



Montgomery ISD Legislative Platform
88th Texas Legislature
Updated December 20, 2022

INTRODUCTION

The Montgomery ISD Board of Trustees is committed to engaging and working with our state legislative delegation to advance policies that would enhance the district's capacity and ability to provide educators with the necessary resources to carry out the Vision to be the Premier School District in Texas.

Montgomery ISD is thankful for the opportunity to work with our state legislative delegation to address areas in the state's Foundation School Program that, for several years, have negatively impacted the district's revenues per student. The Board of Trustees stands willing and ready to serve as a partner and resource to state lawmakers when considering legislation that would impact public education in Texas.

PROPOSED LEGISLATIVE CHANGES DURING THE 88TH TEXAS LEGISLATURE



School Finance

Montgomery ISD proposes a legislative solution designed to support school districts that maintained conservative Maintenance & Operations (M&O) tax rates below that cap of \$1.50 prior to the \$.50 tax rate compression enacted in 2006. Many of these districts, including Montgomery ISD, were later unintentionally impacted by legislation adopted in 2019 (HB 3) making changes to Tier 2 funding formulas within the Foundation School Program.

Background

In 2019, Texas lawmakers adopted House Bill 3 adjusting the number of "golden pennies" a school district could access as part of Tier 2 foundation funding formulas. Prior to HB 3 in 2019, school districts could access up to six golden pennies in the Tier 2 foundation funding formulas. School districts that had M&O tax rates at the \$1.50 cap in 2006 could access up to four golden pennies through a board of trustee approval. Those same districts were required

to seek voter approval, through a Tax Ratification Election (TRE), to access the 5th and 6th golden pennies. School districts that were below the \$1.50 M&O tax rate cap (which included Montgomery ISD) could access up to six golden pennies without holding a TRE following the state's \$.50 cent tax rate compression in 2006.

Following the passage of HB 3, the number of golden pennies a district could access was increased from six to eight. Districts that held a TRE to access all six available golden pennies prior to the adoption of HB 3 were increased to eight golden pennies depending on the number of pennies they accessed in their TRE, while the "\$1.50" districts that only accessed the four golden pennies available through board action were increased to five. However, districts that were below the \$1.50 M&O tax rate cap in 2006 that had accessed all six golden pennies through board action (without a TRE) were reduced to five golden pennies. Montgomery ISD believes this policy has resulted in a growing gap in per-student funding and is an unintended outcome for school districts that maintained conservative tax rates prior to the \$.50 cent compression enacted in 2006.

Montgomery ISD encourages the legislature to make the following changes to the state's Tier 2 funding formulas in the Foundation School Program:

- 1. Authorize school districts that haven't accessed all eight golden pennies the ability to access an additional penny;**
- 2. Authorize school districts that had a golden penny removed as a result of HB 3 to regain access to an additional golden penny; and**
- 3. Authorize school districts that are more than \$1,000 below the state average in per-student funding the ability to access an additional golden penny.**



The Montgomery Independent School District also supports the following:

- Legislation creating a temporary allotment for the 120 districts that received comparatively less federal ESSER relief funds. The funds would allow these districts to compete with teacher and staff sign-on bonuses, stipends and similar one-time uses.**
- A legislative directive that the Texas Education Agency study the 472 school districts that were below the \$1.50 Maintenance & Operations tax rate in 2006 for lost funding in most of the last 16 years, and those who owe recapture be provided the ability to use this as a credit into the future until all credit is exhausted.**

- **Legislation that would allow for the bottom quartile ESSER-funded ISDs to receive a “make-whole” provision with the allocation of one-time funding to make up for the last four years of lost fractional funding.**
- **That provisions related to the “Fast Growth District” funding are preserved to ensure that only those school districts that experience “true” growth in enrollment receive support from this additional funding through this allotment, as opposed to districts that experienced significant enrollment loss due to COVID and are seeing some of those students return.**
- **The expansion of Career and Technical Education weights at middle school to ensure full/adequate levels of funding in classroom settings.**
- **An increase to the state’s Basic Allotment to alleviate the burden of recapture on Chapter 48 districts, keep up with inflation and raises per-student funding to the national average.**
- **Using district enrollment, rather than attendance, as the mechanism for funding.**



School Safety and Security

- **Montgomery ISD proposes an increase to the School Safety Allotment within the Foundation School Program, with new and sustainable funding, and providing districts with flexibility in how these additional revenues may be allocated to enhance school safety and security.**
- **Montgomery ISD encourages the state legislature to identify appropriate ongoing, sustainable funding for identifying and serving students with mental health needs through counseling services and campus-based mental and behavioral health services for students**
- **Montgomery ISD supports responsible modifications to SB 393, which limits a school district police’s departments scope in issuing Class C Citations for offenses that occur on a school campus.**
- **Montgomery ISD encourages a thorough review of all school safety and security-related reporting requirements to ensure consistency and the elimination of reporting of duplicative data and information.**



Local Control

- In anticipation of a Parent's Bill of Rights legislative proposal, Montgomery ISD supports allowing school districts to have an attendance code that would not negatively impact Average Daily Attendance (ADA) when parents exercise their right to have their children not in school for designated educational purposes.**
- Montgomery ISD supports modifications to HB 4545, which include permanent funding for all associated requirements for accelerated instruction and local flexibility in meeting the needs of students.**
- Montgomery ISD supports preserving the ability for school districts to hold bond elections in May and November.**
- Montgomery ISD supports transparency in elections and taxation; however, the district opposes any measure that adds required bond ballot language that is potentially confusing to taxpayers.**

