

BILL ANALYSIS

C.S.H.B. 2623
By: Allen
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note the difficulties facing a child who is returning to a school following a prolonged absence, particularly for a disciplinary placement outside of the school, and contend that there are a variety of individual, school, and systemic factors that must be addressed if such a child is to successfully return to school. C.S.H.B. 2623 seeks to address these issues by providing for a personalized transition service plan for certain returning students.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 2623 amends the Education Code to require each public school district and each of the following facilities to assist a student enrolled in the district in making the transition back to school after being in the facility for a period equivalent to 30 instructional days or more during the school year: a disciplinary alternative education program; a juvenile justice alternative education program; a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity; any residential treatment center; or a public or private hospital. The bill requires such assistance to include development and implementation of a personalized transition service plan for each such student who has been absent from school and in one of those facilities. The bill requires the principal of the school the student attends following the absence to designate one or more appropriate school employees, including at least one teacher, and requires an appropriate supervisor employed by the facility in which the student was placed to designate one or more appropriate facility employees to coordinate in developing the plan. The bill requires the plan, to the greatest extent practicable, to be developed in consultation with the student and the student's parent or person standing in parental relation to the student. The bill requires the plan, to the extent appropriate for a particular student, to include consideration of the best educational placement for the student; provision of counseling, behavioral management assistance, as available, or academic assistance by the school based on the student's academic, school reentry, and career and employment goals; and assistance concerning access to community mental health or substance abuse services, as available.

C.S.H.B. 2623 requires such a facility, as soon as practicable after the facility has determined the date of a student's release from the facility, to give to the school district in which the student intends to attend school following release written notice of that date and that the facility is

prepared to begin coordinating with the district to develop the student's personalized transition service plan, if the student is subject to compulsory school attendance requirements. The bill requires the Texas Education Agency to give annual written notice of this duty to each facility. The bill applies to absences from public school beginning with the 2017-2018 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2623 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter Z, Chapter 25, Education Code, is amended by adding Section 25.903 to read as follows:

Sec. 25.903. ASSISTANCE FOR A STUDENT TRANSITIONING BACK TO SCHOOL AFTER PROLONGED PLACEMENT OUTSIDE OF SCHOOL.

(a) This section applies to the following facilities:

(1) a disciplinary alternative education program;

(2) a juvenile justice alternative education program;

(3) a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity;

(4) any residential treatment center; and

(5) a public or private hospital.

(b) Each school district shall assist a student enrolled in the district in making the transition back to school after being in a facility listed under Subsection (a) for a period equivalent to 30 instructional days or more during the school year. The assistance provided by the district must include development and implementation of a personalized transition service plan for each student who has been absent from school as described by this subsection. The principal of the school the student attends following the absence shall designate one or more appropriate school employees to develop the plan. To the greatest extent practicable, the plan must be developed in consultation with the student and the student's parent or person standing in parental relation to the student. To the extent appropriate for a

HOUSE COMMITTEE SUBSTITUTE

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(4) any residential treatment center; and

(5) a public or private hospital.

(b) Each school district and facility listed under Subsection (a) shall coordinate to assist a student enrolled in the district in making the transition back to school after being in the facility for a period equivalent to 30 instructional days or more during the school year. The assistance provided by the district and the facility must include development and implementation of a personalized transition service plan for each student who has been absent from school as described by this subsection. The principal of the school the student attends following the absence shall designate one or more appropriate school employees, including at least one teacher, and an appropriate supervisor employed by the facility in which the student was placed shall designate one or more appropriate facility employees to

particular student, the plan must include:

- (1) consideration of the best educational placement for the student;
 - (2) provision of counseling, behavioral management assistance, or academic assistance by the school based on the student's academic, school reentry, and career and employment goals; and
 - (3) assistance concerning access to community mental health or substance abuse services.
- (c) As soon as practicable after a facility listed under Subsection (a) has determined the date of a student's release from the facility, the facility shall give notice of that date to the school district in which a student intends to attend school following release.

This subsection applies only to a student subject to compulsory attendance requirements under Section 25.085. The agency shall give annual written notice to each facility of the facility's duty under this subsection.

SECTION 2. This Act applies to absences from public school beginning with the 2017-2018 school year.

SECTION 3. 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, 2017.

coordinate in developing the plan. To the greatest extent practicable, the plan must be developed in consultation with the student and the student's parent or person standing in parental relation to the student. To the extent appropriate for a particular student, the plan must include:

- (1) consideration of the best educational placement for the student;
- (2) provision of counseling, behavioral management assistance, as available, or academic assistance by the school based on the student's academic, school reentry, and career and employment goals; and
- (3) assistance concerning access to community mental health or substance abuse services, as available.

(c) As soon as practicable after a facility listed under Subsection (a) has determined the date of a student's release from the facility, the facility shall give to the school district in which the student intends to attend school following release written notice of that date and that the facility is prepared to begin coordinating with the district to develop the student's personalized transition service plan under Subsection (b).

This subsection applies only to a student subject to compulsory attendance requirements under Section 25.085. (d) The agency shall give annual written notice to each facility listed under Subsection (a) of the facility's duty under this section.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.