

Issue Docket

Conference Committee on Senate Bill 1

2022-23 General Appropriations Bill

Article III - Public Education

703 TEXAS EDUCATION AGENCY

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|--|---|---|---------------------|---|
| Technical Corrections | | | | |
| Adjust TEA's FTE cap to account for FTEs associated with federal coronavirus funds | | | ADOPT | Increase TEA's FTE cap in order to implement programs associated the The Coronavirus Response and Relief Supplemental Appropriations Act and the American Rescue Plan Act. The FTEs associated with this rider would be completely paid for with federal funds provided in response to the coronavirus pandemic. |
| Reporting Requirement: COVID-19 Funding to School Districts | III-25 Rider #79 Rider Packet, page III-8 | III-28 Rider #85 Rider Packet, page III-8 | | The House and Senate both adopted a rider, which would require TEA to report on COVID-19 funding provided to school districts and charter schools. The House adopted a version of the rider that included both the value and uses of the funding, but the version that was printed erroneously excluded the term "and uses" from the House bill. |
| Administrative Cost Savings Through Strategic Insourcing | III-25 Rider #80 Rider Packet, page III-8 | | | The House and Senate both adopted a rider that would increase TEA's FTE cap by 6.0 while reducing General Revenue Appropriations by \$138,000 in each fiscal year of the biennium. However, the text of this rider was erroneously excluded from the House bill. |
| Align Teacher Certification Fee Appropriations to the BRE | | | ADOPT | Increase Appropriations of Teacher Certification Fees in Various TEA Strategies by a total of \$239,554 to Match Projected Collections in the Biennial Revenue Estimate |
| Foundation School Program - March Update and Cost-Out for Comptroller's Biennial Revenue Estimates | | | ADOPT | Updated estimate for Foundation School Program (FSP) current law cost due to revised revenue projections in Biennial Revenue Estimate (BRE) and updated cost drivers including district property values, attendance projections, and tax rates. Amounts result in a \$1,131.8 million decrease in All Funds, including a decrease of \$1,073.2 million in General Revenue Funds (including a decrease of \$147.9 million in the Available School Fund, \$1,075.5 million in the Foundation School Fund No. 193, and an increase of \$150.2 million in Lottery Proceeds); the Rider 3 sum-certain appropriation will be adjusted accordingly. |
| Funding Differences | III-1 | III-1 | | |

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|---|---|---|---------------------|---|
| A.1.1 FSP - EQUALIZED OPERATIONS | \$ 52,047,928,796 | \$ 52,147,928,796 | \$ 100,000,000 | The House provides \$100.0 million for property tax compression above current law estimates. |
| A.2.2 ACHIEVEMENT OF STUDENTS AT RISK | \$ 3,341,542,401 | \$ 3,342,642,401 | \$ 1,100,000 | The House provides \$1.1 million in additional funding for Amachi for a total of \$5.0 million in the biennium. |
| A.2.4 SCHOOL IMPROVEMENT & SUPPORT PGMS | \$ 406,571,668 | \$ 409,623,850 | \$ 3,052,182 | The House provides \$3.1 million in additional funding for Communities in Schools for a total of \$61.0 million in the biennium. |
| B.2.2 HEALTH AND SAFETY | \$ 32,882,316 | \$ 27,210,352 | \$ 5,671,964 | The Senate provides \$5.7 million in funding for the Child ID program. |
| B.2.4 WINDHAM SCHOOL DISTRICT | \$ 111,374,267 | \$ 108,518,517 | \$ 2,855,750 | The Senate provides \$2.9 million in additional funding for Windham School District for a total of \$111.4 million in the biennium. |
| | SENATE AS AMENDED (The conferees added an additional \$2,855,750 for a total appropriation of \$114,230,017) | | | |
| Rider Differences | | | | |
| Instructional Materials and Technology | III-7 Rider #8 Rider Packet, page III-1 | III-7 Rider #8 Rider Packet, page III-1 | | The House rider states that it is the intent of the Legislature to ensure that instructional materials meet the requirements for certification under 47 U.S.C. Sections 254(h)(5)(B) and (C), which relates to internet safety. |
| Funding for Juvenile Justice Alternative Education Programs | III-12 Rider #27 Rider Packet, page III-3 | III-13 Rider #27 Rider Packet, page III-3 | | The House rider states that the appropriation to the JJAEPs is an estimated appropriation and that actual amounts shall be determined by a formula specified in a rider the Texas Juvenile Justice Department's bill pattern. If additional funding is required to meet the requirements of the new formula, the Commissioner of Education would be authorized to make a transfer from the Foundation School Program. |
| Funding for Regional Education Service Centers | III-14 Rider #34 Rider Packet, page III-3 | III-14 Rider #34 Rider Packet, page III-3 | | The House rider eliminates a provision stating that no funds transferred to the Regional Education Service Centers or to school districts may be used to hire a registered lobbyist. |

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|--|---|---|---------------------|---|
| Amachi Texas | III-19 Rider #49 Rider Packet, page III-5 | III-20 Rider #49 Rider Packet, page III-5 | | The House rider states Amachi program is for mentoring children of incarcerated parents "and other at-risk identified students." The Senate rider states that the Amachi program is for mentoring children of incarcerated parents only. |
| Reporting on Open-Enrollment Charter Schools | III-21 Rider #56 Rider Packet, page III-5 | III-21 Rider #56 Rider Packet, page III-5 | | The House rider includes additional elements that must be included in the annual report. |
| Funding for Special Education Strategic Plan FTEs | III-24 Rider #67 Rider Packet, page III-6 | III-25 Rider #67 Rider Packet, page III-6 | | The House rider states TEA shall ensure that FTEs governed by the rider provide services necessary to support the identification and evaluation of "students with disabilities." The Senate rider states TEA shall ensure that FTEs governed by the rider provide services necessary to support the identification and evaluation of "students with autism and dyslexia." |
| Grants for Students with Autism | III-24 Rider #69 Rider Packet, page III-7 | III-25 Rider #69 Rider Packet, page III-7 | | The House would rename this rider "Grants for Students with Disabilities who Benefit from Behavioral Support." The House would change to scope of the program from one focused specifically on students with autism. Instead, the House would provide grants to local education agencies to support projects for "students with disabilities who benefit from positive behavioral interventions and supports to access the general education environment and curriculum." |
| Local Designation Systems and Teacher Incentives | III-25 Rider #77 Rider Packet, page III-7 | III-26 Rider #77 Rider Packet, page III-7 | | The House rider includes information about amounts allocated for this program and about the number of designations for each year of the biennium. |
| School Safety Allotment | | III-27 Rider #78 Rider Packet, page III-8 | | The House includes a rider specifying that the School Safety Allotment shall be used "to identify and implement research-based, effective prevention practices focused on mental and behavioral health that improve school safety as students and educators recover from the trauma associated with the COVID-19 pandemic and 2021 winter storm." |
| Salary Increase Maintenance for District Employees | | III-27 Rider #79 Rider Packet, page III-8 | | The House includes a rider stating that it is the intent of the Legislature that school districts and open-enrollment charter schools shall maintain salary increases provided to employees in the 2020-2021 school year. |

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|---|-------------------|--|---------------------|---|
| Ensuring Equitable Opportunities for English Learners | | III-27 Rider #80 Rider Packet, page III-9 | | The House includes a rider stating that out of funds appropriated in Strategy A.2.4. Grants for School and Program Improvement and Innovation, and Strategy B.3.1. Improving Educator Quality and Leadership, TEA shall support initiatives to address achievement gaps among English learners. |
| The Distribution of Federal Education Funds Related to the Coronavirus Pandemic | | III-27 Rider #81 Rider Packet, page III-9 | | The House includes a rider stating that no federal funds provided in response to the coronavirus pandemic shall be used to reduce state funding for local education agencies. |
| Cross-Agency Coordination on Available Out of School Time Funding | | III-27 Rider #82 Rider Packet, page III-9 | | The House includes a rider stating that TEA shall collaborate with other agencies to identify funding for out of school programs. |
| Reporting on Diversity of Leadership of the Agency | | III-27 Rider #83 Rider Packet, page III-10 | | The House includes a rider requiring TEA to report on diversity among TEA leadership. |
| Report on Open-Enrollment Charter School Real Property Holdings | | III-28 Rider #84 Rider Packet, page III-10 | | The House includes a rider requiring TEA to report on information on all real property owned or leased by open-enrollment charter schools. |
| Prohibiting Certain Conditions from Being Placed on Certain Federal Funds Related to the Coronavirus Pandemic | | III-28 Rider #86 Rider Packet, page III-11 | | The House includes a rider stating that it is the intent of the Legislature that the Commissioner of Education shall not condition the receipt of federal funds provided in response to the coronavirus pandemic on payment to any entity or purchase of any service by a local education agency. |
| Distribution to Public Schools of Federal Education Funds Related to the Coronavirus Pandemic | | III-28 Rider #87 Rider Packet, page III-11 | | The House includes a rider stating that federal funds provided in response to the coronavirus pandemic shall be distributed to public school in a timely manner and may not be used to reduce state funding for public schools. |
| Report on Telehealth Programs in Public Schools | | III-29 Rider #88 Rider Packet, page III-12 | | The House includes a rider stating that it is the intent of the Legislature that TEA study telehealth programs in public schools. |
| High School Equivalency Subsidy Program | | III-29 Rider #89 Rider Packet, page III-12 | | The House includes a rider stating that it is the intent of the Legislature that out of funds appropriated above in Strategy A.1.1, Foundation School Program - Equalized Operations, TEA shall allocate \$750,000 in fiscal year 2022 and \$750,000 in fiscal year 2023 to administer the high school equivalency subsidy program. |

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|---|-------------------|--|---------------------|--|
| Prohibition on Use of Appropriated Money for School Choice Programs | | III-29 Rider #90 Rider Packet, page III-12 | | The House includes a rider stating that money appropriated in this Act may not be used to pay for or support a school voucher, education savings account, or tax credit scholarship program or a similar program through which a child may use state money for nonpublic primary or secondary education. |
| Conference Committee Revisions and Additions | | | | |
| Contingency for SB 1716 | | | \$ 60,000,000 | Provide biennial funding of \$60,000,000 in General Revenue Funds in Strategy A.2.3, Resources for Mentally/Physically Disabled Students, contingent on the enactment of SB 1716, relating to a supplemental special education services and instructional materials program for students receiving special education services. |
| Contingency for SB 1171 | | | \$ 4,000,000 | Provide biennial funding of \$4,000,000 in General Revenue Funds in Strategy B.1.1, Assessment & Accountability, contingent on the enactment of SB 1171, relating to the electronic administration of certain required assessment instruments. |
| Adult Charter School | | | \$ 2,842,853 | Provide an additional \$2,842,853 in General Revenue Funds in Strategy A.2.1, Statewide Educational Programs, for the Adult Charter School program. |
| Advanced Placement Initiative | | | \$ 3,580,000 | Provide an additional \$3,580,000 in General Revenue Funds in Strategy A.2.1, Statewide Educational Programs, for the Texas Advanced Placement Initiative. |
| Grants For Advanced Placement Computer Science Principles Courses | | | \$ 2,585,100 | Provide biennial funding of \$2,585,100 in General Revenue Funds in Strategy A.2.4, School Improvement & Support Programs, to establish a grant program that would make an Advanced Placement Computer Science Principles course available at each high school in the state. |
| New Instructional Facilities Allotment | | | \$ (60,000,000) | Reduce funding for the New Instructional Facilities Allotment from \$100 million per fiscal year to \$70 million per fiscal year. |
| Teach for America | | | \$ 550,000 | Provide an additional \$550,000 in General Revenue Funds in Strategy B.3.1, Improving Educator Quality and Leadership, for the Teach for America program. |
| Increase in Exempt Salary Authority - Chief Investment Office, Permanent School Fund | | | ADOPT | Within existing funds, provide an increase in the exempt salary authority for the Chief Investment Officer of the Permanent School Fund. Authority would increase from \$384,375 to \$416,401. |

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|--------------------------|-------------------|------------------|---------------------|--|
| Property Tax Relief Fund | | | ADOPT | Increase fiscal year 2022 estimates from the Property Tax Relief Fund by \$1.0 billion, and decrease estimates from the Foundation School Fund No. 193 by a like amount. |
| Data Center Services | | | ADOPTED TO HB 2 | Increase funding by \$1.8 million for Data Center Services. |

771 SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|---|-------------------|---|----------------------|--|
| | III-26 | III-29 | | |
| Number of Full-Time-Equivalents (FTEs) | 371.2 | 365.2 | | Senate includes six FTEs associated with the restoration of the summer programs funded in strategy A.1.3 below. |
| Funding Differences | | | | |
| A.1.1 CLASSROOM INSTRUCTION | \$ 12,695,216 | \$ 12,627,692 | \$ 67,524 | Senate version includes \$67,524 for replacement of technology including servers, computers, cell phones and printers. |
| A.1.3 SHORT-TERM PROGRAMS | \$ 2,852,152 | \$ 1,852,152 | \$ 1,000,000 | Senate includes \$1,000,000 in funding for summer programs. |
| Rider Differences | | | | |
| Standby Pay | NA | III-32 Rider #7 Rider Packet, page III-13 | | House includes an additional rider clarifying the agencies' ability to pay employees stand by pay. |
| Conference Committee Revisions and Additions | | | | |
| Increase in Exempt Salary Authority - Superintendent | | | ADOPT | Within existing funds, provide an increase in the exempt salary authority for the Superintendent. Authority would increase from \$142,159 to \$159,993. The position authority would increase from Group 4 to Group 5. |
| Student Transportation | | | ADOPT TO HB 2 | Increase funding by \$0.2 million for student transportation. |

772 SCHOOL FOR THE DEAF

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|---|-------------------|------------------|---------------------|--|
| | III-29 | III-32 | | |
| Funding Differences | | | | |
| A.1.5 STUDENT TRANSPORTATION | \$ 5,346,376 | \$ 5,106,376 | \$ 240,000 | Senate includes \$240,000 for two new school buses. |
| B.1.2 STATEWIDE OUTREACH PROGRAMS | \$ 2,068,464 | \$ 1,381,576 | \$ 686,888 | Senate includes funding of \$343,444 in each year of the biennium to fund summer programs. |
| Conference Committee Revisions and Additions | | | | |
| Increase in Exempt Salary Authority - Superintendent | | | ADOPT | Within existing funds, provide an increase in the exempt salary authority for the Superintendent. Authority would increase from \$148,908 to \$171,688. The position authority would increase from Group 4 to Group 5. |

S20 SPECIAL PROVISIONS FOR THE SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED AND SCHOOL FOR THE DEAF

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|-----------|-------------------|------------------|---------------------|-------------|
| No Issues | III-32 | III-35 | | |

323 TEACHER RETIREMENT SYSTEM

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|--|--|--|---------------------|--|
| Number of Full-Time-Equivalents (FTEs) | III-33 758.3 | III-35 783.3 | | The House includes an additional 25 FTEs to continue the agencies' saving investment fees initiative, formerly referred to as the "build the fleet" initiative. |
| A.1.1 TRS - PUBLIC EDUCATION RETIREMENT | \$ 4,489,428,149 | \$ 4,534,427,989 | \$ 44,999,840 | The House assumes a payroll growth rate of 3.0 percent. The Senate assumes a payroll growth rate of 2.5 percent for public education institutions. |
| A.1.2 TRS - HIGHER EDUCATION RETIREMENT | \$ 533,506,057 | \$ 544,184,045 | \$ 10,677,988 | The House assumes a payroll growth rate of 3.0 percent. The Senate assumes a payroll growth rate of 2.5 percent for higher education institutions. |
| A.1.3 ADMINISTRATIVE OPERATIONS | \$ 288,052,507 | \$ 293,798,507 | \$ 5,746,000 | The House includes an additional \$5.7 million in TRS Trust Fund 960 to fund the saving investment fees initiative, formerly referred to as the "build the fleet" initiative. |
| A.2.1 RETIREE HEALTH - STATUTORY FUNDS | \$ 897,571,478 | \$ 942,571,478 | \$ 45,000,000 | House includes an additional \$22,500,000 in each year of the biennium for Retiree Healthcare (TRS-Care) |
| Limitation on Funds Appropriated to the Teacher Retirement System (TRS). | III-35 Rider #11 Rider Packet, page III-14 | III-40 Rider #20 Rider Packet, page III-14 NA | | The House deletes former Rider 11 Limitations on Funds Appropriated to the Teacher Retirement System (TRS) |
| Supplemental Annuity Payment to Retirees of Teacher Retirement System. | NA | | | The House includes an additional rider providing permission, under certain conditions, for the Teacher Retirement System to make an additional annuity payment to retirees. |
| Alternative Delivery Methods for TRS-ActiveCare | III-37 Rider #21 Rider Packet, page III-14 | | | The Senate includes a rider instructing TRS to engage a third party vendor to examine alternative methods to deliver the current benefits supplied under TRS-ActiveCare and that TRS provide a report. |

32C OPTIONAL RETIREMENT PROGRAM

| Item | Senate 2022-23 | House 2022-23 | Biennial Difference | Explanation |
|-----------|-------------------|------------------|---------------------|-------------|
| No Issues | III-37 | III-40 | | |

Texas Education Agency, Article III
Proposed Rider
Contingency for SB 1716

Prepared by LBB Staff, 5/7/21

Overview

Prepare a rider which appropriates \$60.0 million from General Revenue Funds for the purposes of implementing the provisions of SB 1716, contingent upon its enactment.

Required Action

1. On page III-2 of the bill pattern for the Texas Education Agency, increase General Revenue Funds to Strategy A.2.3, Resources for Mentally/Physically Disabled Students, by \$30.0 million for fiscal year 2022 and \$30.0 million for fiscal year 2023.
2. On page III-29 of the bill pattern for the Texas Education Agency, add the following new rider:

_____. **Contingency for Senate Bill 1716.** Contingent on enactment of SB 1716, or similar legislation relating to a supplemental special education services and instructional materials program for certain public school students receiving special education services, by the Eighty-seventh Legislature, Regular Session, included in amounts appropriated above in Strategy A.2.3, Resources for Mentally/Physically Disabled Students, is \$30,000,000 for fiscal year 2022 and \$30,000,000 for fiscal year 2023 from General Revenue Funds to implement the provisions of the legislation.

Texas Education Agency, Article III
Proposed Rider
Contingency for Senate Bill 1171

Prepared by LBB Staff, 5/11/21

Overview

Prepare a rider which directs the Texas Education Agency to use funds appropriated in the bill pattern to implement SB 1171, contingent upon its enactment.

Required Action

On page III-29 of the bill pattern for the Texas Education Agency, add the following new rider:

- _____. **Contingency for Senate Bill 1171.** Contingent on enactment of SB 1171, or similar legislation relating to the electronic administration of assessment instruments in public schools and to certain measures to support Internet connectivity for purposes of those assessment instruments, by the Eighty-seventh Legislature, Regular Session, out of funds appropriated above in Strategy B.1.1, Assessment & Accountability, the Commissioner shall allocate \$4,000,000 out of General Revenue Funds in fiscal year 2022 to establish a matching grant program to ensure school districts and open-enrollment charter schools have the necessary infrastructure to implement online assessments, pursuant to the provisions of the legislation.

Texas Education Agency, Article III

Adult Charter School

Overview

Increase appropriations at the Texas Education Agency to restore reductions to Adult Charter Schools.

Required Action

- 1) On page III-1 of the Texas Education Agency bill pattern, increase General Revenue appropriations in Strategy A.2.1, Statewide Educational Programs, by \$1,421,426 in fiscal year 2022 and \$1,421,427 in fiscal year 2023.
- 2) On page III-21 of the Texas Education Agency bill pattern, amend the following rider:

54. Adult Charter School. From General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, ~~\$4,114,247~~ ~~\$5,535,673~~ is allocated in fiscal year 2022 and ~~\$4,114,246~~ ~~\$5,535,673~~ is allocated in fiscal year 2023 for the adult high school diploma and industry certification charter school authorized in 2014 for adults 19 to 50 years of age as authorized under Texas Education Code, §29.259. The Commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider to provide any expenditure and performance data necessary to assess the success of the program. Any unexpended balances as of August 31, 2022 are appropriated for fiscal year 2023.

Texas Education Agency, Article III

Texas Advanced Placement Initiative

Overview

Increase appropriations at the Texas Education Agency to restore reductions to the Texas Advanced Placement Initiative.

Required Action

- 1) On page III-1 of the Texas Education Agency bill pattern, increase General Revenue appropriations in Strategy A.2.1, Statewide Educational Programs, by \$1,790,000 in fiscal year 2022 and \$1,790,000 in fiscal year 2023.
- 2) On page III-18 of the Texas Education Agency bill pattern, amend the following rider:

45. Texas Advanced Placement Initiative. Out of the General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall spend ~~\$7,460,000~~ \$9,250,000 in fiscal year 2022 and ~~\$7,460,000~~ \$9,250,000 in fiscal year 2023 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 award funds for examination fee subsidies for students and for teacher training.

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

Any unexpended balances as of August 31, 2022, are appropriated to fiscal year 2023 for the same purpose.

By: _____

Texas Education Agency, Article III

Proposed Rider

Grant Program for Advanced Placement Computer Science Principles Courses

Overview

Add a rider identifying funding at the Texas Education Agency for the provision of startup grants to assist each school district in the state in making an Advanced Placement Computer Science Principles course available at each high school in the district.

Required Action

1) On page III-28 of the Texas Education Agency bill pattern, add the following appropriately numbered rider:

____. **Grants For Advanced Placement Computer Science Principles Courses.** It is the intent of the legislature that, out of money appropriated above to the Texas Education Agency for Strategy A.2.4, School Improvement & Support Programs, the agency shall allocate \$1,292,550 to be used in fiscal years 2022 and \$1,292,550 for fiscal year 2023 to assist each school district in the state in making an Advanced Placement Computer Science Principles course available at each high school in the district. The Commissioner shall adopt a process for submission of a grant application, and require that grant funds are used only for technology, teacher training, and other expenses related to offering an Advanced Placement Computer Science Principles course.

Texas Education Agency, Article III
Proposed Rider Amendment
Foundation School Program Funding

Prepared by LBB Staff, 5/11/2021

Overview

Update Rider 3, Foundation School Program Funding, to reduce funding for the New Instructional Facilities Allotment from \$100 million per fiscal year to \$70 million per fiscal year.

Required Action

On page III-6 of the Texas Education Agency bill pattern, amend the following rider:

3. **Foundation School Program Funding.** In addition to funds appropriated above, the Foundation School Program is funded with local school district tax revenue. Local school district tax rates are adopted by locally elected school board trustees. Local school property tax rates are not set by the Legislature.

Out of the funds appropriated above, and any other funds appropriated for the Foundation School Program during the 2022-23 biennium, a total of ~~\$26,234,400,000~~\$26,204,400,000 in fiscal year 2022 and ~~\$26,753,100,000~~\$26,723,100,000 in fiscal year 2023 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 46, 48 and 49 of the Texas Education Code.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 46, 48 and 49 based on:

- (a) estimates of average daily attendance provided by the Texas Education Agency in March 2021;
- (b) local district tax rates as determined by the Legislative Budget Board;
- (c) final tax year 2020 property values; and
- (d) assumed increases in property values, and the estimates of local tax collections on which they are based, as estimated by the Comptroller of Public Accounts, of 0.29 percent for tax year 2021 and by 3.92 percent for tax year 2022.

The estimates identified in subsections (a) - (d) are projections provided by the Comptroller of Public Accounts and Texas Education Agency and used solely to determine initial state aid payments to school districts, and do not factor into the calculations of local tax base changes. Actual property value changes are determined by local appraisal districts.

To the extent that estimates provided for in subsections (a) - (d) above differ from a school district's actual average daily attendance, tax rates, property values, or local tax collections, the Commissioner shall settle-up with local school districts pursuant to Rider 7, Appropriation of Audit Adjustments, Settle-Up Funds and Attendance Credit Revenues and applicable provisions in Chapters 46, 48, and 49 of the Education Code.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §48.051 of the Texas Education Code, the Basic Allotment is established at \$6,160 in fiscal year 2022 and \$6,160 fiscal year 2023.

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §48.202(a-1)(1), the Guaranteed Yield is \$98.56 in fiscal year 2022 and \$98.56 in fiscal year 2023, and in accordance with §48.202(a-1)(2), the Guaranteed Yield is \$49.28 in fiscal year 2022 and \$49.28 in fiscal year 2023.

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, ~~\$100,000,000~~\$70,000,000 in each fiscal year of the biennium out of the Foundation School Fund No. 193 is for the New Instructional Facilities Allotment under §48.152 of the Texas Education Code.

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, and pursuant to Education Code Sec. 42.168, the School Safety Allotment is set at \$9.72 per student in average daily attendance, estimated to be \$50,000,000 in each fiscal year.

From the amount appropriated above to the Texas Education Agency for Strategy A.1.1, FSP - Equalized Operations, in each year of the 2022-23 biennium, the Commissioner may not spend more than the amount that, together with all other amounts appropriated from the Foundation School Fund or another source of the Foundation School Program or for paying the costs of school property tax relief, is necessary to achieve a tax rate compression percentage, as defined by Sections 48.255, 48.2551, and 48.2552, Texas Education Code, and fully fund the school funding formulas under Chapters 48 and 49, Texas Education Code, without the prior approval of the Legislative Budget Board.

Notwithstanding any other provision of this Act, the Texas Education Agency may:

- (a) make transfers as appropriate between Strategy A.1.1, FSP - Equalized Operations, and Strategy A.1.2, FSP - Equalized Facilities; and
- (b) transfer Foundation School Program funds from fiscal year 2023 to 2022 to the extent necessary to avoid reductions in state aid as authorized by Texas Education Code §48.266(f).

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.

Contingent on the Commissioner of Education identifying a budget surplus of Foundation School Program funds appropriated above in either fiscal year of the 2022-23 biennium, the Commissioner shall notify the Legislative Budget Board and the Office of the Governor in writing no later than 30 calendar days before taking any action pursuant to the Education Code §§7.062, 48.258, 48.259, 48.260, 48.261, or 48.265.

Appropriations provided above in Strategy A.1.1, FSP-Equalized Operations, fully fund an estimated \$3,130,000,000 in projected student enrollment growth.

46. Teach for America. From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend \$5,500,000 in General Revenue in fiscal year 2022 and \$5,500,000 in General Revenue in fiscal year 2023 to support the Teach for America program in Texas.

It is the intent of the Legislature that at least 2,100 Teach for America public school employees be employed in Texas schools that serve a proportion of economically disadvantaged students above the state average by the end of fiscal year 2023.

The Commissioner shall require Teach for America to provide any expenditure and performance data deemed necessary to assess the success of Teach for America in meeting the requirements identified in this rider.