

BILL ANALYSIS

C.S.H.B. 1137
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Since 1986, Texas has lost 2.5 million primary and secondary students to drop-outs, costing citizens, public schools, and the state billions of dollars in lost income and revenue. Current law is unclear regarding the age of persons eligible to enroll in public schools and to receive state funding for their educations. By prohibiting a student from receiving credit for a course if the student attends fewer than 90 percent of class days, current law also encourages students to drop-out once they've missed too many class days to receive credit for that course. The Committee Substitute for House Bill 1137 seeks to increase the number of high school graduates from Texas public schools by explicitly allowing diploma-seeking students 21 years of age but under 26 years of age to be admitted to public schools and for districts to receive state-funding for those students. The bill also seeks to reduce drop-outs by lowering the attendance requirements necessary to obtain class credit, provided that the instructional requirements of the class are met.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends the Education Code to provide that a person who, on the first day of September of any school year, is at least 21 years of age and under 26 years of age and is admitted by a school district to complete the requirements for a high school diploma is entitled to the benefits of the available school fund for that year, and is also entitled to the benefits of the Foundation School Program.

The bill further provides that a school district may admit a person who is at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma provided that such person satisfies the criteria for admission set forth in Section 25.001(b) of the Education Code. The bill further provides that such person is not eligible for placement in a disciplinary alternative education program or a juvenile justice alternative education program if the person engages in conduct that would authorize or require such placement for a student under the age of 21, and that if such person engages in conduct that would otherwise require such placement, the district shall revoke the admission of the student into the public schools of the district.

The bill provides that a student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. The bill makes a conforming change to Section 25.092(b) of the Education Code consistent with the above provision.

The bill provides that the Act applies beginning with the 2007-2008 school year.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by placing an upper limit on the age eligibility requirement for admission to public schools for purposes of completing the requirements for a high school diploma, and consequential entitlement to the benefits of the available school fund and the Foundation School Program. The substitute bill sets the upper limit at "under 26 years of age."

The substitute also adds the provision described above concerning ineligibility for placement in a disciplinary alternative education program or a juvenile justice alternative education program if the person engages in conduct that would authorize or require such placement for a student under the age of 21, and further providing that if such person engages in conduct that would otherwise require such placement, the district shall revoke the admission of the student into the public schools of the district.