

SUBJECT: Adjusting guidelines for students transitioning from alternative education

COMMITTEE: Youth Health & Safety, Select — committee substitute recommended

VOTE: 8 ayes — S. Thompson, Hull, Allison, Capriglione, Dutton, A. Johnson,
Landgraf, Lozano

0 nays

1 absent — T. King

WITNESSES: For — Sarah Beebe, Disability Rights Texas; Sandra Pressey, Harris County Juvenile Probation; Rebecca Fowler, Mental Health America of Greater Houston (*Registered, but did not testify*: Mandi Kimball, Children at Risk; Christine Bryan, Clarity Child Guidance Center; Jolene Sanders Foster, Coalition of Texans with Disabilities; Rebekah Chenelle, Dallas County Commissioners Court; Paige Duggins-Clay, IDRA; Lesley Rivas, Mexican American School Boards Association; Hailey McMahon, Texans Care for Children; Christine Broughal, Texans for Special Education Reform; Uyiosa Elegon, Texas Appleseed; Amanda Afifi, Texas Association of School Psychologists; Alycia Castillo, Texas Center for Justice and Equity; Linda Litzinger, Texas Parent to Parent; Suzi Kennon, Texas PTA; Jonathan Feinstein, The Education Trust; Christine Busse, The National Association Of Social Workers - Texas Chapter; Susana Carranza; Francesca Leahy)

Against — (*Registered, but did not testify*: Dee Carney, Texas School Alliance)

On — (*Registered, but did not testify*: Amy Blakey, Eric Marin, Kristin McGuire, Texas Education Agency)

BACKGROUND: Under Education Code sec. 37.023, "alternative education program" includes:

- a disciplinary alternative education program operated by a school

- district or open-enrollment charter school;
- a juvenile justice alternative education program; and
- a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity.

Under Education Code sec. 37.023, no later than five instructional days after the date of a student's release from an alternative education program, the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from various sources named in statute. If practicable, the campus administrator, or the administrator's designee, shall meet with the student's parent or a person standing in parental relation to the student to coordinate plans for the student's transition.

Education Code sec. 25.001 (d) establishes certain requirements for a person under the age of 18 who lives apart from their parent or guardian to be admitted into a school district.

Concerns have been raised that students returning from alternative education programs continue to face challenges when attempting to re-enroll back into the local school district after the student's successful completion of a discipline program.

DIGEST:

CSHB 1626 would prohibit the board of trustees of a school district or the board's designee from refusing to enroll a student based on the student's criminal, juvenile, or disciplinary history or standing. A district would be required to promptly enroll a student released from an alternative education program who was otherwise eligible for enrollment. The bill would not prohibit the board or the board's designee from:

- revoking admission of a student who did not reside in the school district;
- refusing to admit a person who had engaged in certain delinquent conduct or misbehavior;
- transferring a student who had committed or had been a victim of

- sexual assault, or had been a victim of bullying; or
- expelling a student or placing a student in a disciplinary alternative education program or a juvenile justice alternative education program.

The bill would add certain specifying provisions to statute related to a student's transition out of an alternative education program, requiring that the campus administrator hold a meeting to coordinate both the student's enrollment and transition into a regular educational environment. The bill also would include the student's parent or a person standing in parental relation to the student in the list of people whose assistance and recommendations would be required. The bill would require coordination with other entities if the student had a disability or was a court-related child.

Before finalizing a personalized transition plan for a student, the campus administrator would be required to provide to the student's parent or a person standing in parental relation to the student:

- a list of the people who would be assisting in the student's enrollment and transition to a regular educational environment; and
- an opportunity to meet with the people on the list to discuss any proposed assistance or recommendations for the student's transition and provide any other information useful in developing the plan.

The bill would require that the recommendations included in the personalized transition plan be based on a review of the student's previous coursework, course credit earned, and performance on any assessment of academic growth.

The bill would eliminate the requirement for the personalized transition plan to include a regular review of the student's progress toward the student's academic and career goals. The bill would add that, after a student had transitioned to a regular educational environment, the campus administrator would be required to conduct reviews at the beginning of each semester and the end of each school year of the student's progress

towards the student's academic and career goals.

As soon as practicable after completing a student's personalized transition plan, the campus administrator would be required to provide an electronic or written copy of the plan to the student's parent or a person standing in parental relations to the student. Previous requirements that campus administrators meet with a student's parents to discuss the transition plan would be satisfied by other provisions within the bill.

The bill would require the campus administrator to adopt a policy that, to the greatest extent possible, allowed for credits that were successfully completed while the student was enrolled in an alternative education program or at a previous school to fulfill credits required for high school graduation, provided that the completed courses met the standards adopted by the State Board of Education.

The commissioner could adopt rules as necessary to implement the bill.

The bill would take effect immediately if finally passed by a two-thirds record vote of the membership in each house. Otherwise, it would take effect September 1, 2023. The bill would apply beginning with the 2023-2024 school year.