber subsequent subdivisions in SECTION 24 of the bill accordingly.

851523

FLOOR AMENDMENT NO._____ 17 APR 17 PM 4:17 BY: Kyle Biedermann

HOUSE OF REPRESENTATIVES

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter A, Chapter 42, Education Code, is amended by adding Section 42.008 to read as follows:

Sec. 42.008. TEACHER SURVEY. (a) Out of the amount appropriated for the basic allotment under the Foundation School Program for the state fiscal biennium beginning September 1, 2017, the commissioner shall set aside an amount, not to exceed $80,000, necessary to fund the administration of a survey of the opinions of public school teachers in this state regarding the efficacy of the public school finance system.

(b) The survey shall consist of questions developed jointly by the committees of the senate and the house of representatives with jurisdiction over public education. The agency and the Legislative Budget Board shall provide support to the committees, including recommendations for proposed questions if requested by the committees.

(c) The survey shall be administered by a vendor selected by the comptroller. The vendor shall be responsible for providing the survey to each school district and open-enrollment charter school in this state and providing any assistance required by school districts and open-enrollment charter schools in distributing the survey to teachers.

(d) The survey must:

(1) permit teachers to submit anonymous responses directly to the vendor; and

(2) be conducted in accordance with a timeline that requires teacher responses to be submitted to the vendor not

later than April 30, 2018.

(e) A school district or open-enrollment charter school may not require a teacher to provide any information to the district or school regarding the teacher's responses to the survey.

(f) For each school district and open-enrollment charter school, the vendor shall notify the commissioner of the rate of participation in the survey by teachers employed by the district or school. For school districts or schools with high participation rates, as determined by the commissioner, the commissioner, in a manner considered appropriate by the commissioner, shall include consideration of the participation rate as a favorable additional factor in determining the performance rating assigned to the district or school under Section 39.054 for the 2017-2018 school year.

(g) The vendor shall submit the results of the survey to the legislature and the governor not later than December 31, 2018.

(h) This section expires September 1, 2019.

851494

17 APR 17 PM 12:55

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Blanco

Amend C.S.H.B. No. 21 (house committee printing) on page 8, line 13, by striking "0.11" and substituting "0.25".

17 APR 17 PM 2:15
HOUSE OF REPRESENTATIVES

851505

FLOOR AMENDMENT NO._____ BY: Blanco

1 Amend C.S.H.B. No. 21 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:
4 SECTION _____. Subchapter A, Chapter 42, Education Code, is
5 amended by adding Section 42.010 to read as follows:
6 Sec. 42.010. COMPREHENSIVE REVIEW OF PUBLIC SCHOOL FINANCE
7 WEIGHTS, ALLOTMENTS, AND ADJUSTMENTS. (a) The agency shall
8 conduct a comprehensive review of:
9 (1) the cost of education adjustment applied to the
10 basic allotment to determine school district entitlements under the
11 public school finance system; and
12 (2) all other weights, allotments, and adjustments
13 under the public school finance system, including all current
14 weights, allotments, and adjustments provided under this chapter
15 and any additional weights, allotments, and adjustments that the
16 agency determines may be appropriate.
17 (b) The review must determine the effectiveness of existing
18 weights, allotments, and adjustments in fulfilling the mission of
19 the public education system stated in Section 4.001(a) and
20 furthering the state policy stated in Section 42.001. At a minimum,
21 the review must determine how closely and appropriately each of the
22 following elements reflects and provides financing for costs beyond
23 the control of school districts:
24 (1) adjustments for costs related to the geographic
25 variation in known resource costs and costs of education,
26 controlling for the impact of unequalized wealth and hold-harmless
27 provisions, and properly reflecting the impact of high
28 concentrations of poverty on the compensation that school districts
29 must pay to attract and retain teachers of comparable or

appropriate quality;

(2) adjustments for costs related to the size and diseconomies of scale of school districts;

(3) adjustments for costs related to the varying instructional needs and characteristics of students and the extent to which the adjustments provide each student with access to programs and services that are appropriate to the student's educational needs;

(4) other factors, in addition to economic status, that correlate to at-risk status and the need for compensatory education, and the degree to which those factors correspond to additional educational costs; and

(5) the manner in which the cost adjustments are applied to and affect the overall school finance system.

(c) The review of the adjustments described in Subsection (b)(1) must:

(1) address all uncontrollable costs that can reasonably be quantified;

(2) consider the qualifications, experience, and turnover rate of personnel and the impact of those factors on student achievement in considering the adequacy and comparability of salaries;

(3) properly address the impact of factors that have a large impact on certain types of school districts, such as extreme isolation, regardless of general state impact;

(4) include only factors for which a rational economic argument can be made;

(5) be carefully constructed to make sure that a cost factor does not significantly affect more than one variable; and

(6) not be artificially adjusted to meet predetermined outcomes and must not use arbitrary limits.

(d) In determining whether any additional weights, allotments, and adjustments are appropriate under the public school finance system, the agency shall include consideration of an additional weight for educational services provided to students in prekindergarten on a half-day basis and on a full-day basis.

(e) The agency may contract with one or more consultants if necessary to enable the agency to perform its duties under this section.

(f) The Legislative Budget Board, the comptroller, the state auditor, and any other state agency, official, or personnel shall cooperate with the agency in carrying out its duties under this section.

(g) Not later than September 1, 2018, the agency shall provide to the legislature, the Legislative Budget Board, the comptroller, and the state auditor a report that:

(1) states the findings of the review conducted under this section; and

(2) includes recommendations for updated weights, allotments, and adjustments and any other statutory changes considered appropriate by the agency.

(h) This section expires January 1, 2019.

851507

17 APR 17 PM 2:26

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Blanco

Amend C.S.H.B. No. 21 (house committee printing) as follows:

On page 4, amend SECTION 3 of the bill by adding Subsections c, d, and e to read as follows:

(c) A school district or open-enrollment charter school to which this section applies shall, in its plan submitted under Subsection (a):

(1) design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;

(2) integrate into the dropout recovery plan research based strategies to assist students in becoming able academically to pursue postsecondary education, including;

(A) high quality, college readiness instruction with strong academic and social supports;

(B) secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and

(C) information concerning appropriate supports available in the first year of postsecondary enrollment to ensure postsecondary persistence and success, to the extent funds are available for the purpose; and

(3) plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

(d) A school district to which this section applies may enter into a partnership with a public junior college in accordance with Section 29.402, Education Code, in order to fulfill a plan submitted under Subsection (a).

(e) Any program designed to fulfill a plan submitted under Subsection (a) must comply with the requirements of Sections 29.081(e) and (f).

851524

17 APR 17 PM 4:21

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Canales

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 7, strike lines 8-9 and substitute the following:

SECTION 11. Section 42.101, Education Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(2) On page 7, following line 27, add the following:

(d) Notwithstanding any other provision of this section, the Legislative Budget Board shall determine the amount by which the basic allotment specified under this section may be increased using revenue available to the state as a result of the repeal of former Sections 42.160 and 42.2513 by H.B. 21, Acts of the 85th Legislature, Regular Session, 2017, and the commissioner shall provide funding to school districts under this chapter based on a basic allotment of that amount.

851490

17 APR 17 AM 9:56

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Collier

Amend C.S.H.B. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Sections 12.106(a-1) and (a-2), Education Code, are amended to read as follows:

(a-1) In determining funding for an open-enrollment charter school under Subsection (a), adjustments under Sections 42.102, 42.103, 42.104, and 42.105 are based on the lesser of:

(1) the average adjustment for the state; or

(2) the adjustment for the school district within whose boundaries the charter holder's campus with the greatest enrollment is located.

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school enrichment funding under Section 42.302 based on the lesser of:

(1) the state average tax effort; or

(2) the tax effort of the school district within whose boundaries the charter holder's campus with the greatest enrollment is located.

851518
17 APR 17 PM 3:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: BARBY

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION ___. Effective September 1, 2018, Section 12.106(a-1), Education Code, is amended to read as follows:

(a-1) In determining funding for an open-enrollment charter school under Subsection (a):

(1) [,] adjustments under Sections 42.102, [~~42.103,~~] 42.104, and 42.105 are based on the average adjustment for the state; and

(2) the adjustment under Section 42.103 is based on the average adjustment for the state that would have been provided under that section as it existed on January 1, 2018.

SECTION ___. (a) Effective September 1, 2023, Sections 42.103(b) and (d), Education Code, are amended to read as follows:

(b) The basic allotment of a school district that [~~contains at least 300 square miles and~~] has not more than 1,600 students in average daily attendance is adjusted by applying the formula:

AA = (1 + ((1,600 - ADA) X .0004)) X ABA

(d) The basic allotment of a school district that offers a kindergarten through grade 12 program and has less than 5,000 students in average daily attendance is adjusted by applying the formula, of the following formulas, that results in the greatest adjusted allotment:

(1) the formula in Subsection (b), if [~~or (c) for which~~] the district is eligible for that formula; or

(2) AA = (1 + ((5,000 - ADA) X .000025)) X ABA.

(b) Effective September 1, 2023, Section 42.103(c), Education Code, is repealed.

ADOPTED
APR 19 2017

SECTION ___. Effective September 1, 2018, Section 42.103(c), Education Code, is amended to read as follows:

(c) The basic allotment of a school district that contains less than 300 square miles and has not more than 1,600 students in average daily attendance is adjusted by applying the following formulas [~~formula~~]:

(1) for the fiscal year beginning September 1, 2018:

AA = (1 + ((1,600 - ADA) X .000275 [~~.00025~~])) X ABA

;

(2) for the fiscal year beginning September 1, 2019:

AA = (1 + ((1,600 - ADA) X .00030)) X ABA

;

(3) for the fiscal year beginning September 1, 2020:

AA = (1 + ((1,600 - ADA) X .000325)) X ABA

;

(4) for the fiscal year beginning September 1, 2021:

AA = (1 + ((1,600 - ADA) X .00035)) X ABA

; and

(5) for the fiscal year beginning September 1, 2022:

AA = (1 + ((1,600 - ADA) X .000375)) X ABA

(2) On page 19, line 14, strike "$75" and substitute "$34".

(3) On page 21, line 4, strike "This" and substitute "Except as otherwise provided by this Act, this".

A School district described by Section (b-1) may not receive formula funding from any source for any purpose unless the board of trustees of that district are selected in the manner described by Section (b-1)

FLOOR AMENDMENT NO._____ BY: DAVIS, S.

17 APR 17 PM 4:54
HOUSE OF REPRESENTATIVES
851535

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Section 11.052, Education Code, is amended by amending Subsections (a) and (d) and adding Subsection (b-1) to read as follows:

(a) (a-1) Except as provided by Subsections [~~Subsection~~] (b) and (b-1), the board of trustees of an independent school district, on its own motion, may order that trustees of the district are to be elected from single-member trustee districts or that not fewer than 70 percent of the members of the board of trustees are to be elected from single-member trustee districts with the remaining trustees to be elected from the district at large.

(b-1) This subsection applies only to an independent school district located in a county with a population of 3.3 million or more and with a student enrollment of more than 200,000. The board of trustees of a district subject to this subsection shall order that five trustees are to be elected from single-member districts, with the remaining trustees to be elected at large. Section 11.053 does not apply when the plan to divide the district into the appropriate number of trustee districts is adopted to comply with this subsection. If a board of trustees subject to this subsection fails to comply with this subsection, the school district is not entitled to receive state funds, including any formula funding, under this title.

(d) An order of the board adopted under Subsection (a), [~~or~~] (b), or (b-1) must be entered not later than the 120th day before the date of the first election at which all or some of the trustees are elected from single-member trustee districts

1 authorized by the order.

851517

17 APR 17 PM 4:02
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Giddings

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ___. Section 42.005, Education Code, is amended by adding Subsection (a-3) to read as follows:

(a-3) Notwithstanding Section 29.153(c), in computing the sum of attendance under Subsection (a) for a school year, a school district may include full days of attendance for each prekindergarten student who attends a full-day prekindergarten program offered by the district, provided that:

(1) the student is eligible for prekindergarten under Section 29.153;

(2) the district does not charge tuition for the student's enrollment in the program; and

(3) the program complies with the requirements regarding high quality specified in Subchapter E-1, Chapter 29.

851536

FLOOR AMENDMENT NO. _____ BY: Griddings

Amend **C.S.H.B. 21** (house committee report) as follows:

1) In the event that the Dallas County Schools is eliminated, then all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the proportion that the membership in each district bears to total membership in the county as of September 1, 2017, at no cost to the districts.

17 APR 17 PM 4:55
HOUSE OF REPRESENTATIVES

851522

17 APR 17 PM 4:11

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

Amend C.S.H.B. 21 (house committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS and renumber the SECTIONS accordingly:

SECTION ____. Section 7.062(c), Education Code, is amended to read as follows:

(c) Except as otherwise provided by this subsection, if the commissioner certifies that the amount appropriated for a state fiscal year for purposes of Subchapters A and B, Chapter 46, exceeds the amount to which school districts are entitled under those subchapters for that year, the commissioner shall use the excess funds, in an amount not to exceed $20 million in any state fiscal year, for the purpose of making grants under this section. The use of excess funds under this subsection has priority over any provision of Chapter 42 that permits or directs the use of excess foundation school program funds, including Sections 42.2517, 42.2521, [~~42.2522,~~] and 42.2531. The commissioner is required to use excess funds as provided by this subsection only if the commissioner is not required to reduce the total amount of state funds allocated to school districts under Section 42.253(h).

SECTION ____. Sections 403.302(d), (e), (e-1), (i), and (m), Government Code, are amended to read as follows:

(d) For the purposes of this section, "taxable value" means the market value of all taxable property less:

(1) the total dollar amount of any residence homestead exemptions lawfully granted under Section 11.13(b) or (c), Tax Code, in the year that is the subject of the study for each school district;

(2) [~~one-half of the total dollar amount of any residence homestead exemptions granted under Section 11.13(n), Tax~~

~~Code, in the year that is the subject of the study for each school district;~~

[~~(3)~~] the total dollar amount of any exemptions granted before May 31, 1993, within a reinvestment zone under agreements authorized by Chapter 312, Tax Code;

(3) [~~(4)~~] subject to Subsection (e), the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone created on or before May 31, 1999, or is proposed to be included within the boundaries of a reinvestment zone as the boundaries of the zone and the proposed portion of tax increment paid into the tax increment fund by a school district are described in a written notification provided by the municipality or the board of directors of the zone to the governing bodies of the other taxing units in the manner provided by former Section 311.003(e), Tax Code, before May 31, 1999, and within the boundaries of the zone as those boundaries existed on September 1, 1999, including subsequent improvements to the property regardless of when made;

(B) generates taxes paid into a tax increment fund created under Chapter 311, Tax Code, under a reinvestment zone financing plan approved under Section 311.011(d), Tax Code, on or before September 1, 1999; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(4) [~~(5)~~] the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone:

(i) created on or before December 31, 2008, by a municipality with a population of less than 18,000; and

(ii) the project plan for which includes the alteration, remodeling, repair, or reconstruction of a

structure that is included on the National Register of Historic Places and requires that a portion of the tax increment of the zone be used for the improvement or construction of related facilities or for affordable housing;

(B) generates school district taxes that are paid into a tax increment fund created under Chapter 311, Tax Code; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(5) [~~(6)~~] the total dollar amount of any exemptions granted under Section 11.251 or 11.253, Tax Code;

(6) [~~(7)~~] the difference between the comptroller's estimate of the market value and the productivity value of land that qualifies for appraisal on the basis of its productive capacity, except that the productivity value estimated by the comptroller may not exceed the fair market value of the land;

(7) [~~(8)~~] the portion of the appraised value of residence homesteads of individuals who receive a tax limitation under Section 11.26, Tax Code, on which school district taxes are not imposed in the year that is the subject of the study, calculated as if the residence homesteads were appraised at the full value required by law;

(8) [~~(9)~~] a portion of the market value of property not otherwise fully taxable by the district at market value because of:

(A) action required by statute or the constitution of this state, other than Section 11.311, Tax Code, that, if the tax rate adopted by the district is applied to it, produces an amount equal to the difference between the tax that the district would have imposed on the property if the property were fully taxable at market value and the tax that the district is actually authorized to impose on the property, if this subsection

1 does not otherwise require that portion to be deducted; or
2 (B) action taken by the district under Subchapter
3 B or C, Chapter 313, Tax Code, before the expiration of the
4 subchapter;
5 (9) [~~(10)~~] the market value of all tangible personal
6 property, other than manufactured homes, owned by a family or
7 individual and not held or used for the production of income;
8 (10) [~~(11)~~] the appraised value of property the
9 collection of delinquent taxes on which is deferred under Section
10 33.06, Tax Code;
11 (11) [~~(12)~~] the portion of the appraised value of
12 property the collection of delinquent taxes on which is deferred
13 under Section 33.065, Tax Code; and
14 (12) [~~(13)~~] the amount by which the market value of a
15 residence homestead to which Section 23.23, Tax Code, applies
16 exceeds the appraised value of that property as calculated under
17 that section.
18 (e) The total dollar amount deducted in each year as
19 required by Subsection (d)(3) [~~(d)(4)~~] in a reinvestment zone
20 created after January 1, 1999, may not exceed the captured
21 appraised value estimated for that year as required by Section
22 311.011(c)(8), Tax Code, in the reinvestment zone financing plan
23 approved under Section 311.011(d), Tax Code, before September 1,
24 1999. The number of years for which the total dollar amount may be
25 deducted under Subsection (d)(3) [~~(d)(4)~~] shall for any zone,
26 including those created on or before January 1, 1999, be limited to
27 the duration of the zone as specified as required by Section
28 311.011(c)(9), Tax Code, in the reinvestment zone financing plan
29 approved under Section 311.011(d), Tax Code, before September 1,
30 1999. The total dollar amount deducted under Subsection (d)(3)
31 [~~(d)(4)~~] for any zone, including those created on or before January

1, 1999, may not be increased by any reinvestment zone financing plan amendments that occur after August 31, 1999. The total dollar amount deducted under Subsection (d)(3) [~~(d)(4)~~] for any zone, including those created on or before January 1, 1999, may not be increased by a change made after August 31, 1999, in the portion of the tax increment retained by the school district.

(e-1) This subsection applies only to a reinvestment zone created by a municipality that has a population of 70,000 or less and is located in a county in which all or part of a military installation is located. Notwithstanding Subsection (e), if on or after January 1, 2017, the municipality adopts an ordinance designating a termination date for the zone that is later than the termination date designated in the ordinance creating the zone, the number of years for which the total dollar amount may be deducted under Subsection (d)(3) [~~(d)(4)~~] is limited to the duration of the zone as determined under Section 311.017, Tax Code.

(i) If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the amounts and values listed in Subsection (d) as determined by that appraisal district, is valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(12) [~~(d)(13)~~] subtract from the market value as determined by the appraisal district of residence homesteads to which Section 23.23, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23, Tax Code. If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the

amounts and values listed in Subsection (d) as determined by that appraisal district, is not valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(12) [~~(d)(13)~~] subtract from the market value as estimated by the comptroller of residence homesteads to which Section 23.23, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23, Tax Code.

(m) Subsection (d)(8) [~~(d)(9)~~] does not apply to property that was the subject of an application under Subchapter B or C, Chapter 313, Tax Code, made after May 1, 2009, that the comptroller recommended should be disapproved.

SECTION ____. Section 311.011(h), Tax Code, is amended to read as follows:

(h) Unless specifically provided otherwise in the plan, all amounts contained in the project plan or reinvestment zone financing plan, including amounts of expenditures relating to project costs and amounts relating to participation by taxing units, are considered estimates and do not act as a limitation on the described items, but the amounts contained in the project plan or reinvestment zone financing plan may not vary materially from the estimates. This subsection may not be construed to increase the amount of any reduction under Section 403.302(d)(3) [~~403.302(d)(4)~~], Government Code, in the total taxable value of the property in a school district that participates in the zone as computed under Section 403.302(d) of that code.

SECTION ____. Section 403.302, Government Code, as amended by this Act, applies only to an annual school district property value study conducted for a tax year that begins on or after January 1, 2018.

1 (2) On page 20, line 22, strike "and".

2 (3) On page 20, line 23, strike the period and substitute ";

3 and".

4 (4) On page 20, between lines 23 and 24, add the following

5 appropriately numbered subdivision and renumber the subdivisions

6 accordingly:

7 ( ) Section 42.2522.

851521

17 APR 17 PM 4:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

Amend C.S.H.B. No. 21 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter A, Chapter 42, Education Code, is amended by adding Section 42.010 to read as follows:

Sec. 42.010. STUDY OF FULLY EQUALIZED PUBLIC SCHOOL FINANCE SYSTEM. (a) The agency shall conduct a study to identify the possible funding elements of a school finance system under which every cent of ad valorem tax effort by school districts is completely equalized.

(b) Not later than September 1, 2018, the agency shall provide to the legislature a report regarding the study conducted under this section that includes any recommendations for statutory changes.

(c) This section expires January 1, 2019.

851511

17 APR 17 PM 4:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 19, lines 12-13, strike "<u>, or a greater amount provided by appropriation,</u>".

(2) On page 19, lines 14-15, strike "<u>, or a greater amount provided by appropriation,</u>".

851512

17 APR 17 PM 4:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 7, strike lines 8-9 and substitute the following:

SECTION 11. Section 42.101, Education Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(2) On page 7, following line 27, add the following:

(d) Notwithstanding any other provision of this section, the Legislative Budget Board shall determine the amount by which the basic allotment specified under this section may be increased using revenue available to the state as a result of the repeal of former Sections 42.155, 42.160, and 42.2513 by H.B. 21, Acts of the 85th Legislature, Regular Session, 2017, and the commissioner shall provide funding to school districts under this chapter based on a basic allotment of that amount.

851513

17 APR 17 PM 4:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 7, strike lines 8-9, and substitute the following:

SECTION 11. Section 42.101, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(2) On page 7, line 10, strike "For" and substitute "Subject to adjustment under Subsection (a-3), for [~~For~~]".

(3) On page 7, following line 27, insert the following:

(a-3) If a district does not operate a public school transportation system, the basic allotment provided to the district under Subsection (a) or (b) is reduced by $125.

851514

17 APR 17 PM 4:11

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Mary Gonzalez

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) On page 19, strike lines 11-15, and substitute the

3 following:

4 Sec. 42.455. FUNDING LIMIT. The amount of grants awarded by

5 the commissioner under this subchapter may not exceed $200 million

6 or a greater amount provided by appropriation.

7 (2) On page 19, line 26, strike "2019" and substitute

8 "2018".

851498

Amendment No _____ By Hoodin

Amend the CSHB21 as follows:

Add the following as SECTION 18 and renumber the following Sections accordingly:

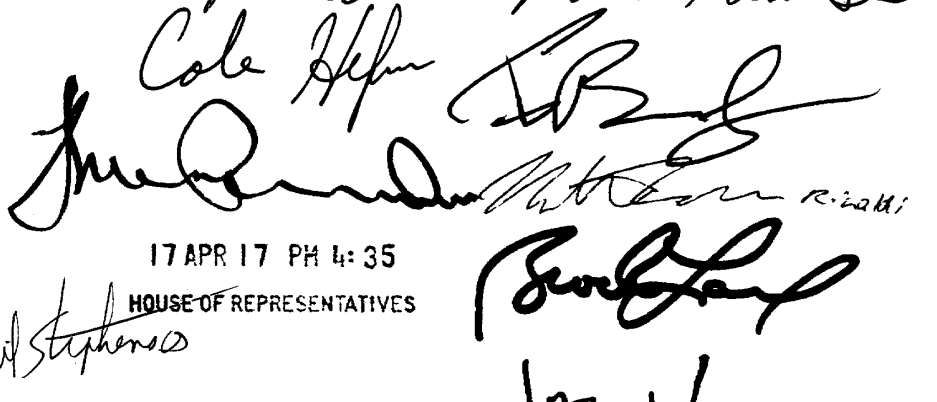
SECTION 18. Chapter 42, Education Code, is amended by adding Section 42.161 to read as follows:

42.161. Prekindergarten Allotment
(a) For each eligible student served in a half or full-day prekindergarten program under Subchapters E or E-1, Chapter 29, a district is entitled to an allotment of 0.1. Funding under this section is in addition to funding for a half-day program under Sections 29.153(c) or 29.166(a).
(b) This section applies only to students who are four years of age or older as of September 1 of the applicable school year.
(c) This section applies beginning with the 2019-2020 school year. This subsection expires August 31, 2019.

17 APR 17 PM 2:18
HOUSE OF REPRESENTATIVES

Kyle Beckmann Matt Krause
Cole Hefner
R. Zaffi

851528



17 APR 17 PM 4:35
HOUSE OF REPRESENTATIVES

Phil Stephenson

FLOOR AMENDMENT NO._____ BY: JASON ISAAC

Amend C.S.H.B. 21 (house committee report) as follows:

(1) On page 20, between lines 16 and 17, insert the following appropriately numbered subdivision in SECTION 24:

(_) Section 39.02301;

(2) Renumber subsequent subdivisions of SECTION 24 accordingly.

(3) Add the following appropriately numbered SECTIONS to the bill:

SECTION ___. Section 21.351(a), Education Code, is amended to read as follows:

(a) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers. The criteria must be based on observable, job-related behavior, including:

(1) teachers' implementation of discipline management procedures; and

(2) the performance of teachers' students, provided that consideration of student performance is not based in any part on student performance on assessment instruments administered under Section 39.023.

SECTION ___. Section 39.023(a), Education Code, as effective September 1, 2017, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, [~~writing,~~] mathematics, [~~social studies,~~] and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through

seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;

(2) reading, annually in grades three through eight; and

(3) [~~writing, including spelling and grammar, in grades four and seven,~~

[~~(4) social studies, in grade eight,~~

[~~(5)~~] science, in grades five and eight[~~, and~~

[~~(6) any other subject and grade required by federal law~~].

SECTION ____. Section 39.023(c), Education Code, is amended to read as follows:

(c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in reading, mathematics, and science only as necessary to comply with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) to be administered only as necessary to meet the minimum requirements of that Act [~~Algebra I, biology, English I, English II, and United States history. The Algebra I end-of-course assessment instrument must be administered with the aid of technology. The English I and English II end-of-course assessment instruments must each assess essential knowledge and skills in both reading and writing in the same assessment instrument and must provide a single score~~]. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments adopted under [~~listed in~~] this subsection. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The State Board of Education shall administer the assessment instruments.

[~~The State Board of Education shall adopt a schedule for the administration of end-of-course assessment instruments that complies with the requirements of Subsection (c-3).~~]

SECTION ___. Section 39.023(c-3), Education Code, as effective September 1, 2017, is amended to read as follows:

(c-3) The State Board of Education, with input from school districts, shall adopt [~~In adopting~~] a schedule for the administration of assessment instruments under this section that minimizes the disruption of classroom instruction [~~, the State Board of Education shall require:~~

[~~(1) assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year; and~~

[~~(2) the spring administration of end-of-course assessment instruments under Subsection (c) to occur in each school district not earlier than the first full week in May, except that the spring administration of the end-of-course assessment instruments in English I and English II must be permitted to occur at an earlier date~~].

SECTION ___. Section 39.023, Education Code, is amended by adding Subsection (q) to read as follows:

(q) Notwithstanding any provision of this section or other law, if changes made to the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) reduce the number or frequency of assessment instruments required to be administered to students, the State Board of Education shall adopt rules reducing the number or frequency of assessment instruments administered to students under state law, and the commissioner shall ensure that students are not assessed in subject areas or in grades that are no longer required

1 to meet the minimum requirements of that Act.

2 SECTION ___. Subchapter B, Chapter 39, Education Code, is
3 amended by adding Section 39.040 to read as follows:

4 Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The
5 commissioner by rule shall adopt procedures to identify nationally
6 recognized, norm-referenced assessment instruments as additional
7 alternative assessment instruments that may be used to evaluate
8 student achievement for purposes of complying with accountability
9 requirements under this chapter.

10 (b) Additional alternative assessment instruments
11 identified as provided by Subsection (a) may be used:

12 (1) for grades three through eight, provided that the
13 commissioner obtains any necessary waiver from the application of
14 any conflicting federal law or regulation as provided by Subsection
15 (d); and

16 (2) for secondary-level courses.

17 (c) The procedures adopted to identify all additional
18 alternative assessment instruments under Subsection (a) must be
19 consistent with the federal procedures required by the Every
20 Student Succeeds Act (20 U.S.C. Section 6311) for state approval of
21 nationally recognized high school academic assessment instruments
22 that are available for local selection, including requiring each
23 additional alternative assessment instrument identified to be
24 aligned with the essential knowledge and skills for the appropriate
25 grade level in the subject assessed.

26 (d) For purposes of using additional alternative assessment
27 instruments in grades three through eight, the commissioner shall
28 seek a waiver from the application of any conflicting federal law or
29 regulation as a result of the use of multiple assessment
30 instruments for assessing students in the same grade.

31 SECTION ___. Section 39.053(c), Education Code, is amended

1 to read as follows:

2 (c) School districts and campuses must be evaluated based on
3 five domains of indicators of achievement adopted under this
4 section that include:

5 (1) in the first domain, the results of:

6 (A) assessment instruments required under
7 Sections 39.023(a), (c), and (l), including the results of
8 assessment instruments required for graduation retaken by a
9 student, aggregated across grade levels by subject area, including:

10 (i) for the performance standard determined
11 by the commissioner under Section 39.0241(a), the percentage of
12 students who performed satisfactorily on the assessment
13 instruments, aggregated across grade levels by subject area; and

14 (ii) for the college readiness performance
15 standard as determined under Section 39.0241, the percentage of
16 students who performed satisfactorily on the assessment
17 instruments, aggregated across grade levels by subject area; and

18 (B) assessment instruments required under
19 Section 39.023(b), aggregated across grade levels by subject area,
20 including the percentage of students who performed satisfactorily
21 on the assessment instruments, as determined by the performance
22 standard adopted by the agency, aggregated across grade levels by
23 subject area;

24 (2) in the second domain:

25 (A) for assessment instruments under Subdivision
26 (1)(A):

27 (i) for the performance standard determined
28 by the commissioner under Section 39.0241(a), the percentage of
29 students who met the standard for annual improvement on the
30 assessment instruments, as determined by the commissioner by rule
31 or by the method for measuring annual improvement under Section

39.034, aggregated across grade levels by subject area; and

(ii) for the college readiness performance standard as determined under Section 39.0241, the percentage of students who met the standard for annual improvement on the assessment instruments, as determined by the commissioner by rule or by the method for measuring annual improvement under Section 39.034, aggregated across grade levels by subject area; and

(B) for assessment instruments under Subdivision (1)(B), the percentage of students who met the standard for annual improvement on the assessment instruments, as determined by the commissioner by rule or by the method for measuring annual improvement under Section 39.034, aggregated across grade levels by subject area;

(3) in the third domain, the student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds;

(4) in the fourth domain:

(A) for evaluating the performance of high school campuses and districts that include high school campuses:

(i) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education;

(ii) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act [~~No Child Left Behind Act of 2001~~] (20 U.S.C. Section 6301 et seq.);

(iii) the percentage of students who successfully completed the curriculum requirements for the distinguished level of achievement under the foundation high school

program;

(iv) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1);

(v) the percentage of students who completed a coherent sequence of career and technical courses;

(vi) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c);

(vii) the percentage of students who earn at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(viii) the percentage of students who have completed an advanced placement course;

(ix) the percentage of students who enlist in the armed forces of the United States; and

(x) the percentage of students who earn an industry certification;

(B) for evaluating the performance of middle and junior high school and elementary school campuses and districts that include those campuses:

(i) student attendance; and

(ii) for middle and junior high school campuses:

(a) dropout rates, computed in the manner described by Paragraph (A)(i); and

(b) the percentage of students in

grades seven and eight who receive instruction in preparing for high school, college, and a career that includes information regarding the creation of a high school personal graduation plan under Section 28.02121, the distinguished level of achievement described by Section 28.025(b-15), each endorsement described by Section 28.025(c-1), college readiness standards, and potential career choices and the education needed to enter those careers; and

(C) any additional indicators of student achievement not associated with performance on standardized assessment instruments determined appropriate for consideration by the commissioner in consultation with educators, parents, business and industry representatives, and employers; and

(5) in the fifth domain, the following [~~three~~] programs or specific categories of performance related to community and student engagement under Section 39.0545(b)(1) locally [~~selected and~~] evaluated as provided by Section 39.0546:

(A) wellness and physical education; and

(B) community and parental involvement.

SECTION ____. Section 39.054(a-1), Education Code, is amended to read as follows:

(a-1) For purposes of assigning an overall performance rating under Subsection (a), the commissioner shall attribute:

(1) 25 [~~55~~] percent of the performance evaluation to the achievement indicators for the first, second, and third domains under Sections 39.053(c)(1)-(3);

(2) for middle and junior high school and elementary campuses and districts that include only those campuses:

(A) 10 percent of the performance evaluation to the dropout rate indicator described by Section 39.053(c)(4)(B)(ii)(a); and

(B) [~~,~~] 35 percent to the remaining [~~of the~~

~~performance evaluation to the~~] applicable achievement indicators for the fourth domain under Section 39.053(c)(4);

(3) for high school campuses and districts that include those campuses:

(A) 10 percent of the performance evaluation to the dropout [~~high school graduation~~] rate [~~achievement~~] indicator described by Section 39.053(c)(4)(A)(i) [~~39.053(c)(4)(A)(ii)~~]; and

(B) 35 [~~25~~] percent to the remaining applicable achievement indicators for the fourth domain under Section 39.053(c)(4); and

(4) for [~~10 percent of the performance evaluation to~~] the locally [~~selected and~~] evaluated achievement indicators provided for under the fifth domain under Section 39.053(c)(5):

(A) 15 percent of the performance evaluation to the wellness and physical education indicator under Section 39.053(c)(5)(A); and

(B) 15 percent of the performance evaluation to the community and parental involvement indicator under Section 39.053(c)(5)(B).

SECTION ____. Section 39.0546(a), Education Code, is amended to read as follows:

(a) For purposes of including the local evaluation of districts and campuses under Section 39.053(c)(5) and assigning an overall rating under Section 39.054, before the beginning of each school year:

(1) each school district shall:

(A) [~~select and~~] report to the agency the following [~~three~~] programs or categories under Section 39.0545(b)(1)[~~, as added by Chapter 211 (H.B. 5), Acts of the 83rd Legislature, Regular Session, 2013,~~] under which the district will evaluate district performance:

(i) wellness and physical education under Section 39.0545(b)(1)(B); and

(ii) community and parental involvement under Section 39.0545(b)(1)(C);

(B) submit to the agency the criteria the district will use to evaluate district performance and assign the district a performance rating; and

(C) make the information described by Paragraphs (A) and (B) available on the district's Internet website; and

(2) each campus shall:

(A) [~~select and~~] report to the agency the [~~three~~] programs or categories described by Subdivision (1)(A) [~~under Section 39.0545(b)(1), as added by Chapter 211 (H.B. 5), Acts of the 83rd Legislature, Regular Session, 2013,~~] under which the campus will evaluate campus performance;

(B) submit to the agency the criteria the campus will use to evaluate campus performance and assign the campus a performance rating; and

(C) make the information described by Paragraphs (A) and (B) available on the Internet website of the campus.

SECTION ___. Section 39.203(c), Education Code, is amended to read as follows:

(c) In addition to the distinction designations described by Subsections (a) and (b), a campus that satisfies the criteria developed under Section 39.204 shall be awarded a distinction designation by the commissioner for outstanding performance in academic achievement in reading [~~English language arts~~], mathematics, or science[~~, or social studies~~].

SECTION ___. Not later than September 1, 2018, the commissioner of education shall:

(1) adopt rules regarding alternative assessment

1 instruments as required by Section 39.040, Education Code, as added
2 by this Act; and
3 (2) request from the United States Department of
4 Education a waiver from the application of any conflicting federal
5 law or regulation as required by Section 39.040(d), Education Code,
6 as added by this Act, or a written notification that a waiver is not
7 required.
8 (4) Renumber subsequent SECTIONS of the bill accordingly.

851534

17 APR 17 PM 4:52

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: E. Johnson

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 3, between lines 11 and 12, add the following appropriately numbered SECTIONS to the bill:

SECTION ____. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter A, Chapter 29;

(G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E, [~~or~~] E-1, or E-2, Chapter 29;

(I) extracurricular activities under Section

33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

(K) health and safety under Chapter 38;

(L) public school accountability under Subchapters B, C, D, E, F, G, and J, Chapter 39;

(M) the requirement under Section 21.006 to report an educator's misconduct;

(N) intensive programs of instruction under Section 28.0213; and

(O) the right of a school employee to report a crime, as provided by Section 37.148.

SECTION _____. Section 25.001(a), Education Code, is amended to read as follows:

(a) A person who, on the first day of September of any school year, is at least five years of age and under 21 years of age, or is at least 21 years of age and under 26 years of age and is admitted by a school district to complete the requirements for a high school diploma is entitled to the benefits of the available school fund for that year. Any other person enrolled in a prekindergarten class under Section 29.153 or Subchapter E-1 <u>or E-2</u>, Chapter 29, is entitled to the benefits of the available school fund.

(2) On page 3, line 12, strike "Section 29.153(c), Education Code, is amended" and substitute "Section 29.153, Education Code, is amended by amending Subsection (c) and adding Subsection (c-1)"

(3) On page 3, line 15, between "basis" and the period, insert the following:

<u>, unless the school district chooses to operate gold standard prekindergarten classes on a full-day basis in accordance with Subchapter E-2. A school district is eligible for funding under the Foundation School Program for students enrolled in a gold standard</u>

prekindergarten class as provided by Section 29.17403

(4) On page 3, line 15, between the period and "A district", insert:

"(c-1)".

(5) On page 3, between lines 18 and 19, add the following appropriately numbered SECTIONS to the bill:

SECTION ____. Section 29.1532, Education Code, is amended by amending Subsection (c) and adding Subsection (e) to read as follows:

(c) A school district that offers prekindergarten classes, including a high quality prekindergarten program class under Subchapter E-1 or a gold standard prekindergarten program class under Subchapter E-2, shall include the following information in the district's Public Education Information Management System (PEIMS) report:

(1) demographic information, as determined by the commissioner, on students enrolled in district and campus prekindergarten classes, including the number of students who are eligible for classes under Section 29.153;

(2) the numbers of half-day and full-day prekindergarten classes offered by the district and campus;

(3) the sources of funding for the prekindergarten classes;

(4) the class size and ratio of instructional staff to students for each prekindergarten program class offered by the district and campus;

(5) if the district elects to administer an assessment instrument to students enrolled in district and campus prekindergarten program classes, a description and the results of each type of assessment instrument; and

(6) curricula used in the district's prekindergarten

program classes.

(e) The agency shall make the information required under this section available and accessible to parents and the general public.

SECTION ____. Chapter 29, Education Code, is amended by adding Subchapter E-2 to read as follows:

SUBCHAPTER E-2. GOLD STANDARD PREKINDERGARTEN PROGRAM

Sec. 29.17401. DEFINITION. In this subchapter, "program" means a gold standard prekindergarten program provided free of tuition or fees in accordance with this subchapter.

Sec. 29.17402. GOLD STANDARD PREKINDERGARTEN PROGRAM. (a) From funds appropriated for that purpose, the commissioner by rule shall establish a funding program under which funds are awarded to school districts and open-enrollment charter schools to implement a full-day prekindergarten program under this subchapter for children who are:

(1) eligible for classes under Section 29.153; and

(2) at least four years of age on September 1 of the year the child begins the program.

(b) Before a school district may participate in the program, the district must apply to the agency and the agency must approve the district's application. The school district shall include in the district's application:

(1) a design plan for implementation of the program;

(2) a professional development plan to improve the instruction quality of teachers and teacher's aides; and

(3) any other information required by the commissioner.

(c) A program is subject to any other requirements imposed by law that apply to a prekindergarten program not provided in accordance with this subchapter, except that to the extent a

conflict exists between this subchapter and any other provision of law, this subchapter prevails.

Sec. 29.17403. GOLD STANDARD PROGRAM FUNDING. (a) In addition to funding granted under Subsection (b), a school district is eligible for half-day funding under the Foundation School Program for students enrolled in a program class.

(b) A school district is entitled to receive a gold standard prekindergarten program allotment under Section 42.160.

Sec. 29.17404. GOLD STANDARD CURRICULUM AND INSTRUCTION STANDARDS. (a) The agency shall approve curricula to be used in a prekindergarten program under this subchapter.

(b) A school district may select and implement a curriculum for the program that the agency has approved. If the school district does not select an approved curriculum for the program, the school district must obtain agency approval for the selected curriculum before the district implements the curriculum.

(c) The agency shall ensure that the curriculum implemented in a program includes prekindergarten guidelines established by the agency.

(d) Each program class must have at least one teacher certified under Subchapter B, Chapter 21. A school district:

(1) may not enroll more than 25 students in a program class; and

(2) must maintain an average ratio in a program class of not less than one certified teacher or teacher's aide for each 10 students.

(e) A teacher's aide who is included in the required student to instructor ratio under Subsection (d)(2):

(1) must have been awarded a Child Development Associate (CDA) credential; or

(2) must:

(A) have at least four years of experience working in early child development; and

(B) receive a Child Development Associate (CDA) credential not later than the fourth anniversary of the date the teacher's aide began working in a program class.

(f) The commissioner shall develop standards for instructional coaching and clinical practice for teachers and teacher's aides in the program that ensure continued improvement of instruction quality.

Sec. 29.17405. PARENT ENGAGEMENT PLANS. A school district shall:

(1) develop and implement a parent engagement plan to assist the district in achieving and maintaining high levels of parental involvement and positive parental attitudes toward education; and

(2) assess parental involvement in the program and parental attitude.

Sec. 29.17406. STUDENT ASSESSMENTS. (a) A school district shall administer diagnostic assessments to students in the program but may not administer a standardized assessment instrument. A diagnostic assessment may not be the basis of class advancement, teacher compensation, or district funding. A school district shall report data from results of diagnostic assessments in accordance with Section 29.1532(c).

(b) The agency shall approve diagnostic assessments for a prekindergarten program under this subchapter. A school district may select assessments for the program from among the approved assessments. If the school district does not select an approved assessment, the school district must obtain agency approval for the assessment selected by the district before using the assessment.

Sec. 29.17407. PROGRAM ASSESSMENT. (a) The agency shall

assess the effectiveness of the program by comparing student-level results of assessment instruments administered under Section 39.023(a) in the third and fourth grades of students who completed the program against the results of the same assessment instruments of students who did not complete the program.

(b) The agency shall develop and approve additional methods by which a school district may assess the district's program classes and instruction. The methods must be capable of measuring or assessing interaction between teachers and students, coverage of program curriculum, and other metrics required by commissioner rule.

(c) A school district may select and implement appropriate methods approved by the agency for assessing the district's program classes. If the school district does not select an approved assessment method, the school district must obtain agency approval for the assessment method selected. A school district shall report data from results of program assessments in accordance with Section 29.1532(c).

Sec. 29.17408. PROGRAM ACCOUNTABILITY. (a) The commissioner shall establish benchmarks for the effectiveness of a school district's program using student-level results collected under Section 29.17407(a). The rules must require a district to demonstrate high achievement or show substantial progress toward high achievement with respect to the benchmarks to continue operating the program.

(b) If a school district's program does not satisfy benchmarks adopted under Subsection (a), the agency shall propose changes for the district's program to assist the district in satisfying the benchmarks. A district that implements proposed changes is eligible to operate the program notwithstanding the district's failure to satisfy benchmarks for the program. If a

district to which the agency has proposed changes fails to implement the proposed changes, the district is ineligible to receive funding under this subchapter.

Sec. 29.17409. CONTRACTS WITH PRIVATE PROVIDERS. A school district participating in the program may enter into a contract with eligible private providers to provide services or equipment for the program.

Sec. 29.17410. ELIGIBLE PRIVATE PROVIDERS. To be eligible to contract with a school district to provide a program or part of a program, a private provider must be licensed by and in good standing with the Department of Family and Protective Services. For purposes of this section, a private provider is in good standing with the Department of Family and Protective Services if the department has not taken an action against the provider's license under Section 42.071, 42.072, or 42.078, Human Resources Code, during the 24-month period preceding the date of a contract with a school district. The private provider must also be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by the commissioner.

Sec. 29.17411. WRITTEN CONTRACT REQUIRED. A school district and a private provider contracting under this subchapter shall enter a written contract governing the services to be provided by the private provider, including the amount of funding allocated by the school district to the private provider and the number of students the private provider agrees to enroll. The contract may provide that:

(1) the school district leases school facilities to or from the private provider;

(2) the school district employs a certified teacher for the prekindergarten class and the private provider supplies the school facilities and all other personnel and supplies; or

(3) the private provider supplies the school facilities, certified teachers, personnel, and supplies.

Sec. 29.17412. DISCRIMINATION BY PRIVATE PROVIDER PROHIBITED. A private provider may not deny program services to a student on the basis of the student's race, religion, sex, ethnicity, national origin, or disability.

Sec. 29.17413. OVERSIGHT OF PRIVATE PROVIDERS. (a) A school district that contracts with a private provider shall monitor the private provider's compliance with the terms of the contract.

(b) The commissioner shall monitor a private provider's compliance with state laws and requirements for prekindergarten programs.

Sec. 29.17414. RULES. The commissioner may adopt rules necessary to implement this subchapter.

(6) On page 6, between lines 25 and 26, add the following appropriately numbered SECTION to the bill:

SECTION ____. Section 42.003(b), Education Code, is amended to read as follows:

(b) A student to whom Subsection (a) does not apply is entitled to the benefits of the Foundation School Program if the student is enrolled in a prekindergarten class under Section 29.153 or Subchapter E-1 or E-2, Chapter 29.

(7) On page 11, between lines 18 and 19, add the following appropriately numbered SECTIONS to the bill:

SECTION ____. The heading to Section 42.160, Education Code, is amended to read as follows:

Sec. 42.160. GOLD STANDARD PREKINDERGARTEN PROGRAM [~~HIGH SCHOOL~~] ALLOTMENT.

SECTION ____. Section 42.160(a), Education Code, is amended to read as follows:

(a) A school district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.5 [~~of $275~~] for each student in average daily attendance in a gold standard prekindergarten program under Subchapter E-2, Chapter 29, [~~grades 9 through 12~~] in the district.

(8) On page 20, line 22, strike "Section 42.160" and substitute "Sections 42.160(b), (c), and (d)".

(9) On page 21, between lines 3 and 4, add the following appropriately numbered SECTION to the bill:

SECTION _____. Sections 12.104(b), 25.001(a), 29.1532, and 42.003(b), Education Code, as amended by this Act, and Subchapter E-2, Chapter 29, Education Code, as added by this Act, apply beginning with the 2017-2018 school year.

(10) Renumber subsequent SECTIONS of the bill accordingly.

851525

FLOOR AMENDMENT NO. _____ 17 APR 17 PM 4:26 BY: _____

HOUSE OF REPRESENTATIVES

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 42, Education Code, is amended by adding Section 42.107 to read as follows:

Sec. 42.107. SPECIAL PURPOSE SCHOOL DISTRICTS OPERATED BY GENERAL ACADEMIC TEACHING INSTITUTIONS (a) In each fiscal year of the biennium, the Commissioner of Education shall allocate funding from the Foundation School Program to each special-purpose school district established under Section 11.351 that is operated by a general academic teaching institution as defined by Section 61.003, in an amount equivalent to the Basic Allotment in Section 42.101(a) multiplied by the number of full-time equivalent students who are enrolled in the school district and who reside in this state.

(b) In allocating funding to special-purpose school districts under this section, the commissioner shall use a payment schedule consistent with the payment schedule adopted for open-enrollment charter schools.

(c) A special-purpose school district that receives state funding for a resident student under this section may not charge tuition or fees to that student for the academic term for which state funding is received, beyond fees permitted under Section 11.158.

(d) A special-purpose school district may elect not to receive state funding under this section.

851520

17 APR 17 PM 3:55

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Krause

Amend C.S.H.B. No. 21 (house committee printing) by adding SUBSECTION 16 on page 3 between lines 6 and 7:

(16) Fees under this section may not be collected by a school district designated as a district of innovation that includes modifications to the first day of instruction requirements under Section 25.0811 and 25.0812 in its local innovation plan in Section 12A.003(B) beginning with the 2018-2019 school year.

851508

17 APR 17 PM 3:44
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Lambert

Amend CSH.B. 21 by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Section 7.055(b), Education Code, is amended by adding Subdivision (42) to read as follows:

(42) The commissioner may accept a gift, donation, or other contribution on behalf of the public school system or agency and, unless otherwise specified by the donor, may use the contribution for the benefit of the public school system or agency in the manner the commissioner determines appropriate.

SECTION ____. Subchapter F, Chapter 29, Education Code, is amended by adding Section 29.194 to read as follows:

Sec. 29.194. STUDY ON SUMMER CAREER AND TECHNOLOGY EDUCATION COURSES. (a) The commissioner shall conduct a study regarding the provision of career and technology education courses during the summer. The study must analyze:

(1) the feasibility of providing those courses during the summer;

(2) the potential demand for those courses during the summer;

(3) any funding considerations associated with providing those courses during the summer; and

(4) any other matter the commissioner determines appropriate.

(b) Not later than December 1, 2018, the commissioner shall submit to the governor and the members of the legislature a report on the results of the study and any recommendations for legislative or other action.

(c) The provisions of this section apply only if the

1 commissioner receives sufficient money to pay for the study and
2 report from gifts, donations, or other contributions that may be
3 used for that purpose.
4 (d) This section expires September 1, 2019.

851496

17 APR 17 PM 2:11

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: _____

Amend C.S.H.B. 21 (house committee report) as follows:

(1) On page 1, line 4, strike "Section 11.158(a), Education Code, is" and substitute "Sections 11.158(a) and (h), Education Code, are".

(2) On page 2, line 22, after the semicolon, insert "or".

(3) On page 2, strike lines 23-27, and substitute the following:

(14) [~~a reasonable fee for transportation of a student who lives within two miles of the school the student attends to and from that school, except that the board may not charge a fee for transportation for which the school district receives funds under Section 42.155(d);~~

(4) On page 3, line 1, strike "(15)" and substitute "[~~(15)~~]".

(5) On page 3, between lines 11 and 12, insert the following:

(h) For a fee charged under Subsection (a)(14) [~~(a)(15)~~], the school district must provide a written form to be signed by the student's legal guardian stating that this fee would not create a financial hardship or discourage the student from attending the program. The school district may only assess the fee if the student returns the signed form.

SECTION 2. Sections 25.092(b) and (f), Education Code, are amended to read as follows:

(b) The board of trustees of each school district shall appoint one or more attendance committees to hear petitions for class credit or a final grade by students who are in attendance fewer than the number of days required under Subsection (a) and have not earned class credit or a final grade under Subsection

(a-1). Classroom teachers shall comprise a majority of the membership of the committee. A committee may give class credit or a final grade to a student because of extenuating circumstances. Each board of trustees shall establish guidelines to determine what constitutes extenuating circumstances and shall adopt policies establishing alternative ways for students to make up work or regain credit or a final grade lost because of absences. The alternative ways must include at least one option that does not require a student to pay a fee authorized under Section 11.158(a)(14) [~~11.158(a)(15)~~]. A certified public school employee may not be assigned additional instructional duties as a result of this section outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay.

(f) The availability of the option developed under Subsection (b) must be substantially the same as the availability of the educational program developed under Section 11.158(a)(14) [~~11.158(a)(15)~~].

(6) Renumber existing SECTIONS of the bill accordingly.

851510

17 APR 17 PM 3:55

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: _____ 41

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ___. Subchapter D, Chapter 41, Education Code, is amended by adding Section 41.0932 to read as follows:

Sec. 41.0932. LIMITATION ON TOTAL COST. (a) Notwithstanding any other provision of this chapter, a school district that executes an agreement to purchase all attendance credits necessary to reduce the district's wealth per student to the equalized wealth level:

(1) is entitled to retain maintenance and operations tax revenue sufficient to pay the district's average maintenance and operations costs per student in average daily attendance, as determined under Subsection (b) and adjusted for inflation; and

(2) may not be required to pay a total amount for attendance credits that would reduce the district's retained maintenance and operations tax revenue below the amount described by Subdivision (1).

(b) For purposes of Subsection (a)(1), the commissioner shall determine a school district's average maintenance and operations costs per student in average daily attendance based on the district's maintenance and operations expenditures per student in average daily attendance for the preceding three school years. The commissioner shall adjust a district's average costs to reflect inflation in a manner determined appropriate by the commissioner.

(c) A determination by the commissioner under this section is final and may not be appealed.

(d) The commissioner shall adopt rules necessary to implement this section.

851488

17 APR 13 PM 2:10

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: _____

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Chapter 34, Education Code, is amended by adding Section 34.0071 to read as follows:

Sec. 34.0071. PUBLIC SCHOOL TRANSPORTATION SYSTEM REPORTS. (a) A school district that operates a public school transportation system shall provide annual reports to the agency that contain information regarding transportation system costs and student ridership comparable to the information required to be provided during the 2016-2017 school year in connection with the transportation allotment provided under former Section 42.155.

(b) The commissioner may adopt rules implementing this section.

851489

17 APR 13 PM 2:11

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: _____

Amend C.S.H.B. 21 (house committee report) as follows:

(1) Strike page 1, line 4, through page 3, line 18.

(2) Strike page 4, line 16, through page 5, line 10.

(3) Strike page 6, lines 17-25.

(4) Strike page 8, lines 1-7.

(5) On page 9, lines 11-12, strike "or amounts made available for the transportation of career and technology education students".

(6) On page 12, line 1, strike "42.155,".

(7) On page 16, line 13, strike "[~~to the district for transportation, any allotment~~]" and substitute "to the district for transportation, any allotment".

(8) On page 16, line 14, strike "[~~or 42.160,~~]" and substitute "[~~or 42.160~~],".

(9) On page 20, strike line 21, and renumber subsequent subdivisions of SECTION 24 of the bill accordingly.

(10) Renumber existing SECTIONS of the bill accordingly.

851503

17 APR 17 PM 2:30
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Moody

Amend C.S.H.B. No. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter A, Chapter 42, Education Code, is amended by adding Section 42.015 to read as follows:

Sec. 42.015. STATE INDEMNIFICATION. (a) The state shall indemnify a school district, a member of the board of trustees of a school district, a school administrator, or an educator for any damages, costs, and attorney fees awarded in a cause of action based on a violation of the state or federal constitution resulting from the enactment of H.B. No. 21, Acts of the 85th Legislature, Regular Session, 2017.

(b) This section prevails over any other law to the extent of any conflict.

851499

17 APR 17 PM 2:13
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Nevárez

Amend C.S.H.B. No. 21 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter A, Chapter 42, Education Code, is amended by adding Section 42.010 to read as follows:

Sec. 42.010. COMPREHENSIVE REVIEW OF PUBLIC SCHOOL FINANCE WEIGHTS, ALLOTMENTS, AND ADJUSTMENTS. (a) The agency shall conduct a comprehensive review of:

(1) the cost of education adjustment applied to the basic allotment to determine school district entitlements under the public school finance system; and

(2) all other weights, allotments, and adjustments under the public school finance system, including all current weights, allotments, and adjustments provided under this chapter and any additional weights, allotments, and adjustments that the agency determines may be appropriate.

(b) The review must determine the effectiveness of existing weights, allotments, and adjustments in fulfilling the mission of the public education system stated in Section 4.001(a) and furthering the state policy stated in Section 42.001. At a minimum, the review must determine how closely and appropriately each of the following elements reflects and provides financing for costs beyond the control of school districts:

(1) adjustments for costs related to the geographic variation in known resource costs and costs of education, controlling for the impact of unequalized wealth and hold-harmless provisions, and properly reflecting the impact of high concentrations of poverty on the compensation that school districts must pay to attract and retain teachers of comparable or

appropriate quality;

(2) adjustments for costs related to the size and diseconomies of scale of school districts;

(3) adjustments for costs related to the varying instructional needs and characteristics of students and the extent to which the adjustments provide each student with access to programs and services that are appropriate to the student's educational needs;

(4) other factors, in addition to economic status, that correlate to at-risk status and the need for compensatory education, and the degree to which those factors correspond to additional educational costs; and

(5) the manner in which the cost adjustments are applied to and affect the overall school finance system.

(c) The review of the adjustments described in Subsection (b)(1) must:

(1) address all uncontrollable costs that can reasonably be quantified;

(2) consider the qualifications, experience, and turnover rate of personnel and the impact of those factors on student achievement in considering the adequacy and comparability of salaries;

(3) properly address the impact of factors that have a large impact on certain types of school districts, such as extreme isolation, regardless of general state impact;

(4) include only factors for which a rational economic argument can be made;

(5) be carefully constructed to make sure that a cost factor does not significantly affect more than one variable; and

(6) not be artificially adjusted to meet predetermined outcomes and must not use arbitrary limits.

(d) In determining whether any additional weights, allotments, and adjustments are appropriate under the public school finance system, the agency shall include consideration of an additional weight for educational services provided to students in prekindergarten on a half-day basis and on a full-day basis.

(e) The agency may contract with one or more consultants if necessary to enable the agency to perform its duties under this section.

(f) The Legislative Budget Board, the comptroller, the state auditor, and any other state agency, official, or personnel shall cooperate with the agency in carrying out its duties under this section.

(g) Not later than September 1, 2018, the agency shall provide to the legislature, the Legislative Budget Board, the comptroller, and the state auditor a report that:

(1) states the findings of the review conducted under this section; and

(2) includes recommendations for updated weights, allotments, and adjustments and any other statutory changes considered appropriate by the agency.

(h) This section expires January 1, 2019.

851500

17 APR 17 PM 2:13
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Nevárez

Amend C.S.H.B. 21 (house committee report) as follows:

(1) On page 19, strike lines 11-15, and substitute the following:

Sec. 42.455. FUNDING LIMIT. The amount of grants awarded by the commissioner under this subchapter may not exceed $200 million or a greater amount provided by appropriation.

(2) On page 19, line 26, strike "2019" and substitute "2018".

851501

17 APR 17 PM 2:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Nevárez

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) On page 7, strike lines 8-9, and substitute the following:

SECTION 11. Section 42.101, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(2) On page 7, line 10, strike "For" and substitute "Subject to adjustment under Subsection (a-3), for [~~For~~]".

(3) On page 7, following line 27, insert the following:

(a-3) Beginning with the 2019-2020 school year, the basic allotment provided to a district under Subsection (a) or (b) is adjusted annually to increase the allotment by the greater of:

(1) one percent of the amount of the allotment for the preceding school year; or

(2) the amount that results from applying the inflation rate, as determined by the comptroller on the basis of changes in the United States Bureau of Labor Statistics Consumer Price Index for All Urban Consumers, to the allotment for the preceding school year.

851502

17 APR 17 PM 2:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Nevárez

Amend C.S.H.B. No. 21 (house committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION ____. Section 7.062(c), Education Code, is amended to read as follows:

(c) Except as otherwise provided by this subsection, if the commissioner certifies that the amount appropriated for a state fiscal year for purposes of Subchapters A and B, Chapter 46, exceeds the amount to which school districts are entitled under those subchapters for that year, the commissioner shall use the excess funds, in an amount not to exceed $20 million in any state fiscal year, for the purpose of making grants under this section. The use of excess funds under this subsection has priority over any provision of Chapter 42 that permits or directs the use of excess foundation school program funds, including Sections [~~42.2517,~~] 42.2521, 42.2522, and 42.2531. The commissioner is required to use excess funds as provided by this subsection only if the commissioner is not required to reduce the total amount of state funds allocated to school districts under Section 42.253(h).

SECTION ____. Section 42.102, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The basic allotment for each school district is adjusted to reflect the [~~geographic variation in known resource costs and~~] costs of education for [~~due to factors beyond the control of~~] the school district using the updated cost of education index provided under Subsection (c).

(c) Based on a statistical analysis conducted by the Legislative Budget Board to determine for each school district the

current geographic variation in known resource costs and costs of education due to factors beyond the control of the district, the commissioner shall update the cost of education index used for purposes of this section during the 2016-2017 school year. The updated index shall be used for purposes of this section beginning with the 2017-2018 school year. Subsequently, the commissioner periodically may request more current statistical analysis from the Legislative Budget Board and further update as needed the cost of education index used for purposes of this section.

(2) On page 20, between lines 19 and 20, add the following appropriately numbered subdivision and renumber the subsequent subdivisions accordingly:

(___) Section 42.102(b);

(3) On page 20, line 22, strike "and".

(4) On page 20, line 23, strike the period and substitute "; and".

(5) On page 20, between lines 23 and 24, add the following appropriately numbered subdivision:

(___) Section 42.2517.

851519

17 APR 17 PM 3:59

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: John Raney

Amend C.S.H.B. 21 (house committee printing) on page 7, lines 16 and 18, by striking "$4,765" in each instance it appears and substituting "$5,140 [~~$4,765~~]".

851527

17 APR 17 PM 4:28

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: E Rodriguez

1 Amend C.S.H.B. 21 (house committee report) by adding the
2 following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS of the bill accordingly:
4 SECTION ___. Subchapter C, Chapter 42, Education Code, is
5 amended by adding Section 42.1531 to read as follows:
6 Sec. 42.1531. LANGUAGE ACQUISITION ALLOTMENT FOR STUDENTS
7 WHO ARE DEAF OR HARD OF HEARING. (a) For each student in average
8 daily attendance who is deaf or hard of hearing and is found to be
9 reading at a level below the age-appropriate reading level for a
10 student without a disability, a school district is entitled to an
11 annual allotment equal to the adjusted basic allotment multiplied
12 by 0.2.
13 (b) Funds allocated under this section, other than an
14 indirect cost allotment established under State Board of Education
15 rule, must be used in providing programs to assist students who are
16 deaf or hard of hearing in acquiring age-appropriate language
17 skills.
18 (c) A school district's allocation under this section may be
19 used only for program and student evaluation, instructional
20 materials and equipment, staff development, supplemental staff
21 expenses, salary supplements for teachers, and other supplies
22 required for quality instruction and for reporting information
23 regarding student progress as required by commissioner rule.
24 (d) A school district may receive funding for a student
25 under this section and Section 42.151 if the student satisfies the
26 requirements of both sections.

851516

17 APR 17 PM 4:09

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Springer

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter B, Chapter 42, Education Code, is amended by adding Section 42.1041 to read as follows:

Sec. 42.1041. INELIGIBILITY FOR SMALL OR MID-SIZED DISTRICT ADJUSTMENT OR SPARSITY ADJUSTMENT. (a) This section applies only to a school district that:

(1) borders the Red River; and

(2) has a student enrollment of less than 90, with more than 50 percent of the enrollment consisting of students who have transferred from another school district.

(b) Notwithstanding Section 42.103, 42.104, or 42.105, a school district to which this section applies is ineligible for an adjustment under Section 42.103 or 42.105 for any school year during which the district:

(1) issues bonds for the construction of a new instructional facility on property more than 5 miles from a property that before the issuance of the bonds was owned by the district and was the location of an instructional facility for the previous 5 years; or

(2) makes payments on bonds described by Subdivision (1).

851515

17 APR 17 PM 4:09

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Springer

Amend C.S.H.B. No. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.25162 to read as follows:

Sec. 42.25162. ADDITIONAL STATE AID FOR DISTRICTS THAT ARE ONLY DISTRICT IN COUNTY. Notwithstanding any other provision of this title, if a school district that received additional state aid under Section 42.2516 for the 2016-2017 school year is the only school district located and operating in a county, the commissioner shall provide the district with additional state aid in the amount the district would have been provided under former Section 42.2516, as that section existed on January 1, 2017. A district receiving additional state aid under this section is not eligible to receive a grant under Subchapter H.

851531

Leigh Shaw

17 APR 17 PM 4:44

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Springer

Amend C.S.H.B. No. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.25162 to read as follows:

Sec. 42.25162. ADDITIONAL STATE AID FOR CERTAIN SCHOOL DISTRICTS. Notwithstanding any other provision of this title, if the amount of state aid that would have been provided for the current school year to a school district under Section 42.2516, as that section existed on January 1, 2017, is equal to or greater than 10 percent of the district's total budget for the current school year, the commissioner shall provide the district with additional state aid in an amount not less than 50 percent of the amount that the district would have been provided for the current school year under Section 42.2516, as that section existed on January 1, 2017.

851497

17 APR 17 PM 2:14

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: _____

Amend C.S.H.B. No. 21 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Sections 42.158(b) and (d-1), Education Code, are amended to read as follows:

(b) For the first school year in which students attend a new instructional facility, a school district is entitled to an allotment of $1,000 [~~$250~~] for each student in average daily attendance at the facility. For the second school year in which students attend that instructional facility, a school district is entitled to an allotment of $1,000 [~~$250~~] for each additional student in average daily attendance at the facility.

(d-1) In addition to the appropriation amount described by Subsection (d), the amount of $1 million may be appropriated each school year to supplement the allotment to which a school district is entitled under this section that may be provided using the appropriation amount described by Subsection (d). The commissioner shall first apply the funds appropriated under this subsection to prevent any reduction under Subsection (d) in the allotment for attendance at an eligible high school instructional facility, subject to the maximum amount of $1,000 [~~$250~~] for each student in average daily attendance. Any funds remaining after preventing all reductions in amounts due for high school instructional facilities may be applied proportionally to all other eligible instructional facilities, subject to the maximum amount of $1,000 [~~$250~~] for each student in average daily attendance.

SECTION ____. A school district that is entitled under Section 42.158, Education Code, to receive funding in the 2017-2018 school year for the second year of student attendance at a new

1 instructional facility is entitled for that year to the amount
2 provided for the second year of student attendance as a result of
3 the changes in law made by this Act.

851492

17 APR 17 PM 12:47

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Stephanie Thompson

Amend C.S.H.B. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.2541 to read as follows:

Sec. 42.2541. ESTIMATED PROJECTIONS. (a) In this section, "equivalent equalized wealth level" means an equalized wealth level for a state fiscal biennium that results in approximately the same number of school districts that are required to take action under Chapter 41 to reduce wealth as the number of school districts that were required to take that action during the preceding state fiscal biennium.

(b) Not later than November 1 of each even-numbered year, the agency shall:

(1) submit to the legislature a projection for an equivalent equalized wealth level for the following biennium based on the agency's estimate of:

(A) student enrollment under Section 42.254(a)(1); and

(B) the comptroller's estimate of any increase in total taxable value of all property in the state under Section 42.254(a)(2); and

(2) provide projections for the equalized funding elements under Section 42.007 for the following biennium as necessary to achieve the equivalent equalized wealth level projected under Subdivision (1).

851493

17 APR 17 PM 12:47

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Senfronia Thompson

Amend C.S.H.B. 21 (house committee printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ___. Section 42.2522, Education Code, is amended by adding Subsection (f) to read as follows:

(f) Subsection (a) does not apply to a school district that is prohibited by Section 11.13(n-1), Tax Code, from reducing the amount of or repealing an exemption adopted under Section 11.13(n), Tax Code, and the commissioner shall provide funding under this chapter based on the district's taxable value of property computed in accordance with Section 403.302(d)(2), Government Code. This subsection expires December 31, 2019.

851530

FLOOR AMENDMENT NO._____ 17 APR 17 PM 4:41 BY: Uresti

HOUSE OF REPRESENTATIVES

Amend C.S.H.B. 21 (house committee report) as follows:

(1) On page 18, strike lines 20-23, and substitute the following:

(2) use a maintenance and operations tax rate ("TR") of $1 for the South Texas Independent School District and each special-purpose school district established under Subchapter H, Chapter 11; and

(2) On page 19, strike lines 4-6, and substitute the following:

Sec. 42.453. OPEN-ENROLLMENT CHARTER SCHOOL NOT ELIGIBLE. An open-enrollment charter school is not eligible for a grant under this subchapter.

851532

FLOOR AMENDMENT NO._____ BY: Uresti

17 APR 17 PM 4:41

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) Add the following appropriately numbered SECTION and
3 renumber subsequent SECTIONS of the bill accordingly:

4 SECTION_____. Subchapter D, Chapter 12, Education Code, is
5 amended by adding Section 12.1062 to read as follows:

6 Sec. 12.1062. STATE FUNDING PROHIBITED. Notwithstanding
7 any other provision of this title or other law, the commissioner
8 may not provide state funding to an open-enrollment charter
9 school. An open-enrollment charter school may charge tuition.

10 (2) On page 18, strike lines 20-23, and substitute the
11 following:

12 (2) use a maintenance and operations tax rate ("TR") of $1
13 for the South Texas Independent School District and each
14 special-purpose school district established under Subchapter H,
15 Chapter 11; and

16 (3) On page 20, between lines 13 and 14, insert the
17 following appropriately numbered subdivision and renumber
18 subsequent subdivisions of SECTION 24 of the bill accordingly:

19 ( ) Section 12.106;

851509

17 APR 17 PM 3:57

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO._____ BY: Walle

Amend C.S.H.B. No. 21 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____. Sections 42.152(a) and (c), Education Code, are amended to read as follows:

(a) For each student who is educationally disadvantaged or who is a student who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.25 [~~0.2~~], and by 2.41 for each full-time equivalent student who is in a compensatory, intensive, or accelerated [~~remedial and support~~] program under Section 29.081 because the student is pregnant.

(c) Funds allocated under this section shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by Section 29.081, and all other students. Specifically, the funds, other than an indirect cost allotment established under State Board of Education rule, which may not exceed 25 [~~45~~] percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Section 29.081 or a disciplinary alternative education program established under Section 37.008, to pay the costs associated with placing students in a juvenile justice alternative education program established under Section 37.011, or to support a program eligible under Title I of the Elementary and Secondary Education

1 Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent
2 amendments, and by federal regulations implementing that Act, at a
3 campus at which at least 40 percent of the students are
4 educationally disadvantaged. In meeting the costs of providing a
5 compensatory, intensive, or accelerated instruction program under
6 Section 29.081, a district's compensatory education allotment
7 shall be used for costs supplementary to the regular education
8 program, such as costs for program and student evaluation,
9 instructional materials and equipment and other supplies required
10 for quality instruction, supplemental staff expenses, salary for
11 teachers of at-risk students, smaller class size, and
12 individualized instruction. A home-rule school district or an
13 open-enrollment charter school must use funds allocated under
14 Subsection (a) for a purpose authorized in this subsection but is
15 not otherwise subject to Subchapter C, Chapter 29. For purposes of
16 this subsection, a program specifically designed to serve students
17 at risk of dropping out of school, as defined by Section 29.081, is
18 considered to be a program supplemental to the regular education
19 program, and a district may use its compensatory education
20 allotment for such a program.