

BILL ANALYSIS

Senate Research Center
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S.B. 496
By: Watson
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Education Code calculates average daily attendance for the regular program differently than for the flex-time program. This restricts schools in their ability to offer a flexible schedule for students who wish to participate in internships, dual enrollment, or outside work. S.B. 496 removes this disparity by calculating average daily attendance for flex-time students in the same manner as it does for regular program students.

In the 83rd Legislature, legislators laid out clear policy goals for Texas high schools in H.B. 5. They asked these schools to more adequately prepare students for life beyond high school, and S.B. 496 supports their investment, planning, and preparation to achieve these objectives.

As proposed, S.B. 496 amends current law relating to Foundation School Program funding for students enrolled in an optional flexible school day program.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 1 (Section 29.0822, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.0822, Education Code, by amending Subsection (d) and adding Subsection (d-1), as follows:

(d) Authorizes the commissioner of education (commissioner) to adopt rules for the administration of this section, including rules establishing application requirements. Requires the commissioner to calculate average daily attendance for students served under this section, subject to Subsection (d-1). Requires the commissioner to allow accumulations of hours of instruction for students whose schedule would not otherwise allow full state funding. Requires that funding under this subsection be determined based on the number of instructional days in the school district calendar and a seven-hour school day, but attendance may be cumulated over a school year, including any summer or vacation session. Requires that the attendance of students who accumulate less than the number of attendance hours required under this subsection be proportionately reduced for funding purposes. Authorizes the commissioner to take certain actions as set forth regarding funding.

(d-1) Requires that the commissioner ensure that funding for attendance in a course in a program under this section is 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 in calculating average daily attendance for students served under this section.

SECTION 2. Amends Section 42.005(a), Education Code, as follows:

(a) Provides that the average daily attendance in this chapter is:

(1)-(2) Makes no change to these subdivisions;

(3) for a district that operates under a flexible school day program under Section 29.0822, the average daily attendance as calculated by the commissioner in accordance with Sections 29.0822(d) and (d-1), rather than Section 29.0822(d).

SECTION 3. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 4. Effective date: upon passage or September 1, 2015.