

By: Dutton

H.B. No. 3876

A BILL TO BE ENTITLED

AN ACT

relating to the permissible uses of the compensatory education allotment under the Foundation School Program.

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

SECTION 1. Section 48.104, Education Code, is amended by amending Subsections (k) and (l) and adding Subsection (k-1) to read as follows:

(k) Subject to Subsection (k-1), at ~~A+~~ least 55 percent of the funds allocated under this section must be used to:

(1) 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:

(A) students who are educationally disadvantaged and students who are not educationally disadvantaged; and

(B) students at risk of dropping out of school, as defined by Section 29.081, and all other students; or

(2) 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.

(k-1) A school district may not use more than 40 percent of the funds allocated to the district under this section to pay for:

(1) teacher salaries;

1 (2) supplemental staff expenses;

2 (3) additional staff; or

3 (4) smaller class size.

4 (1) The commissioner shall adopt rules regarding the use of
5 funds allocated under this section as provided [~~described~~] by
6 Subsections [~~Subsection~~] (k) and (k-1). The rules:

7 (1) must:

8 (A) permit a school district to use those funds
9 for programs and services that reflect the needs of students at each
10 campus in the district; and

11 (B) provide for streamlined reporting on the use
12 of those funds; and

13 (2) may not prohibit the use of those funds for any
14 purpose for which the use of those funds was authorized under former
15 Section 42.152 as that section existed on September 1, 2018.

16 SECTION 2. This Act takes effect September 1, 2021.