

## **BILL ANALYSIS**

Senate Research Center  
84R12174 GCB-D

S.B. 1434  
By: Taylor, Van  
Education  
3/20/2015  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that the attendance of public school students receiving instruction off-campus does not count toward the school district's average daily attendance for the purpose of Foundation School Program funding. As an example, while a student may receive academic credit for attending a class offered by a community college, the district does not receive the attendance credit for the student's participation in that community college class. Consequently, even though the student attending the off-campus class is still a full-time district attendee, the school district receives less compensation through the Foundation School Program for that student than if the student matriculated in classes entirely on a district campus.

The intent and purpose of S.B. 1434 is to allow a student's attendance at a qualified off-campus instructional program to count towards the school district's average daily attendance for Foundation School Program funding purposes. S.B. 1434 requires that the commissioner of education approve those off-campus educational programs in which a student's attendance may count towards the district's average daily attendance. These changes are intended to ensure that school districts receive attendance credit for Foundation School Program funding purposes for students' attendance at qualified off-campus classes.

As proposed, S.B. 1434 amends current law relating to counting time spent by students participating in certain approved off-campus instructional programs in calculation of the average daily attendance for a school district or open-enrollment charter school.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 42.0052, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 42.005, Education Code, by adding Subsection (h), to require that time that a student participates in an off-campus instructional program approved under Section 42.0052(a), subject to rules adopted by the commissioner of education (commissioner) under Section 42.0052(b), be counted as part of the minimum number of instructional hours required for a student to be considered a full-time student in average daily attendance for purposes of this section.

SECTION 2. Amends Subchapter A, Chapter 42, Education Code, by adding Section 42.0052, as follows:

Sec. 42.0052. OFF-CAMPUS PROGRAMS APPROVED FOR PURPOSES OF AVERAGE DAILY ATTENDANCE. (a) Authorizes the commissioner to, based on criteria developed by the commissioner, approve instructional programs provided off campus by an entity other than a school district or open-enrollment charter school as a program in which participation by a student of a district or charter school may be counted for purposes of determining average daily attendance in accordance with Section 42.005(h).

(b) Requires the commissioner to adopt by rule verification and reporting procedures concerning time spent by students participating in instructional programs approved under Subsection (a).

SECTION 3. Effective date: September 1, 2015.