

Issue Docket

Conference Committee on House Bill 1

2020-21 General Appropriations Bill

Article III - Public Education

703 TEXAS EDUCATION AGENCY

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
	III-1	III-1		
Technical Adjustments				
Rider 11, Reimbursement of Advisory Commission Members	III-8 Rider #11	III-8 Rider #11		Add the Texas Early Learning Council to the list of advisory committees for which reimbursement of expenses is allowed, and add federal funds as an allowable method of finance for reimbursement.
Conforming change to Rider 56, Adult Charter School	III-20 Rider #56 Rider Packet, page III-9	III-20 Rider #56 Rider Packet, page III-9		Incorporate language restricting funding to programs authorized in 2014 and providing intra-biennium unexpended balance authority that was mistakenly left out of the Senate bill.
Number of Full-Time-Equivalents (FTEs)	939.0	945.0		
Cross-Strategy Issue				
				<p>Texas Safe and Healthy Schools Initiative - House provides \$54.5 million in All Funds and 6.0 FTEs across all strategies for this item, including the following components: (1) mental health supports and positive school culture (\$37.0 million and 6.0 FTEs); (2) facility safety and hardening (\$10.0 million); (3) emergency response coordination and auditing (\$2.5 million); and (4) school health and safety pilot grants (\$5.0 million).</p> <p>The Senate version of the supplemental bill includes \$100.0 million from the Economic Stabilization Fund for school hardening.</p>
Schedule of Exempt Positions	261,152	234,678		

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Appropriations Made in Riders	\$ 9,000,000,000	\$ 8,700,000,000	\$ 300,000,000	<p>Both chambers provide an additional \$9.0 billion for public education. However, the Senate provides \$300.0 million of the \$9.0 billion to the Teacher Retirement System (TRS) for the benefits associated with their across-the-board salary increase. See TRS issue docket.</p> <p>The House adds a rider providing new funding: Rider 77, Additional Foundation School Program Funds for House Bill 3, or Other Legislation Increasing the State Share, Enhancing School District Entitlement, Reducing Recapture, and Providing Tax Relief.</p> <p>The Senate adds three TEA riders providing new funding: Rider 80, Contingent Appropriation for Additional Public Education Funding, Rider 81, Contingent Appropriation Providing Property Tax Relief, and Rider 82, Contingent Appropriation of \$4.0 billion for Senate Bill 3 Classroom Teacher and School Librarian Salary Increases.</p>
A.1.1 FSP - EQUALIZED OPERATIONS	\$ 41,818,900,000	\$ 42,459,400,000	\$ 640,500,000	<p>a. The House version of the supplemental bill includes \$636.0 million in Economic Stabilization Funds for estimated 2020-21 FSP costs related to ongoing depressed property values due to Hurricane Harvey.</p> <p>The Senate version funds these costs with General Revenue in HB 1.</p> <p>b. The Senate increases New Instructional Facilities Allotment funding by \$4.5 million to the annual statutory maximum of \$26.0 million.</p>
A.2.1 STATEWIDE EDUCATIONAL PROGRAMS	\$ 258,460,874	\$ 263,660,874	\$ 5,200,000	<p>a. The Senate provides \$2.2 million in additional funding for the Texas Advanced Placement Initiative for a total of \$18.5 million in the biennium.</p> <p>b. The Senate provides \$3.0 million in additional funding for P-TECH for a total of \$8.0 million in the biennium.</p>
A.2.2 ACHIEVEMENT OF STUDENTS AT RISK	\$ 3,179,342,332	\$ 3,180,042,332	\$ 700,000	<p>The Senate provides \$0.7 million in additional funding for Amachi for a total of \$2.0 million in the biennium.</p>

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
A.2.4 SCHOOL IMPROVEMENT & SUPPORT PGMS	\$ 524,201,520	\$ 514,301,520	\$ 9,900,000	a. The House provides \$10.0 million in additional funding for Communities in Schools for a total of \$41.0 million in the biennium. b. The Senate provides \$0.1 million in additional funding for Best Buddies for a total of \$0.5 million in the biennium.
B.2.2 HEALTH AND SAFETY	\$ 74,993,206	\$ 22,493,206	\$ 52,500,000	See Cross-Strategy Issue.
B.2.4 WINDHAM SCHOOL DISTRICT	\$ 104,365,440	\$ 110,626,376	\$ 6,260,936	The Senate provides \$6.3 million in additional funding for Windham program expansion.
B.3.1 IMPROVING EDUCATOR QUALITY/LDRSP	\$ 382,323,389	\$ 382,573,389	\$ 250,000	The House provide a reduction of \$0.3 million for Educator Quality and Leadership.
B.3.2 AGENCY OPERATIONS	\$ 137,408,717	\$ 135,908,717	\$ 1,500,000	See Cross-Strategy Issue
B.3.5 INFORMATION SYSTEMS - TECHNOLOGY	\$ 79,211,328	\$ 78,142,828	\$ 1,068,500	a. The Senate provides a reduction of \$0.6 million and an increase of 12.0 FTEs to move currently certainly outsourced software maintenance services in-house to TEA. b. See Cross-Strategy Issue
Foundation School Program Funding	III-5 Rider #3 Rider Packet, page III-1	III-5 Rider #3 Rider Packet, page III-1		a. The Senate rider provides additional detail regarding the estimates used for the FSP and local tax rates. b. The Senate rider authorizes TEA to transfer FSP funds from fiscal year 2021 to fiscal year 2020 without prior approval.
State Level Professional Development for School Personnel and Portents of Students with Autism	III-8 Rider #10 Rider Packet, page III-3	III-8 Rider #10 Rider Packet, page III-3		The Senate rider specifies that state level professional development shall include a focus on identification of students with autism.
Regional Education Service Center Dyslexia and Related Disorders Coordinators	III-12 Rider #29 Rider Packet, page III-3	III-12 Rider #29 Rider Packet, page III-3		The Senate rider specifies that the joint program of coordinators for dyslexia and related disorders shall include as a required element the proper identification of students with dyslexia.

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Capital Budget Expenditures from Federal and Other Funding Sources	III-15 Rider #39 Rider Packet, page III-4	III-15 Rider #39 Rider Packet, page III-4		The House rider provides TEA with the authority to make capital purchases not identified in its capital budget when funds are from an external source and are designated for a capital purpose. The Senate rider allows this authority only for projects related to the revision of major state data systems.
Educator Quality and Leadership	III-15 Rider #41 Rider Packet, page III-4	III-15 Rider #41 Rider Packet, page III-4		The House rider adds micro-credential certification programs as an allowable use of funds.
Early Childhood School Readiness Program	III-16 Rider #42 Rider Packet, page III-5	III-16 Rider #42 Rider Packet, page III-5		The House rider changes the due date of the required report from October 1 to December 1 of each year.
Student Success Initiative/Community Partnerships	III-17 Rider #43 Rider Packet, page III-7	III-16 Rider #43 Rider Packet, page III-7		<p>a. The House rider specifies that the Commissioner shall award grants to schools with higher percentages of students who do not perform satisfactorily, as determined by local districts. The Senate retains language specifying that the Commissioner shall award grants to schools with high percentages of students who do not perform satisfactorily on relevant state assessments.</p> <p>b. The House specifies that the Commissioner shall not base a determination about issuing awards solely on standardized test scores.</p>
Open Education Resource Instructional Materials	III-20 Rider #57 Rider Packet, page III-8	III-20 Rider #57 Rider Packet, page III-8		The House rider adds dual credit courses as one of the subject areas to be prioritized and states that the Commissioner of Education shall collaborate with the Commissioner of Higher Education to ensure that that the rigor level of any state-developed open education resource instructional materials for dual credit courses is reflective of collegiate expectations.
Literacy Achievement Academies	III-21 Rider #61 Rider Packet, page III-9	III-21 Rider #61 Rider Packet, page III-9		The Senate rider specifies that the curriculum for the academies shall include the identification of students with dyslexia.

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Public Education State Funding Transparency	III-23 Rider #67 Rider Packet, page III-9	III-23 Rider #67 Rider Packet, page III-9		The House rider adds additional elements that are required to be included in the report. The House rider also specifies that the report shall include an evaluation of a longer time frame and specifies that recapture revenue should be included as a portion of the local share of the cost of education.
Funding for Special Education Strategic Plan FTEs	III-24 Rider #72 Rider Packet, page III-11	III-24 Rider #72 Rider Packet, page III-11		The Senate rider specifies that in a manner consistent with the federally approved Special Education Strategic Plan, the Texas Education Agency shall ensure that the FTEs provide the services necessary to support the identification and evaluation of students with autism and students with dyslexia.
Report on the Effectiveness of Certain TEA Programs		III-24 Rider #74 Rider Packet, page III-11		The Senate includes a rider requiring TEA to report on the effectiveness of programs that are funded by the state and administered by non-governmental organizations.
Special Education Supports	III-25 Rider #75 Rider Packet, page III-13	III-25 Rider #75 Rider Packet, page III-13		The House rider adds the following as allowable uses: 1. Providing extended school year services for students receiving special education; 2. Costs relating to identification of students needing special education, including full individual and initial evaluations and independent educational evaluations.
Provision of Information on Special Education to the Legislative Budget Board		III-24 Rider #75 Rider Packet, page III-14		The Senate includes a rider requiring TEA to provide the LBB with information sufficient to facilitate a report on the status and funding of special education services.
Additional Foundation School Program Funds for House Bill 3, or Other Legislation Increasing the State Share, Enhancing School District Entitlement, Reducing Recapture, and Providing Tax Relief	III-26 Rider #77 Rider Packet, page III-15			The House adds rider with \$9.0 billion in new funding contingent on House Bill 3, or other legislation achieving the goals listed in the rider's title. The rider specifies that at least \$2.7 billion of the rider shall be used to provide property tax relief. See Appropriations Made in Riders section above.
Foundation School Program Estimated Methods of Finance	III-26 Rider #78 Rider Packet, page III-16			The House includes a rider providing information on FSP methods of finance.

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Reporting on Charter School Facilities	III-27 Rider #79 Rider Packet, page III-17			The House includes a rider requiring TEA to maintain a report on each facility owned or leased by open-enrollment charter schools.
Evaluation of Processes Related to the Enrollment of Students with a Delinquent or Provisional Immunization Status	III-27 Rider #80 Rider Packet, page III-17			The House includes a rider requiring TEA to evaluate the school enrollment process for students who have a delinquent or provisional immunization status.
Expanded Learning	III-27 Rider #81 Rider Packet, page III-18			The House includes a rider requiring TEA to use existing administrative funds to consult with an external entity to develop best practices and make recommendations related to expanded learning opportunities.
Federally Funded Capital Projects	III-27 Rider #82 Rider Packet, page III-19			The House includes a rider providing TEA with the authority to transfer from a non-capital budget item to an existing capital budget item or new capital budget item if the project is 100 percent federally funded, contingent on approval from the LBB and Governor's Office.
Grants for Students with Autism	III-27 Rider #83 Rider Packet, page III-20	III-25 Rider #77 Rider Packet, page III-20		The Senate rider includes interactive technology as an allowable use of funds.
Grants for Students with Dyslexia	III-27 Rider #84 Rider Packet, page III-20			The House includes an informational rider specifying that \$10.0 million of Strategy A.2.3, Students with Disabilities is to be used for innovative services for students with dyslexia.
Foundation School Program Funding for Projected Student Enrollment Growth and Guaranteed Yield Growth		III-25 Rider #78 Rider Packet, page III-16		The Senate adds an informational rider specifying the cost of enrollment growth and the Austin ISD yield.
Contingent Appropriation for Additional Public Education Funding		III-25 Rider #80 Rider Packet, page III-18		The Senate adds a rider specifying that in addition to other amounts, \$2.3 billion in General Revenue is appropriated contingent on legislation making changes to the school finance system. See Appropriations Made in Riders section above.

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Contingent Appropriation Providing Property Tax Relief		III-25 Rider #81 Rider Packet, page III-18		The Senate adds a rider specifying that \$2.7 billion is appropriated to provide property tax relief and reduce reliance on recapture, contingent on legislation. See Appropriations Made in Riders section above.
Contingent Appropriation of \$4.0 billion for Senate Bill 3 Classroom Teacher and School Librarian Salary Increases		III-25 Rider #82 Rider Packet, page III-18		The Senate adds a rider appropriating \$3.7 billion for classroom teacher and school librarian, contingent on enactment of legislation. The rider also specifies that an additional \$0.3 billion for benefits associated with the salary increases is included in Teacher Retirement System appropriations. See Appropriations Made in Riders section above.

771 SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
	III-28	III-26		
Number of Full-Time-Equivalents (FTEs)	373.9	367.9		
Schedule of Exempt Positions	162,543	142,159		
Cross-Strategy Issue	\$ 338,273	\$ 641,287	\$ 303,014	Direct Care Staff Salary Increase Funding for pay raises for residential specialists, teacher aides, and nurses. House provides \$338,273 in General Revenue for 2.8 percent raise each fiscal year. Senate provides \$641,287 in General Revenue for 5.0 percent raise in fiscal year 2020.
A.1.1 CLASSROOM INSTRUCTION	\$ 12,625,517	\$ 12,689,140	\$ 63,623	See Cross-Strategy Issue
A.1.2 RESIDENTIAL PROGRAM	\$ 7,305,566	\$ 7,475,827	\$ 170,261	See Cross-Strategy Issue
A.1.3 SHORT-TERM PROGRAMS	\$ 3,692,756	\$ 3,701,970	\$ 9,214	See Cross-Strategy Issue
A.1.4 RELATED AND SUPPORT SERVICES	\$ 10,262,696	\$ 9,569,112	\$ 693,584	a. House adds 753,500 in Economic Stabilization Funds for campus safety and security, including equipment, physical infrastructure upgrades, and cybersecurity hardware and software. Senate provides school hardening funding through the Senate version of the supplemental bill. b. See Cross-Strategy Issue
D.1.1 CENTRAL ADMINISTRATION	\$ 5,163,449	\$ 4,431,007	\$ 732,442	House provides \$732,442 in General Revenue and 6.0 FTEs for CAPPs conversion.
Campus Safety and Security Funding	III-31 Rider 7 Rider Packet, page III-21			House adds rider identifying new campus and safety funding.
Salary Increases for Direct Care Employees		III-29 Rider 7 Rider Packet, page III-21		Senate adds rider identifying new funding for salary increases and prohibiting its use for other purposes.

772 SCHOOL FOR THE DEAF

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
	III-31	III-29		
Number of Full-Time-Equivalents (FTEs)	448.0	445.1		
Schedule of Exempt Positions	165,758	148,908		
Cross-Strategy Issue 1		\$ 317,507	\$ 317,507	Special Education Staff Senate provides in General Revenue and 3.0 FTEs for additional special education teaching and direct services staff.
Cross-Strategy Issue 2		\$ 275,000	\$ 275,000	Furniture Senate provides in General Revenue for furniture for student dorms, classrooms, the Toddler Learning Center, and Central Services Building.
Cross-Strategy Issue 3	\$ 329,795	\$ 580,788	\$ 250,993	Direct Care Staff Salary Increase Funding for pay raises for bus drivers, day and night residential educators, cafeteria staff, behavior support staff, teacher aides, security staff, and IT staff. House provides \$329,795 in General Revenue for 2.8 percent raise each fiscal year. Senate provides \$580,788 in General Revenue for 5.0 percent raise in fiscal year 2020.
Cross-Strategy Issue 4	\$ 1,053,540		\$ 1,053,540	Campus Safety and Security House provides \$718,540 in General Revenue and 5.9 FTEs for campus safety staff and \$335,000 in Economic Stabilization Funds for security infrastructure upgrades. Senate provides school hardening funding through the Senate version of the supplemental bill. For more information on school safety funding, see TEA Issue Docket.
A.1.1 CLASSROOM INSTRUCTION	\$ 17,605,708	\$ 17,809,531	\$ 203,823	See Cross-Strategy Issues 1, 2, and 3
A.1.2 RESIDENTIAL PROGRAM	\$ 8,362,571	\$ 8,582,784	\$ 220,213	See Cross-Strategy Issues 2 and 3
A.1.3 RELATED AND SUPPORT SERVICES	\$ 11,680,590	\$ 11,813,697	\$ 133,107	See Cross-Strategy Issues 1, 3, and 4

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
A.1.5 STUDENT TRANSPORTATION	\$ 4,536,166	\$ 4,600,102	\$ 63,936	<p>a. Senate adds \$45,000 in General Revenue for transportation items, including \$20,000 for a utility truck and \$25,000 in additional funding for one school bus. Senate funding for transportation items totals \$270,000 for 2020-21.</p> <p>House funding for transportation items totals \$225,000 in General Revenue for 2020-21.</p> <p>b. See Cross-Strategy Issue 3</p>
B.1.2 STATEWIDE OUTREACH PROGRAMS	\$ 2,811,649	\$ 2,836,649	\$ 25,000	See Cross-Strategy Issue 2
D.1.1 CENTRAL ADMINISTRATION	\$ 3,487,390	\$ 3,587,390	\$ 100,000	See Cross-Strategy Issue 2
D.1.2 OTHER SUPPORT SERVICES	\$ 4,772,695	\$ 3,861,576	\$ 911,119	See Cross-Strategy Issue 3 and 4
D.1.3 FACILITY CONSTRUCT., REPAIR & REHAB	\$ 14,325,756	\$ 9,965,646	\$ 4,360,110	<p>a. House provides \$9,258,959 in Economic Stabilization Funds for renovation of the Seeger Gymnasium.</p> <p>Senate provides \$4,898,849 in General Revenue for rehabilitation of the Clinger Multipurpose Activity Space.</p> <p>b. House and Senate provide \$2,277,913 for career and technology classroom expansion and \$2,788,884 for campus traffic circulation improvements. House provides Economic Stabilization Funds; Senate provides General Revenue.</p>
Campus Safety and Security Funding	III-34 Rider 5 Rider Packet, page III-22			House adds rider identifying new campus and safety funding.
Contingency for Behavioral Health Funds	III-34 Rider 6 Rider Packet, page III-22			House adds a new rider requiring that TSD expenditure for 1.0 mental health counselor comply with requirements related to the statewide behavioral health strategic plan.

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Transfer of Funds to the Texas Facilities Commission	III-34 Rider 7 Rider Packet, page III-24	III-34 Rider 7 Rider Packet, page III-24		Both House and Senate specify that construction funding shall be transferred to the Texas Facilities Commission. The riders vary because of chambers provided different levels of construction funding.
Funding for Special Education Teaching and Direct Student Services Staff		III-32 Rider 6 Rider Packet, page III-23		Senate adds rider identifying new funding for salary increases and prohibiting its use for other purposes.
Salary Increase for Direct Care Employees		III-32 Rider 7 Rider Packet, page III-24		Senate adds rider identifying new funding for salary increases and prohibiting its use for other purposes.

323 TEACHER RETIREMENT SYSTEM

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
<p>Significant Funding Issue - Actuarial Soundness and Supplemental Annuity Payment</p>	<p>III-36</p>	<p>III-34</p>		<p>Both the House and Senate versions of SB 500 include funding to restore actuarial soundness and provide a supplemental annuity payment to certain retirees.</p> <p>Actuarial Soundness House provides \$684,000,000 in General Revenue in the House version of SB 500 to increase the current 6.8 percent state contribution rate by 1.0 percent in fiscal year 2020 and 1.25 percent in fiscal year 2021. Combined with appropriations in House Bill 1, House state retirement contributions for 2020-21 total \$4,799,605,470 in All Funds based on total contribution rates of 7.8 percent in 2020 and 8.05 percent in 2021.</p> <p>Senate provides \$347,000,000 in Economic Stabilization Funds in the Senate version of SB 500 to increase the current 6.8 percent state contribution rate by 0.45 percent in fiscal year 2020 and 0.7 percent in fiscal year 2021. Combined with strategy and rider appropriations in House Bill 1, Senate state retirement contributions for 2020-21 total \$4,462,605,470 in All Funds based on total contribution rates of 7.25 percent in 2020 and 7.5 percent in 2021.</p> <p>Supplemental Annuity Payment House provides \$658,210,000 in Economic Stabilization Funds in the House version of SB 500 to provide a supplemental annuity payment equal to the lesser of \$2,400 or a retiree's regular annuity payment.</p> <p>Senate provides \$195,000,000 in Economic Stabilization Funds in the Senate version of SB 500 to provide a supplemental annuity payment equal to the lesser of \$500 or a retiree's regular annuity payment.</p>

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
Appropriations Made in Riders	\$ -	\$ 293,179,373	\$ 293,179,373	<p>Senate provides \$247,725,054 in General Revenue for additional public education state retirement contributions and \$45,454,319 in General Revenue for TRS-Care statutory state contributions, contingent upon the passage of Senate Bill 3, or similar legislation providing teacher and librarian salary increases. Senate provides a total of \$3,994,852,637 in public education state retirement contributions and \$924,813,896 in TRS-Care statutorily required state contributions.</p> <p>House provides a total of \$3,747,127,583 in public education state retirement contributions and \$879,359,577 in TRS-Care statutorily required state contributions.</p>
A.3.1 RETIREE HEALTH - SUPPLEMENTAL FUNDS	\$ 230,756,971	\$ 230,756,971		\$230,756,971 in funding provided to maintain plan year 2019 TRS-Care premiums and benefit levels in 2020-21 biennium. House provides Economic Stabilization Funds; Senate provides General Revenue.
State Contribution to Teacher Retirement Program	III-38 Rider 4 Rider Packet, page III-24	III-38 Rider 4 Rider Packet, page III-24		Senate includes contingency language for Senate Bill 3.
State Contribution to Texas Public School Retired Employees Group Insurance Program	III-38 Rider 5 Rider Packet, page III-25	III-38 Rider 5 Rider Packet, page III-25		Senate includes contingency language for Senate Bill 3.
Legislative Intent Relating to TRS-Care Premiums	III-40 Rider 21 Rider Packet, page III-25			House rider states legislative intent that the TRS Board not increase TRS-Care premiums unless the Legislature provides an ongoing increase in retirement annuities commensurate to offset the increase in premiums.
Exception to FTE Limitation for Board Fiduciary Finding		III-38 Rider 21 Rider Packet, page III-25		Senate rider provides the TRS Board authority to increase FTE levels above GAA limitation via fiduciary finding. Rider includes reporting requirements related to additional FTEs.

AGENCIES WITH NO ISSUES

Item	House 2020-21	Senate 2020-21	Biennial Difference	Explanation
S20 Special Provisions for the School for the Blind and Visually Impaired and School for the Deaf	III-35	III-32		
32C Optional Retirement Program	III-40	III-39		