

AN ACT

relating to the instructional requirements for education services provided in a juvenile residential facility operated by a juvenile board or under contract with the Texas Youth Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0062 to read as follows:

Sec. 37.0062. INSTRUCTIONAL REQUIREMENTS FOR ALTERNATIVE EDUCATION SERVICES IN JUVENILE RESIDENTIAL FACILITIES. (a) The commissioner shall determine the instructional requirements for education services provided by a school district or open-enrollment charter school in a pre-adjudication secure detention facility or a post-adjudication secure correctional facility operated by a juvenile board or a post-adjudication secure correctional facility operated under contract with the Texas Youth Commission, including requirements relating to:

(1) the length of the school day;

(2) the number of days of instruction provided to students each school year; and

(3) the curriculum of the educational program.

(b) The commissioner shall coordinate with:

(1) the Texas Juvenile Probation Commission in determining the instructional requirements for education services provided under Subsection (a) in a pre-adjudication secure

1 detention facility or a post-adjudication secure correctional
2 facility operated by a juvenile board; and

3 (2) the Texas Youth Commission in determining the
4 instructional requirements for education services provided under
5 Subsection (a) in a post-adjudication secure correctional facility
6 operated under contract with the Texas Youth Commission.

7 (c) The commissioner shall adopt rules necessary to
8 administer this section. The rules must ensure that:

9 (1) a student who receives education services in a
10 pre-adjudication secure detention facility described by this
11 section is offered courses that enable the student to maintain
12 progress toward completing high school graduation requirements;
13 and

14 (2) a student who receives education services in a
15 post-adjudication secure correctional facility described by this
16 section is offered, at a minimum, the courses necessary to enable
17 the student to complete high school graduation requirements.

18 (d) The Texas Juvenile Probation Commission or the Texas
19 Youth Commission, as applicable, shall coordinate with the
20 commissioner in establishing standards for:

21 (1) ensuring security in the provision of education
22 services in the facilities; and

23 (2) providing children in the custody of the
24 facilities access to education services.

25 SECTION 2. As soon as practicable after the effective date
26 of this Act, the commissioner of education by rule shall determine
27 the instructional requirements for education services provided by a

1 school district or open-enrollment charter school in a
2 pre-adjudication or post-adjudication juvenile residential
3 facility, as required by Section 37.0062, Education Code, as added
4 by this Act.

5 SECTION 3. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 425 was passed by the House on April 5, 2007, by the following vote: Yeas 136, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 425 was passed by the Senate on May 17, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor