

BILL ANALYSIS

Senate Research Center

C.S.S.B. 346
By: Ogden
Education
3/5/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the state-funded extended year program covers only a portion of the costs for a participating school district and authorizes only certain districts to participate. In addition, the programs are not available at grade levels beyond the eighth grade. C.S.S.B. 346 amends Chapter 29 of the Education Code to authorize a school district to provide an optional flexible school year program for students who would otherwise not be promoted to the next grade level. In addition, C.S.S.B. 346 allows a district to reduce the regular school year and teacher service days to create time for specialized programs for at-risk students.

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. (a) 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 perform well or are not likely to perform well on a certain assessment instrument or who would not otherwise be promoted to the next grade level.

(b) Authorizes a school district to provide additional instructional days for a program under this section by setting aside certain days for that purpose.

(c) Requires each educator employed under a 10-month contract to provide the minimum days of service required under Section 21.401, notwithstanding any reduction in the number of instructional days in the regular school year or in the number of staff development days.

(d) Authorizes a school district to require educational support personnel to provide service as necessary for an optional flexible year program.

(e) Authorizes the commissioner to adopt rules for the administration of programs under this section.

SECTION 2. Amends Section 25.081(a), Education Code, to provide that Section 29.0821, in addition to Sections 25.081(b) and 25.084, constitutes an exception to the requirement that each school district operate so that the district provides for at least 180 days of instruction for students. Makes nonsubstantive changes.

SECTION 3. Amends Section 42.005(a), Education Code, by creating Subdivision (1) from existing

text and adding Subdivision (2) to provide an alternative method for calculating average daily attendance for a district that operates under a flexible year program under Section 29.0821. Makes conforming changes.

SECTION 4. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

In SECTION 1: Inserts the words “or are likely not” after the words “for students who did not” in proposed Section 29.0821(a), Education Code. Deletes proposed Section 29.0821(e), Education Code, regarding the placement of the optional flexible year and redesignates proposed Subsection (f) as (e).

In SECTION 3: Added to amend Section 42.005(a), Education Code.

In SECTION 4: Redesignated from proposed SECTION 3 in As Filed version. Changes the effective date to allow the possibility that the Act take effect upon passage.