

TEA Superintendent Call

June 15, 2023

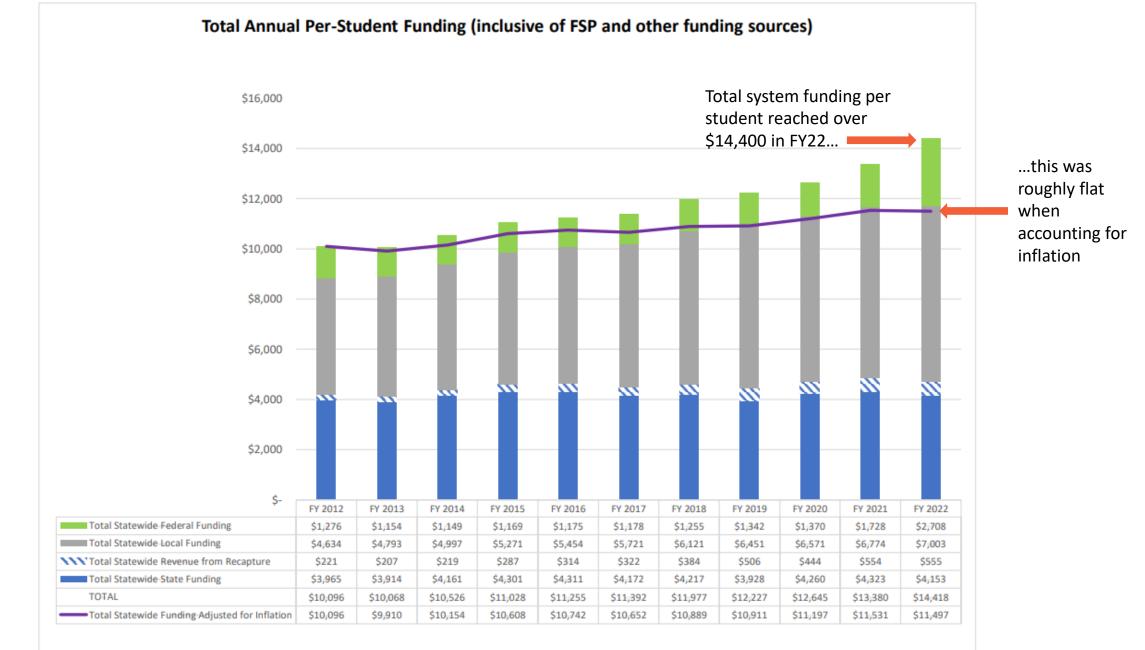


Webinar Date

Overview of Legislation & Funding from 88th Regular Session Today Virtual Education June 22 Cybersecurity Improvements June 28 & Monthly Accelerated Instruction July 13 School Safety Facilities Standards Grant July 17 Early August HB 3 School Safety Other School Safety-related Legislation Late August Dyslexia Evaluations Fall HB 8 (Community College Finance) Fall Instructional Materials: HB 1605 & HB 900 Winter



Where does funding stand after the 88th Regular Session?



FY23 data will be available in approximately March of next year. Federal COVID funds remain available but are expiring in phases.

Note: The FSP is driven by both state-level funding and local funding authorized by the legislature. This slide focuses solely on the state-level funding.

\$ Billion	FY22-23 GAA	Budget to Actuals	FY22-23 Base	FY24-25 GAA Art III & SB30	FY24-25 GAA Art IX*	FY24-25 Total*	Change \$ (%)
Foundation School Program	\$51.7	\$(3.9)	\$47.8	\$48.7	\$16.8	\$65.5	\$17.7 (37%)
All Other Programs	\$14.2	\$1.9	\$16.1	\$16.0	\$0.8	\$16.8	\$0.7 (4.6%)
Subtotal, TEA Approps.	\$65.9	\$(2.0)	\$63.9	\$64.7	\$17.6	\$82.3	\$18.4 (29%)

*Includes funding contingent upon legislation to be adopted in special session(s)

State funds for K-12 education are projected to <u>increase</u> <u>\$18.4 billion (or 29%)</u> over actual 2022-2023 biennial spending

Funding for education purposes appropriated through TEA represents close to one-third of all state funds in the budget.

88th Regular Session Update – New Total Funding (in millions)



New Net Funding for Public Education – Appropriated & Issued

Recurring Funding Increases:

Increase to Instructional Materials & Technology Allotment (IMTA)	\$	621	GAA III TEA Rider 8
Increase to entitlements & LEA grants for SBOE-Approved Instructional Materials		500	GAA IX 18.78
Increase to FSP payments & technical supports for school safety		300	GAA IX 18.78
Increase in Golden Penny Yield		2,367	GAA IX 18.78
Increase for New Instructional Materials Allotment (NIFA)		60	GAA IX 18.78
Increase subsidy for public school employee retirement payroll taxes		673	GAA III TRS A.1.1

New One-time Funding:

School safety grants	\$ 1,100	SB30 4.02
Subsidy for ActiveCare	589	GAA III TRS A.3.1
K-12 cybersecurity initiative	55	GAA III TEA B.3.5

\$6.3B new funds fully approved

New Net Funding for Education – Appropriated & Contingent

Recurring Funding Increases:

FSP & grant increases for teacher pay, special education, and finance generally	\$ 3,997	GAA IX 18.78
Virtual school grant support	49	GAA IX 18.78
School Choice	500	GAA IX 18.78

New State Share Increases for Public Education

Recurring Funding Increases:

Property tax reductions – Appropriated & issued	\$ 5,305	GAA IX 18.79
Property tax reductions – Appropriated & contingent	12,295	GAA IX 18.79



Entitlement funding to school systems will increase as a result of HB 3 (Safety Allotment), HB 1605 (SBOE-Approved Materials), and HB 1 (Golden Penny Yield).

The impact on district entitlements based upon fiscal analysis performed during session is as follows:

	2024				2025		
		Sum of	Difference per			Sum of	Difference per
District type	Sum of ADA	Difference	ADA	District type	Sum of ADA	Difference	ADA
Charters	394,645	\$127,591,772	\$323	Charters	414,440	\$160,572,154	\$387
Independent Town	211,236	\$62,795,529	\$297	Independent Town	212,131	\$75,918,330	\$358
Legislative	2,581	\$140,133	\$54	Legislative	2,905	\$161,833	\$56
Major Suburban	1,539,459	\$463,648,008	\$301	Major Suburban	1,542,229	\$543,012,206	\$352
Major Urban	765,158	\$241,323,148	\$315	Major Urban	750,762	\$258,100,519	\$344
Non-metropolitan Fast Growing	54,583	\$15,695,628	\$288	Non-metropolitan Fast Growing	58,800	\$21,835,544	\$371
Non-metropolitan Stable	328,837	\$102,082,895	\$310	Non-metropolitan Stable	328,896	\$125,606,007	\$382
Other Central City	741,871	\$214,150,855	\$289	Other Central City	739,964	\$242,479,504	\$328
Other Central City Suburban	856,835	\$244,313,657	\$285	Other Central City Suburban	869,321	\$304,942,935	\$351
Rural	178,370	\$78,511,933	\$440	Rural	178,388	\$88,904,455	\$498
Total	5,073,575	\$1,550,253,556	\$306	Total	5,097,836	\$1,821,533,488	\$357

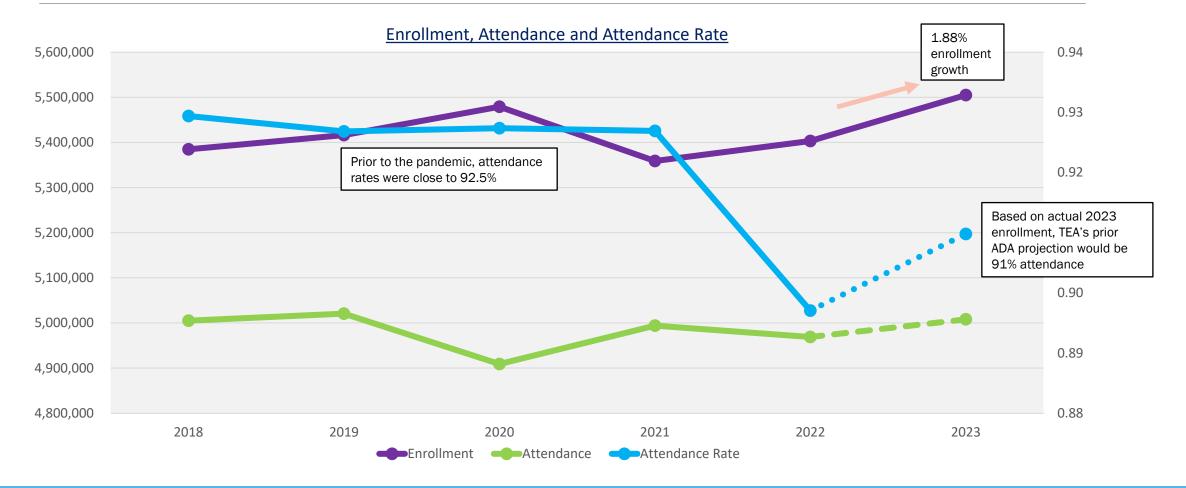
TEA encourages LEAs to incorporate the increase to the golden penny yield and the school safety allotment into their budget planning for the 2023-24 school year. Please note that the agency's school finance template has not yet been updated for this change; TEA expects to publish an updated template later this summer. Instructional materials funding is being added to the Instructional Materials & Technology Allotment Accounts, details are provided on a subsequent slide.



HB 1 Impact on LPE

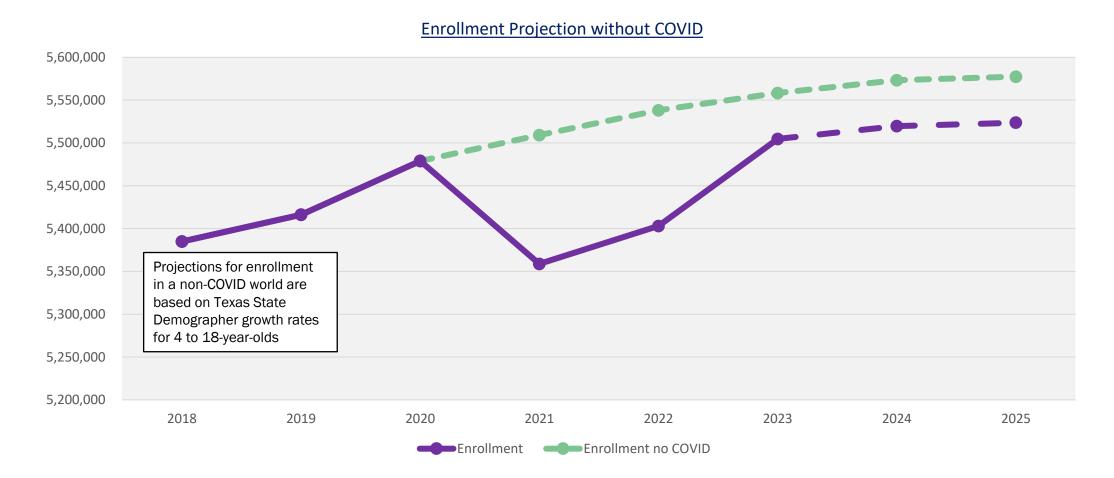


We now have 2023 enrollment indicating that students are likely returning to public schools



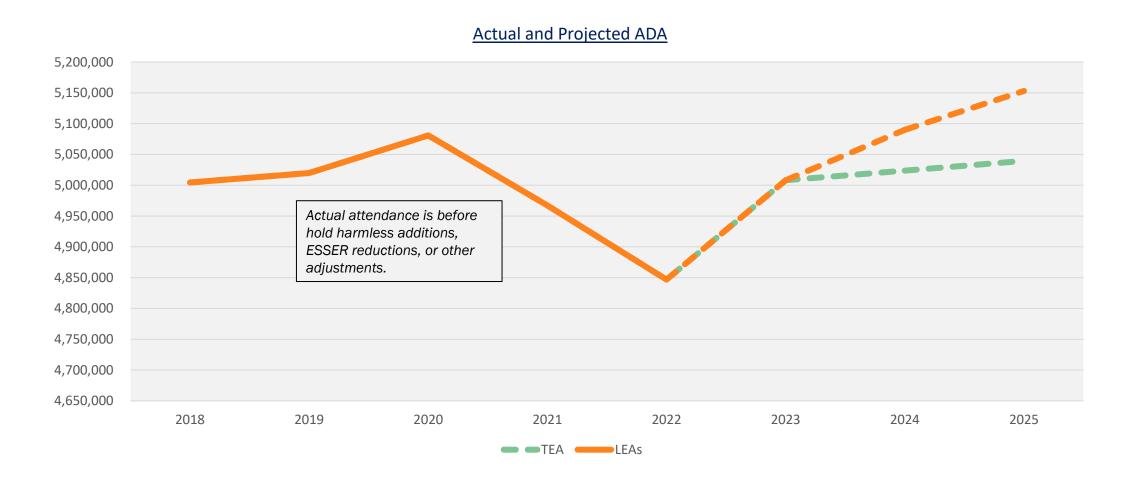


However, State Demographer projections for school aged children seem to indicate there are still 50,000 fewer students enrolled than if COVID hadn't happened





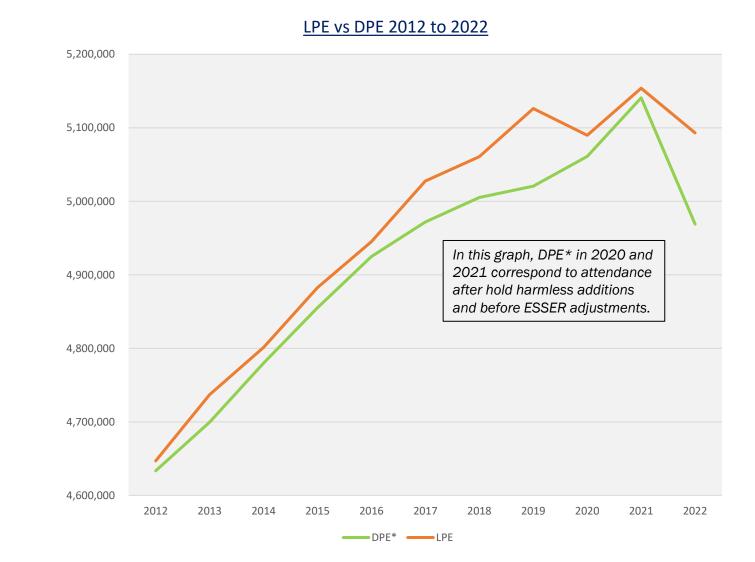
LEA attendance projections were notably higher than TEA's projections



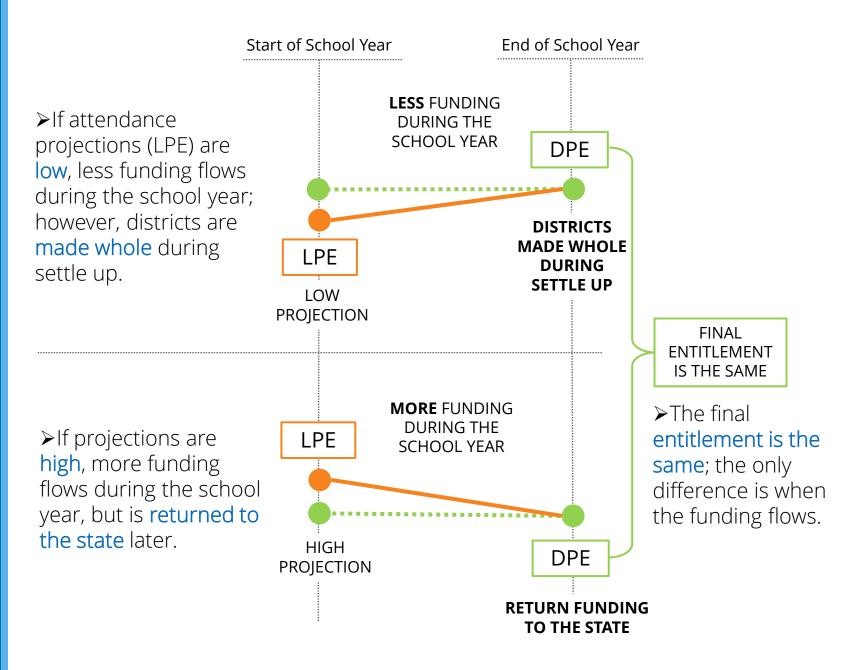
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Since about 2017, there has been a wide gap between attendance projections (LPE) and final attendance (DPE).

The exceptions are 2020 and 2021, when hold harmless adjustments brought DPE close to LPE (before ESSER adjustments).



What happens when there is a difference between LPE and DPE (for ISDs)?





What this means for projections

To ensure **maximum benefit** to students and school systems, attendance projections used in appropriations decisions should be as accurate as possible.

At the request of the Legislative Budget Board, TEA provided **supplementary analysis and an alternative projection** to support the legislative process and inform decision making.



Attendance projections are highly impacted by underlying assumptions

TYPICAL PROJECTION

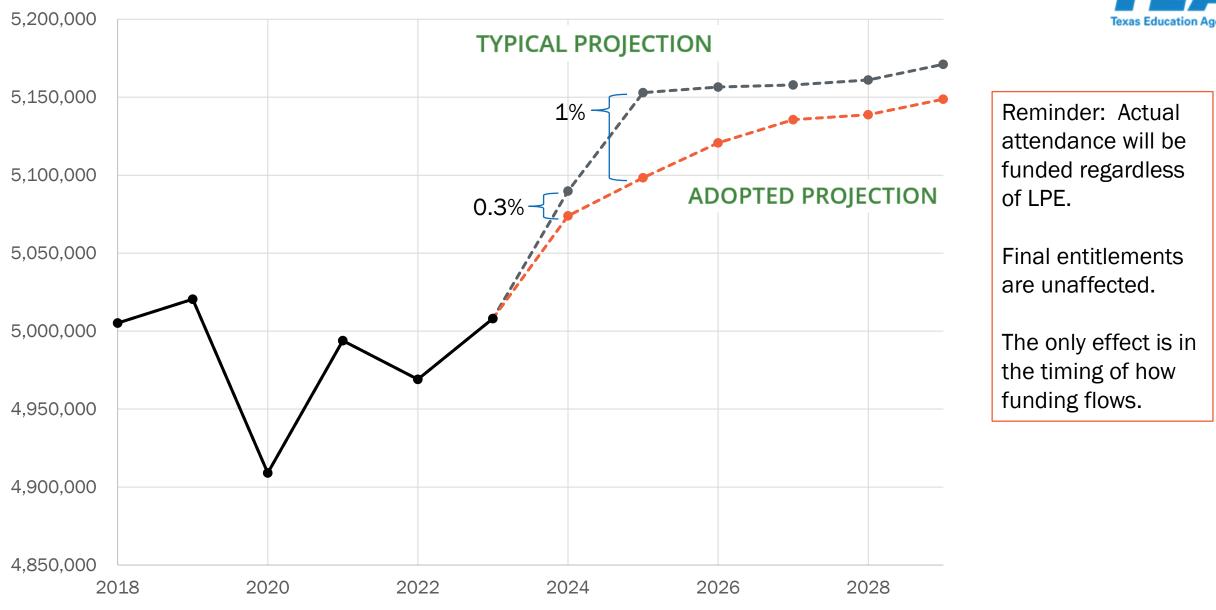
ALTERNATIVE PROJECTION

- •Adopt LEA projections for FY24-25
- Increase projected attendance in FY26-29 by State Demographer growth rates
- •Assume additional post-COVID returns to the public education system in FY24
- Increase enrollment for FY25-29 by State Demographer growth rates
- •Assume gradual return to historical attendance rates



•The Legislature adopted attendance projections totaling 5,071,347 in FY 2024 and 5,095,452 in FY 2025.

•These figures are lower than LEA projections by 0.3% in FY2024 and by 1% in FY2025.



Comparison of Attendance Models



•The aggregate projection will be used to produce Legislative Planning Estimates (LPE) and to calculate payments to LEAs for 2024-2025.

•Note: A little over half of LEA attendance projections will be slightly revised down, impacting payments prior to settle-up.



- If an LEA's projection was at or below the alternative projection, the LEA's projection will be adopted.
- If an LEA's projection was above the alternative projection, the LEA's projection will be adjusted, but no LEA will be reduced below TEA's October projection.

Maximum Downward Revision	2023-2024	2024-2025
LEAs with ADA up to 1,600	0.3%	0.52%
LEAs above 1,600 ADA	1%	1.78%



•Reminder: Final entitlements will be unaffected.

•TEA will continue to reconcile (settle-up) district entitlements each year to ensure correct total payments based on actual ADA.

•Additional information is being provided via a To the Administrator Addressed letter.



HB 1 Instructional Materials Funding, HB 1605, and HB 900

88th Regular Session Update





HB 1605: High Quality Curriculum

- Establishes a process for the SBOE to review and approve materials, supported by TEA
- Additional funding (on top of IMTA) provided to districts who choose to use SBOE approved materials: \$40/student. An additional \$20/student for districts printing stateowned materials
- SBOE textbook approval no longer limited to 50% of TEKS, no longer bound to 8-year cycle
- Districts exempted from RFP processes if purchasing SBOE approved materials
- Publishers must offer parent portals for instructional materials transparency
- Local curriculum reviews are established, funded, and can be initiated via parent requests, with SBOE approval of grade-level rigor rubric
- SBOE must add book/word list to the ELAR TEKS
- Teachers cannot be required to use bi-weekly planning time to create initial instructional materials unless there is a supplemental duty agreement with the teacher
- Requires the TEA to develop state-owned textbooks in certain grades & subjects, which are subject to approval by SBOE
- Provides optional teacher training on state-owned textbooks for districts to utilize, and grant program to educator prep programs to support
- Prohibits three-cueing in early literacy instruction



The Instructional Materials & Technology *Allotment* was restored in HB 1 to traditional levels (roughly \$1B per biennium). HB 1605 establishes two new FSP entitlements for SBOE-approved instructional materials, in addition to the Allotment. These new FSP funds will be managed in each district's Instructional Materials and Technology *Account*.

	Instructional Materials and Technology Allotment	SBOE-Approved Instructional Materials	SBOE-Approved OER Instructional Materials
2022 & 2023 Biennium	\$ 61.72 per student +\$ 11.32 per EB student	n/a	n/a
2024 & 2025 Biennium	\$ 171.82 per student + \$ 15.58 per EB student	\$40 per student each school year	\$20 per student each school year
Timing	Biennially	Annually	Annually
Carryover of Funding	Yes, unexpended balances carryover	Yes, unexpended balances carryover	No, unexpended balances do not carryover
Allowable Use of Funds	Any instructional materials and technology needed to implement those instructional materials	Only SBOE-approved instructional materials from the new process established in HB 1605	Only costs associated with printing SBOE- approved open education resource (i.e. state-owned) instructional materials

Total allotment for the 2024 & 2025 biennium including new state FSP funding is **\$1.562 Billion** or **\$275.41 per-student**

Details on the 2024-25 biennial allotment to be shared in a TAA to be published June 22, 2023.

88th Regular Session Update





HB 900: School Library Books

- The Texas State Library and Archives Commission, with approval by the SBOE, will adopt standards for school library collection development policies.
- The standards adopted will be reviewed every 5 years and must prohibit harmful material, sexually explicit material, and pervasively vulgar or educationally unsuitable material.
- Library material vendors must issue appropriate ratings for sexually explicit and sexually relevant materials previously sold to school districts.
- Vendors may not sell any books with sexually explicit content moving forward and must report list to TEA of books already sold to libraries.
- Codifies guidelines for vendors to use in determining book ratings.



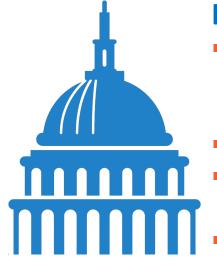
- The State Board of Education must take a series of actions under HB 1605 in order to approve instructional materials. These actions will likely occur over multiple years.
- The State Board of Education will approve the new required library standards, likely sometime over the next year. Additionally, by April 1, 2024, library vendors must submit to TEA lists of library materials rated as sexually explicit or sexually relevant.
- Given the timelines involved, TEA will provide a more detailed follow-up on bill implementation related to these bills likely during the winter months of the 2023-24 school year.



School Safety Legislation

88th Regular Session Update





HB 3: School Safety

- Establishes the Office of School Safety and Security in TEA to working in coordination with the Texas School Safety Center and with regional education service centers to provide ongoing support and oversight of LEA safety practices
- Increased the annual school safety allotment in the FSP: \$15k per campus plus \$10 per ADA
- Requires district employees who regularly interact with students to complete an evidencebased mental health training program.
- Requires districts adopt a policy requiring at least one individual as an armed security officer be present during regular school hours at each campus
- Clarifies required data sharing & confidentiality obligations related to student safety records

Additional School Safety-related bills

- HB 473, HB 1905, HB 3623, SB 26, SB 838, SB 999, SB 1720
- SB 30: Supplemental appropriation of \$1.1B for school safety facility standards, to ensure full funding for all campuses to come into compliance with minimum safety standards

School Safety Facilities Grant

\$1.1B

one-time funding through the supplemental appropriations bill to address new minimum school safety standards and other facilities-related safety improvements.

Cycle 1 (~September 2023)

Competitive grant process that will require LEAs to demonstrate a need for the funds to include, rationale, site plans, and vendor contracts.

Intended to ensure that full funding is provided so that all campuses in Texas fully comply with the minimum school safety facility standards, even if they do not currently comply.

Cycle 2 (~January 2024)

Formula grant to all LEAs to support additional safety needs identified by the district, beyond the minimum safety facility standards.





Rule is adopted and is immediately effective.

May 31, 2023

LEAs can provisionally certify compliance by having a contractor acquired and a final implementation timeline provided by the contractor

August 2023

All LEAs are required to be fully compliant with the rule.

August 2024

LEAs can use funds from the 2023-25 School Safety Formula Grant and the Cycle 1 Facilities Grant to meet the rule requirements.



Section	Description	Amendment
(c)(9)	Emergency responder building access	All facilities must include one or more distinctive, exterior secure master key box(es) designed to permit emergency access to both law enforcement agencies and emergency responder agencies from the exterior <u>OR</u> provide all local law enforcement electronic or physical master key access to the building(s).
(c)(10)	Communications infrastructure	An alert must be capable of being triggered by campus staff, including temporary or substitute staff, from an integrated or enabled device. School systems shall comply with state and federal Kari's Laws and federal RAY BAUM's Act.
(h)	Records retention	School systems must adopt a 3-year records control schedule that complies with the minimum requirements established by the Texas State Library and Archives Commission schedule.
(i)(3)	Certification	TEA may modify rule requirements or grant provisional certification for individual site needs as determined by the agency.

School Safety Standards Summary 19 TAC §61.1031



Exterior doors, exterior classroom doors, and portable doors should operate as intended, are required to remain closed, locked, and latched and allow for emergency egress from the inside (while remaining locked).



Windowed doors on the ground level or windows that are adjacent to or near a door and are large enough to allow someone to enter if broken must be reinforced with entry-resistant film unless within a secured area.



Exterior door sweeps must be conducted weekly to certify that all doors are properly closed, locked, and latched.



The school system must perform maintenance checks twice annually to ensure that the facility components within the rule function properly and as intended.



Disclaimer: Fencing not required but is offered to provide some operational flexibilities.



School Safety Standards and Funding

Posting July 17

Covers the adopted TAC 19 §61.1031, Commissioner's Rule on School Safety Standards and the latest Facilities Grant opportunity.

House Bill 3 (HB 3) Overview

Provides an overview of HB 3 and will include some initial guidance and best practices, to include armed officers on campus.

Other School Safety Bills Overview

Late August

Early August

Provides an overview the safety bills passed in the 88th legislative session.

Additional Webinars

Additional live webinars covering key components of the above school safety bills will be held throughout the fall as guidance continues to be developed.



Remote Instruction & Virtual Schools



HB 3643 (87R) : Texas Commission on Virtual Education

- Held 10 meetings from February to December
- Heard over 35+ hours of testimony from 45+ experts, district and school leaders, teachers, students, and parents
- Issued six key policy recommendations in their report released December 2022



Final Report



SB 15 (87-2): Local Remote Learning Programs

- Allowed LEAs rated C or higher to offer virtual courses outside of the Texas Virtual School Network (TXVSN)
- LEAs could receive ADA-based funding for local remote learning delivered synchronously or asynchronously for grades K - 12
- Expires September 1, 2023

While multiple bills were filed, a bill to continue virtual education options and address the TCVE's recommendations did not pass.



Waiver Process

- Announced by Governor Abbott on June 12, **2023**
- Directs the Commissioner to waive specific requirements for LEAs to continue offering virtual options for the next two school years (23-24 and 24-25)
- LEA Eligibility
 - Any full-time, online program offered in **2022-2023**
 - TEA virtual accelerator participants in 2022-2023

• Waiver Program Details

- Must sign up to be a full time TXVSN school this summer
- Requires the school to be operated with a separate CDCN
- Funding is provided through TXVSN's completion-based funding model
 - The waiver will allow funding under the TXVSN formula for students enrolled in grades Kindergarten through 12.
- Join Us Thursday, June 22 at 2pm for More Details
 - Zoom Registration Link: <u>HERE</u>



HB 1416: Accelerated Instruction



HB 1416: HB 4545 (87R) "clean-up" - Supplemental Accelerated Instruction

- Eliminated the accelerated learning committee (ALC) requirement and clarified parental "opt-out" protocols.
- Decreased the maximum # of subjects to 2 while prioritizing RLA/math and reducing requirements to 15 hours for some students.
- Increased student to tutor ratios from 3:1 to 4:1; Ratio waived with use of approved automated/online curriculum (list available in Spring 2024).
- Maintains placement w/ a designated TIA teacher to satisfy requirements.

TEA Accelerated Instruction Webpage

Webinar scheduled for July 13, 2023



HB 1: Cybersecurity





Article III. Rider 78. Interagency Cybersecurity Initiative for Public Schools

- Data Privacy: \$55M for the biennium for third-party cybersecurity risk assessments, regional technical assistance, and cyber-defense tools (software & hardware)
- Administered through the Department of Information Resources (DIR). This will require participating LEAs to become members of the DIR shared services co-op.

TEA Cybersecurity Webpage

Next Webinar scheduled for June 28, 2023

TX K-12 Cybersecurity Initiative



What supports to school systems will this provide?

Service Type	Availability Scope	Next Step Timeline
Cybersecurity technical assistance provided by ESCs	Entire state	As stood up by ESCs over the next 6 months
Free third-party cybersecurity assessments	First come, first served	Application to open in September
Free Endpoint Detection & Response (EDR) subscriptions through the end of the 2024-25 SY	Prioritized for small & midsized LEAs	Application to open in September
Free Network Detection & Response (NDR) hardware & software through the end of 2024-25 SY	Pilot group of LEAs and ESCs	Application to open in September

Next Steps

- Ensure your cybersecurity coordinator joins monthly cybersecurity webinars
- Between now & August:
- Signup for DIR inter-local Shared Technology Services (STS) co-op
 - Within STS, signup for DIR Managed Security Services
- In September: Signup for three services: cybersecurity assessments, EDR (if relevant), and NDR
 - Instructions to signup will be provided in August cybersecurity webinar



Previous Sessions:

April - Introduction to TX K-12 Cybersecurity Initiative:

https://youtu.be/1Blh2eFSpFI

May - Review of service offering – Crowdstrike (EDR) and Dorkbot:

https://youtu.be/Ot4QwJyMsll

Upcoming Sessions:

June 28, 2023 - Review of service offering – SentinelOne (EDR) August 23, 2023 - How to request funded services

Registration: <u>https://attendee.gotowebinar.com/register/8234183618339320587</u>

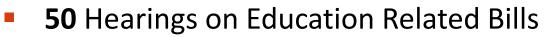


Other bills passed in the 88th session



The Texas Legislature typically files about 1,000 education-related bills every session

1,474 Education Bills filed this session



- **127** Bills Heard in House Public Education Committee
- **160** Bills Heard in Senate Education Committee
- 140 Passed both Chambers, 100 signed by Governor Abbott as of June 14th. Veto Period ends June 18th.

The following slides provide detail on a few of these bills.







HB 3928: Dyslexia Evaluations

- Requires someone with specific knowledge on dyslexia and related disorders on the evaluation team and ARD committee when dyslexia is suspected/identified.
- Board of trustees/governing board of charter must adopt a policy requiring that the district or school follow all state and federal requirements for the evaluation, identification, and services for dyslexia.
- State Board of Education must revise its Dyslexia Handbook by 6/30/24 to remove references to "standard protocol dyslexia instruction" so that it is not distinct from all other types of dyslexia instruction.
- Requires specific notification about the parent's right to request special education evaluation when student is placed in DAEP and when returning to school after DAEP.

TEA will provide a detailed webinar in the fall to support implementation of this bill





HB 8: Community College Finance

- Entitles a junior college district to performance tier funding for the number of credentials of value awarded and the number of students who complete a sequence of at least 15 semester credit hours or the equivalent for dual credit or dual enrollment courses that apply toward academic or workforce program requirements at the postsecondary level
- Establishes a Financial Aid for Swift Transfer program to allow eligible educationally disadvantaged students to enroll at no cost in dual credit courses.
- Requires TEA to work with the TWC and THECB to obtain wage information and educational requirements for in demand jobs in Texas, baccalaureate degree and associate degree or certificate programs with the highest average annual wages following graduation and post the data on the TEA website for students and schools to access more easily.

TEA will provide a detailed webinar in the fall to support implementation of this bill





SB 2124: Advanced Math

- As soon as practicable, school systems must enroll 6th grade students in an advanced math course if they performed in the top 40% in the state on the 5th grade STAAR math assessment or similar local measures
- This will require advanced math courses (e.g., Alg I) be offered in middle school if those courses are not currently offered
- Parents may opt their children out of this requirement

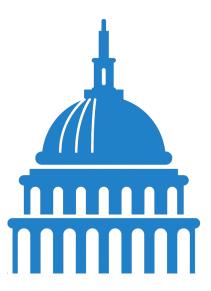
TEA will provide more info about rules under this statute later this summer

HB 1225: Paper STAAR Test

- School districts may administer assessments in a paper format to students upon request of parent, guardian, or teacher, up to 3% of district enrollment.
- The 3% excludes any student whose ARD committee determines that the student requires an accommodation that must be delivered in a paper format.
- Request must be submitted to district not later than 9/15 for fall administration and 12/1 for spring administration of assessments.

TEA will provide more info about this process in August





HB 1926: Supplemental Special Education Services Continuation

- Removes the September 2024 expiration date of the SSES Program.
- Removes the \$30M per year limitation on funding appropriated.

SB 2294: Texas First Scholarship

 Expands eligible higher education institutions and requires school systems to allow students to participate in and graduate from high school under the program





SB 763: Chaplains as Supports in Schools

- Each board of trustees and governing body of a school district/open enrollment charter school must take a record vote not later than six months after the effective date of the bill on whether to adopt a policy authorizing a campus to hire or accept as a volunteer a chaplain
- A school district/open-enrollment charter school may employ, or accept as a volunteer, a chaplain to provide support services for a school
- The board of trustees or governing body of a school may determine support services needed

HB 3803: Parental Election for a Child to Repeat a Course

- A parent or guardian may elect for a student in a grade up to grade 8 to repeat the grade in which the student was enrolled during the previous school year or for a student to repeat a high school course
- For high school courses, the school district/open enrollment charter can deny if it is determined the student has met all requirements for graduation





SB 10: TRS Benefits

- One-time \$7,500 stipend for eligible annuitants who are 75 and older.
- One-time \$2,400 stipend for eligible annuitants between 70-74 years.
- 6% COLA Effective Date of Retirement: On or before 8/31/2001
- 4% COLA Effective Date of Retirement: On 9/1/2001-8/31/2013
- 2% COLA Effective Date of Retirement: On 9/1/2013-8/31/2020

HJR 2:

- COLA does not take effect until HJR 2 is approved by voters on November 7, 2023.
- Stipends are not dependent on HJR 2 and will be paid by the end of September 2023.



K-12 Funding-Related Bills that Did Not Pass in the Regular Session





Key funding-related bills that did not pass in the Regular Session

- School finance (HB 100) & Teacher pay (HB 11, SB 9)
 Special Education funding (HB 3781 and SB 1474)
 ESA (SB 8)
 - Combo bill with modifications (HB 100)
- Virtual Education (HB 681, HB 3141, and SB 1861)
- Property Taxes (HB 2, SB 3, SB 4)
 - Added to First Called Session

Close to \$17B was appropriated for these purposes; however, further legislative action is needed to access the funding.

The Senate and House Passed different versions of HB 100, and the legislation was not ultimately adopted. The bills impacted FSP funding to school systems. The impact was modeled during the legislative session, and each chamber's final versions are noted here:

		2024		2025
	New Funds		New Funds	
District type	per ADA		per ADA	
Charters	\$	355	\$	446
Independent Town	\$	620	\$	757
Legislative	\$	188	\$	891
Major Suburban	\$	263	\$	439
Major Urban	\$	457	\$	538
Non-metropolitan Fast Growing	\$	610	\$	937
Non-metropolitan Stable	\$	898	\$	911
Other Central City	\$	328	\$	570
Other Central City Suburban	\$	445	\$	635
Rural	\$	2,222	\$	2,284
Total	\$	468	\$	621

Senate Version

		2024		2025
	New Funds		New Funds	
District type	per ADA		per ADA	
Charters	\$	401	\$	502
Independent Town	\$	249	\$	445
Legislative	\$	188	\$	200
Major Suburban	\$	135	\$	239
Major Urban	\$	175	\$	270
Non-metropolitan Fast Growing	\$	450	\$	767
Non-metropolitan Stable	\$	565	\$	799
Other Central City	\$	148	\$	308
Other Central City Suburban	\$	217	\$	368
Rural	\$	1,597	\$	1,901
Total	\$	265	\$	406



Questions?

Next call: Thursday, July 20