

BILL ANALYSIS

C.S.H.B. 425
By: Madden
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Juvenile detention centers are short-term, secure facilities. Administered by a juvenile board or a privately operated facility certified by the juvenile board, they are designed for the temporary placement of any juvenile or other individual who is accused of having committed an offense and is awaiting court action, an administrative hearing, or other transfer action. Post-adjudication secure correctional facilities are administered in the same way, but are intended for the treatment and rehabilitation of youth who have been adjudicated.

TEA is required to provide education to students placed in pre-adjudication or post-adjudication juvenile residential facilities, but the level of education varies across the state and in many instances there is little to no education provided to these students.

The purpose of this bill is to provide a more comprehensive and quality education to confined juveniles by requiring the commissioner of education, in coordination with the Texas Juvenile Probation Commission, to establish instructional requirements for education services provided by a school district to this population.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 and SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 425 provides that the commissioner of education, in coordination with the Texas Juvenile Probation Commission, shall determine the instructional requirements for education services provided by a school district or open-enrollment charter school in a pre-adjudication or post-adjudication juvenile residential facility operated by a juvenile board or under contract with the Texas Youth Commission, including requirements relating to: (1) the length of school day; (2) the number of days of instruction provided to students each school year; and (3) the curriculum of the educational program.

The bill also requires the commissioner to adopt rules necessary to administer these provisions as soon as practicable after the effective date of the Act.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill requires the commissioner to determine the instructional requirements for education services provided by a school district in a pre-adjudication or post-adjudication juvenile residential facility operated by a juvenile board. Whereas, the substitute requires the commissioner to determine the instructional requirements for education services provided by a school district or open-enrollment charter school in a pre-adjudication or post-adjudication juvenile residential facility operated by a juvenile board or under contract with the Texas Youth Commission.

