

House Appropriations Committee Decision Document
 Representative Wilson, Subcommittee Chair on Article III
 Members: Representatives Johnson, Minjarez, Morrison, Stucky, VanDeaver, Wu, and Zwiener

Decisions as of (Date @ Time)

LBB Manager: Aaron Henricksen

Article III, Public Education Total, Article III, Public Education Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions				
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total		
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	
Texas Education Agency (703)									
Total, Outstanding Items / Tentative Decisions	\$ 33,620,949	\$ 387,555,329	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	11.0	11.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Texas School for the Blind and Visually Impaired (771)									
Total, Outstanding Items / Tentative Decisions	\$ 5,481,676	\$ 5,481,676	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Texas School for the Deaf (772)									
Total, Outstanding Items / Tentative Decisions	\$ 138,000	\$ 138,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Special Provisions for the School for the Blind and Visually Impaired and School for the Deaf (S20)									
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Teacher Retirement System (323)									
Total, Outstanding Items / Tentative Decisions	\$ -	\$ 5,746,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	10.0	25.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Optional Retirement Program (32C)									
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Total, Article III, Public Education Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions	\$ 39,240,625	\$ 398,921,005	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>NO-COST ADJUSTMENTS</u>								
1 None.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, NO COST ADJUSTMENTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total GR & GR-Ded Adopted Items less Cost-out	\$ 39,240,625	\$ 398,921,005	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	27.0	42.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Performance measure correction. Update FY 2022 target for Percent of Students Exiting Bilingual/ESL Programs Successfully to 84 percent. No cost.	\$ -	\$ -						
2. Rider correction. Update Rider 28, FSP Funding for the Texas Juvenile Justice Department, to remove reference to a prorated basic allotment. HB1 provides the full Basic Allotment for TJJD. No cost.	\$ -	\$ -						
3. Capital budget correction. MOF Swap of \$1,640,020 in Permanent School Funds for General Revenue Funds in capital budget authority only for DCS current obligations. Correction aligns capital budget with strategy appropriations in HB1. No cost.	\$ -	\$ -						
4. Child Nutrition Update. Update Federal Funds appropriation in Strategy B.2.3 to reflect current estimates. Correct General Revenue state match amounts in Rider 36, Child Nutrition Program, to match appropriations in HB 1.	\$ -	\$ 353,934,380						
Agency Requests:								
1. Ensuring Equitable Opportunity through Targeted Supports. Request includes \$10,455,000 and 2.0 FTEs for developing effective teachers and \$9,545,000 and 3.0 FTEs for targeted interventions and instructional materials to reduce the achievement gap.	\$ 20,000,000	\$ 20,000,000						

Article III, Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Windham School District Program Expansion. Request to restore 5.0 percent reduction to 2020-21 appropriations, including reinstatement of 43.5 full-time teaching positions in academic, life skills, and career and technology education and 10.0 positions to support instruction.	\$ 5,711,500	\$ 5,711,500						
3. Data Center Services.								
a. Request for a new data warehouse. Agency states upgrade is necessary for data collection requirements associated with Foundation School Program, Accountability, Special Education, Early Childhood, Teacher Incentive Allotment, and Educator Preparation Program.	\$ 1,833,750	\$ 1,833,750						
b. Request to fund increased costs for current DCS obligations. HB1 provides increased capital budget authority but no additional funding.	\$ 1,151,699	\$ 1,151,699						
4. Add a new rider reducing General Revenue by \$138,000 per year and adding 6.0 FTEs to insource certain software maintenance services.	\$ (276,000)	\$ (276,000)						
5. Modify Rider 24, Appropriation Limited Revenue Collections, to provide UB authority within the biennium for programs listed in the rider, including the Guaranteed Program for School District and Charter School Bonds, Texas Certificate of High School Equivalency, Educator Certification, Criminal History Background Check, Educator Preparation Program Approval and Accountability, and Texas High Performance Schools Consortium Fee. No cost.	\$ -	\$ -						

Article III, Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
6.	Exempt position. Request for authority only to increase the Permanent School Fund Chief Investment Officer's salary cap from \$384,375 to \$416,401 for the 2022-23 biennium. No cost.	\$ -	\$ -						

Article III, Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
7. TJJD request. Modify Rider 27, Juvenile Justice Alternative Education Programs, to provide a minimum daily reimbursement rate of \$86 per day for the JJAEP Program. Current rider included in HB1 provides a sum-certain transfer of \$11,875,000 for this program to TJJD. TJJD requests the rider provide estimated appropriation authority equal to the greater of \$86 per day or the current \$11.9 million provided by HB1. Request is estimated to cost an additional \$5.2 million for the 2022-23 biennium but would be determined by ADA.	\$ 5,200,000 (estimated)	\$ 5,200,000 (estimated)						
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 33,620,949	\$ 387,555,329	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalentents / Tentative Decisions	11.0	11.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Texas School for the Blind and Visually Impaired (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Other Budget Recommendations	Items Not Included in							
1. Educational Professional Salary Increases. Remove estimated amounts to fund ongoing cost of 2020-21 biennial salary increases in 2022-23 biennium, but retain estimated appropriation authority for these costs. Actual amounts required will be settled up and disbursed by CPA.	\$ (929,524)	\$ (929,524)						
Agency Requests:								
1. Base Funding. Agency requests \$500,000 per year and 6.0 FTEs for Summer School and \$175,000 in FY2022 for student transportation. Funding for these programs was removed as a part of the agency's 5 percent reduction for 2020-21, which totaled \$1,650,973. (\$1,146,596 in General Revenue is included in HB1 to restore 5 percent reduction to classroom instruction funding.)	\$ 1,175,000	\$ 1,175,000						
2. Across the Board Classified Salary Increase. According to the agency, the turnover rate is 19.9%.	\$ 1,441,200	\$ 1,441,200						
3. Campus Public Address System for daily announcements and emergency communications on campus.	\$ 935,000	\$ 935,000						
4. Technology Replacement & Refresh. Request includes onetime funding for replacement of 425 computers in FY2022 and ongoing funding for replacement of 134 computers per year thereafter. Agency also requests ongoing funding for lease costs to replace obsolete printers and for replacement of two servers and 28 cell phones each fiscal year.	\$ 960,000	\$ 960,000						
5. School Campus Safety and Security Upgrades. Request includes outdoor cameras and video equipment, replacement of perimeter fencing, enhanced pedestrian gate access, re-keying of entire campus, lockdown lighting system, additional parking lot and campus lighting, and an additional electronic vehicle security gate arm.	\$ 1,000,000	\$ 1,000,000						

Article III, Public Education Texas School for the Blind and Visually Impaired (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
6. Website Re-design Project and Maintenance. Request includes onetime cost of \$850,000 in FY2022 for development of new website for improved accessibility and \$50,000 per year beginning in FY2023 for ongoing maintenance and security.	\$ 900,000	\$ 900,000						
7. Exempt position. Request for authority only to increase Superintendent position from Group 4 (salary range of \$106,500 to \$171,688) to Group 5 (\$122,500 to \$197,415). Current Superintendent salary is \$142,159. No cost.	\$ -	\$ -						
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 5,481,676	\$ 5,481,676	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalent / Tentative Decisions	6.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Texas School for the Deaf (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Conforming rider. Add new rider, Contingency for Behavioral Health Funds, to reflect funding for one mental health counselor included in HB1 base funding. (Conforming changes to Article IX, Section 10.04(a) to be considered with Article IX.) No cost.	\$ -	\$ -						
Other Budget Recommendations								
1. Educational Professional Salary Increases. Remove estimated amounts to fund ongoing cost of 2020-21 biennial salary increases in 2022-23 biennium, but retain estimated appropriation authority for these costs. Actual amounts required will be settled up and disbursed by CPA.	\$ (788,888)	\$ (788,888)						
Agency Requests:								
1. 5 Percent GR Reduction Reinstatement. Agency requests reinstatement of the full 5 percent reduction from the 2020-21 biennium totaling \$1,931,713. Requested amount would fund Summer Programs. (\$1,244,825 in General Revenue included in HB1 to restore 5 percent reduction to classroom instruction funding.)	\$ 686,888	\$ 686,888						
2. Student Transportation Items. Agency requests two replacement school buses: \$125,000 for one 77 passenger bus in FY2022 and \$115,000 for one 53 passenger bus in FY2023.	\$ 240,000	\$ 240,000						
3. Exempt position. Request for authority only to increase Superintendent position from Group 4 (salary range of \$106,500 to \$171,688) to Group 5 (\$122,500 to \$197,415) and salary cap to \$171,688. Current Superintendent salary is \$148,908. No cost.	\$ -	\$ -						
Subcommittee Revisions and Additions:								
1. None.								

Article III, Public Education Texas School for the Deaf (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions	\$ 138,000	\$ 138,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalentents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Special Provisions for the School for the Blind and Visually Impaired and the School for the Deaf (S20) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
1. None.								
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalentents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Teacher Retirement System (Agency 323) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:								
1. Saving Investment Fees. The agency is requesting additional funding and 10.0 FTEs in Fiscal Year 2022 and 25.0 FTEs in Fiscal Year 2023 to continue their multi-year program to implement investment programs aimed at reducing external manager fees. This has also been referred to as their "Build the Fleet" initiative.	\$ -	\$ 5,746,000						
2. Amend Rider 10, Full-Time Equivalent Positions Intern Exemption, to include students enrolled in associates or trade schools and post-graduate fellows in the definition of interns for the purposes of excluding these positions from the agency's FTE limitation. No cost.	\$ -	\$ -						
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ 5,746,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalent / Tentative Decisions	10.0	25.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III, Public Education Optional Retirement Program (32C) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
1. None.								
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

By: _____

Texas Education Agency, Article III
Proposed Funding and Rider
FSP Funding for TJJD

Prepared by LBB Staff, 2/10/2021

Overview

Update Rider 28, FSP Funding for the Texas Juvenile Justice Department, to remove reference to a prorated basic allotment.

Required Action

On page III-14 of the Texas Education Agency bill pattern, amend the following rider:

28. **FSP Funding for the Texas Juvenile Justice Department.** Out of the funds appropriated above in Strategy B.2.2, Health and Safety, the Texas Education Agency shall allocate to the Texas Juvenile Justice Department a ~~prorated~~ basic allotment of the Foundation School Program minus the amounts allocated to the department pursuant to Texas Education Code §30.102 (a) for each student in average daily attendance. These amounts are estimated to be \$4,392,040 in fiscal year 2022 and \$4,001,840 in fiscal year 2023. This transfer shall not be subject to the limitation in Rider 25, Limitation on the Transfer and Use of Funds.

By: _____

Texas Education Agency, Article III
Proposed Funding and Rider
Child Nutrition Program

Prepared by LBB Staff, 2/20/2021

Overview

Update Rider 36, Child Nutrition Program, to adjust General Revenue state match amount to match strategy appropriations in HB 1.

Required Action

On page III-16 of the Texas Education Agency bill pattern, amend the following rider:

- 36. **Child Nutrition Program.** It is the intent of the Legislature that the Child Nutrition Program payments to independent school districts be budgeted at the Texas Education Agency. Included in the amounts appropriated above to the Texas Education Agency for the 2022-23 biennium is \$4,312,607,702 out of Federal Funds and ~~\$27,477,476~~27,247,874 out of the General Revenue Fund to provide reimbursements for the National School Lunch, School Breakfast, After School Care, and Seamless Summer Option Programs.

Under the authority of the letter of agreement between the U.S. Department of Agriculture and the Texas Department of Agriculture, the Texas Department of Agriculture shall administer the Child Nutrition Program. Included in the amounts appropriated elsewhere in this Act to the Texas Department of Agriculture for the 2022-23 biennium is \$67,508,116 out of Federal Funds and \$398,248 out of the General Revenue Fund in Strategy C.1.1, Support Federally Funded Nutrition Programs in Schools and Communities, to administer the Child Nutrition Program.

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

By: _____

**School for the Deaf, Article III,
Proposed Rider
Contingency for Behavioral Health Funds**

Prepared by LBB Staff, 2/9/2021

Overview

Contingency for Behavioral Health Funds for Texas School for the Deaf.

Required Action

On page III-36 of the School for the Deaf bill pattern, add the following rider:

_____. **Contingency for Behavioral Health Funds.** Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related Funds at the Texas School for the Deaf in Strategy A.1.3, Related and Support Services, in fiscal year 2022 or 2023, as identified in Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2022 or fiscal year 2023 does not satisfy the requirements of Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.