

1-1 By: Dutton (Senate Sponsor - Taylor) H.B. No. 4465
 1-2 (In the Senate - Received from the House May 10, 2021;
 1-3 May 10, 2021, read first time and referred to Committee on
 1-4 Education; May 24, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
 1-6 May 24, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio			X	
1-10 Bettencourt	X			
1-11 Hall		X		
1-12 Hughes	X			
1-13 Menéndez	X			
1-14 Paxton	X			
1-15 Perry	X			
1-16 Powell	X			
1-17 Schwertner	X			
1-18 West			X	

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 4465 By: Taylor

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to grants and federal disaster relief funds available to
 1-24 school districts, open-enrollment charter schools, and regional
 1-25 education service centers to provide services to students after a
 1-26 disaster in the state of Texas.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter 2, Chapter 29, Education Code, is
 1-29 amended by adding Sections 29.926 and 29.927 to read as follows:

1-30 Sec. 29.926. GRANT PROGRAM REGARDING DISASTERS IMPACTING
 1-31 STUDENT INSTRUCTION. (a) From funds available for purposes of this
 1-32 section and reserved for the state for administrative purposes
 1-33 under Section 313, Coronavirus Response and Relief Supplemental
 1-34 Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, reprinted in
 1-35 note, 20 U.S.C. Section 3401), or the American Rescue Plan Act of
 1-36 2021 (Pub. L. No. 117-2, reprinted in note, 20 U.S.C. Section
 1-37 3401), the commissioner shall establish a grant program to assist
 1-38 school districts, open-enrollment charter schools, and regional
 1-39 education service centers in overcoming the educational impact
 1-40 occurring as a result of a state of disaster as declared by the
 1-41 governor under Chapter 418, Government Code. The grant program may
 1-42 include:

- 1-43 (1) extending instructional time;
- 1-44 (2) broadband grants to ensure that students have
 1-45 access to remote instruction;
- 1-46 (3) innovation in curriculum and instruction;
- 1-47 (4) improvements in quality of air and water at school
 1-48 facilities;
- 1-49 (5) accelerated learning; and
- 1-50 (6) comprehensive after-school learning, summer
 1-51 learning, or summer enrichment.

1-52 (b) A broadband grant under Subsection (a)(2) may include a
 1-53 payment made by the agency, a contractor or subgrantee of the
 1-54 agency, a school district, or an open-enrollment charter school to:

- 1-55 (1) a provider of services or equipment for a student;
 1-56 or
- 1-57 (2) a student's parent to pay a provider of services or
 1-58 equipment for the student.

1-59 (c) The commissioner may determine the terms of a grant
 1-60 awarded under this section, including:

2-1 (1) limits on the grant amount awarded to a school
2-2 district, open-enrollment charter school, or regional education
2-3 service center; and

2-4 (2) the approved use of grant funds.

2-5 (d) The agency may administer the grant program or contract
2-6 with a regional education service center to administer the grant
2-7 program.

2-8 (e) The commissioner may recover funds not used in
2-9 accordance with the terms of a grant by withholding any state funds
2-10 otherwise due to a school district, open-enrollment charter school,
2-11 or regional education service center that is not complying with the
2-12 terms of the grant.

2-13 (f) The commissioner may seek gifts, grants, and donations
2-14 from any public or private sources, including the federal
2-15 government, for providing grants under this section.

2-16 (g) A decision by the commissioner under this section is
2-17 final and may not be appealed.

2-18 (h) The commissioner may adopt rules to implement this
2-19 section.

2-20 Sec. 29.927. FEDERAL DISASTER RELIEF FUNDS; LOCAL PLAN FOR
2-21 EXPENDITURE OF FUNDS. (a) In this section, "disaster relief funds"
2-22 means federal funds that are:

2-23 (1) made available to the state under:

2-24 (A) Section 313, Coronavirus Response and Relief
2-25 Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260,
2-26 reprinted in note, 20 U.S.C. Section 3401); or

2-27 (B) the American Rescue Plan Act of 2021 (Pub. L.
2-28 No. 117-2, reprinted in note, 20 U.S.C. Section 3401); and

2-29 (2) authorized or required to be allocated to local
2-30 education agencies in the state.

2-31 (b) The state shall provide disaster relief funds to school
2-32 districts and charter schools operating under Chapter 12 in
2-33 accordance with the terms of the federal grant program under which
2-34 the funds are received. A waiver of a maintenance of effort
2-35 requirement or other provision of a federal grant requirement does
2-36 not apply to this subsection.

2-37 (c) The board of trustees of a school district or the
2-38 governing body of an open-enrollment charter school that receives
2-39 disaster relief funds under Subsection (b) shall:

2-40 (1) for each school year during which the funds are
2-41 permitted to be expended under the terms of the federal grant
2-42 program under which the funds were received, adopt a local plan
2-43 regarding the expenditure of the funds;

2-44 (2) not later than the beginning of the 2023-2024
2-45 school year, ensure that students in need of remediation are
2-46 identified and receiving appropriate services to perform at grade
2-47 level;

2-48 (3) use the funds in accordance with all requirements
2-49 established by:

2-50 (A) the federal grant program under which the
2-51 funds were received; or

2-52 (B) the United States Department of Education or
2-53 other appropriate federal authority;

2-54 (4) adopt the local plan under Subdivision (1) at a
2-55 public meeting at which the district or school considers any
2-56 recommendations published by the commissioner regarding the use of
2-57 the funds; and

2-58 (5) submit the district's or school's local plan to the
2-59 agency and consider the agency's comments in adopting the
2-60 district's or school's local plan for the following school year.

2-61 (d) A local plan adopted by a school district or
2-62 open-enrollment charter school under Subsection (c)(1) must
2-63 address:

2-64 (1) local needs for extending instructional time;

2-65 (2) measures to ensure access to remote instruction;

2-66 (3) innovation in curriculum and instruction;

2-67 (4) improvements in quality of air and water at school
2-68 facilities;

2-69 (5) accelerated learning; and

3-1 (6) comprehensive after-school learning, summer
3-2 learning, or summer enrichment.

3-3 (e) Funds provided to a school district or open-enrollment
3-4 charter school under this section may not be used to provide a
3-5 general increase in the district's or school's local salary
3-6 schedule but may be used to provide additional compensation for
3-7 staff providing, supporting, or supervising extended instructional
3-8 time.

3-9 (f) The agency shall make publicly available on the agency's
3-10 Internet website each local plan adopted by a school district or
3-11 open-enrollment charter school under Subsection (c)(1).

3-12 (g) Nothing in this section may be construed to limit the
3-13 authority of the commissioner or agency to audit or recover funds in
3-14 accordance with federal law.

3-15 (h) This section expires September 1, 2025.

3-16 SECTION 2. This Act takes effect September 1, 2021.

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