

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1373
By: Shapiro
Education
4/5/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas school districts are responsible for the education of every student residing in their district, including students in drug treatment, halfway houses, and juvenile detention centers. Many of the students in a Texas Youth Commission (TYC) facility are in short-term placements, several grades behind their peers, and not permanent district residents. The performance of such students is not counted in a school district's accountability rating, but students in a TYC-contracted facility are counted in a district's accountability rating, typically lowering that rating. C.S.S.B. 1373 prohibits students in a residential program or facility operated by, or under a contract with, the Texas Youth Commission, or other governmental entity, from being counted in the accreditation status, or in relation to the academic excellence indicator standards, of the district within which the program or facility is located. This bill requires the performance of such a student to be determined, reported, and considered separately.

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 Section 39.072, Education Code, by adding Subsection (d), as follows:

(d) Provides that, notwithstanding any other provision of this code, for the purposes of determining the performance of a school district under this chapter, including the district's accreditation status, a student confined by court order in a residential program or facility operated by, or under a contract with, the Texas Youth Commission, is not considered to be a student of the school district in which the program or facility is physically located. Requires the performance of such a student on an assessment instrument, or other academic excellence indicator adopted under Section 39.051 (Academic Excellence Indicators), Education Code, to be determined, reported, and considered separately from the performance of students attending a school of the district in which the program or facility is physically located.

SECTION 2. Provides that this Act applies beginning with the 2003 - 2004 school year.

SECTION 3. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in the relating clause by specifying that the bill relates to considering for school district accountability purposes the performance of students confined by court order in a residential program or facility operated by or under contract with the Texas Youth Commission, rather than to accreditation of public schools.

Differs from the original in SECTION 1 by amending Section 39.072, Education Code, by adding Subsection (d), rather than adding Subsection (g) to Section 39.073; by including a reference to Section 39.051 (Academic Excellence Indicators), Education Code; by limiting the application of this section to residential programs or facilities operated by, or under contract with the Texas Youth Commission (TYC), rather than TYC and other governmental entities; and by

making the bill conform to legislative drafting standards.