

BILL ANALYSIS

C.S.H.B. 30
By: Talarico
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to reports from the Windham School District, there are over 300 students in Texas who were either adjudicated as adults under the age of 18 or are between the ages of 18 and 22 and eligible to receive special education services under the Individuals with Disabilities Education Act. Although some students may be close to completing the requirements to earn a high school diploma, they are not currently provided this opportunity. Minors certified as adults and those eligible for special education services in the Texas Department of Criminal Justice, unlike individuals in juvenile facilities, do not have access to a high school diploma program and instead must pursue high school equivalency. C.S.H.B. 30 seeks to ensure that students who are not currently covered by any state education requirements are taught by requiring the Windham School District to educate minors certified as adults.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Board of Criminal Justice in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 30 amends the Education Code to require the Windham School District to develop and provide an educational program that includes the curriculum requirements for a high school diploma or a course of instruction that prepares the person for the high school equivalency examination to each person confined or imprisoned in the Texas Department of Criminal Justice who is not a high school graduate and meets the following age requirements:

- is younger than 18 years of age; or
- is eligible to receive special education services and younger than 22 years of age.

The bill requires the Windham School District, in developing a person's educational program, to consider the following:

- the duration of the person's confinement or imprisonment;
- the person's current level of education;
- the person's educational goals and preference; and
- if applicable, recommendations of the person's admission, review, and dismissal committee.

The bill authorizes the Texas Board of Criminal Justice to adopt rules as necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

In addition to the following substantive differences, C.S.H.B. 30 differs from the original in minor or nonsubstantive ways to conform to bill drafting conventions and amends the caption.

The substitute extends the applicability of the requirement in the original for the Windham School District to provide an educational program to a confined or imprisoned person younger than 22 years of age who is receiving special education services to include such a person younger than 22 years of age who is eligible to receive those services.

The substitute includes a requirement not in the original for the district, in developing a person's educational program, to consider the person's educational goals and preference.

The substitute does not include the following provisions that were in the original:

- a requirement for the Texas Education Agency to collaborate with a department in providing necessary materials for instruction; and
- an authorization for a department to enter into an agreement with the Windham School District for purposes of complying with the bill.

The substitute changes the bill's effective date from the original date of on passage or September 1, 2021, if the bill does not receive the necessary votes for immediate effect, to September 1, 2021.