

By: Dutton, Escobar

H.B. No. 1675

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of provisions of the Education Code to certain alternative education programs.

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

SECTION 1. Section 29.081(e), Education Code, is amended to read as follows:

(e) A school district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The programs must:

(1) provide not less than the minimum amount [~~four hours~~] of instructional time per day required under Section 25.082(a);

(2) employ as faculty and administrators persons with baccalaureate or advanced degrees who meet all certification requirements established under Subchapter B, Chapter 21;

(3) provide at least one instructor for each 28 students;

(4) perform satisfactorily according to performance indicators and accountability standards adopted for alternative education programs by the commissioner; and

(5) comply with this title and rules adopted under this title except as otherwise provided by this subsection.

SECTION 2. Sections 37.008(a) through (c), Education Code,

1 are amended to read as follows:

2 (a) Each school district shall provide a disciplinary  
3 alternative education program that:

4 (1) is provided in a setting other than a student's  
5 regular classroom;

6 (2) is located on or off of a regular school campus;

7 (3) provides for the students who are assigned to the  
8 disciplinary alternative education program to be separated from  
9 students who are not assigned to the program;

10 (4) focuses on English language arts, mathematics,  
11 science, history, and self-discipline;

12 (5) provides for students' educational and behavioral  
13 needs;

14 (6) provides supervision and counseling;

15 (7) employs only teachers who ~~[requires that to teach~~  
16 ~~in an off-campus disciplinary alternative education program, each~~  
17 ~~teacher]~~ meet all certification requirements established under  
18 Subchapter B, Chapter 21; and

19 (8) provides not less than the minimum amount of  
20 instructional time per day required by Section 25.082(a)  
21 ~~[notwithstanding Subdivision (7), requires that to teach in a~~  
22 ~~disciplinary alternative education program of any kind, each~~  
23 ~~teacher employed by a school district during the 2003-2004 school~~  
24 ~~year or an earlier school year meet, not later than the beginning of~~  
25 ~~the 2005-2006 school year, all certification requirements~~  
26 ~~established under Subchapter B, Chapter 21].~~

27 (b) A disciplinary alternative education program may

1 provide for a student's transfer to:

2 (1) a different campus;

3 (2) a school-community guidance center under  
4 Subchapter B; or

5 (3) a community-based alternative school, including a  
6 community-based dropout recovery education program under Section  
7 29.081(e).

8 (c) An off-campus disciplinary alternative education  
9 program, including a school-community guidance center, a  
10 community-based alternative school, or a community-based dropout  
11 recovery education program, is not subject to a requirement imposed  
12 by this title, other than:

13 (1) a limitation on liability;

14 (2) [~~r~~] a reporting requirement;

15 (3) [~~r or~~] a requirement imposed by this chapter or by  
16 Chapter 39; or

17 (4) any other requirement imposed by this title that  
18 applies to an on-campus disciplinary alternative education  
19 program.

20 SECTION 3. Sections 29.081(e) and 37.008, Education Code,  
21 as amended by this Act, apply beginning with the 2007-2008 school  
22 year.

23 SECTION 4. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2007.