

By: Hochberg

H.B. No. 33

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an optional flexible school day program for students in
3 grades nine through twelve who have dropped out of school or who are
4 at-risk of dropping out.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 29, Education Code, is
7 amended by adding Section 29.0822 to read as follows:

8 Sec. 29.0822. OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM.

9 (a) Notwithstanding Section 25.081 or 25.082, a school district
10 may provide a flexible school day program for students in grades
11 nine through 12 who have dropped out of school or who are at risk of
12 dropping out of school as defined by Section 29.081.

13 (b) To enable a school district to provide a program under
14 this section that meets the needs of students described by
15 Subsection (a), a school district may:

16 (1) provide flexibility in the number of hours each
17 day a student attends;

18 (2) provide flexibility in the number of days each
19 week a student attends; or

20 (3) allow a student to enroll in less or more than a
21 full course load;

22 (c) A course offered in a program under this section must
23 provide for at least the same number of instructional hours as
24 required for a course offered in a program that meets the required

1 minimum number of instructional days under Section 25.081 and the
2 required length of school day under Section 25.082.

3 (d) The commissioner may adopt rules for the administration
4 of this section. The commissioner shall calculate average daily
5 attendance for students served under this section. The
6 commissioner shall allow accumulations of hours of instruction for
7 students whose schedule would not otherwise allow full state
8 funding. Funding under this subsection shall be determined based
9 on the number of instructional days in the district calendar and a
10 seven-hour school day, but attendance may be cumulated over a
11 school year, inclusive of any summer or vacation sessions. The
12 attendance of students who accumulate less than the number of
13 attendance hours required under this subsection shall be
14 proportionately reduced for funding purposes. The commissioner may
15 set maximum funding amounts for an individual course under this
16 section.

17 SECTION 2. This Act applies beginning with the 2006-2007
18 school year.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect on the 91st day after the last day of the
24 legislative session.