

By: Dutton

H.B. No. 919

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(b) and (c), Education Code, are

1 amended to read as follows:

2 (b) A disciplinary alternative education program may  
3 provide for a student's transfer to:

4 (1) a different campus;

5 (2) a school-community guidance center under  
6 Subchapter B; or

7 (3) a community-based alternative school, including a  
8 community-based dropout recovery education program under Section  
9 29.081(e).

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

15 (1) a limitation on liability;

16 (2) [~~7~~] a reporting requirement;

17 (3) [~~7-01~~] a requirement imposed by this chapter or by  
18 Chapter 39; or

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

22 SECTION 3. Sections 29.081(e) and 37.008(b) and (c),  
23 Education Code, as amended by this Act, apply beginning with the  
24 2009-2010 school year.

25 SECTION 4. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 919

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.