

1-1 By: Madden (Senate Sponsor - Hinojosa) H.B. No. 425
1-2 (In the Senate - Received from the House April 10, 2007;
1-3 April 11, 2007, read first time and referred to Committee on
1-4 Criminal Justice; May 10, 2007, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 10, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the instructional requirements for education services
1-9 provided in a juvenile residential facility operated by a juvenile
1-10 board or under contract with the Texas Youth Commission.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 37, Education Code, is
1-13 amended by adding Section 37.0062 to read as follows:

1-14 Sec. 37.0062. INSTRUCTIONAL REQUIREMENTS FOR ALTERNATIVE
1-15 EDUCATION SERVICES IN JUVENILE RESIDENTIAL FACILITIES. (a) The
1-16 commissioner shall determine the instructional requirements for
1-17 education services provided by a school district or open-enrollment
1-18 charter school in a pre-adjudication secure detention facility or a
1-19 post-adjudication secure correctional facility operated by a
1-20 juvenile board or a post-adjudication secure correctional facility
1-21 operated under contract with the Texas Youth Commission, including
1-22 requirements relating to:

1-23 (1) the length of the school day;

1-24 (2) the number of days of instruction provided to
1-25 students each school year; and

1-26 (3) the curriculum of the educational program.

1-27 (b) The commissioner shall coordinate with:

1-28 (1) the Texas Juvenile Probation Commission in
1-29 determining the instructional requirements for education services
1-30 provided under Subsection (a) in a pre-adjudication secure
1-31 detention facility or a post-adjudication secure correctional
1-32 facility operated by a juvenile board; and

1-33 (2) the Texas Youth Commission in determining the
1-34 instructional requirements for education services provided under
1-35 Subsection (a) in a post-adjudication secure correctional facility
1-36 operated under contract with the Texas Youth Commission.

1-37 (c) The commissioner shall adopt rules necessary to
1-38 administer this section. The rules must ensure that:

1-39 (1) a student who receives education services in a
1-40 pre-adjudication secure detention facility described by this
1-41 section is offered courses that enable the student to maintain
1-42 progress toward completing high school graduation requirements;
1-43 and

1-44 (2) a student who receives education services in a
1-45 post-adjudication secure correctional facility described by this
1-46 section is offered, at a minimum, the courses necessary to enable
1-47 the student to complete high school graduation requirements.

1-48 (d) The Texas Juvenile Probation Commission or the Texas
1-49 Youth Commission, as applicable, shall coordinate with the
1-50 commissioner in establishing standards for:

1-51 (1) ensuring security in the provision of education
1-52 services in the facilities; and

1-53 (2) providing children in the custody of the
1-54 facilities access to education services.

1-55 SECTION 2. As soon as practicable after the effective date
1-56 of this Act, the commissioner of education by rule shall determine
1-57 the instructional requirements for education services provided by a
1-58 school district or open-enrollment charter school in a
1-59 pre-adjudication or post-adjudication juvenile residential
1-60 facility, as required by Section 37.0062, Education Code, as added
1-61 by this Act.

1-62 SECTION 3. This Act takes effect September 1, 2007.

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