

BILL ANALYSIS

Senate Research Center
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S.B. 108
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Education
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DIGEST AND PURPOSE

Currently, school districts are allowed to begin the school calendar year according to the schools district's needs. Migrant students, who return later in the fall from working with their families up north, miss many more days of school with the early calendars school districts set. As proposed, S.B. 108 establishes that schools statewide start no earlier than August 21 and end classes no later than the first full week in June, which equalizes access to classroom instruction days for migrant students, while providing more time for students to work more hours for a longer period of time.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 25C, Education Code, to add Section 25.0811, as follows:

Sec. 25.0811. FIRST AND FINAL DAYS OF INSTRUCTION. (a) Prohibits a school district from beginning instruction for students for a school year before August 21 and from continuing instruction for students for a school year after the first full week in June.

(b) Requires a board of trustees of a school district to hold a public hearing on the most appropriate date for the first day of instruction of the next school year if a student, a parent, a teacher, or a resident of the school district submits a request to the superintendent of the district that the board of trustees hold a public hearing on that issue. Authorizes a person to make a request under this subsection in person, by mail, or by telephone. Authorizes the superintendent to designate one or more persons employed in the superintendent's office to accept requests made under this subsection. Requires a board of trustees of a district, by resolution, to establish a date by which a request for a hearing under this subsection must be made, and authorizes the board of trustees to establish any procedures necessary for purposes of this subsection.

(c) Requires a board of trustees of a school district in which more than five percent of the students are migratory children as defined by 20 U.S.C. Section 6399 to hold a public hearing each year to determine the most appropriate date for the first day of instruction of the next school year. Requires the board of trustees, after the hearing and a determination of the first day of instruction of the next school year, to notify the commissioner of education in writing of the determination and the basis for that determination.

SECTION 2. Amends Section 25.084(a), Education Code, to authorize a school district that has adopted a year-round system to modify the final day of instruction for students prescribed by Section 25.0811. Makes nonsubstantive changes.

SECTION 3. Amends Section 42.005(c), Education Code, to require the commissioner of education, in the manner provided by this subsection, to adjust the average daily attendance of a school district in which

at least five percent, rather than that has a significant percentage, of the students are migratory children as defined by 20 U.S.C. Section 6399, and in which the absentee rate for the first six weeks of the preceding school year was greater than three percent. Requires the commissioner of education, in a district to which this subsection applies, to compute the district's average daily attendance by using: (1) the best four of the six-weeks periods if the district begins instruction for students for a school year on or after September 1; and (2) the best five of the six-weeks periods if the district begins instruction for students for a school year before September 1.

SECTION 4. Amends Chapter 61C, Education Code, to add Section 61.088, as follows:

Sec. 61.088. FIRST DAY OF INSTRUCTION OF FIRST TERM OF SUMMER SESSION. Requires the Texas Higher Education Coordinating Board to consult with each general academic teaching institution to ensure that the institution adopts a calendar for the academic year under which the first day of instruction of the first term of the summer session is not earlier than the second full week in June.

SECTION 5. Makes application of this Act prospective to the 2001-2002 school year and the first term of the summer session in 2002.

SECTION 6. Effective date: upon passage or September 1, 2001.