

By: Hinojosa

H.B. No. 4123

A BILL TO BE ENTITLED

AN ACT

relating to the special education allotment.

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

SECTION 1. Sections 48.102(a) and (j), Education Code, are amended to read as follows:

(a) For each student [~~in average daily attendance~~] in a special education program under Subchapter A, Chapter 29, in a mainstream instructional arrangement, a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by 1.15. For each full-time equivalent student [~~in average daily attendance~~] in a special education program under Subchapter A, Chapter 29, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight determined according to instructional arrangement as follows:

- Homebound 5.0
- Hospital class 3.0
- Speech therapy 5.0
- Resource room 3.0
- Self-contained, mild and moderate,

1 regular campus 3.0
2 Self-contained, severe, regular campus 3.0
3 Off home campus 2.7
4 Nonpublic day school 1.7
5 Vocational adjustment class 2.3

6 (j) A school district that provides an extended year program
7 required by federal law for special education students who may
8 regress is entitled to receive funds in an amount equal to 75
9 percent, or a lesser percentage determined by the commissioner, of
10 the basic allotment, or, if applicable, the sum of the basic
11 allotment and the allotment under Section 48.101 to which the
12 district is entitled for each full-time equivalent student [~~in~~
13 ~~average daily attendance~~], multiplied by the amount designated for
14 the student's instructional arrangement under this section[~~, for~~
15 ~~each day the program is provided divided by the number of days in~~
16 ~~the minimum school year~~]. The total amount of state funding for
17 extended year services under this section may not exceed \$10
18 million per year. A school district may use funds received under
19 this section only in providing an extended year program.

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