

## **BILL ANALYSIS**

Senate Research Center  
77R3541 ESH-D

C.S.S.B. 266  
By: Ogden  
Education  
3/23/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, the state-funded extended year program covers only a portion of the costs for a participating district and authorizes only certain districts to participate. C.S.S.B. 266 amends Chapter 29 of the Texas Education Code authorizing a school district to provide an optional flexible school year program for students who would otherwise not be promoted to the next grade level.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.0821, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 29C, Education Code, by adding Section 29.0821, as follows:

Sec. 29.0821. OPTIONAL FLEXIBLE YEAR PROGRAM. Authorizes a school district to apply to the commissioner of education (commissioner) for approval to provide a flexible year program for students who did not pass an assessment instrument administered under Section 39.023 or would not otherwise be promoted to the next grade level. Authorizes a school district, to enable it to provide additional instructional days for a program under this section to provide, with the approval of the commissioner, a number of days of instruction during the regular school year that is not more than 10 days fewer than the number required under Section 25.081(a); and use for instructional purposes not more than five days that would otherwise be used for staff development or teacher preparation. Requires each educator employed under a 10-month contract, notwithstanding any reduction in the number of instructional days in the regular school year or in the number of staff development days, to provide the minimum days of service required under Section 21.401. Authorizes a school district to require educational support personnel to provide service as necessary for an optional flexible year program. Authorizes an optional year program to be at the beginning or end of the regular school year. Authorizes the commissioner to adopt rules for the administration of programs provided under this section.

SECTION 2. Amends Section 25.081(a), Education Code, to provide exceptions for each school year each school district is required to operate so that the district provides for at least 180 days of instruction for students, except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821.

SECTION 3. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 266, Chapter 29C, Education Code, as follows:

- Adds new proposed language regarding providing students who do not pass an assessment instrument.
- Adds new proposed language regarding additional instructional days for a program.