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published on 4/17/17 5:15 PM**



851526

17 APR 17 PM 4:25  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Anchia

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 42.152(a) and (c), Education Code,  
5 are amended to read as follows:

6 (a) For each student who is educationally disadvantaged or  
7 who is a student who does not have a disability and resides in a  
8 residential placement facility in a district in which the student's  
9 parent or legal guardian does not reside, a district is entitled to  
10 an annual allotment equal to the adjusted basic allotment  
11 multiplied by 0.25 [~~0.2~~], and by 2.41 for each full-time equivalent  
12 student who is in a compensatory, intensive, or accelerated  
13 [~~remedial and support~~] program under Section 29.081 because the  
14 student is pregnant.

15 (c) Funds allocated under this section shall be used to fund  
16 supplemental programs and services designed to eliminate any  
17 disparity in performance on assessment instruments administered  
18 under Subchapter B, Chapter 39, or disparity in the rates of high  
19 school completion between students at risk of dropping out of  
20 school, as defined by Section 29.081, and all other students.  
21 Specifically, the funds, other than an indirect cost allotment  
22 established under State Board of Education rule, which may not  
23 exceed 25 [~~45~~] percent, may be used to meet the costs of providing a  
24 compensatory, intensive, or accelerated instruction program under  
25 Section 29.081 or a disciplinary alternative education program  
26 established under Section 37.008, to pay the costs associated with  
27 placing students in a juvenile justice alternative education  
28 program established under Section 37.011, or to support a program  
29 eligible under Title I of the Elementary and Secondary Education

90

1 Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent  
2 amendments, and by federal regulations implementing that Act, at a  
3 campus at which at least 40 percent of the students are  
4 educationally disadvantaged. In meeting the costs of providing a  
5 compensatory, intensive, or accelerated instruction program under  
6 Section 29.081, a district's compensatory education allotment  
7 shall be used for costs supplementary to the regular education  
8 program, such as costs for program and student evaluation,  
9 instructional materials and equipment and other supplies required  
10 for quality instruction, supplemental staff expenses, salary for  
11 teachers of at-risk students, smaller class size, and  
12 individualized instruction. A home-rule school district or an  
13 open-enrollment charter school must use funds allocated under  
14 Subsection (a) for a purpose authorized in this subsection but is  
15 not otherwise subject to Subchapter C, Chapter 29. For purposes of  
16 this subsection, a program specifically designed to serve students  
17 at risk of dropping out of school, as defined by Section 29.081, is  
18 considered to be a program supplemental to the regular education  
19 program, and a district may use its compensatory education  
20 allotment for such a program.



17 APR 17 PM 2:27  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: ANDERSON OF DALLAS

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter B, Chapter 39, Education Code, is  
5 amended by adding Section 39.040 to read as follows:

6 Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The  
7 commissioner by rule shall adopt procedures to identify nationally  
8 recognized, norm-referenced assessment instruments as additional  
9 alternative assessment instruments that may be used to evaluate  
10 student achievement for purposes of complying with accountability  
11 requirements under this chapter.

12 (b) Additional alternative assessment instruments  
13 identified as provided by Subsection (a) may be used:

14 (1) for grades three through eight, provided that the  
15 commissioner obtains any necessary waiver from the application of  
16 any conflicting federal law or regulation as provided by Subsection  
17 (e); and

18 (2) for secondary-level courses.

19 (c) In adopting procedures to identify additional  
20 alternative assessment instruments under Subsection (a), the  
21 commissioner shall provide that the additional alternative  
22 assessment instruments may only be used after the expiration of:

23 (1) any contract in existence on September 1, 2017,  
24 between the agency and an entity for services to develop or  
25 administer assessment instruments required by Section 39.023; or

26 (2) the renewal of a contract described by Subdivision  
27 (1).

28 (d) The procedures adopted to identify all additional  
29 alternative assessment instruments under Subsection (a) must be



1 consistent with the federal procedures required by the Every  
2 Student Succeeds Act (20 U.S.C. Section 6311) for state approval of  
3 nationally recognized high school academic assessment instruments  
4 that are available for local selection, including requiring each  
5 additional alternative assessment instrument identified to be  
6 aligned with the essential knowledge and skills for the appropriate  
7 grade level in the subject assessed.

8 (e) For purposes of using additional alternative assessment  
9 instruments in grades three through eight, the commissioner shall  
10 seek a waiver from the application of any conflicting federal law or  
11 regulation as a result of the use of multiple assessment  
12 instruments for assessing students in the same grade.

13 SECTION \_\_\_\_\_. As soon as practicable after the effective  
14 date of this Act, the commissioner of education shall:

15 (1) adopt rules regarding alternative assessment  
16 instruments as required by Section 39.040, Education Code, as added  
17 by this Act; and

18 (2) request from the United States Department of  
19 Education a waiver from the application of any conflicting federal  
20 law or regulation as required by Section 39.040(e), Education Code,  
21 as added by this Act, or a written notification that a waiver is not  
22 required.



851487

17 APR 12 PM 4:23  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Bernal

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 19, lines 12-13, strike ", or a greater amount  
3 provided by appropriation,".

4 (2) On page 19, lines 14-15, strike ", or a greater amount  
5 provided by appropriation,".



17 APR 17 AM 10: 53  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Bernal

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) Add the following appropriately numbered SECTION and  
3 renumber subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 34.002(c), Education Code, is amended  
5 to read as follows:

6 (c) The commissioner shall reduce the basic allotment  
7 provided under Section 42.101 for each student in average daily  
8 attendance by \$125 for a [A] school district that fails or refuses  
9 to meet the safety standards for school buses established under  
10 this section [is ineligible to share in the transportation  
11 allotment under Section 42.155] until the first anniversary of the  
12 date the district begins complying with the safety standards.

13 (2) On page 20, strike line 16 and renumber subsequent  
14 subdivisions in SECTION 24 of the bill accordingly.



FLOOR AMENDMENT NO. \_\_\_\_\_

17 APR 17 PM 4:17

BY: *Kyle Biederman*

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering the  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 42, Education Code, is  
5 amended by adding Section 42.008 to read as follows:

6 Sec. 42.008. TEACHER SURVEY. (a) Out of the amount  
7 appropriated for the basic allotment under the Foundation School  
8 Program for the state fiscal biennium beginning September 1,  
9 2017, the commissioner shall set aside an amount, not to exceed  
10 \$80,000, necessary to fund the administration of a survey of the  
11 opinions of public school teachers in this state regarding the  
12 efficacy of the public school finance system.

13 (b) The survey shall consist of questions developed  
14 jointly by the committees of the senate and the house of  
15 representatives with jurisdiction over public education. The  
16 agency and the Legislative Budget Board shall provide support to  
17 the committees, including recommendations for proposed questions  
18 if requested by the committees.

19 (c) The survey shall be administered by a vendor selected  
20 by the comptroller. The vendor shall be responsible for  
21 providing the survey to each school district and open-enrollment  
22 charter school in this state and providing any assistance  
23 required by school districts and open-enrollment charter schools  
24 in distributing the survey to teachers.

25 (d) The survey must:

26 (1) permit teachers to submit anonymous responses  
27 directly to the vendor; and

28 (2) be conducted in accordance with a timeline that  
29 requires teacher responses to be submitted to the vendor not

1 later than April 30, 2018.

2 (e) A school district or open-enrollment charter school  
3 may not require a teacher to provide any information to the  
4 district or school regarding the teacher's responses to the  
5 survey.

6 (f) For each school district and open-enrollment charter  
7 school, the vendor shall notify the commissioner of the rate of  
8 participation in the survey by teachers employed by the district  
9 or school. For school districts or schools with high  
10 participation rates, as determined by the commissioner, the  
11 commissioner, in a manner considered appropriate by the  
12 commissioner, shall include consideration of the participation  
13 rate as a favorable additional factor in determining the  
14 performance rating assigned to the district or school under  
15 Section 39.054 for the 2017-2018 school year.

16 (g) The vendor shall submit the results of the survey to  
17 the legislature and the governor not later than December 31,  
18 2018.

19 (h) This section expires September 1, 2019.



851494

17 APR 17 PM 12:55

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*BLANCO*

Amend C.S.H.B. No. 21 (house committee printing) on page 8,  
line 13, by striking "0.11" and substituting "0.25".



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Blanco

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 42, Education Code, is  
5 amended by adding Section 42.010 to read as follows:

6 Sec. 42.010. COMPREHENSIVE REVIEW OF PUBLIC SCHOOL FINANCE  
7 WEIGHTS, ALLOTMENTS, AND ADJUSTMENTS. (a) The agency shall  
8 conduct a comprehensive review of:

9 (1) the cost of education adjustment applied to the  
10 basic allotment to determine school district entitlements under the  
11 public school finance system; and

12 (2) all other weights, allotments, and adjustments  
13 under the public school finance system, including all current  
14 weights, allotments, and adjustments provided under this chapter  
15 and any additional weights, allotments, and adjustments that the  
16 agency determines may be appropriate.

17 (b) The review must determine the effectiveness of existing  
18 weights, allotments, and adjustments in fulfilling the mission of  
19 the public education system stated in Section 4.001(a) and  
20 furthering the state policy stated in Section 42.001. At a minimum,  
21 the review must determine how closely and appropriately each of the  
22 following elements reflects and provides financing for costs beyond  
23 the control of school districts:

24 (1) adjustments for costs related to the geographic  
25 variation in known resource costs and costs of education,  
26 controlling for the impact of unequalized wealth and hold-harmless  
27 provisions, and properly reflecting the impact of high  
28 concentrations of poverty on the compensation that school districts  
29 must pay to attract and retain teachers of comparable or

1 appropriate quality;

2 (2) adjustments for costs related to the size and  
3 diseconomies of scale of school districts;

4 (3) adjustments for costs related to the varying  
5 instructional needs and characteristics of students and the extent  
6 to which the adjustments provide each student with access to  
7 programs and services that are appropriate to the student's  
8 educational needs;

9 (4) other factors, in addition to economic status,  
10 that correlate to at-risk status and the need for compensatory  
11 education, and the degree to which those factors correspond to  
12 additional educational costs; and

13 (5) the manner in which the cost adjustments are  
14 applied to and affect the overall school finance system.

15 (c) The review of the adjustments described in Subsection  
16 (b)(1) must:

17 (1) address all uncontrollable costs that can  
18 reasonably be quantified;

19 (2) consider the qualifications, experience, and  
20 turnover rate of personnel and the impact of those factors on  
21 student achievement in considering the adequacy and comparability  
22 of salaries;

23 (3) properly address the impact of factors that have a  
24 large impact on certain types of school districts, such as extreme  
25 isolation, regardless of general state impact;

26 (4) include only factors for which a rational economic  
27 argument can be made;

28 (5) be carefully constructed to make sure that a cost  
29 factor does not significantly affect more than one variable; and

30 (6) not be artificially adjusted to meet predetermined  
31 outcomes and must not use arbitrary limits.



1       (d) In determining whether any additional weights,  
2 allotments, and adjustments are appropriate under the public school  
3 finance system, the agency shall include consideration of an  
4 additional weight for educational services provided to students in  
5 prekindergarten on a half-day basis and on a full-day basis.

6       (e) The agency may contract with one or more consultants if  
7 necessary to enable the agency to perform its duties under this  
8 section.

9       (f) The Legislative Budget Board, the comptroller, the  
10 state auditor, and any other state agency, official, or personnel  
11 shall cooperate with the agency in carrying out its duties under  
12 this section.

13       (g) Not later than September 1, 2018, the agency shall  
14 provide to the legislature, the Legislative Budget Board, the  
15 comptroller, and the state auditor a report that:

16               (1) states the findings of the review conducted under  
17 this section; and

18               (2) includes recommendations for updated weights,  
19 allotments, and adjustments and any other statutory changes  
20 considered appropriate by the agency.

21       (h) This section expires January 1, 2019.



17 APR 17 PM 2:26

FLOOR AMENDMENT NO. \_\_\_\_\_

HOUSE OF REPRESENTATIVES

BY: Blanco

Amend C.S.H.B. No. 21 (house committee printing) as follows:

On page 4, amend SECTION 3 of the bill by adding Subsections c, d, and e to read as follows:

(c) A school district or open-enrollment charter school to which this section applies shall, in its plan submitted under Subsection (a):

(1) design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;

(2) integrate into the dropout recovery plan research based strategies to assist students in becoming able academically to pursue postsecondary education, including;

(A) high quality, college readiness instruction with strong academic and social supports;

(B) secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and

(C) information concerning appropriate supports available in the first year of postsecondary enrollment to ensure postsecondary persistence and success, to the extent funds are available for the purpose; and

(3) plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

(d) A school district to which this section applies may enter into a partnership with a public junior college in accordance with Section 29.402, Education Code, in order to fulfill a plan submitted under Subsection (a).

(e) Any program designed to fulfill a plan submitted under Subsection (a) must comply with the requirements of Sections 29.081(e) and (f).



851524

17 APR 17 PM 4:21  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Canales

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 7, strike lines 8-9 and substitute the  
3 following:

4 SECTION 11. Section 42.101, Education Code, is amended by  
5 amending Subsection (a) and adding Subsection (d) to read as  
6 follows:

7 (2) On page 7, following line 27, add the following:

8 (d) Notwithstanding any other provision of this section,  
9 the Legislative Budget Board shall determine the amount by which  
10 the basic allotment specified under this section may be increased  
11 using revenue available to the state as a result of the repeal of  
12 former Sections 42.160 and 42.2513 by H.B. 21, Acts of the 85th  
13 Legislature, Regular Session, 2017, and the commissioner shall  
14 provide funding to school districts under this chapter based on a  
15 basic allotment of that amount.



17 APR 17 AM 9:56  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Collier

1 Amend C.S.H.B. 21 (house committee printing) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 12.106(a-1) and (a-2), Education  
5 Code, are amended to read as follows:

6 (a-1) In determining funding for an open-enrollment charter  
7 school under Subsection (a), adjustments under Sections 42.102,  
8 42.103, 42.104, and 42.105 are based on the lesser of:

9 (1) the average adjustment for the state; or

10 (2) the adjustment for the school district within  
11 whose boundaries the charter holder's campus with the greatest  
12 enrollment is located.

13 (a-2) In addition to the funding provided by Subsection (a),  
14 a charter holder is entitled to receive for the open-enrollment  
15 charter school enrichment funding under Section 42.302 based on the  
16 lesser of:

17 (1) the state average tax effort; or

18 (2) the tax effort of the school district within whose  
19 boundaries the charter holder's campus with the greatest enrollment  
20 is located.



17 APR 17 PM 3:59  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: DARBY

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) Add the following appropriately numbered SECTIONS to  
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Effective September 1, 2018, Section  
5 12.106(a-1), Education Code, is amended to read as follows:

6 (a-1) In determining funding for an open-enrollment charter  
7 school under Subsection (a):

8 (1) ~~[7]~~ adjustments under Sections 42.102, ~~[42.103,]~~  
9 42.104, and 42.105 are based on the average adjustment for the  
10 state; and

11 (2) the adjustment under Section 42.103 is based on  
12 the average adjustment for the state that would have been provided  
13 under that section as it existed on January 1, 2018.

14 SECTION \_\_\_\_\_. (a) Effective September 1, 2023, Sections  
15 42.103(b) and (d), Education Code, are amended to read as follows:

16 (b) The basic allotment of a school district that ~~[contains~~  
17 ~~at least 300 square miles and]~~ has not more than 1,600 students in  
18 average daily attendance is adjusted by applying the formula:

19 
$$AA = (1 + ((1,600 - ADA) \times .0004)) \times ABA$$

20 (d) The basic allotment of a school district that offers a  
21 kindergarten through grade 12 program and has less than 5,000  
22 students in average daily attendance is adjusted by applying the  
23 formula, of the following formulas, that results in the greatest  
24 adjusted allotment:

25 (1) the formula in Subsection (b), if ~~[or (c) for~~  
26 ~~which]~~ the district is eligible for that formula; or

27 (2) 
$$AA = (1 + ((5,000 - ADA) \times .000025)) \times ABA.$$

28 (b) Effective September 1, 2023, Section 42.103(c),  
29 Education Code, is repealed.

1 SECTION \_\_\_\_ . Effective September 1, 2018, Section  
2 42.103(c), Education Code, is amended to read as follows:

3 (c) The basic allotment of a school district that contains  
4 less than 300 square miles and has not more than 1,600 students in  
5 average daily attendance is adjusted by applying the following  
6 formulas [~~formula~~]:

7 (1) for the fiscal year beginning September 1, 2018:

$$8 \quad AA = (1 + ((1,600 - ADA) \times \underline{.000275} [\del{-00025}])) \times ABA$$

9 i

10 (2) for the fiscal year beginning September 1, 2019:

$$11 \quad \underline{AA = (1 + ((1,600 - ADA) \times .00030)) \times ABA}$$

12 i

13 (3) for the fiscal year beginning September 1, 2020:

$$14 \quad \underline{AA = (1 + ((1,600 - ADA) \times .000325)) \times ABA}$$

15 i

16 (4) for the fiscal year beginning September 1, 2021:

$$17 \quad \underline{AA = (1 + ((1,600 - ADA) \times .00035)) \times ABA}$$

18 ; and

19 (5) for the fiscal year beginning September 1, 2022:

$$20 \quad \underline{AA = (1 + ((1,600 - ADA) \times .000375)) \times ABA}$$

21 (2) On page 19, line 14, strike "\$75" and substitute "\$34".

22 (3) On page 21, line 4, strike "This" and substitute "Except  
23 as otherwise provided by this Act, this".



A School district described by Section (b-1) may not receive formula funding from any source for any purpose unless the board of trustees of that district are selected in the manner described by Section (b-1)

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: DAVIS, J.

HOUSE REPRESENTATIVES  
17 APR 17 PM 4:54

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 11.052, Education Code, is amended  
5 by amending Subsections (a) and (d) and adding Subsection (b-1)  
6 to read as follows:

7 (a) <sup>(a-1)</sup> Except as provided by Subsections ~~[Subsection]~~ (b) and  
8 (b-1), the board of trustees of an independent school district,  
9 on its own motion, may order that trustees of the district are  
10 to be elected from single-member trustee districts or that not  
11 fewer than 70 percent of the members of the board of trustees  
12 are to be elected from single-member trustee districts with the  
13 remaining trustees to be elected from the district at large.

14 (b-1) This subsection applies only to an independent  
15 school district located in a county with a population of 3.3  
16 million or more and with a student enrollment of more than  
17 200,000. The board of trustees of a district subject to this  
18 subsection shall order that five trustees are to be elected from  
19 single-member districts, with the remaining trustees to be  
20 elected at large. Section 11.053 does not apply when the plan  
21 to divide the district into the appropriate number of trustee  
22 districts is adopted to comply with this subsection. If a board  
23 of trustees subject to this subsection fails to comply with this  
24 subsection, the school district is not entitled to receive state  
25 funds under this title.

26 (d) An order of the board adopted under Subsection (a),  
27 ~~(b)~~ (b), or (b-1) must be entered not later than the 120th day  
28 before the date of the first election at which all or some of  
29 the trustees are elected from single-member trustee districts

, including any formula funding,

1 authorized by the order.





851517

17 APR 17 PM 4:02  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Giddings

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_ . Section 42.005, Education Code, is amended by  
5 adding Subsection (a-3) to read as follows:

6 (a-3) Notwithstanding Section 29.153(c), in computing the  
7 sum of attendance under Subsection (a) for a school year, a school  
8 district may include full days of attendance for each  
9 prekindergarten student who attends a full-day prekindergarten  
10 program offered by the district, provided that:

11 (1) the student is eligible for prekindergarten under  
12 Section 29.153;

13 (2) the district does not charge tuition for the  
14 student's enrollment in the program; and

15 (3) the program complies with the requirements  
16 regarding high quality specified in Subchapter E-1, Chapter 29.



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Giddings

Amend **C.S.H.B. 21** (house committee report) as follows:

- 1) In the event that the Dallas County Schools is eliminated, then all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the proportion that the membership in each district bears to total membership in the county as of September 1, 2017, at no cost to the districts.

17 APR 17 PM 4:55  
HOUSE OF REPRESENTATIVES



17 APR 17 PM 4:11

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Mary Gonzalez

1 Amend C.S.H.B. 21 (house committee printing) as follows:

2 (1) Add the following appropriately numbered SECTIONS and  
3 renumber the SECTIONS accordingly:

4 SECTION \_\_\_\_\_. Section 7.062(c), Education Code, is amended  
5 to read as follows:

6 (c) Except as otherwise provided by this subsection, if the  
7 commissioner certifies that the amount appropriated for a state  
8 fiscal year for purposes of Subchapters A and B, Chapter 46, exceeds  
9 the amount to which school districts are entitled under those  
10 subchapters for that year, the commissioner shall use the excess  
11 funds, in an amount not to exceed \$20 million in any state fiscal  
12 year, for the purpose of making grants under this section. The use  
13 of excess funds under this subsection has priority over any  
14 provision of Chapter 42 that permits or directs the use of excess  
15 foundation school program funds, including Sections 42.2517,  
16 42.2521, [~~42.2522~~] and 42.2531. The commissioner is required to  
17 use excess funds as provided by this subsection only if the  
18 commissioner is not required to reduce the total amount of state  
19 funds allocated to school districts under Section 42.253(h).

20 SECTION \_\_\_\_\_. Sections 403.302(d), (e), (e-1), (i), and  
21 (m), Government Code, are amended to read as follows:

22 (d) For the purposes of this section, "taxable value" means  
23 the market value of all taxable property less:

24 (1) the total dollar amount of any residence homestead  
25 exemptions lawfully granted under Section 11.13(b) or (c), Tax  
26 Code, in the year that is the subject of the study for each school  
27 district;

28 (2) [~~one-half of the total dollar amount of any~~  
29 ~~residence homestead exemptions granted under Section 11.13(n), Tax~~

1 Code, in the year that is the subject of the study for each school  
2 district,

3           ~~[(3)]~~ the total dollar amount of any exemptions  
4 granted before May 31, 1993, within a reinvestment zone under  
5 agreements authorized by Chapter 312, Tax Code;

6           (3) ~~[(4)]~~ subject to Subsection (e), the total dollar  
7 amount of any captured appraised value of property that:

8                   (A) is within a reinvestment zone created on or  
9 before May 31, 1999, or is proposed to be included within the  
10 boundaries of a reinvestment zone as the boundaries of the zone and  
11 the proposed portion of tax increment paid into the tax increment  
12 fund by a school district are described in a written notification  
13 provided by the municipality or the board of directors of the zone  
14 to the governing bodies of the other taxing units in the manner  
15 provided by former Section 311.003(e), Tax Code, before May 31,  
16 1999, and within the boundaries of the zone as those boundaries  
17 existed on September 1, 1999, including subsequent improvements to  
18 the property regardless of when made;

19                   (B) generates taxes paid into a tax increment  
20 fund created under Chapter 311, Tax Code, under a reinvestment zone  
21 financing plan approved under Section 311.011(d), Tax Code, on or  
22 before September 1, 1999; and

23                   (C) is eligible for tax increment financing under  
24 Chapter 311, Tax Code;

25           (4) ~~[(5)]~~ the total dollar amount of any captured  
26 appraised value of property that:

27                   (A) is within a reinvestment zone:

28                           (i) created on or before December 31, 2008,  
29 by a municipality with a population of less than 18,000; and

30                           (ii) the project plan for which includes  
31 the alteration, remodeling, repair, or reconstruction of a

1 structure that is included on the National Register of Historic  
2 Places and requires that a portion of the tax increment of the zone  
3 be used for the improvement or construction of related facilities  
4 or for affordable housing;

5 (B) generates school district taxes that are paid  
6 into a tax increment fund created under Chapter 311, Tax Code; and

7 (C) is eligible for tax increment financing under  
8 Chapter 311, Tax Code;

9 (5) [~~6~~] the total dollar amount of any exemptions  
10 granted under Section 11.251 or 11.253, Tax Code;

11 (6) [~~7~~] the difference between the comptroller's  
12 estimate of the market value and the productivity value of land that  
13 qualifies for appraisal on the basis of its productive capacity,  
14 except that the productivity value estimated by the comptroller may  
15 not exceed the fair market value of the land;

16 (7) [~~8~~] the portion of the appraised value of  
17 residence homesteads of individuals who receive a tax limitation  
18 under Section 11.26, Tax Code, on which school district taxes are  
19 not imposed in the year that is the subject of the study, calculated  
20 as if the residence homesteads were appraised at the full value  
21 required by law;

22 (8) [~~9~~] a portion of the market value of property  
23 not otherwise fully taxable by the district at market value because  
24 of:

25 (A) action required by statute or the  
26 constitution of this state, other than Section 11.311, Tax Code,  
27 that, if the tax rate adopted by the district is applied to it,  
28 produces an amount equal to the difference between the tax that the  
29 district would have imposed on the property if the property were  
30 fully taxable at market value and the tax that the district is  
31 actually authorized to impose on the property, if this subsection

1 does not otherwise require that portion to be deducted; or

2 (B) action taken by the district under Subchapter  
3 B or C, Chapter 313, Tax Code, before the expiration of the  
4 subchapter;

5 (9) [~~(10)~~] the market value of all tangible personal  
6 property, other than manufactured homes, owned by a family or  
7 individual and not held or used for the production of income;

8 (10) [~~(11)~~] the appraised value of property the  
9 collection of delinquent taxes on which is deferred under Section  
10 33.06, Tax Code;

11 (11) [~~(12)~~] the portion of the appraised value of  
12 property the collection of delinquent taxes on which is deferred  
13 under Section 33.065, Tax Code; and

14 (12) [~~(13)~~] the amount by which the market value of a  
15 residence homestead to which Section 23.23, Tax Code, applies  
16 exceeds the appraised value of that property as calculated under  
17 that section.

18 (e) The total dollar amount deducted in each year as  
19 required by Subsection (d)(3) [~~(d)(4)~~] in a reinvestment zone  
20 created after January 1, 1999, may not exceed the captured  
21 appraised value estimated for that year as required by Section  
22 311.011(c)(8), Tax Code, in the reinvestment zone financing plan  
23 approved under Section 311.011(d), Tax Code, before September 1,  
24 1999. The number of years for which the total dollar amount may be  
25 deducted under Subsection (d)(3) [~~(d)(4)~~] shall for any zone,  
26 including those created on or before January 1, 1999, be limited to  
27 the duration of the zone as specified as required by Section  
28 311.011(c)(9), Tax Code, in the reinvestment zone financing plan  
29 approved under Section 311.011(d), Tax Code, before September 1,  
30 1999. The total dollar amount deducted under Subsection (d)(3)  
31 [~~(d)(4)~~] for any zone, including those created on or before January

1 1, 1999, may not be increased by any reinvestment zone financing  
2 plan amendments that occur after August 31, 1999. The total dollar  
3 amount deducted under Subsection (d)(3) [~~(d)(4)~~] for any zone,  
4 including those created on or before January 1, 1999, may not be  
5 increased by a change made after August 31, 1999, in the portion of  
6 the tax increment retained by the school district.

7 (e-1) This subsection applies only to a reinvestment zone  
8 created by a municipality that has a population of 70,000 or less  
9 and is located in a county in which all or part of a military  
10 installation is located. Notwithstanding Subsection (e), if on or  
11 after January 1, 2017, the municipality adopts an ordinance  
12 designating a termination date for the zone that is later than the  
13 termination date designated in the ordinance creating the zone, the  
14 number of years for which the total dollar amount may be deducted  
15 under Subsection (d)(3) [~~(d)(4)~~] is limited to the duration of the  
16 zone as determined under Section 311.017, Tax Code.

17 (i) If the comptroller determines in the study that the  
18 market value of property in a school district as determined by the  
19 appraisal district that appraises property for the school district,  
20 less the total of the amounts and values listed in Subsection (d) as  
21 determined by that appraisal district, is valid, the comptroller,  
22 in determining the taxable value of property in the school district  
23 under Subsection (d), shall for purposes of Subsection (d)(12)  
24 [~~(d)(13)~~] subtract from the market value as determined by the  
25 appraisal district of residence homesteads to which Section 23.23,  
26 Tax Code, applies the amount by which that amount exceeds the  
27 appraised value of those properties as calculated by the appraisal  
28 district under Section 23.23, Tax Code. If the comptroller  
29 determines in the study that the market value of property in a  
30 school district as determined by the appraisal district that  
31 appraises property for the school district, less the total of the

1 amounts and values listed in Subsection (d) as determined by that  
2 appraisal district, is not valid, the comptroller, in determining  
3 the taxable value of property in the school district under  
4 Subsection (d), shall for purposes of Subsection (d)(12) [~~(d)(13)~~]  
5 subtract from the market value as estimated by the comptroller of  
6 residence homesteads to which Section 23.23, Tax Code, applies the  
7 amount by which that amount exceeds the appraised value of those  
8 properties as calculated by the appraisal district under Section  
9 23.23, Tax Code.

10 (m) Subsection (d)(8) [~~(d)(9)~~] does not apply to property  
11 that was the subject of an application under Subchapter B or C,  
12 Chapter 313, Tax Code, made after May 1, 2009, that the comptroller  
13 recommended should be disapproved.

14 SECTION \_\_\_\_\_. Section 311.011(h), Tax Code, is amended to  
15 read as follows:

16 (h) Unless specifically provided otherwise in the plan, all  
17 amounts contained in the project plan or reinvestment zone  
18 financing plan, including amounts of expenditures relating to  
19 project costs and amounts relating to participation by taxing  
20 units, are considered estimates and do not act as a limitation on  
21 the described items, but the amounts contained in the project plan  
22 or reinvestment zone financing plan may not vary materially from  
23 the estimates. This subsection may not be construed to increase the  
24 amount of any reduction under Section 403.302(d)(3)  
25 [~~403.302(d)(4)~~], Government Code, in the total taxable value of the  
26 property in a school district that participates in the zone as  
27 computed under Section 403.302(d) of that code.

28 SECTION \_\_\_\_\_. Section 403.302, Government Code, as amended  
29 by this Act, applies only to an annual school district property  
30 value study conducted for a tax year that begins on or after January  
31 1, 2018.



1           (2) On page 20, line 22, strike "and".

2           (3) On page 20, line 23, strike the period and substitute "  
3 and".

4           (4) On page 20, between lines 23 and 24, add the following  
5 appropriately numbered subdivision and renumber the subdivisions  
6 accordingly:

7           ( ) Section 42.2522.



851521

17 APR 17 PM 4:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Mary Gonzalez

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 42, Education Code, is  
5 amended by adding Section 42.010 to read as follows:

6 Sec. 42.010. STUDY OF FULLY EQUALIZED PUBLIC SCHOOL FINANCE  
7 SYSTEM. (a) The agency shall conduct a study to identify the  
8 possible funding elements of a school finance system under which  
9 every cent of ad valorem tax effort by school districts is  
10 completely equalized.

11 (b) Not later than September 1, 2018, the agency shall  
12 provide to the legislature a report regarding the study conducted  
13 under this section that includes any recommendations for statutory  
14 changes.

15 (c) This section expires January 1, 2019.



17 APR 17 PM 4:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Mary Gonzalez

- 1 Amend C.S.H.B. No. 21 (house committee printing) as follows:  
2 (1) On page 19, lines 12-13, strike ", or a greater amount  
3 provided by appropriation,".  
4 (2) On page 19, lines 14-15, strike ", or a greater amount  
5 provided by appropriation,".



17 APR 17 PM 4:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

Mary Gonzalez

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 7, strike lines 8-9 and substitute the  
3 following:

4 SECTION 11. Section 42.101, Education Code, is amended by  
5 amending Subsection (a) and adding Subsection (d) to read as  
6 follows:

7 (2) On page 7, following line 27, add the following:

8 (d) Notwithstanding any other provision of this section,  
9 the Legislative Budget Board shall determine the amount by which  
10 the basic allotment specified under this section may be increased  
11 using revenue available to the state as a result of the repeal of  
12 former Sections 42.155, 42.160, and 42.2513 by H.B. 21, Acts of the  
13 85th Legislature, Regular Session, 2017, and the commissioner shall  
14 provide funding to school districts under this chapter based on a  
15 basic allotment of that amount.



17 APR 17 PM 4:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Mary Gonzalez

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 7, strike lines 8-9, and substitute the  
3 following:

4 SECTION 11. Section 42.101, Education Code, is amended by  
5 amending Subsection (a) and adding Subsection (a-3) to read as  
6 follows:

7 (2) On page 7, line 10, strike "For" and substitute "Subject  
8 to adjustment under Subsection (a-3), for [~~For~~]".

9 (3) On page 7, following line 27, insert the following:

10 (a-3) If a district does not operate a public school  
11 transportation system, the basic allotment provided to the district  
12 under Subsection (a) or (b) is reduced by \$125.



17 APR 17 PM 4:11  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Mary Gonzalez

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) On page 19, strike lines 11-15, and substitute the  
3 following:

4 Sec. 42.455. FUNDING LIMIT. The amount of grants awarded by  
5 the commissioner under this subchapter may not exceed \$200 million  
6 or a greater amount provided by appropriation.

7 (2) On page 19, line 26, strike "2019" and substitute  
8 "2018".



851498

Amendment No \_\_\_\_\_

By Gooden

Amend the CSHB21 as follows:

Add the following as SECTION 18 and renumber the following Sections accordingly:

SECTION 18. Chapter 42, Education Code, is amended by adding Section 42.161 to read as follows:

**42.161. Prekindergarten Allotment**

**(a) For each eligible student served in a half or full-day prekindergarten program under Subchapters E or E-1, Chapter 29, a district is entitled to an allotment of 0.1. Funding under this section is in addition to funding for a half-day program under Sections 29.153(c) or 29.166(a).**

**(b) This section applies only to students who are four years of age or older as of September 1 of the applicable school year.**

**(c) This section applies beginning with the 2019-2020 school year. This subsection expires August 31, 2019.**

17 APR 17 PM 2:18  
HOUSE OF REPRESENTATIVES



17 APR 17 PM 4:35

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: JASON ISAAC

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) On page 20, between lines 16 and 17, insert the  
3 following appropriately numbered subdivision in SECTION 24:

4 ( ) Section 39.02301;

5 (2) Renumber subsequent subdivisions of SECTION 24  
6 accordingly.

7 (3) Add the following appropriately numbered SECTIONS to  
8 the bill:

9 SECTION \_\_\_\_ . Section 21.351(a), Education Code, is amended  
10 to read as follows:

11 (a) The commissioner shall adopt a recommended appraisal  
12 process and criteria on which to appraise the performance of  
13 teachers. The criteria must be based on observable, job-related  
14 behavior, including:

15 (1) teachers' implementation of discipline management  
16 procedures; and

17 (2) the performance of teachers' students, provided  
18 that consideration of student performance is not based in any part  
19 on student performance on assessment instruments administered  
20 under Section 39.023.

21 SECTION \_\_\_\_ . Section 39.023(a), Education Code, as  
22 effective September 1, 2017, is amended to read as follows:

23 (a) The agency shall adopt or develop appropriate  
24 criterion-referenced assessment instruments designed to assess  
25 essential knowledge and skills in reading, ~~[writing]~~ mathematics,  
26 ~~[social studies]~~ and science. Except as provided by Subsection  
27 (a-2), all students, other than students assessed under Subsection  
28 (b) or (1) or exempted under Section 39.027, shall be assessed in:

29 (1) mathematics, annually in grades three through



1 seven without the aid of technology and in grade eight with the aid  
2 of technology on any assessment instrument that includes algebra;

3 (2) reading, annually in grades three through eight;  
4 and

5 (3) [~~writing, including spelling and grammar, in~~  
6 ~~grades four and seven,~~

7 [~~(4) social studies, in grade eight,~~

8 [~~(5)] science, in grades five and eight[, and~~

9 [~~(6) any other subject and grade required by federal~~  
10 ~~law].~~

11 SECTION \_\_\_\_ . Section 39.023(c), Education Code, is amended  
12 to read as follows:

13 (c) The agency shall also adopt end-of-course assessment  
14 instruments for secondary-level courses in reading, mathematics,  
15 and science only as necessary to comply with the Every Student  
16 Succeeds Act (20 U.S.C. Section 6301 et seq.) to be administered  
17 only as necessary to meet the minimum requirements of that Act  
18 [~~Algebra I, biology, English I, English II, and United States~~  
19 ~~history. The Algebra I end-of-course assessment instrument must be~~  
20 ~~administered with the aid of technology. The English I and English~~  
21 ~~II end-of-course assessment instruments must each assess essential~~  
22 ~~knowledge and skills in both reading and writing in the same~~  
23 ~~assessment instrument and must provide a single score]. A school  
24 district shall comply with State Board of Education rules regarding  
25 administration of the assessment instruments adopted under [~~listed~~  
26 ~~in~~] this subsection. If a student is in a special education program  
27 under Subchapter A, Chapter 29, the student's admission, review,  
28 and dismissal committee shall determine whether any allowable  
29 modification is necessary in administering to the student an  
30 assessment instrument required under this subsection. The State  
31 Board of Education shall administer the assessment instruments.~~

1 ~~[The State Board of Education shall adopt a schedule for the~~  
2 ~~administration of end-of-course assessment instruments that~~  
3 ~~complies with the requirements of Subsection (c-3).]~~

4 SECTION \_\_\_\_ . Section 39.023(c-3), Education Code, as  
5 effective September 1, 2017, is amended to read as follows:

6 (c-3) The State Board of Education, with input from school  
7 districts, shall adopt [In adopting] a schedule for the  
8 administration of assessment instruments under this section that  
9 minimizes the disruption of classroom instruction [ , the State  
10 Board of Education shall require:

11 [~~(1) assessment instruments administered under~~  
12 ~~Subsection (a) to be administered on a schedule so that the first~~  
13 ~~assessment instrument is administered at least two weeks later than~~  
14 ~~the date on which the first assessment instrument was administered~~  
15 ~~under Subsection (a) during the 2006-2007 school year, and~~

16 [~~(2) the spring administration of end-of-course~~  
17 ~~assessment instruments under Subsection (c) to occur in each school~~  
18 ~~district not earlier than the first full week in May, except that~~  
19 ~~the spring administration of the end-of-course assessment~~  
20 ~~instruments in English I and English II must be permitted to occur~~  
21 ~~at an earlier date].~~

22 SECTION \_\_\_\_ . Section 39.023, Education Code, is amended by  
23 adding Subsection (q) to read as follows:

24 (q) Notwithstanding any provision of this section or other  
25 law, if changes made to the Every Student Succeeds Act (20 U.S.C.  
26 Section 6301 et seq.) reduce the number or frequency of assessment  
27 instruments required to be administered to students, the State  
28 Board of Education shall adopt rules reducing the number or  
29 frequency of assessment instruments administered to students under  
30 state law, and the commissioner shall ensure that students are not  
31 assessed in subject areas or in grades that are no longer required

1 to meet the minimum requirements of that Act.

2 SECTION \_\_\_\_\_. Subchapter B, Chapter 39, Education Code, is  
3 amended by adding Section 39.040 to read as follows:

4 Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The  
5 commissioner by rule shall adopt procedures to identify nationally  
6 recognized, norm-referenced assessment instruments as additional  
7 alternative assessment instruments that may be used to evaluate  
8 student achievement for purposes of complying with accountability  
9 requirements under this chapter.

10 (b) Additional alternative assessment instruments  
11 identified as provided by Subsection (a) may be used:

12 (1) for grades three through eight, provided that the  
13 commissioner obtains any necessary waiver from the application of  
14 any conflicting federal law or regulation as provided by Subsection  
15 (d); and

16 (2) for secondary-level courses.

17 (c) The procedures adopted to identify all additional  
18 alternative assessment instruments under Subsection (a) must be  
19 consistent with the federal procedures required by the Every  
20 Student Succeeds Act (20 U.S.C. Section 6311) for state approval of  
21 nationally recognized high school academic assessment instruments  
22 that are available for local selection, including requiring each  
23 additional alternative assessment instrument identified to be  
24 aligned with the essential knowledge and skills for the appropriate  
25 grade level in the subject assessed.

26 (d) For purposes of using additional alternative assessment  
27 instruments in grades three through eight, the commissioner shall  
28 seek a waiver from the application of any conflicting federal law or  
29 regulation as a result of the use of multiple assessment  
30 instruments for assessing students in the same grade.

31 SECTION \_\_\_\_\_. Section 39.053(c), Education Code, is amended

1 to read as follows:

2 (c) School districts and campuses must be evaluated based on  
3 five domains of indicators of achievement adopted under this  
4 section that include:

5 (1) in the first domain, the results of:

6 (A) assessment instruments required under  
7 Sections 39.023(a), (c), and (l), including the results of  
8 assessment instruments required for graduation retaken by a  
9 student, aggregated across grade levels by subject area, including:

10 (i) for the performance standard determined  
11 by the commissioner under Section 39.0241(a), the percentage of  
12 students who performed satisfactorily on the assessment  
13 instruments, aggregated across grade levels by subject area; and

14 (ii) for the college readiness performance  
15 standard as determined under Section 39.0241, the percentage of  
16 students who performed satisfactorily on the assessment  
17 instruments, aggregated across grade levels by subject area; and

18 (B) assessment instruments required under  
19 Section 39.023(b), aggregated across grade levels by subject area,  
20 including the percentage of students who performed satisfactorily  
21 on the assessment instruments, as determined by the performance  
22 standard adopted by the agency, aggregated across grade levels by  
23 subject area;

24 (2) in the second domain:

25 (A) for assessment instruments under Subdivision  
26 (1)(A):

27 (i) for the performance standard determined  
28 by the commissioner under Section 39.0241(a), the percentage of  
29 students who met the standard for annual improvement on the  
30 assessment instruments, as determined by the commissioner by rule  
31 or by the method for measuring annual improvement under Section

1 39.034, aggregated across grade levels by subject area; and

2 (ii) for the college readiness performance  
3 standard as determined under Section 39.0241, the percentage of  
4 students who met the standard for annual improvement on the  
5 assessment instruments, as determined by the commissioner by rule  
6 or by the method for measuring annual improvement under Section  
7 39.034, aggregated across grade levels by subject area; and

8 (B) for assessment instruments under Subdivision  
9 (1)(B), the percentage of students who met the standard for annual  
10 improvement on the assessment instruments, as determined by the  
11 commissioner by rule or by the method for measuring annual  
12 improvement under Section 39.034, aggregated across grade levels by  
13 subject area;

14 (3) in the third domain, the student academic  
15 achievement differentials among students from different racial and  
16 ethnic groups and socioeconomic backgrounds;

17 (4) in the fourth domain:

18 (A) for evaluating the performance of high school  
19 campuses and districts that include high school campuses:

20 (i) dropout rates, including dropout rates  
21 and district completion rates for grade levels 9 through 12,  
22 computed in accordance with standards and definitions adopted by  
23 the National Center for Education Statistics of the United States  
24 Department of Education;

25 (ii) high school graduation rates, computed  
26 in accordance with standards and definitions adopted in compliance  
27 with the Every Student Succeeds Act [~~No Child Left Behind Act of~~  
28 ~~2001~~] (20 U.S.C. Section 6301 et seq.);

29 (iii) the percentage of students who  
30 successfully completed the curriculum requirements for the  
31 distinguished level of achievement under the foundation high school

1 program;

2 (iv) the percentage of students who  
3 successfully completed the curriculum requirements for an  
4 endorsement under Section 28.025(c-1);

5 (v) the percentage of students who  
6 completed a coherent sequence of career and technical courses;

7 (vi) the percentage of students who satisfy  
8 the Texas Success Initiative (TSI) college readiness benchmarks  
9 prescribed by the Texas Higher Education Coordinating Board under  
10 Section 51.3062(f) on an assessment instrument in reading, writing,  
11 or mathematics designated by the Texas Higher Education  
12 Coordinating Board under Section 51.3062(c);

13 (vii) the percentage of students who earn  
14 at least 12 hours of postsecondary credit required for the  
15 foundation high school program under Section 28.025 or to earn an  
16 endorsement under Section 28.025(c-1);

17 (viii) the percentage of students who have  
18 completed an advanced placement course;

19 (ix) the percentage of students who enlist  
20 in the armed forces of the United States; and

21 (x) the percentage of students who earn an  
22 industry certification;

23 (B) for evaluating the performance of middle and  
24 junior high school and elementary school campuses and districts  
25 that include those campuses:

26 (i) student attendance; and

27 (ii) for middle and junior high school  
28 campuses:

29 (a) dropout rates, computed in the  
30 manner described by Paragraph (A)(i); and

31 (b) the percentage of students in

1 grades seven and eight who receive instruction in preparing for  
2 high school, college, and a career that includes information  
3 regarding the creation of a high school personal graduation plan  
4 under Section 28.02121, the distinguished level of achievement  
5 described by Section 28.025(b-15), each endorsement described by  
6 Section 28.025(c-1), college readiness standards, and potential  
7 career choices and the education needed to enter those careers; and

8 (C) any additional indicators of student  
9 achievement not associated with performance on standardized  
10 assessment instruments determined appropriate for consideration by  
11 the commissioner in consultation with educators, parents, business  
12 and industry representatives, and employers; and

13 (5) in the fifth domain, the following [~~three~~]  
14 programs or specific categories of performance related to community  
15 and student engagement under Section 39.0545(b)(1) locally  
16 [~~selected and~~] evaluated as provided by Section 39.0546:

17 (A) wellness and physical education; and

18 (B) community and parental involvement.

19 SECTION \_\_\_\_ . Section 39.054(a-1), Education Code, is  
20 amended to read as follows:

21 (a-1) For purposes of assigning an overall performance  
22 rating under Subsection (a), the commissioner shall attribute:

23 (1) 25 [~~55~~] percent of the performance evaluation to  
24 the achievement indicators for the first, second, and third domains  
25 under Sections 39.053(c)(1)-(3);

26 (2) for middle and junior high school and elementary  
27 campuses and districts that include only those campuses:

28 (A) 10 percent of the performance evaluation to  
29 the dropout rate indicator described by Section  
30 39.053(c)(4)(B)(ii)(a); and

31 (B) [~~7~~] 35 percent to the remaining [~~of the~~]

1 ~~performance evaluation to the~~ applicable achievement indicators  
2 for the fourth domain under Section 39.053(c)(4);

3 (3) for high school campuses and districts that  
4 include those campuses:

5 (A) 10 percent of the performance evaluation to  
6 the dropout ~~[high school graduation]~~ rate ~~[achievement]~~ indicator  
7 described by Section 39.053(c)(4)(A)(i) ~~[39.053(c)(4)(A)(ii)]~~; and

8 (B) 35 ~~[25]~~ percent to the remaining applicable  
9 achievement indicators for the fourth domain under Section  
10 39.053(c)(4); and

11 (4) for ~~[10 percent of the performance evaluation to]~~  
12 the locally ~~[selected and]~~ evaluated achievement indicators  
13 provided for under the fifth domain under Section 39.053(c)(5):

14 (A) 15 percent of the performance evaluation to  
15 the wellness and physical education indicator under Section  
16 39.053(c)(5)(A); and

17 (B) 15 percent of the performance evaluation to  
18 the community and parental involvement indicator under Section  
19 39.053(c)(5)(B).

20 SECTION \_\_\_\_ . Section 39.0546(a), Education Code, is amended  
21 to read as follows:

22 (a) For purposes of including the local evaluation of  
23 districts and campuses under Section 39.053(c)(5) and assigning an  
24 overall rating under Section 39.054, before the beginning of each  
25 school year:

26 (1) each school district shall:

27 (A) ~~[select and]~~ report to the agency the  
28 following ~~[three]~~ programs or categories under Section  
29 39.0545(b)(1) ~~[, as added by Chapter 211 (H.B. 5), Acts of the 83rd~~  
30 ~~Legislature, Regular Session, 2013,]~~ under which the district will  
31 evaluate district performance:



1                    (i) wellness and physical education under  
2 Section 39.0545(b)(1)(B); and

3                    (ii) community and parental involvement  
4 under Section 39.0545(b)(1)(C);

5                    (B) submit to the agency the criteria the  
6 district will use to evaluate district performance and assign the  
7 district a performance rating; and

8                    (C) make the information described by Paragraphs  
9 (A) and (B) available on the district's Internet website; and

10                    (2) each campus shall:

11                    (A) [~~select and~~] report to the agency the three  
12 programs or categories described by Subdivision (1)(A) [under  
13 ~~Section 39.0545(b)(1), as added by Chapter 211 (H.B. 5), Acts of the~~  
14 ~~83rd Legislature, Regular Session, 2013,~~] under which the campus  
15 will evaluate campus performance;

16                    (B) submit to the agency the criteria the campus  
17 will use to evaluate campus performance and assign the campus a  
18 performance rating; and

19                    (C) make the information described by Paragraphs  
20 (A) and (B) available on the Internet website of the campus.

21                    SECTION \_\_\_\_\_. Section 39.203(c), Education Code, is amended  
22 to read as follows:

23                    (c) In addition to the distinction designations described  
24 by Subsections (a) and (b), a campus that satisfies the criteria  
25 developed under Section 39.204 shall be awarded a distinction  
26 designation by the commissioner for outstanding performance in  
27 academic achievement in reading [~~English language arts~~],  
28 mathematics, or science [~~, or social studies~~].

29                    SECTION \_\_\_\_\_. Not later than September 1, 2018, the  
30 commissioner of education shall:

31                    (1) adopt rules regarding alternative assessment

1 instruments as required by Section 39.040, Education Code, as added  
2 by this Act; and

3           (2) request from the United States Department of  
4 Education a waiver from the application of any conflicting federal  
5 law or regulation as required by Section 39.040(d), Education Code,  
6 as added by this Act, or a written notification that a waiver is not  
7 required.

8           (4) Renumber subsequent SECTIONS of the bill accordingly.



17 APR 17 PM 4:52  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: E. Johnson

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 3, between lines 11 and 12, add the following  
3 appropriately numbered SECTIONS to the bill:

4 SECTION \_\_\_\_\_. Section 12.104(b), Education Code, is amended  
5 to read as follows:

6 (b) An open-enrollment charter school is subject to:

7 (1) a provision of this title establishing a criminal  
8 offense; and

9 (2) a prohibition, restriction, or requirement, as  
10 applicable, imposed by this title or a rule adopted under this  
11 title, relating to:

12 (A) the Public Education Information Management  
13 System (PEIMS) to the extent necessary to monitor compliance with  
14 this subchapter as determined by the commissioner;

15 (B) criminal history records under Subchapter C,  
16 Chapter 22;

17 (C) reading instruments and accelerated reading  
18 instruction programs under Section 28.006;

19 (D) accelerated instruction under Section  
20 28.0211;

21 (E) high school graduation requirements under  
22 Section 28.025;

23 (F) special education programs under Subchapter  
24 A, Chapter 29;

25 (G) bilingual education under Subchapter B,  
26 Chapter 29;

27 (H) prekindergarten programs under Subchapter E,  
28 ~~E-1~~ E-1, or E-2, Chapter 29;

29 (I) extracurricular activities under Section

1 33.081;

2 (J) discipline management practices or behavior  
3 management techniques under Section 37.0021;

4 (K) health and safety under Chapter 38;

5 (L) public school accountability under  
6 Subchapters B, C, D, E, F, G, and J, Chapter 39;

7 (M) the requirement under Section 21.006 to  
8 report an educator's misconduct;

9 (N) intensive programs of instruction under  
10 Section 28.0213; and

11 (O) the right of a school employee to report a  
12 crime, as provided by Section 37.148.

13 SECTION \_\_\_\_\_. Section 25.001(a), Education Code, is amended  
14 to read as follows:

15 (a) A person who, on the first day of September of any school  
16 year, is at least five years of age and under 21 years of age, or is  
17 at least 21 years of age and under 26 years of age and is admitted by  
18 a school district to complete the requirements for a high school  
19 diploma is entitled to the benefits of the available school fund for  
20 that year. Any other person enrolled in a prekindergarten class  
21 under Section 29.153 or Subchapter E-1 or E-2, Chapter 29, is  
22 entitled to the benefits of the available school fund.

23 (2) On page 3, line 12, strike "Section 29.153(c), Education  
24 Code, is amended" and substitute "Section 29.153, Education Code,  
25 is amended by amending Subsection (c) and adding Subsection (c-1)"

26 (3) On page 3, line 15, between "basis" and the period,  
27 insert the following:

28 , unless the school district chooses to operate gold standard  
29 prekindergarten classes on a full-day basis in accordance with  
30 Subchapter E-2. A school district is eligible for funding under the  
31 Foundation School Program for students enrolled in a gold standard

1 prekindergarten class as provided by Section 29.17403

2 (4) On page 3, line 15, between the period and "A district",  
3 insert:

4 "(c-1)".

5 (5) On page 3, between lines 18 and 19, add the following  
6 appropriately numbered SECTIONS to the bill:

7 SECTION \_\_\_\_\_. Section 29.1532, Education Code, is amended  
8 by amending Subsection (c) and adding Subsection (e) to read as  
9 follows:

10 (c) A school district that offers prekindergarten classes,  
11 including a high quality prekindergarten program class under  
12 Subchapter E-1 or a gold standard prekindergarten program class  
13 under Subchapter E-2, shall include the following information in  
14 the district's Public Education Information Management System  
15 (PEIMS) report:

16 (1) demographic information, as determined by the  
17 commissioner, on students enrolled in district and campus  
18 prekindergarten classes, including the number of students who are  
19 eligible for classes under Section 29.153;

20 (2) the numbers of half-day and full-day  
21 prekindergarten classes offered by the district and campus;

22 (3) the sources of funding for the prekindergarten  
23 classes;

24 (4) the class size and ratio of instructional staff to  
25 students for each prekindergarten program class offered by the  
26 district and campus;

27 (5) if the district elects to administer an assessment  
28 instrument to students enrolled in district and campus  
29 prekindergarten program classes, a description and the results of  
30 each type of assessment instrument; and

31 (6) curricula used in the district's prekindergarten

1 program classes.

2 (e) The agency shall make the information required under  
3 this section available and accessible to parents and the general  
4 public.

5 SECTION \_\_\_\_\_. Chapter 29, Education Code, is amended by  
6 adding Subchapter E-2 to read as follows:

7 SUBCHAPTER E-2. GOLD STANDARD PREKINDERGARTEN PROGRAM

8 Sec. 29.17401. DEFINITION. In this subchapter, "program"  
9 means a gold standard prekindergarten program provided free of  
10 tuition or fees in accordance with this subchapter.

11 Sec. 29.17402. GOLD STANDARD PREKINDERGARTEN PROGRAM. (a)  
12 From funds appropriated for that purpose, the commissioner by rule  
13 shall establish a funding program under which funds are awarded to  
14 school districts and open-enrollment charter schools to implement a  
15 full-day prekindergarten program under this subchapter for  
16 children who are:

17 (1) eligible for classes under Section 29.153; and

18 (2) at least four years of age on September 1 of the  
19 year the child begins the program.

20 (b) Before a school district may participate in the program,  
21 the district must apply to the agency and the agency must approve  
22 the district's application. The school district shall include in  
23 the district's application:

24 (1) a design plan for implementation of the program;

25 (2) a professional development plan to improve the  
26 instruction quality of teachers and teacher's aides; and

27 (3) any other information required by the  
28 commissioner.

29 (c) A program is subject to any other requirements imposed  
30 by law that apply to a prekindergarten program not provided in  
31 accordance with this subchapter, except that to the extent a

1 conflict exists between this subchapter and any other provision of  
2 law, this subchapter prevails.

3 Sec. 29.17403. GOLD STANDARD PROGRAM FUNDING. (a) In  
4 addition to funding granted under Subsection (b), a school district  
5 is eligible for half-day funding under the Foundation School  
6 Program for students enrolled in a program class.

7 (b) A school district is entitled to receive a gold standard  
8 prekindergarten program allotment under Section 42.160.

9 Sec. 29.17404. GOLD STANDARD CURRICULUM AND INSTRUCTION  
10 STANDARDS. (a) The agency shall approve curricula to be used in a  
11 prekindergarten program under this subchapter.

12 (b) A school district may select and implement a curriculum  
13 for the program that the agency has approved. If the school district  
14 does not select an approved curriculum for the program, the school  
15 district must obtain agency approval for the selected curriculum  
16 before the district implements the curriculum.

17 (c) The agency shall ensure that the curriculum implemented  
18 in a program includes prekindergarten guidelines established by the  
19 agency.

20 (d) Each program class must have at least one teacher  
21 certified under Subchapter B, Chapter 21. A school district:

22 (1) may not enroll more than 25 students in a program  
23 class; and

24 (2) must maintain an average ratio in a program class  
25 of not less than one certified teacher or teacher's aide for each 10  
26 students.

27 (e) A teacher's aide who is included in the required student  
28 to instructor ratio under Subsection (d)(2):

29 (1) must have been awarded a Child Development  
30 Associate (CDA) credential; or

31 (2) must:

1                   (A) have at least four years of experience  
2 working in early child development; and

3                   (B) receive a Child Development Associate (CDA)  
4 credential not later than the fourth anniversary of the date the  
5 teacher's aide began working in a program class.

6           (f) The commissioner shall develop standards for  
7 instructional coaching and clinical practice for teachers and  
8 teacher's aides in the program that ensure continued improvement of  
9 instruction quality.

10           Sec. 29.17405. PARENT ENGAGEMENT PLANS. A school district  
11 shall:

12                   (1) develop and implement a parent engagement plan to  
13 assist the district in achieving and maintaining high levels of  
14 parental involvement and positive parental attitudes toward  
15 education; and

16                   (2) assess parental involvement in the program and  
17 parental attitude.

18           Sec. 29.17406. STUDENT ASSESSMENTS. (a) A school district  
19 shall administer diagnostic assessments to students in the program  
20 but may not administer a standardized assessment instrument. A  
21 diagnostic assessment may not be the basis of class advancement,  
22 teacher compensation, or district funding. A school district shall  
23 report data from results of diagnostic assessments in accordance  
24 with Section 29.1532(c).

25                   (b) The agency shall approve diagnostic assessments for a  
26 prekindergarten program under this subchapter. A school district  
27 may select assessments for the program from among the approved  
28 assessments. If the school district does not select an approved  
29 assessment, the school district must obtain agency approval for the  
30 assessment selected by the district before using the assessment.

31           Sec. 29.17407. PROGRAM ASSESSMENT. (a) The agency shall



1 assess the effectiveness of the program by comparing student-level  
2 results of assessment instruments administered under Section  
3 39.023(a) in the third and fourth grades of students who completed  
4 the program against the results of the same assessment instruments  
5 of students who did not complete the program.

6 (b) The agency shall develop and approve additional methods  
7 by which a school district may assess the district's program  
8 classes and instruction. The methods must be capable of measuring  
9 or assessing interaction between teachers and students, coverage of  
10 program curriculum, and other metrics required by commissioner  
11 rule.

12 (c) A school district may select and implement appropriate  
13 methods approved by the agency for assessing the district's program  
14 classes. If the school district does not select an approved  
15 assessment method, the school district must obtain agency approval  
16 for the assessment method selected. A school district shall report  
17 data from results of program assessments in accordance with Section  
18 29.1532(c).

19 Sec. 29.17408. PROGRAM ACCOUNTABILITY. (a) The  
20 commissioner shall establish benchmarks for the effectiveness of a  
21 school district's program using student-level results collected  
22 under Section 29.17407(a). The rules must require a district to  
23 demonstrate high achievement or show substantial progress toward  
24 high achievement with respect to the benchmarks to continue  
25 operating the program.

26 (b) If a school district's program does not satisfy  
27 benchmarks adopted under Subsection (a), the agency shall propose  
28 changes for the district's program to assist the district in  
29 satisfying the benchmarks. A district that implements proposed  
30 changes is eligible to operate the program notwithstanding the  
31 district's failure to satisfy benchmarks for the program. If a

1 district to which the agency has proposed changes fails to  
2 implement the proposed changes, the district is ineligible to  
3 receive funding under this subchapter.

4 Sec. 29.17409. CONTRACTS WITH PRIVATE PROVIDERS. A school  
5 district participating in the program may enter into a contract  
6 with eligible private providers to provide services or equipment  
7 for the program.

8 Sec. 29.17410. ELIGIBLE PRIVATE PROVIDERS. To be eligible  
9 to contract with a school district to provide a program or part of a  
10 program, a private provider must be licensed by and in good standing  
11 with the Department of Family and Protective Services. For  
12 purposes of this section, a private provider is in good standing  
13 with the Department of Family and Protective Services if the  
14 department has not taken an action against the provider's license  
15 under Section 42.071, 42.072, or 42.078, Human Resources Code,  
16 during the 24-month period preceding the date of a contract with a  
17 school district. The private provider must also be accredited by a  
18 research-based, nationally recognized, and universally accessible  
19 accreditation system approved by the commissioner.

20 Sec. 29.17411. WRITTEN CONTRACT REQUIRED. A school  
21 district and a private provider contracting under this subchapter  
22 shall enter a written contract governing the services to be  
23 provided by the private provider, including the amount of funding  
24 allocated by the school district to the private provider and the  
25 number of students the private provider agrees to enroll. The  
26 contract may provide that:

27 (1) the school district leases school facilities to or  
28 from the private provider;

29 (2) the school district employs a certified teacher  
30 for the prekindergarten class and the private provider supplies the  
31 school facilities and all other personnel and supplies; or

1           (3) the private provider supplies the school  
2 facilities, certified teachers, personnel, and supplies.

3           Sec. 29.17412. DISCRIMINATION BY PRIVATE PROVIDER  
4 PROHIBITED. A private provider may not deny program services to a  
5 student on the basis of the student's race, religion, sex,  
6 ethnicity, national origin, or disability.

7           Sec. 29.17413. OVERSIGHT OF PRIVATE PROVIDERS. (a) A  
8 school district that contracts with a private provider shall  
9 monitor the private provider's compliance with the terms of the  
10 contract.

11           (b) The commissioner shall monitor a private provider's  
12 compliance with state laws and requirements for prekindergarten  
13 programs.

14           Sec. 29.17414. RULES. The commissioner may adopt rules  
15 necessary to implement this subchapter.

16           (6) On page 6, between lines 25 and 26, add the following  
17 appropriately numbered SECTION to the bill:

18           SECTION \_\_\_\_\_. Section 42.003(b), Education Code, is amended  
19 to read as follows:

20           (b) A student to whom Subsection (a) does not apply is  
21 entitled to the benefits of the Foundation School Program if the  
22 student is enrolled in a prekindergarten class under Section 29.153  
23 or Subchapter E-1 or E-2, Chapter 29.

24           (7) On page 11, between lines 18 and 19, add the following  
25 appropriately numbered SECTIONS to the bill:

26           SECTION \_\_\_\_\_. The heading to Section 42.160, Education  
27 Code, is amended to read as follows:

28           Sec. 42.160. GOLD STANDARD PREKINDERGARTEN PROGRAM [~~HIGH~~  
29 ~~SCHOOL~~] ALLOTMENT.

30           SECTION \_\_\_\_\_. Section 42.160(a), Education Code, is amended  
31 to read as follows:

1           (a) A school district is entitled to an annual allotment  
2 equal to the adjusted basic allotment multiplied by 0.5 [of \$275]  
3 for each student in average daily attendance in a gold standard  
4 prekindergarten program under Subchapter E-2, Chapter 29, [grades 9  
5 through 12] in the district.

6           (8) On page 20, line 22, strike "Section 42.160" and  
7 substitute "Sections 42.160(b), (c), and (d)".

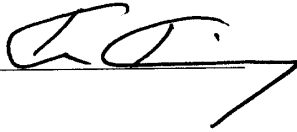
8           (9) On page 21, between lines 3 and 4, add the following  
9 appropriately numbered SECTION to the bill:

10           SECTION \_\_\_\_\_. Sections 12.104(b), 25.001(a), 29.1532, and  
11 42.003(b), Education Code, as amended by this Act, and Subchapter  
12 E-2, Chapter 29, Education Code, as added by this Act, apply  
13 beginning with the 2017-2018 school year.

14           (10) Renumber subsequent SECTIONS of the bill accordingly.



FLOOR AMENDMENT NO. \_\_\_\_\_ 17 APR 17 PM 4:26

BY: 

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Chapter 42, Education Code, is amended by  
5 adding Section 42.107 to read as follows:

6 Sec. 42.107. SPECIAL PURPOSE SCHOOL DISTRICTS OPERATED BY  
7 GENERAL ACADEMIC TEACHING INSTITUTIONS (a) In each fiscal year  
8 of the biennium, the Commissioner of Education shall allocate  
9 funding from the Foundation School Program to each special-  
10 purpose school district established under Section 11.351 that is  
11 operated by a general academic teaching institution as defined  
12 by Section 61.003, in an amount equivalent to the Basic  
13 Allotment in Section 42.101(a) multiplied by the number of full-  
14 time equivalent students who are enrolled in the school district  
15 and who reside in this state.

16 (b) In allocating funding to special-purpose school  
17 districts under this section, the commissioner shall use a  
18 payment schedule consistent with the payment schedule adopted  
19 for open-enrollment charter schools.

20 (c) A special-purpose school district that receives state  
21 funding for a resident student under this section may not charge  
22 tuition or fees to that student for the academic term for which  
23 state funding is received, beyond fees permitted under Section  
24 11.158.

25 (d) A special-purpose school district may elect not to  
26 receive state funding under this section.



17 APR 17 PM 3:55

*W. Samuel*

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: *Krause*

Amend C.S.H.B. No. 21 (house committee printing) by adding  
SUBSECTION 16 on page 3 between lines 6 and 7:

(16) Fees under this section may not be collected by a school  
district designated as a district of innovation that includes  
modifications to the first day of instruction requirements under  
Section 25.0811 and 25.0812 in its local innovation plan in Section  
12A.003(B) beginning with the 2018-2019 school year.



17 APR 17 PM 3:44  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Lambert

1 Amend CSH.B. 21 by adding the following appropriately  
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS  
3 of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 7.055(b), Education Code, is amended  
5 by adding Subdivision (42) to read as follows:

6 (42) The commissioner may accept a gift, donation, or  
7 other contribution on behalf of the public school system or agency  
8 and, unless otherwise specified by the donor, may use the  
9 contribution for the benefit of the public school system or agency  
10 in the manner the commissioner determines appropriate.

11 SECTION \_\_\_\_\_. Subchapter F, Chapter 29, Education Code, is  
12 amended by adding Section 29.194 to read as follows:

13 Sec. 29.194. STUDY ON SUMMER CAREER AND TECHNOLOGY  
14 EDUCATION COURSES. (a) The commissioner shall conduct a study  
15 regarding the provision of career and technology education courses  
16 during the summer. The study must analyze:

17 (1) the feasibility of providing those courses during  
18 the summer;

19 (2) the potential demand for those courses during the  
20 summer;

21 (3) any funding considerations associated with  
22 providing those courses during the summer; and

23 (4) any other matter the commissioner determines  
24 appropriate.

25 (b) Not later than December 1, 2018, the commissioner shall  
26 submit to the governor and the members of the legislature a report  
27 on the results of the study and any recommendations for legislative  
28 or other action.

29 (c) The provisions of this section apply only if the

1 commissioner receives sufficient money to pay for the study and  
2 report from gifts, donations, or other contributions that may be  
3 used for that purpose.

4 (d) This section expires September 1, 2019.





17 APR 17 PM 2:11  
HOUSE OF REPRESENTATIVES

*De A. J. J.*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) On page 1, line 4, strike "Section 11.158(a), Education  
3 Code, is" and substitute "Sections 11.158(a) and (h), Education  
4 Code, are".

5 (2) On page 2, line 22, after the semicolon, insert "or".

6 (3) On page 2, strike lines 23-27, and substitute the  
7 following:

8 (14) [~~a reasonable fee for transportation of a student  
9 who lives within two miles of the school the student attends to and  
10 from that school, except that the board may not charge a fee for  
11 transportation for which the school district receives funds under  
12 Section 42.155(d),~~

13 (4) On page 3, line 1, strike "(15)" and substitute  
14 "[~~(15)~~]".

15 (5) On page 3, between lines 11 and 12, insert the  
16 following:

17 (h) For a fee charged under Subsection (a)(14) [~~(a)(15)~~],  
18 the school district must provide a written form to be signed by the  
19 student's legal guardian stating that this fee would not create a  
20 financial hardship or discourage the student from attending the  
21 program. The school district may only assess the fee if the student  
22 returns the signed form.

23 SECTION 2. Sections 25.092(b) and (f), Education Code, are  
24 amended to read as follows:

25 (b) The board of trustees of each school district shall  
26 appoint one or more attendance committees to hear petitions for  
27 class credit or a final grade by students who are in attendance  
28 fewer than the number of days required under Subsection (a) and have  
29 not earned class credit or a final grade under Subsection

1 (a-1). Classroom teachers shall comprise a majority of the  
2 membership of the committee. A committee may give class credit or  
3 a final grade to a student because of extenuating  
4 circumstances. Each board of trustees shall establish guidelines  
5 to determine what constitutes extenuating circumstances and shall  
6 adopt policies establishing alternative ways for students to make  
7 up work or regain credit or a final grade lost because of  
8 absences. The alternative ways must include at least one option  
9 that does not require a student to pay a fee authorized under  
10 Section 11.158(a)(14) [~~11.158(a)(15)~~]. A certified public school  
11 employee may not be assigned additional instructional duties as a  
12 result of this section outside of the regular workday unless the  
13 employee is compensated for the duties at a reasonable rate of pay.

14 (f) The availability of the option developed under  
15 Subsection (b) must be substantially the same as the availability  
16 of the educational program developed under Section 11.158(a)(14)  
17 [~~11.158(a)(15)~~].

18 (6) Renumber existing SECTIONS of the bill accordingly.



17 APR 17 PM 3:55  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter D, Chapter 41, Education Code, is  
5 amended by adding Section 41.0932 to read as follows:

6 Sec. 41.0932. LIMITATION ON TOTAL COST. (a)

7 Notwithstanding any other provision of this chapter, a school  
8. district that executes an agreement to purchase all attendance  
9 credits necessary to reduce the district's wealth per student to  
10 the equalized wealth level:

11 (1) is entitled to retain maintenance and operations  
12 tax revenue sufficient to pay the district's average maintenance  
13 and operations costs per student in average daily attendance, as  
14 determined under Subsection (b) and adjusted for inflation; and

15 (2) may not be required to pay a total amount for  
16 attendance credits that would reduce the district's retained  
17 maintenance and operations tax revenue below the amount described  
18 by Subdivision (1).

19 (b) For purposes of Subsection (a)(1), the commissioner  
20 shall determine a school district's average maintenance and  
21 operations costs per student in average daily attendance based on  
22 the district's maintenance and operations expenditures per student  
23 in average daily attendance for the preceding three school years.  
24 The commissioner shall adjust a district's average costs to reflect  
25 inflation in a manner determined appropriate by the commissioner.

26 (c) A determination by the commissioner under this section  
27 is final and may not be appealed.

28 (d) The commissioner shall adopt rules necessary to  
29 implement this section.



17 APR 13 PM 2:10  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Chapter 34, Education Code, is amended by  
5 adding Section 34.0071 to read as follows:

6 Sec. 34.0071. PUBLIC SCHOOL TRANSPORTATION SYSTEM REPORTS.

7 (a) A school district that operates a public school transportation  
8 system shall provide annual reports to the agency that contain  
9 information regarding transportation system costs and student  
10 ridership comparable to the information required to be provided  
11 during the 2016-2017 school year in connection with the  
12 transportation allotment provided under former Section 42.155.

13 (b) The commissioner may adopt rules implementing this  
14 section.



17 APR 13 PM 2:11  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

- 1 Amend C.S.H.B. 21 (house committee report) as follows:
- 2 (1) Strike page 1, line 4, through page 3, line 18.
- 3 (2) Strike page 4, line 16, through page 5, line 10.
- 4 (3) Strike page 6, lines 17-25.
- 5 (4) Strike page 8, lines 1-7.
- 6 (5) On page 9, lines 11-12, strike "or amounts made
- 7 available for the transportation of career and technology education
- 8 students".
- 9 (6) On page 12, line 1, strike "42.155,".
- 10 (7) On page 16, line 13, strike "~~to the district for~~
- 11 ~~transportation, any allotment~~" and substitute "to the district for
- 12 transportation, any allotment".
- 13 (8) On page 16, line 14, strike "~~ex 42.160,~~" and
- 14 substitute "~~ex 42.160,~~".
- 15 (9) On page 20, strike line 21, and renumber subsequent
- 16 subdivisions of SECTION 24 of the bill accordingly.
- 17 (10) Renumber existing SECTIONS of the bill accordingly.



17 APR 17 PH 2:30  
HOUSE OF REPRESENTATIVES

*Moody*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. No. 21 (house committee printing) by adding  
2 the following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 42, Education Code, is  
5 amended by adding Section 42.015 to read as follows:

6 Sec. 42.015. STATE INDEMNIFICATION. (a) The state shall  
7 indemnify a school district, a member of the board of trustees of a  
8 school district, a school administrator, or an educator for any  
9 damages, costs, and attorney fees awarded in a cause of action based  
10 on a violation of the state or federal constitution resulting from  
11 the enactment of H.B. No. 21, Acts of the 85th Legislature, Regular  
12 Session, 2017.

13 (b) This section prevails over any other law to the extent  
14 of any conflict.



17 APR 17 PM 2:13  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Nevárez

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter A, Chapter 42, Education Code, is  
5 amended by adding Section 42.010 to read as follows:

6 Sec. 42.010. COMPREHENSIVE REVIEW OF PUBLIC SCHOOL FINANCE  
7 WEIGHTS, ALLOTMENTS, AND ADJUSTMENTS. (a) The agency shall  
8 conduct a comprehensive review of:

9 (1) the cost of education adjustment applied to the  
10 basic allotment to determine school district entitlements under the  
11 public school finance system; and

12 (2) all other weights, allotments, and adjustments  
13 under the public school finance system, including all current  
14 weights, allotments, and adjustments provided under this chapter  
15 and any additional weights, allotments, and adjustments that the  
16 agency determines may be appropriate.

17 (b) The review must determine the effectiveness of existing  
18 weights, allotments, and adjustments in fulfilling the mission of  
19 the public education system stated in Section 4.001(a) and  
20 furthering the state policy stated in Section 42.001. At a minimum,  
21 the review must determine how closely and appropriately each of the  
22 following elements reflects and provides financing for costs beyond  
23 the control of school districts:

24 (1) adjustments for costs related to the geographic  
25 variation in known resource costs and costs of education,  
26 controlling for the impact of unequalized wealth and hold-harmless  
27 provisions, and properly reflecting the impact of high  
28 concentrations of poverty on the compensation that school districts  
29 must pay to attract and retain teachers of comparable or

1 appropriate quality;  
2 (2) adjustments for costs related to the size and  
3 diseconomies of scale of school districts;  
4 (3) adjustments for costs related to the varying  
5 instructional needs and characteristics of students and the extent  
6 to which the adjustments provide each student with access to  
7 programs and services that are appropriate to the student's  
8 educational needs;  
9 (4) other factors, in addition to economic status,  
10 that correlate to at-risk status and the need for compensatory  
11 education, and the degree to which those factors correspond to  
12 additional educational costs; and  
13 (5) the manner in which the cost adjustments are  
14 applied to and affect the overall school finance system.  
15 (c) The review of the adjustments described in Subsection  
16 (b)(1) must:  
17 (1) address all uncontrollable costs that can  
18 reasonably be quantified;  
19 (2) consider the qualifications, experience, and  
20 turnover rate of personnel and the impact of those factors on  
21 student achievement in considering the adequacy and comparability  
22 of salaries;  
23 (3) properly address the impact of factors that have a  
24 large impact on certain types of school districts, such as extreme  
25 isolation, regardless of general state impact;  
26 (4) include only factors for which a rational economic  
27 argument can be made;  
28 (5) be carefully constructed to make sure that a cost  
29 factor does not significantly affect more than one variable; and  
30 (6) not be artificially adjusted to meet predetermined  
31 outcomes and must not use arbitrary limits.



1       (d) In determining whether any additional weights,  
2 allotments, and adjustments are appropriate under the public school  
3 finance system, the agency shall include consideration of an  
4 additional weight for educational services provided to students in  
5 prekindergarten on a half-day basis and on a full-day basis.

6       (e) The agency may contract with one or more consultants if  
7 necessary to enable the agency to perform its duties under this  
8 section.

9       (f) The Legislative Budget Board, the comptroller, the  
10 state auditor, and any other state agency, official, or personnel  
11 shall cooperate with the agency in carrying out its duties under  
12 this section.

13       (g) Not later than September 1, 2018, the agency shall  
14 provide to the legislature, the Legislative Budget Board, the  
15 comptroller, and the state auditor a report that:

16               (1) states the findings of the review conducted under  
17 this section; and

18               (2) includes recommendations for updated weights,  
19 allotments, and adjustments and any other statutory changes  
20 considered appropriate by the agency.

21       (h) This section expires January 1, 2019.





17 APR 17 PM 2:13  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Nevarez

- 1 Amend C.S.H.B. 21 (house committee report) as follows:
- 2 (1) On page 19, strike lines 11-15, and substitute the
- 3 following:
- 4 Sec. 42.455. FUNDING LIMIT. The amount of grants awarded by
- 5 the commissioner under this subchapter may not exceed \$200 million
- 6 or a greater amount provided by appropriation.
- 7 (2) On page 19, line 26, strike "2019" and substitute
- 8 "2018".



17 APR 17 PM 2:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Nevárez

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) On page 7, strike lines 8-9, and substitute the  
3 following:

4 SECTION 11. Section 42.101, Education Code, is amended by  
5 amending Subsection (a) and adding Subsection (a-3) to read as  
6 follows:

7 (2) On page 7, line 10, strike "For" and substitute "Subject  
8 to adjustment under Subsection (a-3), for [For]".

9 (3) On page 7, following line 27, insert the following:

10 (a-3) Beginning with the 2019-2020 school year, the basic  
11 allotment provided to a district under Subsection (a) or (b) is  
12 adjusted annually to increase the allotment by the greater of:

13 (1) one percent of the amount of the allotment for the  
14 preceding school year; or

15 (2) the amount that results from applying the  
16 inflation rate, as determined by the comptroller on the basis of  
17 changes in the United States Bureau of Labor Statistics Consumer  
18 Price Index for All Urban Consumers, to the allotment for the  
19 preceding school year.



17 APR 17 PM 2:12  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_ BY: Nevarez

1 Amend C.S.H.B. No. 21 (house committee printing) as follows:

2 (1) Add the following appropriately numbered SECTIONS to  
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Section 7.062(c), Education Code, is amended  
5 to read as follows:

6 (c) Except as otherwise provided by this subsection, if the  
7 commissioner certifies that the amount appropriated for a state  
8 fiscal year for purposes of Subchapters A and B, Chapter 46, exceeds  
9 the amount to which school districts are entitled under those  
10 subchapters for that year, the commissioner shall use the excess  
11 funds, in an amount not to exceed \$20 million in any state fiscal  
12 year, for the purpose of making grants under this section. The use  
13 of excess funds under this subsection has priority over any  
14 provision of Chapter 42 that permits or directs the use of excess  
15 foundation school program funds, including Sections [42.2517,]  
16 42.2521, 42.2522, and 42.2531. The commissioner is required to use  
17 excess funds as provided by this subsection only if the  
18 commissioner is not required to reduce the total amount of state  
19 funds allocated to school districts under Section 42.253(h).

20 SECTION \_\_\_\_\_. Section 42.102, Education Code, is amended by  
21 amending Subsection (a) and adding Subsection (c) to read as  
22 follows:

23 (a) The basic allotment for each school district is adjusted  
24 to reflect the [~~geographic variation in known resource costs and~~  
25 costs of education for [~~due to factors beyond the control of~~] the  
26 school district using the updated cost of education index provided  
27 under Subsection (c).

28 (c) Based on a statistical analysis conducted by the  
29 Legislative Budget Board to determine for each school district the

1 current geographic variation in known resource costs and costs of  
2 education due to factors beyond the control of the district, the  
3 commissioner shall update the cost of education index used for  
4 purposes of this section during the 2016-2017 school year. The  
5 updated index shall be used for purposes of this section beginning  
6 with the 2017-2018 school year. Subsequently, the commissioner  
7 periodically may request more current statistical analysis from the  
8 Legislative Budget Board and further update as needed the cost of  
9 education index used for purposes of this section.

10 (2) On page 20, between lines 19 and 20, add the following  
11 appropriately numbered subdivision and renumber the subsequent  
12 subdivisions accordingly:

13 (\_\_\_\_) Section 42.102(b);

14 (3) On page 20, line 22, strike "and".

15 (4) On page 20, line 23, strike the period and substitute "  
16 and".

17 (5) On page 20, between lines 23 and 24, add the following  
18 appropriately numbered subdivision:

19 (\_\_\_\_) Section 42.2517.



17 APR 17 PM 3:59  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. 21 (house committee printing) on page 7, lines  
2 16 and 18, by striking "\$4,765" in each instance it appears and  
3 substituting "\$5,140 [~~\$4,765~~]".



17 APR 17 PM 4:28  
HOUSE OF REPRESENTATIVES

*E Rodriguez*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

1 Amend C.S.H.B. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter C, Chapter 42, Education Code, is  
5 amended by adding Section 42.1531 to read as follows:

6 Sec. 42.1531. LANGUAGE ACQUISITION ALLOTMENT FOR STUDENTS  
7 WHO ARE DEAF OR HARD OF HEARING. (a) For each student in average  
8 daily attendance who is deaf or hard of hearing and is found to be  
9 reading at a level below the age-appropriate reading level for a  
10 student without a disability, a school district is entitled to an  
11 annual allotment equal to the adjusted basic allotment multiplied  
12 by 0.2.

13 (b) Funds allocated under this section, other than an  
14 indirect cost allotment established under State Board of Education  
15 rule, must be used in providing programs to assist students who are  
16 deaf or hard of hearing in acquiring age-appropriate language  
17 skills.

18 (c) A school district's allocation under this section may be  
19 used only for program and student evaluation, instructional  
20 materials and equipment, staff development, supplemental staff  
21 expenses, salary supplements for teachers, and other supplies  
22 required for quality instruction and for reporting information  
23 regarding student progress as required by commissioner rule.

24 (d) A school district may receive funding for a student  
25 under this section and Section 42.151 if the student satisfies the  
26 requirements of both sections.





17 APR 17 PM 4:09  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Springer

Amend C.S.H.B. 21 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 42, Education Code, is amended by adding Section 42.1041 to read as follows:

Sec. 42.1041. INELIGIBILITY FOR SMALL OR MID-SIZED DISTRICT ADJUSTMENT OR SPARSITY ADJUSTMENT. (a) This section applies only to a school district that:

(1) borders the Red River; and

(2) has a student enrollment of less than 90, with more than 50 percent of the enrollment consisting of students who have transferred from another school district.

(b) Notwithstanding Section 42.103, 42.104, or 42.105, a school district to which this section applies is ineligible for an adjustment under Section 42.103 or 42.105 for any school year during which the district:

(1) issues bonds for the construction of a new instructional facility on property more than 5 miles from a property that before the issuance of the bonds was owned by the district and was the location of an instructional facility for the previous 5 years; or

(2) makes payments on bonds described by Subdivision

(1).



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Springer

1 Amend C.S.H.B. No. 21 (house committee printing) by adding  
2 the following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter E, Chapter 42, Education Code, is  
5 amended by adding Section 42.25162 to read as follows:

6 Sec. 42.25162. ADDITIONAL STATE AID FOR DISTRICTS THAT ARE  
7 ONLY DISTRICT IN COUNTY. Notwithstanding any other provision of  
8 this title, if a school district that received additional state aid  
9 under Section 42.2516 for the 2016-2017 school year is the only  
10 school district located and operating in a county, the commissioner  
11 shall provide the district with additional state aid in the amount  
12 the district would have been provided under former Section 42.2516,  
13 as that section existed on January 1, 2017. A district receiving  
14 additional state aid under this section is not eligible to receive a  
15 grant under Subchapter H.



17 APR 17 PM 4:44

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Springer

Amend C.S.H.B. No. 21 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.25162 to read as follows:

Sec. 42.25162. ADDITIONAL STATE AID FOR CERTAIN SCHOOL DISTRICTS. Notwithstanding any other provision of this title, if the amount of state aid that would have been provided for the current school year to a school district under Section 42.2516, as that section existed on January 1, 2017, is equal to or greater than 10 percent of the district's total budget for the current school year, the commissioner shall provide the district with additional state aid in an amount not less than 50 percent of the amount that the district would have been provided for the current school year under Section 42.2516, as that section existed on January 1, 2017.



17 APR 17 PM 2:14

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: 

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 42.158(b) and (d-1), Education Code,  
5 are amended to read as follows:

6 (b) For the first school year in which students attend a new  
7 instructional facility, a school district is entitled to an  
8 allotment of \$1,000 [~~\$250~~] for each student in average daily  
9 attendance at the facility. For the second school year in which  
10 students attend that instructional facility, a school district is  
11 entitled to an allotment of \$1,000 [~~\$250~~] for each additional  
12 student in average daily attendance at the facility.

13 (d-1) In addition to the appropriation amount described by  
14 Subsection (d), the amount of \$1 million may be appropriated each  
15 school year to supplement the allotment to which a school district  
16 is entitled under this section that may be provided using the  
17 appropriation amount described by Subsection (d). The commissioner  
18 shall first apply the funds appropriated under this subsection to  
19 prevent any reduction under Subsection (d) in the allotment for  
20 attendance at an eligible high school instructional facility,  
21 subject to the maximum amount of \$1,000 [~~\$250~~] for each student in  
22 average daily attendance. Any funds remaining after preventing all  
23 reductions in amounts due for high school instructional facilities  
24 may be applied proportionally to all other eligible instructional  
25 facilities, subject to the maximum amount of \$1,000 [~~\$250~~] for each  
26 student in average daily attendance.

27 SECTION \_\_\_\_\_. A school district that is entitled under  
28 Section 42.158, Education Code, to receive funding in the 2017-2018  
29 school year for the second year of student attendance at a new

1 instructional facility is entitled for that year to the amount  
2 provided for the second year of student attendance as a result of  
3 the changes in law made by this Act.



17 APR 17 PM 12:47  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Stephanie Thompson

1 Amend C.S.H.B. 21 (house committee printing) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter E, Chapter 42, Education Code, is  
5 amended by adding Section 42.2541 to read as follows:

6 Sec. 42.2541. ESTIMATED PROJECTIONS. (a) In this section,  
7 "equivalent equalized wealth level" means an equalized wealth level  
8 for a state fiscal biennium that results in approximately the same  
9 number of school districts that are required to take action under  
10 Chapter 41 to reduce wealth as the number of school districts that  
11 were required to take that action during the preceding state fiscal  
12 biennium.

13 (b) Not later than November 1 of each even-numbered year,  
14 the agency shall:

15 (1) submit to the legislature a projection for an  
16 equivalent equalized wealth level for the following biennium based  
17 on the agency's estimate of:

18 (A) student enrollment under Section  
19 42.254(a)(1); and

20 (B) the comptroller's estimate of any increase in  
21 total taxable value of all property in the state under Section  
22 42.254(a)(2); and

23 (2) provide projections for the equalized funding  
24 elements under Section 42.007 for the following biennium as  
25 necessary to achieve the equivalent equalized wealth level  
26 projected under Subdivision (1).



17 APR 17 PM 12:47  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: *Stephanie Thompson*

1 Amend C.S.H.B. 21 (house committee printing) by adding the  
2 following appropriately numbered SECTION and renumbering  
3 subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_ . Section 42.2522, Education Code, is amended by  
5 adding Subsection (f) to read as follows:

6 (f) Subsection (a) does not apply to a school district that  
7 is prohibited by Section 11.13(n-1), Tax Code, from reducing the  
8 amount of or repealing an exemption adopted under Section 11.13(n),  
9 Tax Code, and the commissioner shall provide funding under this  
10 chapter based on the district's taxable value of property computed  
11 in accordance with Section 403.302(d)(2), Government Code. This  
12 subsection expires December 31, 2019.



FLOOR AMENDMENT NO. \_\_\_\_\_

17 APR 17 PM 4:41 BY: Uresti  
HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) On page 18, strike lines 20-23, and substitute the  
3 following:

4 (2) use a maintenance and operations tax rate ("TR") of \$1  
5 for the South Texas Independent School District and each  
6 special-purpose school district established under Subchapter H,  
7 Chapter 11; and

8 (2) On page 19, strike lines 4-6, and substitute the  
9 following:

10 Sec. 42.453. OPEN-ENROLLMENT CHARTER SCHOOL NOT ELIGIBLE.  
11 An open-enrollment charter school is not eligible for a grant  
12 under this subchapter.





FLOOR AMENDMENT NO. \_\_\_\_\_

17 APR 17 PM 4:41

BY: Uresti

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 21 (house committee report) as follows:

2 (1) Add the following appropriately numbered SECTION and  
3 renumber subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Subchapter D, Chapter 12, Education Code, is  
5 amended by adding Section 12.1062 to read as follows:

6 Sec. 12.1062. STATE FUNDING PROHIBITED. Notwithstanding  
7 any other provision of this title or other law, the commissioner  
8 may not provide state funding to an open-enrollment charter  
9 school. An open-enrollment charter school may charge tuition.

10 (2) On page 18, strike lines 20-23, and substitute the  
11 following:

12 (2) use a maintenance and operations tax rate ("TR") of \$1  
13 for the South Texas Independent School District and each  
14 special-purpose school district established under Subchapter H,  
15 Chapter 11; and

16 (3) On page 20, between lines 13 and 14, insert the  
17 following appropriately numbered subdivision and renumber  
18 subsequent subdivisions of SECTION 24 of the bill accordingly:

19 ( ) Section 12.106;



17 APR 17 PM 3:57  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: WALLE

1 Amend C.S.H.B. No. 21 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 42.152(a) and (c), Education Code,  
5 are amended to read as follows:

6 (a) For each student who is educationally disadvantaged or  
7 who is a student who does not have a disability and resides in a  
8 residential placement facility in a district in which the student's  
9 parent or legal guardian does not reside, a district is entitled to  
10 an annual allotment equal to the adjusted basic allotment  
11 multiplied by 0.25 [~~0.2~~], and by 2.41 for each full-time equivalent  
12 student who is in a compensatory, intensive, or accelerated  
13 [~~remedial and support~~] program under Section 29.081 because the  
14 student is pregnant.

15 (c) Funds allocated under this section shall be used to fund  
16 supplemental programs and services designed to eliminate any  
17 disparity in performance on assessment instruments administered  
18 under Subchapter B, Chapter 39, or disparity in the rates of high  
19 school completion between students at risk of dropping out of  
20 school, as defined by Section 29.081, and all other students.  
21 Specifically, the funds, other than an indirect cost allotment  
22 established under State Board of Education rule, which may not  
23 exceed 25 [~~45~~] percent, may be used to meet the costs of providing a  
24 compensatory, intensive, or accelerated instruction program under  
25 Section 29.081 or a disciplinary alternative education program  
26 established under Section 37.008, to pay the costs associated with  
27 placing students in a juvenile justice alternative education  
28 program established under Section 37.011, or to support a program  
29 eligible under Title I of the Elementary and Secondary Education

1 Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent  
2 amendments, and by federal regulations implementing that Act, at a  
3 campus at which at least 40 percent of the students are  
4 educationally disadvantaged. In meeting the costs of providing a  
5 compensatory, intensive, or accelerated instruction program under  
6 Section 29.081, a district's compensatory education allotment  
7 shall be used for costs supplementary to the regular education  
8 program, such as costs for program and student evaluation,  
9 instructional materials and equipment and other supplies required  
10 for quality instruction, supplemental staff expenses, salary for  
11 teachers of at-risk students, smaller class size, and  
12 individualized instruction. A home-rule school district or an  
13 open-enrollment charter school must use funds allocated under  
14 Subsection (a) for a purpose authorized in this subsection but is  
15 not otherwise subject to Subchapter C, Chapter 29. For purposes of  
16 this subsection, a program specifically designed to serve students  
17 at risk of dropping out of school, as defined by Section 29.081, is  
18 considered to be a program supplemental to the regular education  
19 program, and a district may use its compensatory education  
20 allotment for such a program.