

BILL ANALYSIS

S.B. 1395
By: Shapiro
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The United States Department of Labor operates regional Job Corps programs in Texas in Laredo, San Marcos, McKinney, and El Paso serving 5,300 Texas students each year. These Job Corps programs serve youth from 16-24 years of age who are from low income homes, are from an area that has conditions that limit job opportunities, and are able to benefit from Job Corps' vocational and academic training. Previously, Job Corps programs have enrolled their students in general education development (GED) programs. However, in November of 2004, the Department of Labor issued a requirement that all Job Corps programs offer a high school diploma program.

In Texas, this mandate has raised a particular challenge. Current law exempts students enrolled in Job Corps training programs from compulsory school attendance. As a result, some public school districts have been reluctant to enroll Job Corps students in the regular instructional programs of the district. Many Job Corps students have been unsuccessful in a public high school setting and require more intensive remedial programs in order to meet the challenge of obtaining a high school diploma.

S.B. 1395 permits Job Corps Centers to offer a specialized high school diploma program to students enrolled in the federal program, in order to provide at-risk students with the opportunity to earn a high school diploma (upon passage of the exit-level statewide assessment) which will increase their opportunities for success in the job market. S.B. 1395 also provides for the funding of the program.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SB 1395 adds Chapter 18, Job Corps Diploma Programs, to the Education Code. Definitions within this chapter are provided. A Job Corps training program may establish a high school diploma program to operate public secondary schools at Job Corps facilities throughout the state. A Job Corp diploma program may offer secondary school curriculum, a high school diploma program and a General Educational Development program. The goals of the program are to serve at-risk students who are not successful in traditional settings, increase student success rates in employment and decrease future societal costs. The program shall be governed as provided by this chapter. The commissioner is to develop and implement a system of accountability consistent with Chapter 39 in assigning an annual performance rating comparable to the ratings assigned to school districts. The accountability system must include consideration of student performance on secondary exit-level assessment instruments and dropout rates. Any person enrolled in good standing in a Job Corps diploma program who is not a high school graduate is eligible for programs or services under this chapter.

This bill allows a Job Corps diploma program to accept a grant from a public or private organization and may spend those funds to supplement programs and provide student services. Federal funds may also be accepted. The Job Corp training program shall pay the cost of operating its diploma program, costs may not be charged to a school district.

Job Corps diploma program employees are not employees of the state. A diploma program employee required under Chapter 21 to hold a certificate if employed by a school district must be certified in accordance with that chapter.

Amends Section 1.001(b), Education Code, to provide that except as provided by Chapter 18, this code does not apply to students, facilities, or programs under the jurisdiction of the Department of Aging and Disability Services, rather than the Texas Department of Mental Health and Mental Retardation, the Department of State Health Services, or the Health and Human Services Commission and a Job Corps program operated by or under contract with the United States Department of Labor. Deletes existing text relating to the Texas Department of Human Services.

Amends Section 25.086(a), Education Code, to provide that a child is exempt from the requirements of compulsory school attendance if the child is enrolled in a program under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.) or is at least 16 years of age and is enrolled in a high school diploma program under Chapter 18. Deletes existing text relating to the Job Training Partnership Act. Makes conforming changes.

EFFECTIVE DATE

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

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.