

Rider Comparison Report

Conference Committee on Senate Bill 1

2014-15 General Appropriations Bill

Article III

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- 3. Foundation School Program Funding.** Out of the funds appropriated above, a total of \$19,340,740,000 in fiscal year 2014 and \$20,185,040,000 in fiscal year 2015 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on the March 2013 estimates of average daily attendance and local district tax rates as determined by the Legislative Budget Board and the final tax year 2012 property values. Property values, and the estimates of local tax collections on which they are based, shall be increased by 2.22 percent for tax year 2013 and by 1.85 percent for tax year 2014.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 of the Texas Education Code, the Basic Allotment is established at \$4,799 in fiscal year 2014 and \$4,874 in fiscal year 2015.

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code, the Guaranteed Yield is \$59.97 in fiscal year 2014 and \$59.97 in fiscal year 2015.

For purposes of distributing the Foundation School Program state aid appropriated above and in accordance with §42.101(c-3) of the Texas Education Code, the Regular Program Adjustment Factor for fiscal years 2014 and 2015 is 1.00.

For purposes of distributing the Foundation School Program Additional State Aid for Tax Reduction appropriated above and in accordance with §42.2516(i), the percentage applied for purposes of §42.2516(b)(1), 42.2516(b)(2), and 42.2516(d)(1) is 91.29 percent for the 2013-14

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- 3. Foundation School Program Funding.** Out of the funds appropriated above, a total of \$19,346,740,000 in fiscal year 2014 and \$20,304,040,000 in fiscal year 2015 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on the March 2013 estimates of average daily attendance and local district tax rates as determined by the Legislative Budget Board and the final tax year 2012 property values. Property values, and the estimates of local tax collections on which they are based, shall be increased by 2.22 percent for tax year 2013 and by 1.85 percent for tax year 2014.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 of the Texas Education Code, the Basic Allotment is established at \$4,799 in fiscal year 2014 and \$4,893 in fiscal year 2015.

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code, the Guaranteed Yield is \$59.97 in fiscal year 2014 and \$59.97 in fiscal year 2015.

For purposes of distributing the Foundation School Program state aid appropriated above and in accordance with § 42.101(c-3) of the Texas Education Code, the Regular Program Adjustment Factor for fiscal years 2014 and 2015 is 1.00.

For purposes of distributing the Foundation School Program Additional State Aid for Tax Reduction appropriated above and in accordance with § 42.2516(i), the percentage applied for purposes of §§ 42.2516(b)(1), 42.2516(b)(2), and 42.2516(d)(1) is 91.29 percent for the 2013-

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school year and 91.13 percent for the 2014-15 school year.

Out of amounts appropriated above and allocated by this rider to the Foundation School Program, no funds are appropriated for the New Instructional Facilities Allotment under §42.158 of the Texas Education Code.

Notwithstanding any other provision of this Act, the Texas Education Agency may make transfers as appropriate between Strategy A.1.1, FSP-Equalized Operations, and Strategy A.1.2, FSP-Equalized Facilities. The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 15 days prior to the transfer.

The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

- 24. Communities in Schools.** Out of funds appropriated above for Strategy A.2.4, School Improvement and Support Programs, \$14,989,111 in General Revenue and \$4,842,342 in TANF funds in fiscal year 2014 and \$14,989,112 in General Revenue and \$4,842,341 in TANF funds in fiscal year 2015 is allocated for the Communities in Schools Program.

Notwithstanding any other limitation imposed elsewhere in this Act, the Texas Education Agency may transfer General Revenue funds identified above and appropriated for the purpose of providing grants under the Communities in Schools program to Strategies B.3.2-B.3.5 for the purpose of providing administrative support for the program. Transfers made under the authority of this rider may not exceed \$100,000 for the 2014-15 biennium.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

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14 school year and 91.19 percent for the 2014-15 school year.

Out of amounts appropriated above and allocated by this rider to the Foundation School Program, no funds are appropriated for the New Instructional Facilities Allotment under §42.158 of the Texas Education Code.

Notwithstanding any other provision of this Act, the Texas Education Agency may make transfers as appropriate between Strategy A.1.1, FSP-Equalized Operations, and Strategy A.1.2, FSP-Equalized Facilities. The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 15 days prior to the transfer.

The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

- 23. Communities in Schools.** Out of funds appropriated above for Strategy A.2.4, School Improvement and Support Programs, \$16,054,520 in General Revenue and \$4,842,342 in TANF funds in fiscal year 2014 and \$16,054,520 in General Revenue and \$4,842,341 in TANF funds in fiscal year 2015 is allocated for the Communities in Schools Program.

Notwithstanding any other limitation imposed elsewhere in this Act, the Texas Education Agency may transfer General Revenue funds identified above and appropriated for the purpose of providing grants under the Communities in Schools program to Strategies B.3.2-B.3.5 for the purpose of providing administrative support for the program. Transfers made under the authority of this rider may not exceed \$100,000 for the 2014-15 biennium.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

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- 35. Adult Education.** Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial literacy and occupational foundation skills in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the administering agency or agencies shall provide appropriate training to recipients of Temporary Assistance for Needy Families (TANF) in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Out of the \$11,385,700 in General Revenue Funds appropriated in each fiscal year of the 2014-15 biennium above in Strategy A.2.5, Adult Education and Family Literacy, an amount not less than \$2,000,000 each fiscal year shall be allocated to TEA's adult education service providers to provide education and training services to TANF recipients. In addition, out of the Federal TANF funds appropriated above in Strategy A.2.5, \$3,800,000 in fiscal year 2014 and \$3,800,000 in fiscal year 2015 shall be directed for services for adults who are eligible for TANF. Families that include a child living at home are deemed eligible for TANF-funded adult education services if a family member receives any of the following forms of assistance: Food Stamps, Medicaid, Children's Health Insurance Program, Child Care and Development Fund, or Free or Reduced Priced Child Nutrition Program meals. To implement these provisions, TEA shall enter into contracts or arrangements with the agency or agencies capable of providing required services to TANF recipients and may work with other community-based organizations to offer services directly to adult TANF recipients. All providers of adult education shall meet the requirements defined in the Texas Education Code. Federal funds appropriated for this purpose shall be used for administrative expenditures only to the extent allowable under Federal regulations.

TEA shall coordinate with the Higher Education Coordinating Board in efforts to develop and implement an action plan to align Adult Basic Education and post-secondary education and in the provision of data necessary to analyze performance outcomes.

It is the intent of the Legislature that the agency shall allocate state and federal adult basic education funds, other than federal funds set aside for state administration, special projects, and staff development, in accordance with the Texas Administrative Code §89.21 -§89.36 based on

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- 34. Adult Education.** Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial literacy and occupational foundation skills in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the administering agency or agencies shall provide appropriate training to recipients of Temporary Assistance for Needy Families (TANF) in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Out of the \$13,885,700 in General Revenue Funds appropriated in each fiscal year of the 2014-15 biennium above in Strategy A.2.5, Adult Education and Family Literacy, an amount not less than \$2,000,000 each fiscal year shall be allocated to TEA's adult education service providers to provide education and training services to TANF recipients. In addition, out of the Federal TANF funds appropriated above in Strategy A.2.5, \$3,800,000 in fiscal year 2014 and \$3,800,000 in fiscal year 2015 shall be directed for services for adults who are eligible for TANF. Families that include a child living at home are deemed eligible for TANF-funded adult education services if a family member receives any of the following forms of assistance: Food Stamps, Medicaid, Children's Health Insurance Program, Child Care and Development Fund, or Free or Reduced Priced Child Nutrition Program meals. To implement these provisions, TEA shall enter into contracts or arrangements with the agency or agencies capable of providing required services to TANF recipients and may work with other community-based organizations to offer services directly to adult TANF recipients. All providers of adult education shall meet the requirements defined in the Texas Education Code. Federal funds appropriated for this purpose shall be used for administrative expenditures only to the extent allowable under Federal regulations.

TEA shall coordinate with the Higher Education Coordinating Board in efforts to develop and implement an action plan to align Adult Basic Education and post-secondary education and in the provision of data necessary to analyze performance outcomes.

It is the intent of the Legislature that the agency shall allocate state and federal adult basic education funds, other than federal funds set aside for state administration, special projects, and staff development, in accordance with the Texas Administrative Code §89.21 -§ 89.36 based

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need for persons 18 years of age or older who have not received a high school diploma, quality of application, and performance, including contact hours as well as program and student progress. If program services are not available to a county, the state may designate an adult education service provider that has been awarded funds under this rider to offer adult education services to the county.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 38. Funding for Regional Education Service Centers.** Out of the funds appropriated above in Strategy A.2.4, School Improvement and Support, the Commissioner shall distribute \$12,500,000 in fiscal year 2014 and \$12,500,000 in fiscal year 2015 to Regional Education Service Centers to provide professional development and other technical assistance services to school districts. No more than one-third of the amounts identified in this rider shall be distributed by the Commissioner for core services based on criteria established in the Texas Education Code §8.121. The remaining amounts shall be distributed through a formula based on:

- (1) geographic considerations, and
- (2) school districts serving less than 1,600 students and open-enrollment charter schools.

The formula for distribution shall be determined by the Commissioner but shall provide enhanced funding to Regional Education Service Centers that primarily serve small and rural school districts. The Commissioner shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor.

Each Regional Education Service Center shall annually report to the Commissioner, by a date and in a format established by the Commissioner, the following data as relates to expenditures in the prior state fiscal year:

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on need for persons 18 years of age or older who have not received a high school diploma, quality of application, and performance, including contact hours as well as program and student progress. If program services are not available to a county, the state may designate an adult education service provider that has been awarded funds under this rider to offer adult education services to the county.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 37. Funding for Regional Education Service Centers.** Out of the funds appropriated above in Strategy A.2.4, School Improvement and Support, the Commissioner shall distribute \$12,500,000 in fiscal year 2014 and \$12,500,000 in fiscal year 2015 to Regional Education Service Centers to provide professional development and other technical assistance services to school districts. No more than one-third of the amounts identified in this rider shall be distributed by the Commissioner for core services based on criteria established in the Texas Education Code §8.121. The remaining amounts shall be distributed through a formula based on:

- (1) geographic considerations, and
- (2) school districts serving less than 1,600 students and open-enrollment charter schools.

The formula for distribution shall be determined by the Commissioner but shall provide enhanced funding to Regional Education Service Centers that primarily serve small and rural school districts. The Commissioner shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor.

Each Regional Education Service Center shall include in the biennial report to the Commissioner, by a date and in a format established by the Commissioner, the following data as relates to expenditures in the prior state fiscal year:

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- a. the amount of savings provided to school districts as a result of services provided by a Regional Education Service Center, by total amount and on a per student in weighted average daily attendance (WADA) served basis;
- b. services provided by the Regional Education Service Centers and a cost comparison to similar services provided by alternative providers; and
- c. for each service provided by the Regional Education Service Center, the number of full-time equivalent Regional Education Service Center positions, total salaries, and the method of financing associated with the service.

The Commissioner shall provide a consolidated report of the data described above no later than December of each year, to the Legislative Budget Board, the Governor's Office, and to the presiding officers of the standing committees with primary jurisdiction over public education in the Texas House and the Texas Senate.

41. Use of Federal Discretionary and Consolidated Administrative Funds. Except as otherwise directed by this Act, the Commissioner may use 50 percent of available federal state-level discretionary and consolidated administrative funds to supplement state funds appropriated for state assessments; providing classroom support including teacher quality initiatives; professional development related to the TEKS; diagnostics, interventions, and targeted support to students needing supplemental remediation. The Commissioner may make exceptions to this allocation only upon the prior approval of the Legislative Budget Board and the Governor.

48. Early Childhood School Readiness Program. Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$3,500,000 in fiscal year 2014 and \$3,500,000 in fiscal year 2015 shall be used for the Early Childhood School Readiness Program, for programs providing an educational component to public prekindergarten, Head Start, university early childhood programs, or private non-profit early childhood care programs that have

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- a. the amount of savings provided to school districts as a result of services provided by a Regional Education Service Center, by total amount and on a per student in weighted average daily attendance (WADA) served basis;
- b. services provided by the Regional Education Service Centers and a cost comparison to similar services provided by alternative providers; and
- c. for each service provided by the Regional Education Service Center, the number of full-time equivalent Regional Education Service Center positions, total salaries, and the method of financing associated with the service.

The Commissioner shall provide a consolidated report of the data described above no later than December of each even numbered year, to the Legislative Budget Board, the Governor's Office, and to the presiding officers of the standing committees with primary jurisdiction over public education in the Texas House and the Texas Senate.

40. Use of Federal Discretionary and Consolidated Administrative Funds. Except as otherwise directed by this Act, the Commissioner may use 50 percent of available federal state-level discretionary and consolidated administrative funds to supplement state funds appropriated for teacher mentoring, recruitment and retention, or the Student Success Initiative. The Commissioner may make exceptions to this allocation only upon the prior approval of the Legislative Budget Board and the Governor.

47. Early Childhood School Readiness Program. Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$3,500,000 in fiscal year 2014 and \$3,500,000 in fiscal year 2015 shall be used for the Early Childhood School Readiness Program, for programs providing an educational component to public prekindergarten, Head Start, university early childhood programs, or private non-profit early childhood care programs that have

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entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the provisions of Texas Education Code §29.156, Grants for Educational Components of Head Start, and with the following provisions:

- a. Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based pre-reading instruction with the goal of directly improving the pre-reading skills of three- and four-year-old children and implementing school readiness integration community collaborations. To be eligible for the grants, applicants must serve at least 75 percent low income students, as determined by the Commissioner. The Commissioner may require applicants to participate in the School Readiness Certification System according to the provisions of Texas Education Code §29.161. It is the intent of the Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes, but is not limited to, participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.
- b. In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.
- c. The Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than December 1 of each year providing detailed information on the expenditure of state funds in the prior fiscal year for purposes of programs administered under this rider.

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entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the provisions of Texas Education Code § 29.156, Grants for Educational Components of Head Start, and with the following provisions:

- a. Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based pre-reading instruction with the goal of directly improving the pre-reading skills of three- and four-year-old children or improving overall kindergarten readiness. To be eligible for the grants, applicants must serve at least 75 percent low income students, as determined by the Commissioner. It is the intent of the Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes, but is not limited to, participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.
- b. In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.
- c. The Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than December 1 of each year providing detailed information on the expenditure of state funds in the prior fiscal year for purposes of programs administered under this rider.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

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Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 49. Teach for America.** From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend \$5,000,000 in General Revenue in each fiscal year of the biennium to support the Teach for America program in Texas.

It is the intent of the Legislature that at least 1,000 Teach for America teachers be employed in Texas schools that serve a proportion of economically disadvantaged students that is above the state average.

Funding shall be allocated in such a manner as to prioritize employment of Teach for America teachers in the field of mathematics to the extent practicable.

- 50. Student Success Initiative.** Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall expend \$25,250,000 in General Revenue in fiscal year 2014 and \$25,250,000 in General Revenue in fiscal year 2015 for the Student Success Initiative. Funds shall be distributed to school districts to fund programs targeting the prevention of academic failure.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 48. Teach for America.** From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend \$6,000,000 in General Revenue in each fiscal year of the biennium to support the Teach for America program in Texas.

It is the intent of the Legislature that at least 1,000 Teach for America teachers be employed in Texas schools that serve a proportion of economically disadvantaged students that is above the state average.

Funding shall be allocated in such a manner as to prioritize employment of Teach for America teachers in the field of mathematics to the extent practicable.

- 49. Student Success Initiative.** Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall expend \$18,250,000 in General Revenue in fiscal year 2014 and \$18,250,000 in General Revenue in fiscal year 2015 for the Student Success Initiative. Funds shall be distributed to school districts to fund programs targeting the prevention of academic failure. A program funded under this rider shall include outreach to educate a parent or guardian of a student on preparing the student for administration of an assessment instrument. The information provided to a parent or guardian under this rider must be available in Spanish.

From funds referenced in this rider and not to exceed 5 percent of expenditures for the program, the Texas Education Agency shall conduct an evaluation on the Student Success Initiative and produce a final report for the Eighty-fourth Legislature on the effectiveness and implementation of the program, to be delivered in January 2015 to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the legislature with primary jurisdiction over

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public education.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 53. Steroid Testing.** From funds appropriated above in Strategy B.2.2, Health and Safety, \$650,000 in General Revenue in each fiscal year of the 2014-15 biennium shall be used for the purpose of administering the statewide steroid testing program in accordance with Texas Education Code, §33.091. Prior to expenditure of funds, the University Interscholastic League shall provide a report and implement resulting recommendations regarding the most cost-efficient method of effectively detecting steroid use allowed under current law.

Any unexpended balances as of August 31, 2014 are hereby appropriated for fiscal year 2015 for the same purpose.

- 54. Texas Advanced Placement Initiative.** Out of the General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall spend \$6,900,000 in fiscal year 2014 and \$6,900,000 in fiscal year 2015 to fund the Texas Advanced Placement Initiative.

In the administration of the Texas Advanced Placement Initiative, funding shall be allocated for both the pre-Advanced Placement/International Baccalaureate activities and for the Advanced Placement Incentive Program. In the allocation of funding for the Texas Advanced Placement Initiative, the Texas Education Agency shall prioritize the examination fee subsidies for students. For funds that are used for teacher training, the Texas Education Agency shall give funding priority to teachers at public school campuses that do not offer Advanced Placement/International Baccalaureate courses.

It shall be the goal of the Texas Education Agency that Advanced Placement/International Baccalaureate courses are available at as many public school campuses as possible, without

- 52. Texas Advanced Placement Initiative.** Out of the General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall spend \$9,400,000 in fiscal year 2014 and \$9,400,000 in fiscal year 2015 to fund the Texas Advanced Placement Initiative.

In the administration of the Texas Advanced Placement Initiative, funding shall be allocated for both the pre-Advanced Placement/International Baccalaureate activities and for the Advanced Placement Incentive Program. In the allocation of funding for the Texas Advanced Placement Initiative, the Texas Education Agency shall prioritize the examination fee subsidies for students. For funds that are used for teacher training, the Texas Education Agency shall allocate no less than the amount expended in the 2010-11 biennium for this purpose in the 2014-15 biennium.

It shall be the goal of the Texas Education Agency that Advanced Placement/International Baccalaureate courses are available at as many public school campuses as possible, without

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regard to the rural/urban status of the campus and the socioeconomic characteristics of its students. For campus incentive awards given under this program, consideration may be given to school districts and charter schools in the 1st or 2nd year of operating an Advanced Placement/International Baccalaureate program.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

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regard to the rural/urban status of the campus and the socioeconomic characteristics of its students.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

- 65. Temporary Transfer from the Foundation School Program to the Instructional Materials Fund.** Notwithstanding any other provision of this Act, the Texas Education Agency is hereby authorized to transfer from Strategy A.1.1, FSP - Equalized Operations out of the Foundation School Fund No. 193 to Strategy B.2.1, Technology/Instructional Materials in an amount not to exceed the amount necessary to fund the distributions from the Instructional Materials Allotment pursuant to the Chapter 31, subchapter B of the Texas Education Code.

Any funds transferred from Strategy A.1.1, FSP - Equalized Operations to Strategy B.2.1, Technology/Instructional Materials pursuant to this rider, shall be transferred back to Strategy A.1.1, FSP - Equalized Operations within the same fiscal year as the initial transfer, and shall occur as soon as balances in the Instructional Materials Fund No. 003 are sufficient to fund the repayment and the distributions from the Instructional Materials Allotment pursuant to Chapter 31, subchapter B of the Texas Education Code.

Under no circumstances shall the transfers authorized by this rider supersede the payment of school district entitlement through the Foundation School Program as required under Chapters 41, 42, and 46 of the Texas Education Code.

- 66. Special Education Related Reporting.** From federal funds available for this purpose, the Texas Education Agency shall ensure an external review is conducted of all accountability, monitoring, and compliance systems related to special education in order to identify areas of

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duplication including the feasibility of combining systems in order to ease the administrative and fiscal burden on districts. The review and corresponding recommendations for a streamlined and uniform system shall utilize a stakeholder group that includes representatives from the Texas Council of Administrators of Special Education as well as parents of students receiving special education services. During the 2014-15 biennium, no more than \$85,000 and no less than \$35,000 shall be expended to conduct the external review. The Commissioner shall submit a report to the Eighty-fourth Legislature by January 13, 2015 on the results and corresponding actions taken by the agency to address the recommendations.

66. Contingency for SB _____. Contingent on enactment of Senate Bill _____, or similar legislation relating to public school accountability, including assessments, by the Eighty-third Legislature, Regular Session, which reduces the number of assessments required under Sec. 39.023 of the Texas Education Code, the funding appropriated to the Texas Education Agency out of the Foundation School Fund No. 193 to Strategy B.1.1, Assessments and Accountability is hereby reduced to the amount required to administer the assessments, as determined by the Texas Education Agency in collaboration with the Legislative Budget Board, in addition to any federal funds available for this purpose.

67. Supplemental Funding for Prekindergarten. Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner of Education shall allocate \$20,000,000 in General Revenue in each fiscal year of the 2014-15 biennium for the purpose of providing supplemental funds for prekindergarten consistent with the provisions of Texas Education Code Chapter 29, Subchapter E. The Commissioner shall allocate funds on the basis of eligible prekindergarten students in average daily attendance.

68. Autism Training. From General Revenue funds appropriated above in Strategy B.3.1, Improving Educator Quality/Leadership, the Commissioner of Education shall allocate \$750,000 in each fiscal year of the 2014-15 biennium for professional development for

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educators serving students with autism.

- 68. Texas Fitness Now Grant Program Study.** It is the intent of the Legislature that upon receipt of a request from a qualified researcher at a regional education service center for Texas FitnessGram data for the purposes of evaluating student health outcomes, the Texas Education Agency will provide the external entity conducting a study with all requested individual-level data.
- 69. Student Testing Program Outreach.** Out of the funds appropriated above in Strategy B.1.1, Assessment & Accountability System, the Texas Education Agency shall provide outreach efforts to educate a parent or guardian of a student on preparing the student for the administration of assessment instruments. The information provided to a parent or guardian must be made available in Spanish.
- 69. Contingency for SB 3, Funding for Career Explorations in Middle Grades.** Contingent on enactment of Senate Bill 3, or similar legislation relating to public high school graduation, including curriculum requirements for graduation and funding in support of certain curriculum authorized for graduation, by the Eighty-third Legislature, Regular Session, the Texas Education Agency is appropriated \$17,000,000 for fiscal year 2014 and \$17,000,000 for fiscal year 2015 from Foundation School Fund No. 193 to Strategy A.1.1, FSP - Equalized Operations to implement the provisions of the legislation related to changes in eligibility for weighted funding through the Career and Technology Education Allotment in the Foundation School Program under §42.154 of the Texas Education Code, and the sum-certain appropriation to the Foundation School Program in Rider 3, Foundation School Program, of the Texas Education Agency's bill pattern is hereby increased by \$17,000,000 for fiscal year 2014 and \$17,000,000 for fiscal year 2015 for the same purpose.

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- 70. Contingency for SB 2, or Similar Legislation Relating to Charter Schools and Home-rule Charter School Districts: Charter School Authorization.** Contingent on enactment of Senate Bill 2, or similar legislation relating to charter schools and home-rule charter school districts, by the Eighty-third Legislature, Regular Session, the Texas Education Agency is appropriated \$1,000,000 for fiscal year 2014 and \$1,000,000 for fiscal year 2015 from the General Revenue Fund to Strategy A.2.4, School Improvement and Support to support activities related to the authorization of charter schools.

- 70. Use of Appropriated Funds for School Vouchers or to Support Tax-Credit Scholarships Prohibited.** Money appropriated to the Texas Education Agency by this Act may not be used to pay for or support school vouchers or scholarships for private primary or secondary education provided by nonprofit entities using donations received from entities that receive tax credits as a result of donations. In accordance with Section 12.105 and Chapter 42, Education Code, this provision does not affect the funding of an open-enrollment charter school operating under a charter granted under Subchapter D, Chapter 12, Education Code.

- 71. Project Share.** From General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall allocate \$14,000,000 in each fiscal year of the 2014-15 biennium to support Project Share.

- 67. Project Share.** From General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall allocate \$4,000,000 in each fiscal year of the 2014-15 biennium to support Project Share.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

Any unexpended balances as of August 31, 2014 are hereby appropriated to fiscal year 2015 for the same purpose.

**ARTICLE III - AGENCIES OF EDUCATION
771 School for the Blind and Visually Impaired
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
772 School for the Deaf
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
S20 Special Provisions- Schools for Blind and Deaf
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
323 Teacher Retirement System
DIFFERENCES ONLY

Senate

House

4. State Contribution to Teacher Retirement Program. The amounts specified above in A.1.1, TRS-Public Education Retirement, \$1,323,211,286 in fiscal year 2014 and \$1,405,336,453 in fiscal year 2015, and A.1.2, TRS-Higher Education Retirement, \$242,869,437 in fiscal year 2014 and \$268,250,367 in fiscal year 2015, are based on a state contribution of 6.4 percent of payroll in fiscal year 2014 and 6.7 percent of payroll in fiscal year 2015, estimated.

12. Limitation on Retirement Contributions to Public Community/Junior Colleges. The limitation on General Revenue related funds appropriated for retirement contributions to 50 percent of the state contribution of 6.4 percent in fiscal year 2014 and 6.7 percent in fiscal year 2015 of the total covered payroll for Public Community and Junior Colleges for the Teacher Retirement System is contingent on the adoption of legislation restricting appropriations to the rates listed above in the manner described in this rider for retirement contributions to Public Community/Junior Colleges.

Should legislation concerning this limitation on General Revenue related funds for retirement contributions to Public Community/Junior Colleges not be adopted, the limitation on General Revenue related funds for retirement contributions to Public Community/Junior Colleges shall revert to the methodology applied for purposes of calculating appropriations for Senate Bill 1 as introduced for the same purpose.

4. State Contribution to Teacher Retirement Program. The amounts specified above in A.1.1, TRS-Public Education Retirement, \$1,377,961,397 in fiscal year 2014 and \$1,377,961,396 in fiscal year 2015, and A.1.2, TRS-Higher Education Retirement, \$256,603,736 in fiscal year 2014 and \$260,861,466 in fiscal year 2015, are based on a state contribution of 6.6 percent of payroll for each fiscal year, estimated.

12. Limitation on General Revenue Fund Retirement Contributions to Public Community/Junior Colleges. For each public community/junior college district, the combined annual General Revenue Fund contributions to the Teacher Retirement System and the Optional Retirement Program in fiscal year 2014 shall not exceed 6.6 percent of that district's unrestricted General Revenue appropriation in fiscal year 2014. Similarly, for each public community/junior college district, the combined annual General Revenue Fund contributions to the Teacher Retirement System and the Optional Retirement Program in fiscal year 2015 shall not exceed 6.6 percent of that district's unrestricted General Revenue appropriation in fiscal year 2015.

14. Enterprise Application Modernization FTE Exemption. Funds appropriated in the TEAM capital budget may be expended for salaries and wages of Full-Time Equivalents (FTE) and contract workers assigned to the TEAM Program. Notwithstanding the limitations of Article IX, Sec. 6.10. Limitation on State Employment Levels, for the Teacher Retirement System, it is the intent of the Legislature that the calculation of the number of full-time equivalent employees (FTEs) and contract workers assigned to the TRS Enterprise Application Modernization (TEAM) initiative for reporting purposes be exempt from the calculation. It is

ARTICLE III - AGENCIES OF EDUCATION
323 Teacher Retirement System
DIFFERENCES ONLY
(Continued)

Senate

House

the intent of the Legislature that once the TEAM initiative is implemented, the Article IX, Sec. 6.10 limitation will apply to all agency FTE employees and contract workers (estimated to be fiscal year 2018).

- 15. Settle-Up Dollars Directed to TRS-Care.** Any settle-up payments made in the fiscal year ending August 31, 2014, or August 31, 2015, from the Teacher Retirement System of Texas pension fund or from the TRS-Care program are appropriated to the TRS-Care program. Settle-up funds are all estimated General Revenue appropriations for fiscal year 2013 and fiscal year 2014 in excess of the state's actual statutory obligations for retirement and retiree insurance contributions, and those funds are re-appropriated to Retiree Health-Statutory Funds, for deposit to the Texas Public School Retired Employees Group Insurance Trust Fund.

ARTICLE III - AGENCIES OF EDUCATION
32C Optional Retirement Program
DIFFERENCES ONLY

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2. State Contribution to Optional Retirement Program. The amount specified above in A.1.1, Optional Retirement Program, is based on a state contribution rate of 6.4 percent of payroll for each fiscal year, estimated. Institutions of higher education and the Texas Education Agency, if applicable, are required to certify estimates of state contributions required for payment to the Comptroller, and the Comptroller shall allocate the state contributions to institutions and the Texas Education Agency pursuant to Government Code §830.202.

3. Use of Local Funds for Supplementing the General Revenue Appropriation to the Optional Retirement Program. Institutions and agencies authorized under state law to provide the Optional Retirement Program to their employees are authorized to use local funds or other sources of funds to supplement the General Revenue Fund appropriation at a rate up to 2.1 percent of payroll.

5. Limitation on Retirement Contributions for Public Community and Junior Colleges. The limitation on General Revenue related funds appropriated for retirement contributions to 50 percent of the state contribution of 6.4 percent of the total covered payroll for Public Community and Junior Colleges for each fiscal year for the Optional Retirement Program is contingent on the adoption of legislation restricting appropriations to the rates listed above in the manner described in this rider for retirement contributions to Public Community/Junior Colleges.

Should legislation concerning this limitation on General Revenue related funds for retirement contributions to Public Community/Junior Colleges not be adopted, the limitations on General Revenue related funds for retirement contributions to Public Community/Junior Colleges shall revert to the methodology applied for purposes of calculating appropriations for Senate Bill 1 as introduced for the same purpose.

2. State Contribution to Optional Retirement Program. The amount specified above in A.1.1, Optional Retirement Program, is based on a state contribution rate of 6.6 percent of payroll for each fiscal year, estimated. Institutions of higher education and the Texas Education Agency, if applicable, are required to certify estimates of state contributions required for payment to the Comptroller, and the Comptroller shall allocate the state contributions to institutions and the Texas Education Agency pursuant to Government Code §830.202.

3. Use of Local Funds for Supplementing the General Revenue Appropriation to the Optional Retirement Program. Institutions and agencies authorized under state law to provide the Optional Retirement Program to their employees are authorized to use local funds or other sources of funds to supplement the General Revenue Fund appropriation at a rate up to 1.9 percent of payroll.

5. Limitation on General Revenue Fund Retirement Contributions to Public Community and Junior Colleges. For each public community/junior college district, the combined annual General Revenue contributions to the Optional Retirement Program and the Teacher Retirement System in fiscal year 2014 shall not exceed 6.6 percent of that district's unrestricted General Revenue appropriation in fiscal year 2014. Similarly, for each public community/junior college district, the combined annual General Revenue Fund contributions to the Optional Retirement Program and the Teacher Retirement System in fiscal year 2015 shall not exceed 6.6 percent of that district's unrestricted General Revenue appropriation in fiscal year 2015.