

## **BILL ANALYSIS**

Senate Research Center  
79R1590 KKA-D

S.B. 253  
By: West, Harris  
Education  
3/10/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Juvenile justice alternative education programs (JJAEPs) are operated by county juvenile boards in cooperation with school districts. These programs provide education to public school students expelled from their regular education settings for conduct described under Section 37.007 (Discipline: Law and Order: Expulsion for Serious Offenses), Education Code.

In 1998, the Texas Education Agency interpreted that JJAEPs were not eligible to receive textbooks directly because Chapter 31 (Textbooks), Education Code, lists only "public schools and open enrollment charter schools" as being eligible to receive textbooks.

Under current law, textbook funds may only be used to purchase textbooks for public schools and open-enrollment charter schools. The law has been interpreted not to apply to JJAEPs statewide.

As proposed, S.B. 253 ensures the provision of textbooks to students attending JJAEPs operated under Section 37.011 (Juvenile Justice Alternative Education Program), Education Code, without cost to the students or the county juvenile boards required to operate the program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 31.001, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 31.001, Education Code, as follows:

Sec. 31.001. FREE TEXTBOOKS. (a) Creates this subsection from existing text.

(b) Entitles certain juvenile justice alternative education programs to receive textbooks for student use without cost as if the program were a school district or open-enrollment charter school, notwithstanding any other provision of this chapter. Requires the State Board of Education (board) to adopt rules as necessary to administer this subsection.

SECTION 2. (a) Requires textbooks to be furnished without cost to juvenile justice alternative education programs beginning with the 2005-2006 school year, in accordance with Section 31.001(b), Education Code, as added by this Act, and rules adopted by the board.

(b) Requires the board to adopt rules as required by Section 31.001(b), Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2005.