

BILL ANALYSIS

Senate Research Center
81R10841 CAE-D

H.B. 2703
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Education Code contains many criteria that will designate a public school student as a "student at risk of dropping out of school," ranging from failing grades to disciplinary problems to involvement with the criminal justice system. A student who does not advance from one grade to the next for one or more school years receives such a designation. The non-advancement criteria makes sense for a student retained for unsatisfactory academic performance. However, a parent will sometimes voluntarily retain a child in prekindergarten or kindergarten solely for developmental reasons, perhaps because the child has a birthday late in the year, giving the child more time to mature before progressing through elementary school.

Developmental retention of a child with a late birthday is recommended by many educators and developmental counselors. However, the Education Code makes no distinction between the developmental retention of a prekindergarten or kindergarten student by the parent and the retention of a prekindergarten or kindergarten student because of unsatisfactory academic performance.

H.B. 2703 relates to classification of a prekindergarten or kindergarten student who is retained at the request of the student's parent.

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 Section 29.081, Education Code, by adding Subsection (d-1), to provide that a student, notwithstanding Subsection (d)(1) (relating to a "student at risk of dropping out of school" who is under 21 years of age and who was not advanced from one grade level to the next for one or more school years), is not considered a student at risk of dropping out of school if the student did not advance from prekindergarten or kindergarten to the next grade level only as the result of the request of the student's parent.

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

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