

BILL ANALYSIS

Senate Research Center
81R15236 CAS-F

H.B. 1297
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, if a student fails to meet minimum attendance requirements he or she may be required to repeat an entire course or school year. While research shows that students who repeat a grade have a higher risk of dropping out of school, there are no funds available for schools to provide students with the option to make up only the days needed to earn credit, rather than an entire course or school year.

H.B. 1297 aims to keep students on a forward-moving path toward graduation by allowing school districts to take advantage of the flexible school day option to serve students who do not meet minimum attendance requirements. Expanding eligibility for flexible school day programs provides districts with a funded opportunity to offer students enough make-up instruction to earn credit for a class without retaking the entire course or school year.

H.B. 1297 amends current law relating to optional flexible school day program courses offered by school districts to enable students to earn course credit under certain circumstances.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.0822, Education Code, by amending Subsections (a), (c), and (d) and adding Subsection (e), as follows:

(a) Authorizes a school district, notwithstanding Section 25.081 (Operation of Schools) or 25.082 (School Day; Pledges of Allegiance; Minute of Silence), to apply to the commissioner of education to provide a flexible school day program for certain students, rather than students in grades nine through 12, including those who, as a result of attendance requirements under Section 25.092 (Minimum Attendance For Class Credit), will be denied credit for one or more classes in which students have been enrolled. Makes nonsubstantive changes.

(c) Creates an exception in the case of a course designed for a student described by Subsection (a)(3) (relating to students who will be denied credit due to attendance).

(d) Authorizes the commissioner to limit funding for the attendance of a student described by Subsection (a)(3) in a course under this section to funding only for the attendance necessary for the student to earn class credit that, as a result of attendance requirements under Section 25.092, the student would not otherwise be able to receive without retaking the class.

(e) Authorizes a student described by Subsection (a)(3) to enroll in a course in a program under this section offered during the school year or during the period in which school is recessed for the summer to enable the student to earn a class credit that, as a result of attendance requirements under Section 25.092, the student would not otherwise be able to receive without retaking the class.

SECTION 2. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.