

- SUBJECT:** Funding for students in an optional flexible school day program
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 9 ayes — Aycock, Allen, Bohac, Deshotel, Farney, Galindo, Huberty, K. King, VanDeaver
- 0 nays
- 2 absent — Dutton, González
- SENATE VOTE:** On final passage, May 5 — 31-0 on the local and uncontested calendar
- WITNESSES:** *(On House companion bill, HB 2660)*
For — Debra Ready, Austin ISD, TASB; *(Registered, but did not testify:* David Anderson, Arlington ISD Board of Trustees; Amy Beneski, Texas Association of School Administrators; Grover Campbell, Texas Association of School Boards; Julie Cowan, Austin ISD School Board; Rebecca Flores, Texas School Alliance; Will Francis, National Association of Social Workers – Texas Chapter; Barry Haenisch, Texas Association of Community Schools; Ted Melina Raab, Texas American Federation of Teachers; Colby Nichols, Texas Rural Education Association; Christy Rome, Texas School Coalition; Nelson Salinas, Texas Association of Business; Drew Scheberle, Greater Austin Chamber of Commerce; Casey Smith, United Ways of Texas; Kyle Ward, Texas PTA; Howell Wright, Huntsville ISD)
- Against — None
- On — Steve Swanson; *(Registered, but did not testify:* Lisa Dawn-Fisher, Texas Education Agency)
- BACKGROUND:** The Optional Flexible School Day Program allows districts to provide flexible hours and days of attendance for students who are at risk of dropping out, have dropped out, or meet another requirement under Education Code, sec. 29.0822(a). Funding is based on attendance data

reported in the Public Education Information Management System (PEIMS).

DIGEST: SB 496 would require the commissioner of education to ensure that funding for attendance in a course in an Optional Flexible School Day Program was based on the same instructional hour requirements of the regular program, rather than a full-time equivalent student basis that requires six hours of student contact time to qualify for a full day of attendance.

This 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, 2015 and would apply beginning with the 2015-16 school year.

SUPPORTERS SAY: SB 496 would remove a disparity in the way attendance is calculated for students in the Optional Flexible School Day Program. The program helps students who desire a flexible schedule due to conditions such as having dropped out of school or participating in internships, dual enrollment, or outside work. By eliminating funding disparities, the bill would provide an incentive for districts to offer more flexible scheduling.

A traditional school day does not work for every student. For instance, Austin ISD operates a Twilight School Monday through Thursday evenings for students at risk of dropping out who may work or have child care needs during the day. Because the program meets only four days per week, students are ineligible for regular funding. The district would like to expand the program and anticipates an even greater need for flexible scheduling as students begin to pursue opportunities to earn endorsements under the revised high school curriculum.

Under the Texas Education Agency's (TEA's) current rules, attendance for students in the flex-time program is tracked and reported in contact minutes, where 360 minutes, or six hours, equals one day of funding. By contrast, students in regular school day programs are required to receive only four hours of instruction to qualify for one day of funding. SB 496

would require TEA to calculate average daily attendance for flex-time students in the same manner it does for regular program students. This would enable flexible day programs to earn a full day of attendance for 240 minutes of instruction.

The Legislative Budget Board estimates that the bill would not significantly affect state cost under the Foundation School Program or TEA operating costs.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The House companion bill, HB 2660 by Howard, passed the House May 5 on the local, consent, and resolutions calendar. The Senate Education Committee reported the bill favorably on May 21 and recommended it for the local and uncontested calendar.