

- SUBJECT:** 180-day waivers for juvenile justice alternative education programs
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 9 ayes — Sadler, Dutton, Dunnam, Grusendorf, Hardcastle, Hochberg, Oliveira, Olivo, Smith
0 nays
- SENATE VOTE:** On final passage, March 1 — 30-0, on Local and Uncontested Calendar
- WITNESSES:** For — Margaret Rohde, Harris County Juvenile Justice Alternative Education Program
Against — None
- BACKGROUND:** Education Code, sec. 37.011 requires large counties with populations of 125,000 or more to develop a juvenile justice alternative education program (JJAEP), subject to the approval of the Juvenile Probation Commission. JJAEPs provide education in language arts, math, science, social studies, and self-discipline to students who are expelled from their regular school. Large county JJAEPs must operate for at least seven hours per day and 180 days per year. JJAEPs in counties with populations of less than 125,000 are not subject to the same requirements as large county JJAEPs.
- DIGEST:** The bill would amend the Education Code to allow a large county JJAEP to apply to the Juvenile Probation Commission for a waiver of the 180-day requirement. The commission could not grant a waiver for a number of days that exceeded the highest number of days waived by the commissioner of education during the same school year for a school district served by the program.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001, and would apply beginning with the 2001-02 school year.
- SUPPORTERS** SB 189 is needed to ensure that JJAEPs have the same ability as a local

SAY: school district to receive a waiver for days of education. JJAEPs operate within the school districts of their service area. Many of these school districts have been approved to waive the 180-day requirement for specific reasons, which then has created asymmetrical calendars between the JJAEP and the regular school district. Allowing a JJAEP to seek a waiver would permit it to match its calendar with the corresponding local school district's calendar.

Allowing a JJAEP to match the school district calendar would result in better attendance at JJAEP programs. When a district's regular classes are not in session, JJAEP programs experience low attendance. JJAEP students may be more likely to skip classes on days when their peers are not attending classes, and parents who have students in both JJAEP and regular classes may use regular school district days off for family trips or vacations.

Allowing a JJAEP to match the school district calendar would assist the school district with planning. JJAEP programs are staffed with teachers provided by the school district. When the school district offers staff development for teachers in regular programs and has a 180-day rule waiver to do so, JJAEP programs still may be operating. Districts are forced either to make teacher development an extracurricular activity for teachers or to find substitute or alternate staff for JJAEP programs so that they may operate on those days.

**OPPONENTS
SAY:** No apparent opposition.