

## 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 NIFA is provided for operational expenses associated with the opening of a new instructional facility and is available to all public school districts that construct new instructional facilities that meet the requirements of the statute and rules. Charter schools are not eligible to receive NIFA funding.

**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. Special one-year funding is available for facilities that were occupied for the first time in the previous school year but did not receive NIFA funds because of the district's failure to apply for funding before opening the campus. Only completely new facilities are eligible for funding.

The total amount appropriated for the program is limited by statute to \$25 million per year, with an additional \$1 million<sup>1</sup> for high school facilities. There are no spending requirements associated with this allotment.

Any school district, including a district required to act under the TEC, Chapter 41, may receive the benefit of the allotment. Specifically, school districts required to act under Chapter 41 can receive a credit against the cost needed to reach the equalized wealth level.

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 TEC, Chapter 28.
- 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, typically in May of each year.

For all three application types, initial, one-year, and follow-up, 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, for initial and one-year applications, 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.

**Contact for More Information:** Cassie Huggins, NIFA Program Administrator, (512) 463-9238 or [cassie.huggins@tea.state.tx.us](mailto:cassie.huggins@tea.state.tx.us)

---

<sup>1</sup> added by House Bill 2237, 80th Texas Legislature, 2007