

1-1 By: Gallegos S.B. No. 346
1-2 (In the Senate - Filed January 12, 2011; February 2, 2011,
1-3 read first time and referred to Committee on Education;
1-4 April 20, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 1; April 20, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 346 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the curriculum that must be provided by a disciplinary
1-11 alternative education program.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsections (a) and (1), Section 37.008,
1-14 Education Code, are amended to read as follows:

1-15 (a) Each school district shall provide a disciplinary
1-16 alternative education program that:

1-17 (1) is provided in a setting other than a student's
1-18 regular classroom;

1-19 (2) is located on or off of a regular school campus;

1-20 (3) provides for the students who are assigned to the
1-21 disciplinary alternative education program to be separated from
1-22 students who are not assigned to the program;

1-23 (4) focuses on English language arts, mathematics,
1-24 science, history, and self-discipline;

1-25 (5) provides for students' educational and behavioral
1-26 needs;

1-27 (6) provides supervision and counseling;

1-28 (7) employs only teachers who meet all certification
1-29 requirements established under Subchapter B, Chapter 21; ~~and~~

1-30 (8) provides not less than the minimum amount of
1-31 instructional time per day required by Section 25.082(a); and

1-32 (9) provides for students who are assigned to the
1-33 disciplinary alternative education program for one semester or
1-34 more:

1-35 (A) structured courses in English language arts,
1-36 mathematics, science, history, and self-discipline that are
1-37 equivalent in content and rigor to courses in those subjects as
1-38 provided in the regular classroom setting; and

1-39 (B) an established curriculum for each grade
1-40 level that provides students an opportunity to achieve promotion to
1-41 the next grade level or to graduate from high school on the same
1-42 schedule as students in the regular classroom setting.

1-43 (1) A school district is required to provide in the
1-44 district's disciplinary alternative education program a course
1-45 necessary to fulfill a student's high school graduation
1-46 requirements [~~only as provided by this subsection~~]. A school
1-47 district shall offer a student removed to a disciplinary
1-48 alternative education program an opportunity to complete
1-49 coursework before the beginning of the next school year. The school
1-50 district may provide the student an opportunity to complete
1-51 coursework through any method available, including a
1-52 correspondence course, distance learning, or summer school. The
1-53 district may not charge the student for a course provided under this
1-54 subsection.

1-55 SECTION 2. This Act applies beginning with the 2011-2012
1-56 school year.

1-57 SECTION 3. This Act takes effect immediately if it receives
1-58 a vote of two-thirds of all the members elected to each house, as
1-59 provided by Section 39, Article III, Texas Constitution. If this
1-60 Act does not receive the vote necessary for immediate effect, this
1-61 Act takes effect September 1, 2011.

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