

BILL ANALYSIS

C.S.H.B. 1297
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, a student who fails to meet minimum attendance requirements may be required to repeat an entire course or school year. While research shows that students who repeat a grade have a higher risk of dropping out of school, there presently are no funds available for schools to provide students with the option to make up only the days needed to earn credit rather than an entire course or school year.

C.S.H.B. 1297 allows school districts to take advantage of the flexible school day option, with certain funding restrictions, to serve students who do not meet minimum attendance requirements. In expanding eligibility for flexible school day programs, C.S.H.B. 1297 provides districts with a funded opportunity to offer students enough make-up instruction to earn credit for a class without having to retake the entire course or school year.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1297 amends the Education Code to remove the provision that restricted flexible school day programs to students in grades 9 through 12 who have dropped out of school or are at risk of doing so or who attend a campus that is implementing a campus redesign or an approved early college high school plan. The bill authorizes a school district to apply to the commissioner of education to provide a flexible school day program for students regardless of grade level and to provide such a program for students who, as a result of attendance requirements, will be denied credit for one or more classes in which the students have been enrolled. The bill authorizes such a student to enroll in a course in an optional flexible school day program offered during the school year or during the period in which school is recessed for the summer to enable the student to earn class credit that, as a result of attendance requirements, the student would not otherwise be able to receive without retaking the class.

C.S.H.B. 1297 amends a provision granting the commissioner of education rulemaking authority for the administration of flexible school day programs to authorize the commissioner to limit funding for the attendance of a student enrolled in a flexible school day program for the purpose of earning class credit to funding only for the attendance necessary for the student to earn class credit that, as a result of attendance requirements the student would not otherwise be able to receive without retaking the class.

C.S.H.B. 1297 makes its provisions applicable beginning with the 2009-2010 school year.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1,

2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1297 differs from the original by authorizing the commissioner of education to limit funding for the attendance of a student enrolled in a flexible school day program for the purpose of earning class credit to funding only for the attendance necessary for the student to earn class credit that the student would not otherwise be able to receive without retaking the class, whereas the original did not provide for such funding restrictions.