

BILL ANALYSIS

C.S.S.B. 346
By: Ogden
Public Education
Committee Report (Substituted)

BACKGROUND 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

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.0821, Education Code) of this bill.

ANALYSIS

C.S.S.B. 346 amends the Education Code, by authorizing a school district 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. The bill authorizes a school district to provide additional instructional days for such a program by setting aside certain days for that purpose. The bill 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. The bill authorizes a school district to require educational support personnel to provide service as necessary for an optional flexible year program. The bill authorizes the commissioner to adopt rules for these administration of flexible year programs.

The bill provides that, except as authorized under Sections 29.0821, 25.081(b), and 25.084, each school district operate so that the district provides for at least 180 days of instruction for students. The bill provides an alternative method for calculating average daily attendance for a district that operates under a flexible year program.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ENGROSSED TO SUBSTITUTE

C.S.S.B. 346 modifies the engrossed version by authorizing a school district to provide a flexible year program for certain students rather than authorizing a school district to apply to the commissioner of education for approval of such a program.

