

PROPOSED NEW §61.1008 CONCERNING THE SCHOOL SAFETY ALLOTMENT

The Texas State Teachers Association offers the following comments to Proposed new §61.1008 concerning the school safety allotment

TSTA supports ensuring minimum school safety standards and believes that many components of the Commissioner's proposed new §61.1008 would help direct funding to districts in a manner to ensure safe physical learning environments for Texas students. However, TSTA has concerns that the proposed rules could potentially exclude Prekindergarten-only campuses. **TSTA recommends adding "and/or Prekindergarten Guidelines" to Subsection (a)(1)(C) to ensure Prekindergarten campuses are included as eligible for the School Safety Allotment.**

The proposed rules also apply a unique set of restrictions on school district campuses that do not apply to campuses of open-enrollment charter schools. The result could be district campuses not qualifying for the school safety allotment while similarly situated charter campuses do qualify. **TSTA recommends language that would require Subsection (a)(1) to identically apply to charter schools.**

For example, to qualify for the School Safety Allotment a school district campus:

- *Shall provide instruction in the Texas Essential Knowledge and Skills.*
 - This may exclude district Prekindergarten campuses because Prekindergarten Guidelines are not "Texas Essential Knowledge and Skills" listed in the Texas Administrative Code.
 - **TSTA recommends adding "and/or Prekindergarten Guidelines" to Subsection (a)(1)(C) to be consistent with Subsection (a)(1)(D) for early education grades.**
- *Shall have a unique campus ID registered with TEA, an assigned administrator, enrolled students who count for ADA, and assigned instructional staff.*
 - These same requirements should apply to charter schools unless we want the state to pay for charter campuses that are not open, have no ID, have no staff, etc. Some charters wait years to open – or never open – approved campuses.
- *Shall receive federal, state, or local funds as primary support.*
 - Why wouldn't this apply to charters, unless they weren't open and instead were primarily subsidized by an outside entity?
- *Shall have one or more grade groups from early education through grade 12.*
 - Why wouldn't this apply to charters?
- *Shall not be a program for students enrolled in another public school.*
 - Why wouldn't this also apply to charters? It could prevent double dipping or circumventing the exclusion of virtual campuses.
- *Not only use facilities not subject to the district's control.*
 - A similarly situated charter school campus is not excluded unless it does not meet a much narrower definition of control under the term "instructional facility." This requirement, which is in statute, should also clearly apply to charter schools.
- An open-enrollment charter school campus does not have to meet the above requirements other than the virtual exclusion and the instructional facilities requirement.

The Texas State Teachers Association appreciates the intent in proposed new §61.1008 to direct much-needed funding to districts to ensure learning environments are physically safe. However, we believe minor edits are required to ensure safe learning environments for all Texas students and equal eligibility standards across school systems.

