

- SUBJECT:** Course requirements for alternative education programs
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 8 ayes — Grusendorf, Branch, Dawson, Dutton, Eissler, Griggs, Hochberg, Madden
0 nays
1 absent — Oliveira
- WITNESSES:** For — Tim Bacon, Texas State Teachers Association; Kay Lambert, Advocacy, Inc.; JoHannah Whitsett, Association of Texas Professional Educators

Against — Amy Beneski and Marty DeLeon, Texas Association of School Boards; Dwight Harris, Texas Federation of Teachers
- BACKGROUND:** Under Education Code, ch. 37, students who have engaged in certain forms of misconduct must be removed from the regular classroom and placed in an alternative education program (AEP). Sec. 37.008(a)(5) requires a school district to provide an AEP that focuses on English language arts, mathematics, science, history, and self-discipline. Under sec. 37.008(1), school districts are not required to provide additional courses necessary to fulfill a student’s high school graduation requirement.
- DIGEST:** HB 774 would repeal Education Code, sec. 73.008(1) and would specify that a school district’s AEP must include, in accordance with Texas Education Agency rules, courses necessary to fulfill the student’s high school graduation requirements in a timely manner.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2003. It would apply beginning with the 2003-04 school year.
- SUPPORTERS SAY:** HB 774 would ensure that students sent to an AEP because of their behavior are not committed to an educational “Siberia” where they do not have the

opportunity to take all of the courses they need to graduate. Under current law, students in districts that offer only basic courses in AEPs are held back from graduating with their peers because they cannot take required electives. This is unnecessarily punitive and can discourage a student to the point of dropping out of high school altogether. Placement in an AEP is punishment enough in itself. A student placed in an AEP should not have to pay the additional price of having to wait longer to graduate.

School districts have to cover the cost of these electives regardless of when a student takes them. A student in an AEP will eventually take elective courses, and there is no reason why these courses should not be offered as part of an alternative program.

**OPPONENTS
SAY:**

HB 774 would add an additional cost burden to school districts to provide elective courses for students whose behavior has caused them to be placed in an AEP. These programs are not intended to provide a full array of elective courses but to offer a basic education during the period that a student has been removed from a regular program. The current system helps discourage students from engaging in misconduct, because they know that they may not be able to graduate with their class if they are placed in an AEP. A student referred to an AEP for a limited period still has the opportunity to complete required elective courses when he or she returns to a regular program.