

## **BILL ANALYSIS**

H.B. 3092  
By: Hilderbran  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, students who are sent to a Texas Juvenile Probation Commission facility are having a significant impact on the local school district's accountability rating system used by the Texas Education Agency.

This bill amends the Education Code so that the performance of a student sent to a juvenile detention facility operated by the Texas Juvenile Probation Commission or any government entity shall not impact the accountability rating of the school district where the juvenile facility is located.

### **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**

This bill amends a current provision of the Education Code by adding a provision to the effect that, notwithstanding any other provision of the Education Code, for purposes of determining the performance of a school district under this Chapter 39, Education Code, including the accreditation status of the district, a student confined by court order in a residential program or facility operated by or under contract with the Texas Juvenile Probation Commission, or any other governmental entity, including a juvenile board, is not considered to be a student of the school district in which the program or facility is physically located. The performance of such a student on an assessment instrument or other academic excellence indicator adopted under Section 39.051, Education Code, shall be determined, reported, and considered separately from the performance of students attending a school of the district in which the program or facility is physically located.

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.