

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 15, 2017**

**TO:** Honorable Dan Huberty, Chair, House Committee on Public Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB1660** by Taylor, Larry (Relating to the minimum amount of student instruction required to be provided by school districts and calculation of average daily attendance for public school students.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1660, As Engrossed: a negative impact of (\$1,665,460) through the biennium ending August 31, 2019.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2018	(\$842,730)
2019	(\$822,730)
2020	\$0
2021	\$0
2022	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>
2018	(\$842,730)
2019	(\$822,730)
2020	\$0
2021	\$0
2022	\$0

**Fiscal Analysis**

The bill would amend the Education Code to provide school districts the choice of basing each school year on a minimum of 75,600 minutes, or 180 days, of instruction.

The bill would change the calculation of average daily attendance, used in calculating a school district or charter school's entitlement under the Foundation School Program, to be based on the number of days or the number of minutes of instruction.

The bill would require the Commissioner of Education to adopt rules to calculate average daily attendance for students participating in a blended learning program in which classroom instruction is supplemented with applied workforce learning opportunities, including participation of students in internships, externships, and apprenticeships.

The bill would amend the Education Code to provide for a minimum number of minutes of instruction based on the type of educational program provided.

The bill would require a charter school operating under Subchapter B, D, or E, Chapter 12 of the Education Code to notify the Commissioner of Education whether the charter school will provide instruction to students on the basis of minutes of instruction or days of instruction.

The bill would apply beginning with the 2017-18 school year.

### **Methodology**

Based on information provided by the Texas Education Agency (TEA), the agency would incur significant costs in implementing the bill; this analysis assumes FTEs and certain other costs could be absorbed or eliminated. Costs associated with information technology related to modifying the Texas Student Data System, the Public Education Information System, and the Foundation School Program application to add approximately 35 new data elements to implement the provisions of the legislation are, for the purpose of this analysis, are estimated to be \$842,720 in fiscal year 2018 and \$822,720 in fiscal year 2019.

TEA assumes that reported attendance would not increase as a result of the provisions of the bill; therefore, no significant fiscal impact to the Foundation School Program is anticipated.

### **Technology**

Technology costs to implement the provisions of the bill are estimated to be \$842,720 in fiscal year 2018 and \$822,720 in fiscal year 2019.

### **Local Government Impact**

Local education agencies and charter schools would have additional flexibility in their operations.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** UP, THo, AM, AH, RC