

BILL ANALYSIS

Senate Research Center

H.B. 3653
By: Oliveira (West)
Education
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Engrossed

DIGEST

School districts receive compensatory education funds under Section 42.152, Education Code (Compensatory Education Allotment), for the purpose of providing compensatory education and accelerated instruction to students identified as at-risk under Section 29.081, Education Code (Compensatory and Accelerated Instruction). Compensatory education funds are allowed to be spent only on costs supplemental to the regular program, including program and student evaluation, instructional materials, equipment and other supplies required for quality instruction; and supplemental staff expenses and salary for teachers of at-risk students. H.B. 3653 amends regulations regarding compensatory education and accelerated instruction in public schools.

PURPOSE

As proposed, H.B. 3653 amends regulations regarding compensatory education and accelerated instruction in public schools.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.081, Education Code, by amending Subsections (c) and (d) and adding Subsections (g) and (h), to require each school district to evaluate and document the effectiveness of the accelerated instruction in reducing any disparity between students at risk of dropping out of school and all other district students in performance on certain assessment instruments and the rates of high school completion or receipt of a high school equivalency certificate, rather than the dropout rate and in increasing achievement in the categories of students listed under Subsection (d).

Redefines “student at risk of dropping out of school.” Authorizes the board of trustees of a school district to adopt additional criteria for identifying students eligible for programs or services under this section. Prohibits more than 10 percent of the number of students identified during the preceding school year under Subsection (d) as students at risk of dropping out of school from being identified as eligible using the criteria adopted under this subsection. Provides that a student identified under this subsection’s criteria is not considered to be educationally disadvantaged or at risk of dropping out of school for purposes of Section 39.051(b), 39.053(d), or 42.152(a), Education Code. Deletes text identifying a “student at risk of dropping out of school.”

SECTION 2. Amends Section 39.051(b), Education Code, to include identification as a student at risk of dropping out of school as determined under Section 29.081(d), Education Code, as one of the indicators required to be included with regard to assessing a student’s degree of change in performance from one school year to the next.

SECTION 3. Amends Section 39.053(d), Education Code, to make conforming and nonsubstantive change.

SECTION 4. Amends Section 39.182(a), Education Code, to make a conforming change.

SECTION 5. Amends Section 42.152(c), Education Code, to authorize funds allocated under this section to be used only to fund supplemental programs and services designed to eliminate disparity between students at risk of dropping out of school, as defined by Section 29.081(d), Education Code, and all other district students in performance on assessment instruments administered under Subchapter B, Chapter 39,

Education Code, or in the rates of high school completion or receipt of a high school equivalency certificate. Specifies that the funds are authorized to be used to operate alternative education programs under Section 37.008 (Alternative Education Programs), Education Code, or support programs eligible or funding under 20 U.S.C., Section 6301, et seq. (Title I of the Elementary and Secondary Education Act of 1965) and its subsequent amendments.

SECTION 6. Amends Section 42.152(c), Education Code, to authorize the funds to be used only to supplement programs and services designed to eliminate certain disparities, specifically, alternative education programs or Title I programs.

SECTION 7. Makes this Act applicable beginning with the 1999-2000 school year, except that Section 39.051(b), Education Code, as amended by this Act, is applicable beginning with the 2000-2001 school year.

SECTION 8. Emergency clause.
Effective date: upon passage.