

BILL ANALYSIS

C.S.H.B. 1479
By: Villarreal
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that truancy in Texas limits students' educational opportunities, increases the likelihood of students engaging in harmful behavior, and reduces the amount of funding that local school districts receive through the state school finance system. According to interested parties, efforts to address truancy in places such as Bexar County are complicated by the large number of local jurisdictions, disparate filing methods, and a high level of student mobility between school districts. In Bexar County alone, for example, more than 15 independent school districts file truancy cases using different approaches. Districts may choose to file a case with any one of six justices of the peace or with the municipal court. C.S.H.B. 1479 seeks to address the lack of consistency that reportedly complicates efforts to deal with truancy in populous counties by establishing a commission in certain counties to make nonbinding recommendations for uniform truancy policies.

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.H.B. 1479 amends the Education Code to add a temporary provision, set to expire January 1, 2016, requiring the establishment of a committee to recommend a uniform truancy policy for each school district located in a county with a population greater than 1.5 million that includes at least 15 school districts with the majority of district territory in the county and one school district with a student enrollment of 50,000 or more and an annual dropout rate spanning grades 9-12 of at least five percent, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education. The bill requires the county judge and the mayor of the municipality in the county with the greatest population, not later than September 1, 2013, to each appoint one member to serve on the committee as a representative of each of the following: a juvenile district court, a municipal court, the office of a justice of the peace, the superintendent or designee of an independent school district, an open-enrollment charter school, the office of the district attorney, and the general public.

C.S.H.B. 1479 requires the county judge, not later than September 1, 2013, to appoint one member to serve on the committee from the house of representatives who is a member of the standing legislative committee with primary jurisdiction over public education. The bill requires the county judge and mayor of the municipality in the county with the greatest population to both serve on the committee or appoint representatives to serve on their behalf and to jointly appoint a member of the committee to serve as the presiding officer. The bill requires the committee, not later than September 1, 2014, to recommend the following: a uniform process for filing truancy cases with the judicial system; uniform administrative procedures; uniform deadlines for processing truancy cases; effective prevention, intervention, and diversion methods to reduce truancy and referrals to a county, justice, or municipal court; a system for tracking truancy

information and sharing such information among school districts and open-enrollment charter schools in the county; and any changes to statutes or state agency rules the committee determines are necessary to address truancy.

C.S.H.B. 1479 specifies that compliance with the committee recommendations is voluntary. The bill requires the committee's presiding officer, not later than December 1, 2015, to issue a report on the implementation of the recommendations and compliance with state truancy laws by a school district located in the county.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1479 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0916 to read as follows:

Sec. 25.0916. UNIFORM TRUANCY POLICIES IN CERTAIN COUNTIES. (a)

This section applies only to a county:

(1) with a population greater than 1.5 million; and

(2) that includes at least:

(A) 15 school districts with the majority of district territory in the county; and

(B) one school district with a student enrollment of 50,000 or more and an annual dropout rate spanning grades 9-12 of at least five percent, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education.

(b) A committee shall be established to recommend a uniform truancy policy for each school district located in the county.

(c) Not later than September 1, 2013, the county judge and the mayor of the municipality in the county with the greatest population shall each appoint one member to serve on the committee as a representative of each of the following:

(1) a juvenile district court;

(2) a municipal court;

(3) the office of a justice of the peace;

(4) the superintendent or designee of an independent school district;

(5) an open-enrollment charter school;

(6) the office of the district attorney; and

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0916 to read as follows:

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(b) A committee shall be established to recommend a uniform truancy policy for each school district located in the county.

(c) Not later than September 1, 2013, the county judge and the mayor of the municipality in the county with the greatest population shall each appoint one member to serve on the committee as a representative of each of the following:

(1) a juvenile district court;

(2) a municipal court;

(3) the office of a justice of the peace;

(4) the superintendent or designee of an independent school district;

(5) an open-enrollment charter school;

(6) the office of the district attorney; and

- (7) the general public.
- (d) Not later than September 1, 2013, the county judge shall appoint one member to serve on the committee from the house of representatives who is a member of the standing legislative committee with primary jurisdiction over public education.
- (e) The county judge and mayor of the municipality in the county with the greatest population shall:
- (1) both serve on the committee or appoint representatives to serve on their behalf; and
- (2) jointly appoint a member of the committee to serve as the presiding officer.
- (f) Not later than September 1, 2014, the committee shall recommend:
- (1) a uniform process for filing truancy cases with the judicial system;
- (2) uniform administrative procedures;
- (3) uniform deadlines for processing truancy cases;
- (4) effective prevention and intervention methods to reduce truancy;
- (5) a system for tracking truancy information and sharing truancy information among school districts and open-enrollment charter schools in the county; and
- (6) any changes to statutes or state agency rules the committee determines are necessary to address truancy.
- (g) Compliance with the committee recommendations is voluntary.
- (h) The committee's presiding officer shall issue a report not later than December 1, 2015, on the implementation of the recommendations and compliance with state truancy laws by a school district located in the county.
- (i) This section expires January 1, 2016.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

- (7) the general public.
- (d) Not later than September 1, 2013, the county judge shall appoint one member to serve on the committee from the house of representatives who is a member of the standing legislative committee with primary jurisdiction over public education.
- (e) The county judge and mayor of the municipality in the county with the greatest population shall:
- (1) both serve on the committee or appoint representatives to serve on their behalf; and
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- (f) Not later than September 1, 2014, the committee shall recommend:
- (1) a uniform process for filing truancy cases with the judicial system;
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- (4) effective prevention, intervention, and diversion methods to reduce truancy and referrals to a county, justice, or municipal court;
- (5) a system for tracking truancy information and sharing truancy information among school districts and open-enrollment charter schools in the county; and
- (6) any changes to statutes or state agency rules the committee determines are necessary to address truancy.
- (g) Compliance with the committee recommendations is voluntary.
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- (i) This section expires January 1, 2016.

SECTION 2. Same as introduced version.