BILL ANALYSIS

Senate Research Center   H.B. 1137
                                                                              By: Hochberg (Zaffirini)
                                                                                           Education
                                                                                           5/18/2007
                                                                          Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law is unclear regarding the age of persons eligible to enroll in public schools and be entitled to receive state funding for the person's education. 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 of school because the student has missed too many class days to receive credit for the course. Since 1986, 2.5 million primary and secondary students have dropped out of public schools in Texas, costing citizens, public schools, and the state billions of dollars in lost income and revenue.

H.B. 1137 seeks to increase the number of high school graduates in Texas public schools by explicitly authorizing diploma-seeking students who at least 21 years of age but under 26 years of age to be admitted to public schools and allowing districts to receive state-funding for such students. This bill also seeks to reduce drop-out rates by lowering the attendance requirements necessary to obtain class credit, provided that the instructional requirements of the class are met.

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 25.001, Education Code, by amending Subsections (a) and (b) and adding Subsection (b-1), as follows:

(a) Entitles a person who, on the first day of September of any school year, is at least 21 years of age and under and under 26 years of age and is admitted by a school district to complete the requirements for a high school diploma to the benefits of the available school fund for that year.

(b) Authorizes the board of trustees of a school district or its designee to admit certain persons who are at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma.

(b-1) Provides that a person who is 21 years of age or older and is admitted by a school district for the purpose stated in Subsection (b) 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 require or authorize such placement for a student under the age of 21. Requires the school district to revoke admission of the student into the public schools of the district if the student engages in conduct that would otherwise require such placement.

SECTION 2. Amends Section 25.092, Education Code, by adding Subsection (a-1) and amending Subsection (b), as follows:

(a-1) Authorizes a student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered to 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.

(b) Requires the board of trustees of each school district to appoint one or more attendance committees to hear petitions for class credit by students who are in attendance fewer than the number of days required under Subsection (a) and have not earned class credit under Subsection (a-1).

SECTION 3. Amends Section 42.003(a), Education Code, to entitle a student to the benefits of the Foundation School Program if, on September 1 of the school year, the student is at least 21 years of age and under 26 years of age and has been admitted by a school district to complete the requirements for a high school diploma.

SECTION 4. Provides that this Act applies beginning with the 2007-2008 school year.

SECTION 5. Effective date: upon passage or September 1, 2007.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment No. 1

Amends Section 25.092(a-1), Education Code, as added by this Act, by prohibiting a student under the jurisdiction of a court in a criminal or juvenile justice proceeding from receiving credit under this subparagraph [sic] without the consent of the judge presiding over the student's case.