

## **BILL ANALYSIS**

Senate Research Center  
79R9112 SLO-D

S.B. 1333  
By: West, Royce  
Education  
4/27/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Section 37.008(c), Education Code, exempts juvenile justice and disciplinary alternative educational programs from all requirements of the code except liability limitations and reporting requirements.

The intent of S.B. 1333 is to address two major exemptions: full-day of instruction and the student transportation to juvenile justice and disciplinary alternative education programs.

A number of school districts are simply holding classes for the minimum amount of time required to achieve a full average daily attendance credit for the student because these programs are not subject to the section of the Education Code that requires a full seven hour day. The disciplinary alternative education program itself may still hold classes for a full day, but split the day in half, requiring students to attend the first half of the day or the second half of the day, but not the full day. This is occurring counter to the legislative mandate of the program to keep students placed in these program performing at grade level. Prior to Chapter 37, students were expelled to the streets and not into an educational setting.

The exemption from the transportation requirements is presenting an undue burden for parents, especially in rural areas where a juvenile justice or disciplinary alternative educational program may be up to an hour away and only accepts student arrivals at certain times in the morning. When a parent's work arrival time conflicts with the admittance time for the programs, parents are often late for work and unable to bring the student to campus on time.

As proposed, S.B. 1333 requires school districts to provide transportation to students place in disciplinary alternative education programs and juvenile justice alternative education programs, and requires disciplinary alternative education programs to provide a full seven hour school day.

### **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 37.008, Education Code, by amending Subsection (c) and adding Subsection (n), as follows:

(c) Includes that an off-campus disciplinary alternative education program is subject to the requirements of Section 25.082(a).

(n) Requires a school district to provide transportation to and from the district's disciplinary alternative education program for a student placed in the program.

SECTION 2. Amends Section 37.011, Education Code by amending Subsection (k) and adding Subsection (k-1), as follows:

(k) Includes that the school district or the juvenile board is required to provide, rather than establish a plan that provides, transportation services to and from the juvenile justice alternative education program for a student placed in the program amongst the

requirements for the joint memorandum of understanding between certain school districts and the county juvenile board. Makes nonsubstantive changes.

(k-1) Requires each school district in the county and the county juvenile board to annually enter into a joint memorandum of understanding that requires the school district or juvenile board to provide transportation services to and from the juvenile justice alternative education program for a student placed in the program if the juvenile board of a county with a population of 125,000 or less develops a juvenile justice alternative education program

SECTION 2. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.