

By: Hochberg

H.B. No. 870

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. Chapter 29, Education Code, is amended by adding
7 Section 29.0822 to read as follows:

8 Section 29.0822 Optional Flexible School Day Program

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

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

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

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

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

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

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

3 (d) The commissioner may adopt rules for the administration
4 of programs provided under this section.

5 SECTION 2. Section 42.005(a), Education Code, is amended to
6 read as follows:

7 (a) In this chapter, average daily attendance is:

8 (1) the quotient of the sum of attendance for each day
9 of the minimum number of days of instruction as described under
10 Section 25.081(a) divided by the minimum number of days of
11 instruction; ~~or~~

12 (2) for a district that operates under a flexible year
13 program under Section 29.0821, the quotient of the sum of
14 attendance for each actual day of instruction as permitted by
15 Section 29.0821(b)(1) divided by the number of actual days of
16 instruction as permitted by Section 29.0821(b)(1); or

17 (3) for a district that operates under a flexible
18 school day program under Section 29.0822, the quotient of the sum of
19 attendance for each full-time equivalent day of instruction divided
20 by the minimum number of days of instruction as described under
21 Section 25.081(a).

22 SECTION 3. This Act applies beginning with the 2005-2006
23 school year.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005