

BILL ANALYSIS

Senate Research Center

S.B. 1036
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Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

High school dropout rates are continually increasing. School districts are faced with the challenging task of engaging, and re-engaging, students in public education programs leading to high school graduation and a better future quality of life.

The Houston and Dallas independent school districts, and other urban school districts across Texas, are working to attract students who have dropped out of school and recent immigrants into a formal educational setting to improve future opportunities for achieving high school graduation, education beyond high school, rewarding employment and full participation in community involvement. Because many of these students are actively engaged in supporting their families they are not available for participation in a traditional school program based on a Monday through Friday schedule of attendance. Rather, they need a schedule flexible enough to accommodate participation in one course or a full schedule of courses, participation a few days a week or every day courses are offered and attendance options over more than a five-day period.

As proposed, S.B. 1036 provides the mechanism to help accomplish this goal by providing for a more flexible method for calculating average daily attendance for participating students.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.0822, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 29, Education Code, by adding Section 29.0822, as follows:

Sec. 29.0822. OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM. (a) Authorizes a school district to provide a flexible school day program for students in grades nine through twelve who have dropped out of school or who are at-risk of dropping out, notwithstanding Section 25.081 or 25.082.

(b) Authorizes a school district to take specific actions to enable a school district to provide a program under this section.

(c) Requires a program under this section to provide instructional hours as specified.

(d) Authorizes the commissioner of education (commissioner) to adopt rules for the administration of this section. Requires the commissioner to calculate average daily attendance for at-risk students served under this section. Requires the commissioner to allow accumulations of hours of instruction for certain students. Sets forth requirements to determine funding under this section. Requires attendance of certain students be proportionately reduced for funding purposes. Authorizes the commissioner to set maximum funding amounts for an individual course under this section.

SECTION 2. Amends Section 42.005(a), Education Code, as follows:

(a)(3) Provides that average daily attendance for a district that operates under a flexible school day program under Section 29.0822 is as calculated by the commissioner in accordance with Section 29.0822(d).

SECTION 3. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 4. Effective date: upon passage or September 1, 2005.