

New Instructional Facility Allotment (NIFA)

Texas Education Code (TEC) and Texas Administrative Code (TAC) References: TEC, §42.158; 19 TAC §61.1034

History/Relevant Background Information: The TEC, §42.158, enacted by Senate Bill 4 of the 76th Texas Legislature, 1999, created the New Instructional Facility Allotment (NIFA) for public school districts. The legislature did not provide funding under this allotment for the 2011–2012 through 2014–2015 school years. However, funding has been made available for the 2015–2016 and 2016–2017 school years. The NIFA is provided for operational expenses associated with the opening of a new instructional facility and is available to all public school districts and open-enrollment charter schools that construct new instructional facilities that meet the requirements of the statute and rules.

Description of Program: The NIFA provides support for opening a new campus through a reimbursement of \$250 per student in average daily attendance (ADA) in the first year of operation of the new campus, plus \$250 for each additional student in ADA in the second year of operation. Only completely new facilities are eligible for funding. Because no funding was appropriated for NIFA in the 2014–2015 school year, no districts will be in a follow-up or second-year status in the 2015–2016 school year.

The total amount appropriated for the program is limited by statute to \$23.75 million per year. There are no spending requirements associated with this allotment.

Any school district, including a district required to act under Chapter 41, Education Code may receive the benefit of the allotment.

To be eligible for the NIFA:

- The facility for which funds are requested must be a newly constructed instructional site (campus) used for teaching the curriculum required by the Chapter 28, Education Code
- The new facility must have its own campus ID number as designated by the Texas Education Agency (TEA).
- The new facility must have its own principal or be eligible to receive an accountability rating through standard analysis as described in the most current Accountability Manual.
- The new facility must have its own assigned instructional staff and instructional program distinct from other facilities.
- The new facility must have its own record of expenditures that is **not** a subset of another school budget and attendance data that can be reported for those students assigned to its campus.
- The new facility must be physically separate from other existing school structures. However, a covered walkway may connect the new facility to another building.

The NIFA application is available online through the Foundation School Program (FSP) Payment System; all NIFA applications must be submitted through this system. A Texas Education Agency Secure Environment (TEASE) user ID and password are required to access the FSP Payment System. Announcements are sent to all FSP users when the NIFA online application becomes active.

Applicants must provide information about the number of instructional days for the district, the number of instructional days on the eligible campus, the projected enrollment of the eligible campus, and the expected first and last days of instruction on the eligible campus.

In addition districts must submit certain required documentation to the TEA by July 15. Required documentation includes a legal document clearly showing the nature and dates of construction, and a brief description and photograph of the new campus.

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