

BILL ANALYSIS

C.S.S.B. 1364
By: Shapiro
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a student may not be given credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered. Some school districts have misinterpreted credit to mean only high school credit for graduation, but credit actually applies to all grade levels and all academic disciplines.

As a result of this misconception, pulling students from fine arts and other enrichment classes for tutoring for the Texas Assessment of Knowledge and Skills test has become increasingly common, sometimes for as much as half or more of the days that the classes are offered. Students are receiving grades and class credit for courses they do not fully attend, and they are missing out on the valuable knowledge that these courses provide.

C.S.S.B. 1364 clarifies that a student in any grade level from kindergarten through grade 12 is prohibited from being given credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered. The bill prohibits a district from removing a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides written consent for removal from class for such purpose.

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

C.S.S.B. 1364 amends the Education Code to require each school district's board of trustees to adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. The bill prohibits a district from removing a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such purpose. The bill clarifies that a prohibition against giving a student credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered is applicable to a student in any grade level from kindergarten through grade 12. The bill exempts a student's attendance and nonattendance in a flexible year program from minimum attendance requirements for class credit.

C.S.S.B. 1364 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.S.B. 1364 differs from the original by adding an exception to the prohibition on a district removing a student from a regularly scheduled class for remedial tutoring or test preparation if the removal would cause the student to miss more than 10 percent of the school days on which the class is offered; the exception allows such a removal for that purpose on the written consent of the student's parent or another person standing in parental relation to the student.