

Issue Docket

Conference Committee on Senate Bill 1

2022-23 General Appropriations Bill

Article III - Public Education

703 TEXAS EDUCATION AGENCY

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Technical Corrections				
Adjust TEA's FTE cap to account for FTEs associated with federal coronavirus funds				Increase TEA's FTE cap in order to implement programs associated the The Coronavirus Response and Relief Supplemental Appropriations Act and the American Rescue Plan Act. The FTEs associated with this rider would be completely paid for with federal funds provided in response to the coronavirus pandemic.
Reporting Requirement: COVID-19 Funding to School Districts	III-25 Rider #79 Rider Packet, page III-8	III-28 Rider #85 Rider Packet, page III-8		The House and Senate both adopted a rider, which would require TEA to report on COVID-19 funding provided to school districts and charter schools. The House adopted a version of the rider that included both the value and uses of the funding, but the version that was printed erroneously excluded the term "and uses" from the House bill.
Administrative Cost Savings Through Strategic Insourcing	III-25 Rider #80 Rider Packet, page III-8			The House and Senate both adopted a rider that would increase TEA's FTE cap by 6.0 while reducing General Revenue Appropriations by \$138,000 in each fiscal year of the biennium. However, the text of this rider was erroneously excluded from the House bill.
Funding Differences				
A.1.1 FSP - EQUALIZED OPERATIONS	\$ III-1 52,047,928,796	\$ III-1 52,147,928,796	\$ 100,000,000	The House provides \$100.0 million for property tax compression above current law estimates.
A.2.2 ACHIEVEMENT OF STUDENTS AT RISK	\$ 3,341,542,401	\$ 3,342,642,401	\$ 1,100,000	The House provides \$1.1 million in additional funding for Amachi for a total of \$5.0 million in the biennium.
A.2.4 SCHOOL IMPROVEMENT & SUPPORT PGMS	\$ 406,571,668	\$ 409,623,850	\$ 3,052,182	The House provides \$3.1 million in additional funding for Communities in Schools for a total of \$61.0 million in the biennium.
B.2.2 HEALTH AND SAFETY	\$ 32,882,316	\$ 27,210,352	\$ 5,671,964	The Senate provides \$5.7 million in funding for the Child ID program.
B.2.4 WINDHAM SCHOOL DISTRICT	\$ 111,374,267	\$ 108,518,517	\$ 2,855,750	The Senate provides \$2.9 million in additional funding for Windham School District for a total of \$111.4 million in the biennium.
Rider Differences				
Instructional Materials and Technology	III-7 Rider #8 Rider Packet, page III-1	III-7 Rider #8 Rider Packet, page III-1		The House rider states that it is the intent of the Legislature to ensure that instructional materials meet the requirements for certification under 47 U.S.C. Sections 254(h)(5)(B) and (C), which relates to internet safety.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Funding for Juvenile Justice Alternative Education Programs	III-12 Rider #27 Rider Packet, page III-3	III-13 Rider #27 Rider Packet, page III-3		The House rider states that the appropriation to the JJAEPs is an estimated appropriation and that actual amounts shall be determined by a formula specified in a rider the Texas Juvenile Justice Department's bill pattern. If additional funding is required to meet the requirements of the new formula, the Commissioner of Education would be authorized to make a transfer from the Foundation School Program.
Funding for Regional Education Service Centers	III-14 Rider #34 Rider Packet, page III-3	III-14 Rider #34 Rider Packet, page III-3		The House rider eliminates a provision stating that no funds transferred to the Regional Education Service Centers or to school districts may be used to hire a registered lobbyist.
Amachi Texas	III-19 Rider #49 Rider Packet, page III-5	III-20 Rider #49 Rider Packet, page III-5		The House rider states Amachi program is for mentoring children of incarcerated parents "and other at-risk identified students." The Senate rider states that the Amachi program is for mentoring children of incarcerated parents only.
Reporting on Open-Enrollment Charter Schools	III-21 Rider #56 Rider Packet, page III-5	III-21 Rider #56 Rider Packet, page III-5		The House rider includes additional elements that must be included in the annual report.
Funding for Special Education Strategic Plan FTEs	III-24 Rider #67 Rider Packet, page III-6	III-25 Rider #67 Rider Packet, page III-6		The House rider states TEA shall ensure that FTEs governed by the rider provide services necessary to support the identification and evaluation of "students with disabilities." The House rider states TEA shall ensure that FTEs governed by the rider provide services necessary to support the identification and evaluation of "students with autism and dyslexia."
Grants for Students with Autism	III-24 Rider #69 Rider Packet, page III-7	III-25 Rider #69 Rider Packet, page III-7		The House would rename this rider "Grants for Students with Disabilities who Benefit from Behavioral Support." The House would change to scope of the program from one focused specifically on students with autism. Instead, the House would provide grants to local education agencies to support projects for "students with disabilities who benefit from positive behavioral interventions and supports to access the general education environment and curriculum."
Local Designation Systems and Teacher Incentives	III-25 Rider #77 Rider Packet, page III-7	III-26 Rider #77 Rider Packet, page III-7		The House rider includes information about amounts allocated for this program and about the number of designations for each year of the biennium.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
School Safety Allotment		III-27 Rider #78 Rider Packet, page III-8		The House includes a rider specifying that the School Safety Allotment shall be used "to identify and implement research-based, effective prevention practices focused on mental and behavioral health that improve school safety as students and educators recover from the trauma associated with the COVID-19 pandemic and 2021 winter storm."
Salary Increase Maintenance for District Employees		III-27 Rider #79 Rider Packet, page III-8		The House includes a rider stating that it is the intent of the Legislature that school districts and open-enrollment charter schools shall maintain salary increases provided to employees in the 2020-2021 school year.
Ensuring Equitable Opportunities for English Learners		III-27 Rider #80 Rider Packet, page III-9		The House includes a rider stating that out of funds appropriated in Strategy A.2.4. Grants for School and Program Improvement and Innovation, and Strategy B.3.1. Improving Educator Quality and Leadership, TEA shall support initiatives to address achievement gaps among English learners.
The Distribution of Federal Education Funds Related to the Coronavirus Pandemic		III-27 Rider #81 Rider Packet, page III-9		The House includes a rider stating that no federal funds provided in response to the coronavirus pandemic shall be used to reduce state funding for local education agencies.
Cross-Agency Coordination on Available Out of School Time Funding		III-27 Rider #82 Rider Packet, page III-9		The House includes a rider stating that TEA shall collaborate with other agencies to identify funding for out of school programs.
Reporting on Diversity of Leadership of the Agency		III-27 Rider #83 Rider Packet, page III-10		The House includes a rider requiring TEA to report on diversity among TEA leadership.
Report on Open-Enrollment Charter School Real Property Holdings		III-28 Rider #84 Rider Packet, page III-10		The House includes a rider requiring TEA to report on information on all real property owned or leased by open-enrollment charter schools.
Prohibiting Certain Conditions from Being Placed on Certain Federal Funds Related to the Coronavirus Pandemic		III-28 Rider #86 Rider Packet, page III-11		The House includes a rider stating that it is the intent of the Legislature that the Commissioner of Education shall not condition the receipt of federal funds provided in response to the coronavirus pandemic on payment to any entity or purchase of any service by a local education agency.
Distribution to Public Schools of Federal Education Funds Related to the Coronavirus Pandemic		III-28 Rider #87 Rider Packet, page III-11		The House includes a rider stating that federal funds provided in response to the coronavirus pandemic shall be distributed to public school in a timely manner and may not be used to reduce state funding for public schools.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Report on Telehealth Programs in Public Schools		III-29 Rider #88 Rider Packet, page III-12		The House includes a rider stating that it is the intent of the Legislature that TEA study telehealth programs in public schools.
High School Equivalency Subsidy Program		III-29 Rider #89 Rider Packet, page III-12		The House includes a rider stating that it is the intent of the Legislature that out of funds appropriated above in Strategy A.1.1, Foundation School Program - Equalized Operations, TEA shall allocate \$750,000 in fiscal year 2022 and \$750,000 in fiscal year 2023 to administer the high school equivalency subsidy program.
Prohibition on Use of Appropriated Money for School Choice Programs		III-29 Rider #90 Rider Packet, page III-12		The House includes a rider stating that money appropriated in this Act may not be used to pay for or support a school voucher, education savings account, or tax credit scholarship program or a similar program through which a child may use state money for nonpublic primary or secondary education.

771 SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Number of Full-Time-Equivalents (FTEs)	III-26 371.2	III-29 365.2		Senate includes six FTEs associated with the restoration of the summer programs funded in strategy A.1.3 below.
A.1.1 CLASSROOM INSTRUCTION	\$ 12,695,216	\$ 12,627,692	\$ 67,524	Senate version includes \$67,524 for replacement of technology including servers, computers, cell phones and printers.
A.1.3 SHORT-TERM PROGRAMS Standby Pay	\$ 2,852,152 NA	\$ 1,852,152 III-32 Rider #7 Rider Packet, page III-13	\$ 1,000,000	Senate includes \$1,000,000 in funding for summer programs. House includes an additional rider clarifying the agencies' ability to pay employees stand by pay.

772 SCHOOL FOR THE DEAF

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	III-29	III-32		
A.1.5 STUDENT TRANSPORTATION	\$ 5,346,376	\$ 5,106,376	\$ 240,000	Senate includes \$240,000 for two new school buses. House included funding for this item in HB 2 through the Economic Stabilization Fund.
B.1.2 STATEWIDE OUTREACH PROGRAMS	\$ 2,068,464	\$ 1,381,576	\$ 686,888	Senate includes funding of \$343,444 in each year of the biennium to fund summer programs.

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

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

323 TEACHER RETIREMENT SYSTEM

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

32C OPTIONAL RETIREMENT PROGRAM

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