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Chap.	Ext.	Issue	Desired Change	Rationale	Focus Group Comments	TEC	Agency Response
61		Policy Advisory Group. School District Perf. Review – until students experience “see” a program is successful the students might not actively participate. Are we giving program implementation enough time? Board training is a concern.	Provide time for program implementation. Provide better board training – guidelines and more training for district accountability.	none	The focus group members disagreed with the desired change and recommended no change to the rule language.	42.160 (a)	The rule does not set a time limit on program implementation. The rule allows for local discretion regarding school district performance review.
61		SEE COMMENTS ABOVE	SEE COMMENTS ABOVE	SEE COMMENTS ABOVE	SEE COMMENTS ABOVE In response to a comment that appeared in another rule section, focus group members recommended a change to the statute to provide the High School Allotment based on weighted funding, rather than ADA.	42.160(a)	SEE COMMENTS ABOVE Statutory change required to base funding on WADA rather than ADA.
61	1093(1)(6)(14)	61.1093 (1) & (6) (14) – should be priorities.	Prioritize.	These are students likely to not participate after HS.	The focus group disagreed with the desired change to prioritize the use of allotment funds. They recommended maintaining the broad use of funds.	42.160 (a)	The rule allows for priorities regarding the use of the allotment funds to be set locally.
61	1099	61.1099 – needs to reference new assessment, Ex – EOC.	Update.	It’s outdated.	In Section 1099 (4 & 5), the focus group recommended changing the rule to say "state assessments," rather than TAKS.		Agree. The agency will change subsection 61.1099 to update the rule to reference "state assessments" rather than TAKS.

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61	1095	61.1095 B9 & B12 – funding to give incentives to children who are being successful & funding incentives to teachers.	Needs to put funding to those still struggling.	Those struggling need more remediation and support.	The focus group disagreed with the desired change to prioritize allotment to districts with struggling students. They recommended maintaining the current language.	39.234 (a)	The rule does not require that incentives be given to teachers or to children who are being successful. All allotment funds may be directed to students who are struggling. The rule allows for local discretion.
61	1094	61.1094 – What are parameters?	Clarify. Include school staff in appropriation of funds & selection of participation venues (site-based).				The rule allows for local discretion concerning funding school staff and participation venues.
61		Not new money.	Should be additional money on top of what they receive.	All it did was sort of shuffle resources.		42.160 (a)	Statutory change required to modify the amount of funds allocated.
61		What are the standards we are striving for to be an exceptional program? Need specificity.					The rule allows for programs that have achieved high graduation and college readiness rates to have greater flexibility in use of their allotment funds. By meeting these standards to be an exceptional program, the district receives more local control rather than additional funding.
61		No Change	No Change	No Change	NA		No change requested.

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61	1092, 1099, 1095(b)(10),	.1092 – Concern – money being used to supplant – use of funds is main area of concern. Academically rigorous coursework reference. 61.1099 – creates annual review requirement. Money need to stat – up (start-up?) funds.	.1095(b)(10) – limit amount spent on salaries not to be used to supplant. Disagree need $ for salaries otherwise RIF's - RIF = loss of rigor. Define "academically rigorous coursework" 61.1099 – This is reported elsewhere so should not be required to do separately – report on report. More money. Resources do not match requirements of mandate.	Reduce restriction on use of funds in a way that is likely to increase student achievement.	The focus group recommended that, if districts are going to be required to track funds separately that a separate fund code should be used. This would be simpler for each district's business office. The focus group recommended that no change be made to the rule language that allows districts to supplant other funds with High School Allotment funds. Focus group members commented that if legislation doesn't require that High School Allotment funds be tracked separately, then districts shouldn't be required to do so in the rule. The focus group recommended NOT requiring districts to track the use of these funds separately. Focus group members voiced their support for the need to keep the High School Allotment.		The rule allows for local control regarding decisions about the use or supplanting of allotment funds for salaries. Agree. The agency will provide examples of academically rigorous coursework in guidance provided through the agency's Frequently Asked Questions. The agency will pursue use of an alternative to fund code 199 for tracking purposes. The school district annual performance review is an opportunity for school trustees to review data on effectiveness of allotment fund usage prior to making budgetary decisions on how the allotment will be used for the upcoming year. Adding additional funding would require a statutory change.

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61	1095, 1101	61.1095 Allowable Expenditures revise.	Have recognition of HSA programs, 61.1101, include any local assessment date and improvements made with allotment funds, rather than “exceptional” use only. Section (a) add allowable expenditures for 8th graders taking HS courses.	none	The focus group disagreed with the desired change and recommend no change to the rule language.		The rule does not preclude use of local assessment data in identifying districts and campuses to be recognized for offering exceptional programs. The rule allows for expenditure of allotment funds for students in grades 6-8.
61	1091	Unclear reporting requirements – may be told after the fact that certain expenditures are not allowable 61.1100(b) “and other compliance requirements” “PBMAS” Concerned that allotment may go away. Coded as grant funded – this year coded 199 (confusing as to future of $)	Change language to include career readiness, not just college readiness. Consistently change to “coursework” or “course work” 61.1091 Definitions #1 – 4th line. Change coursework to requirements. Some funding should be shared with middle school (more flexibility). Set clearly stated reporting requirements upfront to eliminate concern Coding needs to be clarified (make sure $ are in place).	Include 6th grade – that is where we do career investigations. Establish college bound mindset early. Schools need clear directions to prevent fiscal impact & misunderstandings. LEA’s need to know that $ will be in place.	Some focus group members recommended broadening the term "college readiness" to include "career readiness" or using the term "postsecondary readiness." Some focus group members recommended leaving the term as "college readiness."	39.234	Agree. The agency will change the rule language to include postsecondary readiness. Agree. The agency will ensure that the rule language regarding coursework is consistent with the statute. The rule allows for expenditure of allotment funds for students in grades 6-8. The agency will specify reporting requirements in guidance provided in agency Frequently Asked Questions. The agency will investigate whether fund coding can be modified. The funding itself is a legislative issue.

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61	1099	Already exists in AEIS	Delete Section	Duplication of effort	The focus group members disagreed with the desired change and recommended no change to the rule language.		Agree. The agency will delete the section.
61	1095	The rule should be revised. Section (b)(12) provides that a school district may spend high school allotment funds on performance reward and incentive programs established in district policy or employment contracts. Given tight budgetary constraints that the state and districts are facing, and given that the state has already allocated almost $200 million per year for performance pay in the District Awards for Teacher Excellence grant program, it would be more beneficial to districts to be allowed to spend funds designed specifically to aid high schools on other pressing needs unique to many high schools, such as recruitment and retention of certified teachers to staff the 4x4 high school graduation requirements instead.	61.1095(b) should be amended and revised in the following way: strike the current subsection 61.1095(b)(12) and replace it with a new 61.1095(b)(12) that states "(12) recruitment and retention of certified teachers to staff the 4x4 curriculum requirement, including stipends to recruit and retain shortage area teachers, and funds to assist other certified teachers in adding subject area shortage certification."	Changing the rule in this way allows districts to spend funds designed specifically to aide high schools on a primary pressing need for most high schools - appropriately staffing the 4x4 state high school graduation requirements. This gives districts more flexibility to spend limited funds where they are needed most. The state has already allocated almost $200 million per year for performance pay in the DATE grant program; districts receiving DATE grants have very limited ability to use DATE funds for staffing subject shortage areas and the like. Since the 4x4 high school graduation requirements are now in place, requiring districts to hire more certified math and science teachers (of which there are already severe shortages in this state), it seems high school allotment funds should have a more narrow focus that will directly assist in addressing recruitment and retention of certified teachers in these shortage areas.	Some focus group members recommended that the term performance reward should be broadened to allow staffing recruitment/retention for shortage areas (4x4 areas)and recommending using the term "incentive programs."		The rule does not prohibit local districts from distributing funds to recruit and retain certified teachers to staff the 4x4 curriculum or stipends for teachers serving in shortage areas. Nor does the rule limit local control over performance rewards.

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61	1093	Does the individual high school campus decide how the high school allotment funds will be used within the guidelines established in the education code? Should the expenditure of these funds be determined by the campus SBDM and included in the campus performance plan? Who determines the "interpretation" of what are allowable expenditures?	I am not sure that the change needs to be made at the state level or this is a local issue. I would like to see a listing of examples of effective uses of the high school allotment funds by other successful schools. I would like my campus SBDM to decide how the funds should be used on our campus and within our feeder schools. It should be understood that all of these expenditures would be within the guidelines issued by the commissioner.	The campus should be able to use the funds that were generated by the students rather than the district using the funds for their "projects".	The focus group members agreed and recommended no change to the language.		The agency posts examples of effective uses of the high school allotment and will continue to update that information.Agree. The rule does not prohibit districts from allowing the Campus Site-Based Decision-Making (SBDM) Committee to decide how to use the funds. Nor does the rule prohibit districts from distributing allotment funds to campuses based on campus enrollment, but rather allows districts the flexibility to distribute funds using whatever criteria is most appropriate for the individual district.
61	1092	Problem: Stakeholders at the campus committee level should be able to decide on how to use the funds. I feel that rule should be more specific, and the grant be awarded to the campus. A percent calculated for feeder schools funds into high school should be set.	on part c, High School allotment funds will be distributed to each school district as part of regularly scheduled state aid payments and awarded to the campus in order to ensure funding for campus improvement plan.	The proposed change will solve the issue where funding for campus improvement plan is directly tied to student achievement of the campus goals.	The focus group members agreed and recommended no change to the language.		The rule does not prohibit districts from distributing allotment funds to campuses and allowing the campuses to decide how to use the funds. The rule provides flexibility and local control over how the funds are disbursed.

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Chap.	Ext.	Issue	Desired Change	Rationale	Focus Group Comments	TEC	Agency Response
61	1099	Keep the current rule as is. The rule serves the important function of establishing a process whereby a school district receiving high school allotment funds must inform the public of its annual performance goals for programs, activities, and strategies implemented with high school allotment funds, and must annually review its progress related to the performance goals.	No change.	Keeping the current rule as is ensures that a school district receiving high school allotment funds has an open and transparent process by which the public is informed of its annual performance goals for programs, activities, and strategies implemented with high school allotment funds, as well as ensures that the district monitor its progress related to the performance goals by annually reviewing its progress.	The focus group members agreed and recommended no change to the language.		No change is requested.
61	1091	The rule should be retained as is. It provides important definitions for the High School Allotment program.	No change.	Given the emphasis placed on the importance of the High School Allotment by the Agency and its widespread use by school districts, it is essential that the Agency provide rules establishing the appropriate parameters for use of the allotment.	The focus group members agreed and recommended no change to the language.		No change is requested.
61	1092	The rule should be retained as is. It provides important information about how the High School allotment will be distributed, and district accounting for use of the funds.	No change.	Given the emphasis placed on the importance of the High School Allotment by the Agency and its widespread use by school districts, it is essential that the Agency provide rules establishing the appropriate parameters for use of the allotment.	The focus group members agreed and recommended no change to the language.		No change is requested.

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61	1093	The rule should be retained as is. It expands upon the list of activities authorized for use of the funds contained in the enabling statute.	No change.	Given the emphasis placed on the importance of the High School Allotment by the Agency and it's widespread use by school districts, it is essential that the Agency provide rules establishing the appropriate parameters for use of the allotment.	The focus group members agreed and recommended no change to the language.		No change is requested.
61	1094	Keep the current rule as is. It provides necessary details regarding identifying schools that are eligible for alternative use of the high school allotment funds.	No change.	Keeping the current rule as is provides necessary details regarding identifying schools that are eligible for alternative use of the high school allotment funds.	The focus group recommended clarifying the rule to include additional details regarding what makes a district eligible for alternative use of funds.		The agency will provide further guidance on criteria for a district to become eligible to alternative uses of the funds.
61	1096	The rule should be retained as is. It serves the important purpose of specifying that high school allotment funds cannot be spent on indirect or administrative costs or athletic programs, which would divert funds their intended use.	No change.	Keeping the current rule as is ensures that districts are put on notice that spending high school allotment funds on athletics is not a proper use of funds (as noted in the enabling statute) which are intended to facilitate high school promotion and completion.	The focus group recommends no change.		No change is requested.

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61	1097	Keep the current rule as is. The enabling statute requires districts to use high school allotment funds to, among other activities, implement or administer other high school completion and success initiatives in grades six through 12 approved by the commissioner. Accordingly, it is necessary for the commissioner to establish rules identifying the process for gaining approval of the commissioner for other activities that must be approved by the commissioner.	No change.	Keeping the current rule as is satisfies the enabling statute's requirement that districts must use High School allotment funds to, among other activities, implement or administer other high school completion and success initiatives in grades six through 12 approved by the commissioner.	The focus group recommends no change.		No change is requested.
61	1098	Currently, high school classroom teachers stakeholders are not a required category of stakeholders for participation in the policy advisory group	Add a subsection to 61.1098(a) including high school classroom teachers	We think that it would be beneficial and helpful to all parties if the teachers responsible for implementing the policies had the opportunity to participate and give their input during the development of those policies.	Focus group members recommended that if a policy advisory group is retained, the rule should be changed to ensure a high school classroom teacher is a required member of the group.		Agree. Currently the High School Policy Advisory Group membership does include a teacher, but the agency will make the change in rule.

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61	1100	Keep the current rule as is. The rule meets the statutory requirement for the Agency to develop standards for evaluating the success and cost-effectiveness of high school completion and success and college readiness programs implemented with high school allotment funds.	No change.	Keeping the current rule as is meets statutory requirements and serves the important function of establishing an oversight process by TEA of the high school allotment program by requiring TEA to evaluate the performance of programs implemented by school districts with high school allotment funds.	The focus group recommend no change.		No change is requested.
61	1101	Keep the current rule as is. The rule serves to meet statutory requirements for the Agency to develop standards for selecting and methods for recognizing school districts and campuses that offer exceptional high school completion and success and college readiness programs with high school allotment funds.	No change.	Keeping the current rule as is meets statutory requirements and serves the important purpose of establishing standards for recognizing school districts and campuses that offer exceptional high school completion and success and college readiness programs with high school allotment funds.	The focus group recommend no change.		No change is requested.
61	1095	1. Rule should stay as is with the exception of deleting #9 and #10.	Issue 1: #9. Eliminate incentive pay for students. #12. Eliminate incentive pay for teachers.	Issue 1: #9 Research does not consistently support paying students for grades, performance, etc. #12 Teachers have opportunity to receive incentive pay from the Educator Award Programs through the District Awards for Teacher Excellence (DATE).	Focus group members recommended clarifying the rule language regarding incentive pay for students to reflect that the funds may be used only for awards/incentives for students rather than direct pay for students. Focus group members recommended keeping incentive pay for teachers		Agree. The agency will clarify the rule language regarding performance reward and incentive programs for students to ensure that funds are not used for direct pay for students. The rule allows for local control regarding decisions about the use of allotment funds for teacher incentives.

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61		2. Changing High School Allotment from fund 428 to fund 199 was detrimental to the amount of flexibility allowed to districts.	Issue 2: Return High School Allotment to fund 428.	Issue 2: District personnel who work with High School Allotment have more freedom to meet student needs when funded through 428.			Agree. The agency will pursue use of an alternative to fund code 199 for tracking purposes.
61	1092	No change. Should this be within the formula calculations?	No change	None	Focus group recommends no change.		No change is requested.
61	1097	Districts required to apply again under this section even though an approved use of allotment.	Eliminate need to reapply for funds if the use is an approved use under definitions.	Eliminates paperwork and allows district flexibility	Focus group members disagreed with the desired change and recommended no change to the rule language.		Because there is no application required for the High School Allotment, no change is recommended to the rule.
61		The use of funds to too prescriptive and restrictive	Broaden district flexibility on uses of funds to get students out of school...the purpose of the allotment	Allow district flexibility	Focus group members disagreed with the desired change and recommended no change to the rule language.		The use of allotment funds are consistent with and aligned with the statutory provisions in TEC § 39.234 "Use of High School Allotment".
61	1098	Policy group not needed	Eliminate group since all funds moved to 199	Policy group not needed	The focus group members disagreed with the desired change and recommended no change to the rule language.		The policy advisory group provides valuable feedback and input regarding implementation of the High School Allotment program. No change to the rule is recommended.