

The Texas Education Agency (TEA) adopts new §61.1003, concerning the career and technology education allotment for Pathways in Technology Early College High School (P-TECH) and New Tech Network campuses. The new section is adopted without changes to the proposed text as published in the May 8, 2020 issue of the *Texas Register* (45 TexReg 3005) and will not be republished. The adopted new section reflects changes made by House Bill (HB) 3, 86th Texas Legislature, 2019, by explaining how TEA will calculate and make available funding under Texas Education Code (TEC), §48.106(a)(2)(B) and (C).

REASONED JUSTIFICATION: HB 3, 86th Texas Legislature, 2019, added to the calculation of the career and technology education allotment under TEC, §48.106(a)(2)(B) and (C), \$50 for each full-time equivalent student enrolled in a campus designated as a P-TECH school under TEC, §29.556, or a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education. The fiscal note for HB 3 contemplated a school district entitlement under this provision of \$50 per student in average daily attendance (ADA). There were concerns that the new language may only authorize an additional amount for a career and technical education course taken at one of those schools, significantly less than the \$50 per ADA the fiscal note contemplated in the district funding analysis.

Adopted new §61.1003 adjusts entitlement as calculated under TEC, §48.106(a)(2)(B) and (C), to reflect \$50 per student in ADA attending either a school designated as a P-TECH or a school that is a member of the New Tech Network.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began May 8, 2020, and ended June 8, 2020. No public comments were received.

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §48.004, as transferred, redesignated, and amended by House Bill (HB) 3, 86th Texas Legislature, 2019, which specifies that the commissioner shall adopt rules that are necessary to implement and administer the Foundation School Program; TEC, §48.011, as added by HB 3, 86th Texas Legislature, 2019, which provides the commissioner authority to resolve unintended consequences from school finance formulas upon approval from the Legislative Budget Board and the office of the governor; and TEC, §48.106, as transferred, redesignated, and amended by HB 3, 86th Texas Legislature, 2019, which details the calculation of the career and technology education allotment that school districts and open-enrollment charter schools are entitled to under the Foundation School Program.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code, §§48.004, 48.011, and 48.106, as added by House Bill 3, 86th Texas Legislature, 2019.

<rule>

§61.1003. Career and Technology Education Allotment for P-TECH and New Tech Network Campuses.

- (a) This rule, made pursuant to Texas Education Code (TEC), §48.011 and §48.004, addresses calculations in TEC, §48.106(a)(2)(B) and (C).
- (b) In place of funding under TEC, §48.106(a)(2)(B) and (C), a district is entitled to \$50 for each student in average daily attendance enrolled in either of the following:
 - (1) a campus designated as a Pathways in Technology Early College High School (P-TECH) school under TEC, §29.556; or
 - (2) a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.