

Amend CSHB 3 (house committee report) as follows:

(1) On page 3, lines 5 and 6, strike "Subsection (a-3)" and substitute "Subsections (a-3) and (a-4)".

(2) Strike page 3, line 16, through page 4, line 12, and substitute the following:

(a-1) In determining funding for an open-enrollment charter school under Subsection (a), the amount of the allotment under Section 48.102 is based solely on the basic allotment to which the charter holder is entitled and does not include any amount based on the allotment under Section 48.101[+

~~[-(1) adjustments under Sections 42.102, 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].~~

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the product of:

(1) the state average allotment per student in average daily attendance provided to eligible school districts under Section 48.101; and

(2) the sum of one and the quotient of:

(A) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101; and

(B) the total number of students in average daily attendance in school districts statewide.

(a-3) In addition to the funding provided by Subsections [Subsection] (a) and (a-2), a charter holder is entitled to receive for the open-enrollment charter school enrichment funding under Section 48.202 [42.302] based on the state average tax effort.

(a-4) In addition to the funding provided by Subsections (a), (a-2), and (a-3), a charter holder is entitled to receive funding for the open-enrollment charter school under Subchapter D, Chapter 48, if the charter holder would be entitled to the funding if the school were a school district.

(3) On page 6, line 26, strike "adding Subsection" and substitute "adding Subsections (d-1), (f-1), and".

(4) On page 7, between lines 10 and 11, insert the following:

(d-1) If the rollback tax rate of a school district under Section 26.08(n), Tax Code, for the 2019 tax year exceeds \$1.04 per \$100 of taxable value, the district may not adopt a maintenance and operations tax rate for the 2019 tax year that exceeds the district's rollback rate. This subsection expires September 1, 2020.

(5) On page 7, line 11, between "law" and the comma, insert "except Section 48.202(f)".

(6) On page 7, between lines 20 and 21, insert the following:

(f-1) Notwithstanding Section 48.202(f), for the 2019-2020 school year, the reduction of a school district's tax rate required under Section 48.202(f) applies to the district's total enrichment tax rate under Section 45.0032(b) minus six cents. This subsection expires September 1, 2020.

(7) On page 8, line 1, strike "Except as provided by Subsection (c), a" and substitute "A".

(8) Strike page 8, line 24 through page 9, line 4.

(9) On page 9, strike lines 5-9 and substitute the following:

(c) For a district to which Section 45.003(f) applies, any cents of maintenance and operations tax effort that exceeds the maximum rate permitted under Section 45.003(d) are not included in the district's tier one maintenance and operations tax rate under Subsection (a) or the district's enrichment tax rate under Subsection (b).

(10) On page 31, strike lines 20-23 and substitute the following:

(h) Funds allocated under this section, other than an indirect cost allotment established under commissioner [~~State Board of Education~~] rule, must be used in the special education program under Subchapter A, Chapter 29.

(11) Strike page 33, line 21, through page 34, line 5, and

substitute the following:

(b) A school district is entitled to an allotment under Subsection (a) only for a student who is receiving services for dyslexia or a related disorder in accordance with:

(1) an individualized education program developed for the student under Section 29.005; or

(2) a plan developed for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(12) On page 34, between lines 8 and 9, insert the following:

(d) On request in accordance with Section 29.925 by the parent of a student who qualifies for an allotment under this section and Section 48.102, the school district shall use an amount not to exceed 50 percent of the allotment for the student under this section to acquire enhancement services for the student as provided by Section 29.925.

(13) On page 36, strike lines 7 through 10 and reletter subsequent subsections accordingly.

(14) On page 37, between lines 9 and 10, insert the following appropriately lettered subsection:

(____) The commissioner by rule shall establish guidelines for the method of determining the number of students who qualify for an allotment under this section at a campus that participates in the Community Eligibility Provision administered by the United States Department of Agriculture, as provided by the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. No. 111-296).

(15) On page 58, line 20, between "property" and "as", insert "for the preceding tax year".

(16) On page 58, line 24, between "property" and "as", insert "for the preceding tax year".

(17) On page 60, strike lines 4-15.

(18) On page 61, strike lines 11-22 and substitute the following:

(f) For a school year in which the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") under Subsection (a-1)(2) exceeds the dollar amount guaranteed level of state and local funds per weighted student per

cent of tax effort ("GL") under Subsection (a-1)(2) for the preceding school year, a school district shall reduce the district's tax rate under Section 45.0032(b)(2) for the tax year that corresponds to that school year to a rate that results in the amount of state and local funds per weighted student per cent of tax effort available to the district at the dollar amount guaranteed level for the preceding school year. A school district is not entitled to the amount equal to the increase of revenue described by this subsection for the school year for which the district must reduce the district's tax rate. For a tax year in which a district must reduce the district's tax rate under this subsection, the district may not increase the district's maintenance and operations tax rate to a rate that exceeds the maximum maintenance and operations tax rate permitted under Section 45.003(d) minus the reduction of tax effort required under this subsection. This subsection does not apply if the amount of state

(19) On page 68, line 13, between "collections" and "for", insert "from the tax rate described by Section 45.0032(a)".

(20) On page 72, line 4, strike "ratification [~~rollback~~]" and substitute "rollback".

(21) On page 92, lines 4-5, strike "Subject to Subsection (b), a" and substitute "A".

(22) On page 92, line 5, between "district" and "is", insert "or open-enrollment charter school".

(23) On page 92, line 6, between "allotment" and "in", insert "for each student in average daily attendance".

(24) On page 92, line 9, strike "for the school year".

(25) On page 92, line 11, strike "the district's" and substitute "103 percent of the district's or school's".

(26) On page 92, lines 12-13, strike "2018-2019 school year" and substitute "2019-2020 school year that the district or school would have received under former Chapters 41 and 42, as those chapters existed on January 1, 2019".

(27) On page 92, line 14, strike "125" and substitute "128".

(28) On page 92, line 16, strike "for the 2018-2019 school year" and substitute "that would have been provided for the 2019-2020 school year under former Chapters 41 and 42, as those

chapters existed on January 1, 2019".

- (29) On page 92, line 19, strike the underlined colon.
- (30) On page 92, strike lines 20-21.
- (31) On page 92, line 22, strike "(B)".
- (32) On page 92, line 23, strike "(i)" and substitute "(A)".
- (33) On page 92, line 25, strike "(ii)" and substitute "(B)".
- (34) On page 92, line 27, strike "(iii)" and substitute "(C)".
- (35) On page 93, strike lines 2-6.
- (36) On page 93, line 7, strike "(3)" and substitute "(2)".
- (37) On page 93, line 9, strike "(4) if a school district" and substitute "(3) if a school district or open-enrollment charter school".
- (38) On page 93, line 12, immediately following "district's", insert "or school's".
- (39) On page 93, line 14, between "district" and "received", insert "or school".
- (40) On page 93, line 18, between "district" and "is", insert "or open-enrollment charter school".
- (41) On page 93, line 19, strike "this section" and substitute "Subsection (a)".
- (42) On page 93, line 19, strike "2022-2023" and substitute "2024-2025".
- (43) On page 93, line 20, strike "2024" and substitute "2025".
- (44) On page 93, between lines 19-20, insert the following:
 - (d-1) In addition to the allotment under Subsection (a), a school district or open-enrollment charter school is entitled to receive an annual allotment for each student in average daily attendance in the amount equal to the difference, if the difference is greater than zero, that results from subtracting the total maintenance and operations revenue per student in average daily attendance for the current school year from the total maintenance and operations revenue per student in average daily attendance that would have been available to the district or school under former Chapters 41 and 42, as those chapters existed on January 1, 2019.

Subsection (b) applies to the calculation of a district's maintenance and operations revenue under this subsection. This subsection expires September 1, 2021.

(45) On page 139, line 5, strike "(n), and (o)" and substitute "and (n)".

(46) On page 141, strike lines 22 through 26 and substitute the following:

(i) the district's maintenance and operations tax rate for the 2018 tax year, less the sum of:

(a) \$1.00; and

(b) any amount by which the district is required to reduce the district's enrichment tax rate under Section 48.202(f), Education Code, in the 2019 tax year; or

(47) On page 143, strike lines 12 through 19.

(48) On page 145, strike lines 17 and 18.

(49) On page 160, line 15, strike "ACADEMIC SERVICES GRANT PROGRAM" and substitute "ENHANCEMENT SERVICES PROGRAM".

(50) On page 160, line 24, strike "grant".

(51) Strike page 161, line 1 through page 165, line 22 and substitute the following:

(b) On request to the school district or open-enrollment charter school at which the parent's student is enrolled, the parent of an eligible student may elect to receive funding as described by Section 48.103(d) to obtain for the student enhancement services that:

(1) supplement the student's public education; and

(2) exceed the level of services that the student's committee has determined to be necessary for the student to receive a free appropriate public education.

(c) A student is eligible to participate in the program if the student qualifies for an allotment under Sections 48.102 and 48.103.

(d) Each school district or open-enrollment charter school annually shall provide information regarding the program to a parent of each student enrolled in the district or school who may be eligible to participate in the program.

(e) Funds received under the program may be used only for

the following services or goods provided to a program participant by an enhancement service provider or vendor of educational products approved by the student's committee:

(1) transportation for the student to receive enhancement services;

(2) instructional materials, as that term is defined by Section 31.002;

(3) educational therapies or support services provided by a practitioner or provider; and

(4) assistive technology.

(f) The parent of a student participating in the program, in consultation with the student's committee, shall select the services or goods allowed under Subsection (e) to be provided to the student under the program and the appropriate enhancement service provider or vendor of educational products to provide those services or goods. Subject to Subsection (g), on the parent's selection, using funds described by Section 48.103(d), the school district or open-enrollment charter school at which the parent's student is enrolled shall contract with the selected enhancement service provider or vendor of educational products to provide the selected services or goods to the student.

(g) An enhancement service provider or vendor of educational products may not solicit or provide incentives to any program participant to select the provider or vendor to provide services or goods using funds described by Section 48.103(d). A school district or open-enrollment charter school is not required to contract under Subsection (f) with an enhancement service provider or vendor of educational products that the district or school determines violated this subsection.

(h) At least once each semester, an enhancement service provider or vendor of educational products selected to provide services or goods to a student participating in the program shall meet with the student's parent and relevant members of the student's committee at a time and place determined by the school district or open-enrollment charter school at which the student is enrolled, in coordination with the student's parent, to discuss the student's progress and to assist the parent in evaluating the continued use of

the provider or vendor.

(i) A student's participation in the program does not affect the student's rights or a school district's or open-enrollment charter school's obligations with respect to the student under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.); Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

(j) A program participant is not entitled to use any dispute resolution processes provided by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) to resolve disputes regarding the program.

(52) On page 228, line 20, strike "Section 26.08(p)" and substitute "Sections 26.08(o) and (p)".

(53) Add the following appropriately numbered SECTION to Article 5 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 5.____. Not later than September 1, 2019, the commissioner of education by rule shall establish an indirect cost allotment under Section 48.102(h), Education Code, as redesignated and amended by this Act, at the level in effect for the 2018-2019 school year under former Section 42.151(h), Education Code.