

BILL ANALYSIS

S.B. 1373
By: Shapiro
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas school districts are responsible for the education of every student residing in their district, including students in drug treatment, halfway houses, and juvenile detention centers. Many of the students in a Texas Youth Commission (TYC) facility are in short-term placements, several grades behind their peers, and not permanent district residents. The performance of such students is not counted in a school district's accountability rating, but students in a TYC-contracted facility are counted in a district's accountability rating, typically lowering that rating. S.B. 1373 prohibits students in a residential program or facility operated by, or under a contract with, the Texas Youth Commission, or other governmental entity, from being counted in the accreditation status, or in relation to the academic excellence indicator standards, of the district within which the program or facility is located. This bill requires the performance of such a student to be determined, reported, and considered separately.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

S.B. 1373 amends the Education Code to provide that for the purposes of determining the performance of a school district, including the district's accreditation status, a student confined by court order in a residential program or facility operated by, or under a contract with, the Texas Youth Commission, is not considered to be a student of the school district in which the program or facility is physically located. The bill requires the performance of such a student on an assessment instrument, or other academic excellence indicator adopted under Section 39.051 (Academic Excellence Indicators), Education Code, to be determined, reported, and considered separately from the performance of students attending a school of the district in which the program or facility is physically located.

This Act applies beginning with the 2003 - 2004 school year.

EFFECTIVE DATE

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