By:  King of Hemphill H.B. No. 100

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of public school educators and to the public school finance system, including enrollment-based funding for certain allotments under the Foundation School Program.

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

ARTICLE 1. CHANGES EFFECTIVE FOR 2023-2024 SCHOOL YEAR

SECTION 1.01.  Section 19.009(d-2), Education Code, is amended to read as follows:

(d-2)  Beginning with the 2009-2010 school year, the district shall increase the [~~monthly~~] salary of each classroom teacher, full-time speech pathologist, full-time librarian, full-time school counselor certified under Subchapter B, Chapter 21, and full-time school nurse employed by the district by the greater of:

(1)  $80 per month; or

(2)  the maximum uniform amount per month that, when combined with any resulting increases in the amount of contributions made by the district for social security coverage for the specified employees or by the district on behalf of the specified employees under Section 825.405, Government Code, may be provided using an amount equal to the product of $60 multiplied by the number of students in weighted average daily attendance in the district during the 2009-2010 school year.

SECTION 1.02.  Section 21.402, Education Code, is amended by amending Subsections (a) and (g) and adding Subsections (a-1), (c-2), (i), (j), (k), and (l) to read as follows:

(a)  Except as provided by Subsection (c-2) [~~(e-1) or (f)~~], a school district must pay each employee who is employed as a classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the highest annual minimum [~~minimum monthly~~] salary described by the following schedule applicable to [~~, based on~~] the employee's certification, if any, and years [~~level~~] of experience:

(1)  for an employee with less than five years of experience who holds:

(A)  no certification $35,000;

(B)  a teacher intern, teacher trainee, or probationary certificate issued under Subchapter B $37,000;

(C)  the base certificate required under Section 21.003(a) for employment in the employee's position other than a certificate described by Paragraph (B) $40,000; or

(D)  any certificate described under this subsection and a designation under Section 21.3521 $43,000;

(2)  for an employee with at least five years of experience who holds:

(A)  no certification $45,000;

(B)  a teacher intern, teacher trainee, or probationary certificate issued under Subchapter B $47,000;

(C)  the base certificate required under Section 21.003(a) for employment in the employee's position other than a certificate described by Paragraph (B) $50,000; or

(D)  any certificate described under this subsection and a designation under Section 21.3521 $53,000; or

(3)  for an employee with at least 10 years of experience who holds:

(A)  no certification $55,000;

(B)  a teacher intern, teacher trainee, or probationary certificate issued under Subchapter B $57,000;

(C)  the base certificate required under Section 21.003(a) for employment in the employee's position $60,000; or

(D)  any certificate described under this subsection and a designation under Section 21.3521 $63,000

[~~in addition to other factors, as determined by commissioner rule, determined by the following formula:~~

[~~MS = SF x FS~~

[~~where:~~

[~~"MS" is the minimum monthly salary;~~

[~~"SF" is the applicable salary factor specified by Subsection (c); and~~

[~~"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 48.051(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 48.051(a)~~].

(a-1)  For purposes of Subsection (a), a full-time school nurse is considered to hold the base certificate required under Section 21.003(a) for employment as a school nurse, regardless of the other certifications held by the nurse.

(c-2)  A school district is not required to pay an employee who is employed as a classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse the minimum salary required under Subsection (a) for the school year following a school year during which the district reviews the employee's performance and finds the employee's performance unsatisfactory.

(g)  The commissioner may adopt rules to govern the application of this section, including rules that:

(1)  require the payment of a minimum salary under this section to a person employed in more than one capacity for which a minimum salary is provided and whose combined employment in those capacities constitutes full-time employment; and

(2)  specify the credentials a person must hold to be considered a [~~speech pathologist or~~] school nurse under this section.

(i)  A school district must use at least 50 percent of the difference between what the district would have paid under Section 825.405, Government Code, based on the salaries paid under this section as it existed on January 1, 2023, and what the district pays under Section 825.405, Government Code, based on the salaries paid under this section as it exists after September 1, 2023, to increase the average total compensation per district employee employed as a classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse. In calculating average total compensation per district employee under this subsection, a district may not include compensation paid to a classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse in a position added by the school district for the current school year that increases the ratio of those employees to enrolled students over the ratio of those employees to enrolled students for the preceding year.

(j)  A school district that increases employee compensation in the 2023-2024 school year to comply with Subsection (a), as amended by \_\_.B. \_\_\_\_, Acts of the 88th Legislature, Regular Session, 2023, is providing compensation for services rendered independently of an existing employment contract applicable to that year and is not in violation of Section 53, Article III, Texas Constitution. A school district that does not meet the requirements of Subsection (a) in the 2023-2024 school year may satisfy the requirements of this section by providing an employee a one-time bonus payment during the 2024-2025 school year in an amount equal to the difference between the compensation earned by the employee during the 2023-2024 school year and the compensation the employee should have received during that school year if the district had complied with Subsection (a).

(k)  Notwithstanding the minimum salary schedule under Subsection (a), a school district that increases the amount a classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse is compensated during the 2023-2024 school year by at least $8,000 more than the amount the employee was compensated during the 2022-2023 school year complies with the requirements of this section for the 2023-2024 school year.

(l)  Subsections (i), (j), and (k) and this subsection expire September 1, 2025.

SECTION 1.03.  The heading to Section 21.403, Education Code, is amended to read as follows:

Sec. 21.403.  DETERMINATION OF YEARS OF EXPERIENCE [~~PLACEMENT ON MINIMUM SALARY SCHEDULE~~].

SECTION 1.04.  Sections 21.403(b) and (c), Education Code, are amended to read as follows:

(b)  For each year of work experience required for certification in a career or technological field, up to a maximum of two years, a certified career or technology education teacher is entitled to [~~salary step~~] credit as if the work experience were teaching experience.

(c)  The commissioner shall adopt rules for determining the experience for which a teacher, librarian, school counselor, or nurse is to be given credit for purposes of the minimum salary schedule under Section 21.402(a) [~~in placing the teacher, librarian, school counselor, or nurse on the minimum salary schedule~~]. A district shall credit the teacher, librarian, school counselor, or nurse for each year of experience without regard to whether the years are consecutive.

SECTION 1.05.  Section 21.4552(d), Education Code, is amended to read as follows:

(d)  From funds appropriated for that purpose, a teacher who attends a literacy achievement academy is entitled to receive a stipend in the amount determined by the commissioner. A stipend received under this subsection is not considered in determining whether a school district is paying the teacher the minimum [~~monthly~~] salary under Section 21.402.

SECTION 1.06.  Section 21.4553(d), Education Code, is amended to read as follows:

(d)  From funds appropriated for that purpose, a teacher who attends a mathematics achievement academy is entitled to receive a stipend in the amount determined by the commissioner. A stipend received under this subsection is not considered in determining whether a district is paying the teacher the minimum [~~monthly~~] salary under Section 21.402.

SECTION 1.07.  Section 21.4555(f), Education Code, is amended to read as follows:

(f)  From funds available for that purpose, a teacher who attends a civics training program may receive a stipend in an amount determined by the commissioner. A stipend received under this section is not included in determining whether a district is paying the teacher the minimum [~~monthly~~] salary under Section 21.402.

SECTION 1.08.  Section 30.102(b), Education Code, is amended to read as follows:

(b)  A classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, Chapter 21, or full-time school nurse employed by the department is entitled to receive as a minimum salary the [~~monthly~~] salary specified by Section 21.402. A classroom teacher, full-time librarian, full-time school counselor, or full-time school nurse may be paid, from funds appropriated to the department, a salary in excess of the minimum specified by that section, but the salary may not exceed the rate of pay for a similar position in the public schools of an adjacent school district.

SECTION 1.09.  Section 33.009(h), Education Code, is amended to read as follows:

(h)  From funds appropriated for that purpose, a school counselor who attends the academy under this section is entitled to receive a stipend in the amount determined by the coordinating board. If funds are available after all eligible school counselors have received a stipend under this subsection, the coordinating board shall pay a stipend in the amount determined by the coordinating board to a teacher who attends the academy under this section. A stipend received under this subsection is not considered in determining whether a district is paying the school counselor or teacher the minimum [~~monthly~~] salary under Section 21.402.

SECTION 1.10.  Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0055 to read as follows:

Sec. 48.0055.  ENROLLMENT-BASED FUNDING. The commissioner by rule shall establish the method for determining average enrollment for purposes of funding provided based on average enrollment under Chapter 46 and this chapter.

SECTION 1.11.  Section 48.051, Education Code, is amended by amending Subsections (a) and (c) and adding Subsections (c-3) and (c-4) to read as follows:

(a)  For each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C, a district is entitled to an allotment equal to [~~the lesser of $6,160 or~~] the amount that results from the following formula:

A = B [~~$6,160~~] X TR/MCR

where:

"A" is the allotment to which a district is entitled;

"B" is the base amount, which equals the greater of:

(1)  $6,210;

(2)  an amount equal to the district's base amount under this section for the preceding school year; or

(3)  the amount appropriated under Subsection (b);

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

(c)  During any school year for which the value of "A" determined [~~maximum amount of the basic allotment provided~~] under Subsection (a) [~~or (b)~~] is greater than the value of "A" [~~maximum amount provided~~] for the preceding school year, a school district must use at least 50 [~~30~~] percent of the amount[~~, if the amount is greater than zero,~~] that equals the product of the average daily attendance of the district multiplied by the difference in the value of "A" [~~amount of the difference between the district's funding under this chapter per student in average daily attendance~~] for the current school year and the value of "A" for the preceding school year to increase the average total compensation per employee employed by the district as [~~provide compensation increases to full-time district employees other than administrators as follows:~~

[~~(1)  75 percent must be used to increase the compensation paid to~~] classroom teachers, full-time librarians, full-time school counselors certified under Subchapter B, Chapter 21, and full-time school nurses [~~, prioritizing differentiated compensation for classroom teachers with more than five years of experience; and~~

[~~(2)  25 percent may be used as determined by the district to increase compensation paid to full-time district employees~~]. In calculating average total compensation per employee under this subsection, a school district may not consider compensation paid to a district employee employed in a position described by this subsection added by the school district for the current school year that increases the ratio of those employees to the students enrolled in the district compared to the preceding school year.

(c-3)  If a school district increases employee compensation in a school year to comply with Subsection (c), as amended by \_\_.B. \_\_\_\_, Acts of the 88th Legislature, Regular Session, 2023, the district is providing compensation for services rendered independently of an existing employment contract applicable to that year and is not a violation of Section 53, Article III, Texas Constitution.

(c-4)  A school district that does not meet the requirements of Subsection (c) during a school year may satisfy the requirements of this section by providing an employee a one-time bonus payment during the following school year in an amount equal to the difference between the compensation earned by the employee and the compensation the employee should have received during the school year if the district had complied with Subsection (c).

SECTION 1.12.  Section 48.101, Education Code, is amended to read as follows:

Sec. 48.101.  SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a) Small and mid-sized districts are entitled to an annual allotment in accordance with this section. In this section:

(1)  "AA" is the district's annual allotment per student in average enrollment [~~daily attendance~~];

(2)  "AE" [~~"ADA"~~] is the number of students in average enrollment [~~daily attendance for which the district is entitled to an allotment under Section 48.051~~]; and

(3)  "BA" is the basic allotment determined for a student in average daily attendance under Section 48.051.

(b)  A school district that has fewer than 1,600 students in average enrollment [~~daily attendance~~] is entitled to an annual allotment for each student in average enrollment [~~daily attendance~~] based on the following formula:

AA = ((1,600 - AE [~~ADA~~]) X \_\_\_\_\_\_\_\_\_\_[~~.0004~~]) X BA

(c)  A school district that offers a kindergarten through grade 12 program and has fewer [~~less~~] than 5,000 students in average enrollment [~~daily attendance~~] is entitled to an annual allotment for each student in average enrollment [~~daily attendance~~] based on the formula, of the following formulas, that results in the greatest annual allotment:

(1)  the formula in Subsection (b), if the district is eligible for that formula; or

(2)  AA = ((5,000 - AE [~~ADA~~]) X \_\_\_\_\_\_\_\_\_\_[~~.000025~~]) X BA.

(d)  Instead of the allotment under Subsection (b) or (c)(1), a school district that has fewer than 300 students in average enrollment [~~daily attendance~~] and is the only school district located in and operating in a county is entitled to an annual allotment for each student in average enrollment [~~daily attendance~~] based on the following formula:

AA = ((1,600 - AE [~~ADA~~]) X \_\_\_\_\_\_\_\_\_\_[~~.00047~~]) X BA

SECTION 1.13.  Section 48.151(c), Education Code, is amended to read as follows:

(c)  Each district or county operating a regular transportation system is entitled to an allotment based on a rate of $1.54 per mile per regular eligible student or a greater rate set by the legislature in the General Appropriations Act.

SECTION 1.14.  Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.160 to read as follows:

Sec. 48.160.  ALLOTMENT FOR ADVANCED MATHEMATICS PATHWAYS AND CERTAIN PROGRAMS OF STUDY. (a) A school district is eligible to receive an allotment under this section if the district offers through in-person instruction, remote instruction, or a hybrid of in-person and remote instruction:

(1)  an advanced mathematics pathway that begins with Algebra I in grade eight and continues through progressively more advanced mathematics courses in each grade from grade 9 through 12;

(2)  a program of study in:

(A)  computer programming and software development; or

(B)  cybersecurity; and

(3)  a program of study in a specialized skilled trade, such as:

(A)  plumbing and pipefitting;

(B)  electrical;

(C)  welding;

(D)  diesel and heavy equipment;

(E)  aviation maintenance; or

(F)  applied agricultural engineering.

(b)  Notwithstanding Subsection (a), a school district is eligible for the allotment under this section for students enrolled in a high school in the district that does not offer a program of study described by Subsection (a)(2) or (3) if:

(1)  high school students who reside in the attendance zone of the high school may participate in the program of study by enrolling in another high school:

(A)  that:

(i)  is in the same district or a neighboring school district;

(ii)  was assigned the same or a better campus overall performance rating under Section 39.054 as the high school in whose attendance zone the students reside; and

(iii)  offers the program of study; and

(B)  to and from which transportation is provided for those students; or

(2)  students enrolled in the high school:

(A)  are offered instruction for the program of study at another location, such as another high school in the same district or a neighboring school district; and

(B)  receive transportation to and from the location described by Paragraph (A).

(c)  An eligible school district is entitled to an annual allotment of $10 for each student enrolled at a high school in the district that offers a pathway or program of study from each subdivision described by Subsection (a) if:

(1)  each student enrolled at the high school takes a progressively more advanced mathematics course each year of enrollment; and

(2)  for each of those pathways or programs of study, at least one student enrolled at the high school completes a course in the pathway or program of study.

(d)  A school district that receives an allotment under Subsection (c) and Section 48.101 is entitled to receive an additional allotment in an amount equal to the product of 0.1 and the allotment to which the district is entitled under Section 48.101 for each student for which the district receives an allotment under Subsection (c). An open-enrollment charter school is not eligible for an allotment under this subsection.

(e)  The commissioner by rule may establish requirements to ensure students enrolled in a high school to which Subsection (b) applies have meaningful access to the programs of study described by Subsections (a)(2) and (3).

(f)  The agency may reduce the amount of a school district's allotment under this section if the agency determines that the district has not complied with any provision of this section.

SECTION 1.15.  Sections 48.277(d) and (e), Education Code, are amended to read as follows:

(d)  A school district or open-enrollment charter school is not entitled to an allotment under Subsection (a) beginning with the 2029-2030 [~~2024-2025~~] school year.

(e)  This section expires September 1, 2030 [~~2025~~].

SECTION 1.16.  Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.280 to read as follows:

Sec. 48.280.  SALARY TRANSITION ALLOTMENT. (a) In the 2023-2024 and 2024-2025 school years, a school district is entitled to receive an annual salary transition allotment equal to the difference, if that amount is greater than zero, between:

(1)  the amount calculated under Subsection (b); and

(2)  the amount calculated under Subsection (c).

(b)  The agency shall calculate a school district's value for Subsection (a)(1) by determining the difference in the amount the district must pay in compensation to employees on the minimum salary schedule under Section 21.402, as amended by \_\_.B. \_\_\_\_, Acts of the 88th Legislature, Regular Session, 2023, from the amount paid in compensation to employees on the minimum salary schedule under that section as effective in the 2022-2023 school year, less the difference between:

(1)  the amount of employer contributions under Section 825.4035, Government Code, and Section 1575.203, Insurance Code, the district paid in the 2022-2023 school year for employees on the minimum salary schedule under Section 21.402; and

(2)  the amount the district would have paid in employer contributions under Section 825.4035, Government Code, and Section 1575.203, Insurance Code, in the 2022-2023 school year for employees on the minimum salary schedule if the changes made to Section 21.402 by \_\_.B. \_\_\_\_, Acts of the 88th Legislature, Regular Session, 2023, had been in effect.

(c)  The agency shall calculate a school district's value for Subsection (a)(2) by determining the total maintenance and operations revenue for the current school year less the total maintenance and operations revenue that would have been available to the district using the basic allotment formula provided by Section 48.051 and the small and mid-sized allotment formulas provided by Section 48.101 as those sections existed on January 1, 2023.

(d)  Before making a final determination of the amount of an allotment to which a school district is entitled under this section, the agency shall ensure each school district has an opportunity to review and submit revised information to the agency for purposes of calculating the values under Subsection (a).

(e)  A school district is entitled to an allotment in an amount equal to:

(1)  for the 2026-2027 school year, two-thirds of the value determined under Subsection (a); and

(2)  for the 2027-2028 school year, one-third of the value determined under Subsection (a).

(f)  A school district is not entitled to an allotment under this section in the 2028-2029 school year or a later school year.

(g)  This section expires September 1, 2029.

SECTION 1.17.  The following provisions of the Education Code are repealed:

(1)  Sections 21.402(b), (c), (c-1), (f), and (h); and

(2)  Sections 21.403(a) and (d).

SECTION 1.18.  (a) Except as provided by Subsection (b) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, the entirety of this article takes effect September 1, 2023.

(b)  Sections 48.051, 48.101, 48.151(c), and 48.277(d) and (e), Education Code, as amended by this article, and Sections 48.0055, 48.160, and 48.280, Education Code, as added by this article, take effect September 1, 2023.

ARTICLE 2. CHANGES EFFECTIVE FOR 2024-2025 SCHOOL YEAR

SECTION 2.01.  Section 46.003(a), Education Code, is amended to read as follows:

(a)  For each year, except as provided by Sections 46.005 and 46.006, a school district is guaranteed a specified amount per student in state and local funds for each cent of tax effort, up to the maximum rate under Subsection (b), to pay the principal of and interest on eligible bonds issued to construct, acquire, renovate, or improve an instructional facility. The amount of state support is determined by the formula:

FYA = (FYL X AE [~~ADA~~] X BTR X 100) - (BTR X (DPV/100))

where:

"FYA" is the guaranteed facilities yield amount of state funds allocated to the district for the year;

"FYL" is the dollar amount guaranteed level of state and local funds per student per cent of tax effort, which is $35 or a greater amount for any year provided by appropriation;

"AE" [~~"ADA"~~] is the greater of the number of students in average enrollment [~~daily attendance~~], as determined under Section 48.0055 [~~48.005~~], in the district or 400;

"BTR" is the district's bond tax rate for the current year, which is determined by dividing the amount budgeted by the district for payment of eligible bonds by the quotient of the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, Section 48.258, divided by 100; and

"DPV" is the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, Section 48.258.

SECTION 2.02.  Section 46.005, Education Code, is amended to read as follows:

Sec. 46.005.  LIMITATION ON GUARANTEED AMOUNT. The guaranteed amount of state and local funds for a new project that a district may be awarded in any state fiscal biennium under Section 46.003 for a school district may not exceed the lesser of:

(1)  the amount the actual debt service payments the district makes in the biennium in which the bonds are issued; or

(2)  the greater of:

(A)  $100,000; or

(B)  the product of the number of students in average enrollment [~~daily attendance~~] in the district multiplied by $250.

SECTION 2.03.  Section 46.006(g), Education Code, is amended to read as follows:

(g)  In this section, "wealth per student" means a school district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, Section 48.258, divided by the district's average enrollment [~~daily attendance~~] as determined under Section 48.0055 [~~48.005~~].

SECTION 2.04.  Section 46.032(a), Education Code, is amended to read as follows:

(a)  Each school district is guaranteed a specified amount per student in state and local funds for each cent of tax effort to pay the principal of and interest on eligible bonds. The amount of state support, subject only to the maximum amount under Section 46.034, is determined by the formula:

EDA = (EDGL X AE [~~ADA~~] X EDTR X 100) - (EDTR X (DPV/100))

where:

"EDA" is the amount of state funds to be allocated to the district for assistance with existing debt;

"EDGL" is the dollar amount guaranteed level of state and local funds per student per cent of tax effort, which is the lesser of:

(1)  $40 or a greater amount for any year provided by appropriation; or

(2)  the amount that would result in a total additional amount of state funds under this subchapter for the current year equal to $60 million in excess of the state funds to which school districts would have been entitled under this section if the guaranteed level amount were $35;

"AE" [~~"ADA"~~] is the number of students in average enrollment [~~daily attendance~~], as determined under Section 48.0055 [~~48.005~~], in the district;

"EDTR" is the existing debt tax rate of the district, which is determined by dividing the amount budgeted by the district for payment of eligible bonds by the quotient of the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, under Section 48.258, divided by 100; and

"DPV" is the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, under Section 48.258.

SECTION 2.05.  Section 48.051(a), Education Code, is amended to read as follows:

(a)  For each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream [~~or career and technology education programs~~], for which an additional allotment is made under Subchapter C, a district is entitled to an allotment equal to [~~the lesser of $6,160 or~~] the amount that results from the following formula:

A = B [~~$6,160~~] X TR/MCR

where:

"A" is the allotment to which a district is entitled;

"B" is the base amount, which equals the greater of:

(1)  $6,210;

(2)  an amount equal to the district's base amount under this section for the preceding school year; or

(3)  the amount appropriated under Subsection (b);

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

SECTION 2.06.  Sections 48.104(a), (d), and (e), Education Code, are amended to read as follows:

(a)  For each 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 basic allotment multiplied by 0.2 or, if the student is educationally disadvantaged, 0.2755 [~~0.275~~]. For each full-time equivalent student who is in a remedial and support program under Section 29.081 because the student is pregnant, a district is entitled to an annual allotment equal to the basic allotment multiplied by 2.41.

(d)  The weights assigned to the five tiers of the index established under Subsection (c) are, from least to most severe economic disadvantage, 0.2255 [~~0.225~~], 0.238 [~~0.2375~~], 0.2505 [~~0.25~~], 0.263 [~~0.2625~~], and 0.2755 [~~0.275~~].

(e)  If insufficient data is available for any school year to evaluate the level of economic disadvantage in a census block group, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.2255 [~~0.225~~] for each student who is educationally disadvantaged and resides in that census block group.

SECTION 2.07.  Section 48.105(a), Education Code, is amended to read as follows:

(a)  For each student in average enrollment [~~daily attendance~~] in a bilingual education or special language program under Subchapter B, Chapter 29, a district is entitled to an annual allotment equal to the basic allotment multiplied by:

(1)  for an emergent bilingual student, as defined by Section 29.052:

(A)  0.1; or

(B)  0.15 if the student is in a bilingual education program using a dual language immersion/one-way or two-way program model; and

(2)  for a student not described by Subdivision (1), 0.05 if the student is in a bilingual education program using a dual language immersion/two-way program model.

SECTION 2.08.  Sections 48.106(a) and (a-1), Education Code, are amended to read as follows:

(a)  For each [~~full-time equivalent~~] student in average enrollment [~~daily attendance~~] in an approved career and technology education program in grades 7 through 12, 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:

(1)  \_\_\_\_ [~~1.1~~] for a [~~full-time equivalent~~] student in career and technology education courses not in an approved program of study;

(2)  \_\_\_\_ [~~1.28~~] for a [~~full-time equivalent~~] student in levels one and two career and technology education courses in an approved program of study, as identified by the agency; and

(3)  \_\_\_\_ [~~1.47~~] for a [~~full-time equivalent~~] student in levels three and four career and technology education courses in an approved program of study, as identified by the agency.

(a-1)  In addition to the amounts under Subsection (a), for each student in average enrollment [~~daily attendance~~], a district is entitled to $50 for each of the following in which the student is enrolled:

(1)  a campus designated as a P-TECH school under Section 29.556; or

(2)  a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.

SECTION 2.09.  Section 48.107(a), Education Code, is amended to read as follows:

(a)  Except as provided by Subsection (b), for each student in average enrollment [~~daily attendance~~] who is using a public education grant under Subchapter G, Chapter 29, to attend school in a district other than the district in which the student resides, the district in which the student attends school is entitled to an annual allotment equal to the basic allotment multiplied by a weight of 0.1.

SECTION 2.10.  Section 48.108(a), Education Code, is amended to read as follows:

(a)  For each student in average enrollment [~~daily attendance~~] in kindergarten through third grade, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 if the student is:

(1)  educationally disadvantaged; or

(2)  an emergent bilingual student, as defined by Section 29.052, and is in a bilingual education or special language program under Subchapter B, Chapter 29.

SECTION 2.11.  Section 48.109(c), Education Code, is amended to read as follows:

(c)  Not more than five percent of a district's students in average enrollment [~~daily attendance~~] are eligible for funding under this section.

SECTION 2.12.  Section 48.153, Education Code, is amended to read as follows:

Sec. 48.153.  DROPOUT RECOVERY SCHOOL AND RESIDENTIAL PLACEMENT FACILITY ALLOTMENT. A school district or open-enrollment charter school is entitled to $275 for each student in average enrollment [~~daily attendance~~] who:

(1)  resides in a residential placement facility; or

(2)  is at a district or school or a campus of the district or school that is designated as a dropout recovery school under Section 39.0548.

SECTION 2.13.  Section 48.106(b)(2), Education Code, is repealed.

SECTION 2.14.  This article takes effect September 1, 2024.