

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 1395  
By: Shapiro  
Education  
4/16/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The United States Department of Labor operates regional Job Corps programs in Texas in Laredo, San Marcos, McKinney, and El Paso serving 5,300 Texas students each year. These Job Corps programs serve youth from 16-24 years of age who are from low income homes, are from an area that has conditions that limit job opportunities, and are able to benefit from Job Corps' vocational and academic training. Previously, Job Corps programs have enrolled their students in general education development (GED) programs. However, in November of 2004, the Department of Labor issued a requirement that all Job Corps programs offer a high school diploma program.

In Texas, this mandate has raised a particular challenge. Current law exempts students enrolled in Job Corps training programs from compulsory school attendance. As a result, some public school districts have been reluctant to enroll Job Corps students in the regular instructional programs of the district. Many Job Corps students have been unsuccessful in a public high school setting and require more intensive remedial programs in order to meet the challenge of obtaining a high school diploma.

C.S.S.B. 1395 permits Job Corps Centers to offer a specialized high school diploma program to students enrolled in the federal program, in order to provide at-risk students with the opportunity to earn a high school diploma (upon passage of the exit-level statewide assessment) which will increase their opportunities for success in the job market. C.S.S.B. 1395 also provides for the funding of the program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle C, Title 2, Education Code, by adding Chapter 18, as follows:

#### **CHAPTER 18. JOB CORPS DIPLOMA PROGRAM**

Sec. 18.001. DEFINITIONS. Defines "Job Corps," "Job Corps diploma program," and "diploma program."

Sec. 18.002. ESTABLISHMENT. (a) Authorizes a Job Corps training program (program) to establish a high school diploma program to operate public secondary schools at Job Corps facilities throughout the state.

(b) Provides that a program established under this chapter is separate and distinct from the United States Department of Labor.

Sec. 18.003. AUTHORITY. Authorizes a program to offer a secondary school curriculum, a high school diploma program, and a General Educational Development program.

Sec. 18.004. GOALS. Sets forth the goals of the program.

Sec. 18.005. GOVERNANCE; LIMITATION ON POWERS; DUTIES. Requires a program to be governed as provided by this chapter and policies established by the Job Corps. Provides that, unless otherwise provided by this chapter, a provision of this code applying to school districts does not apply to a program. Prohibits a program from imposing a tax. Requires a program to take certain actions relating to program development and participation.

Sec. 18.006. ACCOUNTABILITY. (a) Requires the commissioner of education (commissioner) to develop and implement a system of accountability consistent with Chapter 39 (Public School System Accountability), where appropriate, to be used in assigning an annual performance rating to programs comparable to ratings assigned to school districts under Section 39.072 (Accreditation Standards).

(b) Requires the accountability system, in addition to other factors determined to be appropriate by the commissioner, to include certain criteria.

Sec. 18.007. ELIGIBILITY FOR CERTAIN PROGRAMS AND SERVICES. (a) Provides that any person enrolled in good standing in a program who is not a high school graduate is eligible for programs or services under this chapter.

(b) Provides that eligibility for programs and services under this chapter does not exclude a person from being eligible for an educational program or service under any other chapter of this code.

Sec. 18.008. GRANTS AND FEDERAL FUNDS. (a) Authorizes a program to accept a grant from a public or private organization and to spend those funds to supplement programs and provide student services.

(b) Authorizes a program to accept federal funds and requires a program to use those funds in compliance with applicable federal law, regulations, and guidelines.

Sec. 18.009. COSTS. (a) Requires a program to pay the cost of operating its high school diploma program.

(b) Prohibits the operating costs of a program from being charged to a school district.

Sec. 18.010. PROGRAM EMPLOYEES. (a) Provides that program employees are not considered employees of the state.

(b) Authorizes a program to establish personnel policies as necessary to ensure its effective and efficient operation under this chapter.

(c) Requires a program employee required under Chapter 21 (Educators) to hold a certificate if employed by a school district to be certified in accordance with this chapter.

SECTION 2. Amends Section 1.001(b), Education Code, to provide that except as provided by Chapter 18, this code does not apply to students, facilities, or programs under the jurisdiction of the Department of Aging and Disability Services, rather than the Texas Department of Mental Health and Mental Retardation, the Department of State Health Services, or the Health and Human Services Commission and a Job Corps program operated by or under contract with the United States Department of Labor. Deletes existing text relating to the Texas Department of Human Services.

SECTION 3. Amends Section 25.086(a), Education Code, to provide that a child is exempt from the requirements of compulsory school attendance if the child is enrolled in a program under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.) or is at least 16 years of age and is enrolled in a high school diploma program under Chapter 18. Deletes existing text relating to the Job Training Partnership Act. Makes conforming changes.

SECTION 4. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 5. Effective date: upon passage or September 1, 2005.