

By: Guillen

H.B. No. 228

A BILL TO BE ENTITLED

AN ACT

relating to the optional flexible school day program provided by school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 29.0822(a), (b), and (d), Education Code, are amended to read as follows:

(a) Notwithstanding Section 25.081 or 25.082, a school district may ~~[apply to the commissioner to]~~ provide a flexible school day program for ~~[students who]~~:

(1) students who have dropped out of school or are at risk of dropping out of school as defined by Section 29.081;

(2) students who attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner; ~~[or]~~

(3) students who, as a result of attendance requirements under Section 25.092, will be denied credit for one or more classes in which the students have been enrolled; or

(4) a campus or campuses that would benefit from the program.

(b) To enable a school district to provide a program under this section that meets the needs of students described by Subsection (a), a school district ~~[that meets application requirements]~~ may:

(1) provide flexibility in the number of hours each

1 day a student attends;

2 (2) provide flexibility in the number of days each
3 week a student attends; or

4 (3) allow a student to enroll in less than or more than
5 a full course load.

6 (d) The commissioner may adopt rules for the administration
7 of this section~~[, including rules establishing application~~
8 ~~requirements]~~. The commissioner shall calculate average daily
9 attendance for students served under this section. The
10 commissioner shall allow accumulations of hours of instruction for
11 students whose schedule would not otherwise allow full state
12 funding. Funding under this subsection shall be determined based
13 on the number of instructional days in the school district calendar
14 and a seven-hour school day, but attendance may be cumulated over a
15 school year, including any summer or vacation session. The
16 attendance of students who accumulate less than the number of
17 attendance hours required under this subsection shall be
18 proportionately reduced for funding purposes. The commissioner
19 may:

20 (1) set maximum funding amounts for an individual
21 course under this section; and

22 (2) limit funding for the attendance of a student
23 described by Subsection (a)(3) in a course under this section to
24 funding only for the attendance necessary for the student to earn
25 class credit that, as a result of attendance requirements under
26 Section 25.092, the student would not otherwise be able to receive
27 without retaking the class.

1 SECTION 2. This Act applies beginning with the 2015-2016
2 school year.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2015.