

FLOOR AMENDMENT NO. _____

BY: Jane Nelson

1. Amend C.S.H.B. 3 (senate committee report) as follows:

2 (1) Add the following appropriately numbered SECTION to
3 ARTICLE 1 of the bill and renumber subsequent SECTIONS of that
4 article accordingly:

5 SECTION 1.____. Section 42.156, Education Code, is
6 transferred to Subchapter C, Chapter 48, Education Code, as added
7 by this Act, redesignated as Section 48.115, Education Code, and
8 amended to read as follows:

9 Sec. 48.115 [~~42.156~~]. GIFTED AND TALENTED STUDENT
10 ALLOTMENT. (a) For each identified student a school district serves
11 in a program for gifted and talented students that the district
12 certifies to the commissioner as complying with Subchapter D,
13 Chapter 29, a district is entitled to an annual allotment equal to
14 the [~~district's adjusted~~] basic allotment [~~as determined under~~
15 ~~Section 42.102 or Section 42.103, as applicable,~~] multiplied by .12
16 for each school year or a greater amount provided by appropriation.

17 (b) Funds allocated under this section, other than the
18 amount that represents the program's share of general
19 administrative costs, must be used in providing programs for gifted
20 and talented students under Subchapter D, Chapter 29, including
21 programs sanctioned by International Baccalaureate and Advanced
22 Placement, or in developing programs for gifted and talented
23 students. Each district must account for the expenditure of state
24 funds as provided by rule of the commissioner [~~State Board of~~
25 ~~Education~~]. If by the end of the 12th month after receiving an
26 allotment for developing a program a district has failed to
27 implement a program, the district must refund the amount of the
28 allotment to the agency within 30 days.

29 (c) Not more than five percent of a district's students in

1 average daily attendance are eligible for funding under this
2 section.

3 (d) If the amount of state funds for which school districts
4 are eligible under this section exceeds the amount of state funds
5 appropriated in any year for the programs, the commissioner shall
6 reduce each district's tier one allotments in the same manner
7 described for a reduction in allotments under Section 48.266
8 [~~42.253~~].

9 (e) If the total amount of funds allotted under this section
10 before a date set by commissioner rule [~~of the State Board of~~
11 ~~Education~~] is less than the total amount appropriated for a school
12 year, the commissioner shall transfer the remainder to any program
13 for which an allotment under Section 48.104 [~~42.152~~] may be used.

14 (f) After each district has received allotted funds for this
15 program, the commissioner [~~State Board of Education~~] may use up to
16 \$500,000 of the funds allocated under this section for programs
17 such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind,
18 and Academic Decathlon, as long as these funds are used to train
19 personnel and provide program services. To be eligible for funding
20 under this subsection, a program must be determined by the
21 commissioner [~~State Board of Education~~] to provide services that
22 are effective and consistent with the state plan for gifted and
23 talented education.

24 (2) Strike SECTIONS 2.026 and 2.027 of the bill (page 71,
25 line 61, through page 72, line 30) and renumber subsequent SECTIONS
26 of ARTICLE 2 accordingly.

27 (3) In SECTION 3.004 of the bill, in amended Section
28 8.051(d), Education Code, strike Subdivision (2) (page 83, lines 50
29 through 53) and substitute the following:

30 (2) training and assistance in providing each program
31 that qualifies for a funding allotment under Section 48.102,

1 48.104, 48.105, or 48.115 [~~42.151, 42.152, 42.153, or 42.156~~];

2 (4) In SECTION 5.001(a) of the bill, repealing provisions of
3 the Education Code, strike Subdivision (35) (page 115, line 49) and
4 renumber subsequent subdivisions accordingly.