

BILL ANALYSIS

Senate Research Center

S.B. 1395
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Education
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The United States Department of Labor operates regional Job Corps programs in Texas in Laredo, San Marcos, McKinney, and El Paso serving 5,300 Texas students each year. These Job Corps programs serve youth from 16-24 years of age who are from low income homes, are from an area that has conditions that limit job opportunities, and are able to benefit from Job Corps' vocational and academic training. Previously, Job Corps programs have enrolled their students in general education development (GED) programs. However, in November of 2004, the Department of Labor issued a requirement that all Job Corps programs offer a high school diploma program.

In Texas, this mandate has raised a particular challenge. Current law exempts students enrolled in Job Corps training programs from compulsory school attendance. As a result, some public school districts have been reluctant to enroll Job Corps students in the regular instructional programs of the district. Many Job Corps students have been unsuccessful in a public high school setting and require more intensive remedial programs in order to meet the challenge of obtaining a high school diploma.

As proposed, S.B. 1395 permits Job Corps Centers to offer a specialized high school diploma program to students enrolled in the federal program, in order to provide at-risk students with the opportunity to earn a high school diploma (upon passage of the exit-level statewide assessment) which will increase their opportunities for success in the job market. S.B. 1395 would also provide funding for the program.

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 Subtitle C, Title 2, Education Code, by adding Chapter 18, as follows:

CHAPTER 18. JOB CORPS DIPLOMA PROGRAM

Sec. 18.001. DEFINITIONS. Defines "Job Corps," "Job Corps diploma program," and "program."

Sec. 18.002. ESTABLISHMENT. Authorizes a Job Corps diploma program (program) to establish a limited-purpose high school diploma program to operate public secondary schools at Job Corps facilities throughout the state. Requires a high school diploma program established by a program to be an entity that is separate and distinct from the United States Department of Labor. Authorizes a program to offer a secondary school curriculum, a Texas high school diploma program, and a General Educational Development program.

Sec. 18.003. GOALS OF JOB CORPS DIPLOMA PROGRAMS. Sets forth the goals of the program.

Sec. 18.004. GOVERNANCE; LIMITATION ON POWERS; DUTIES. Requires a program to be governed as provided by this chapter and policies established by the Job

Corps. Provides that, unless otherwise provided by this chapter, a provision of this code applying to school districts does not apply to a program. Prohibits a program from imposing a tax. Requires a program to take certain actions relating to program development.

Sec. 18.005. ELIGIBILITY FOR CERTAIN PROGRAMS AND SERVICES. (a) Provides that any person in good standing in a program who is not a high school graduate is eligible for programs or services under this chapter.

(b) Authorizes only students between the ages of 16 and 21 who are not high school graduates to participate in programs or receive services under this chapter that are paid for with money from the foundation school fund as provided under Section 18.007.

(c) Provides that eligibility for programs and services under this chapter does not exclude a person from being eligible for an educational program or service under any other chapter of this code.

Sec. 18.006. GRANTS AND FEDERAL FUNDS. (a) Authorizes a program to accept a grant from a public or private organization and to spend those funds to supplement programs and provide student services.

(b) Authorizes a program to accept federal funds and requires a program to use those funds in compliance with applicable federal law, regulations, and guidelines.

Sec. 18.007. ALLOCATION OF COSTS. (a) Requires a program, except as authorized by Section 18.005 and this section, to pay the cost of operating its high school diploma program.

(b) Requires the educational costs for persons eligible under Section 18.005 to be paid in part from the foundation school fund. Provides that, for this purpose, a program is entitled to receive school funding under Chapter 42 (Foundation School Program) as if the program were a school district without a tier one local share and without any local revenue. Requires the amount to be paid from the school foundation fund to be limited to the state accreditation allotment per average daily attendance. Prohibits any other state education funds from being allocated to a program.

(c) Authorizes a program, in addition to money from the foundation school fund, to receive appropriated money from other state and federal sources to supplement its educational programs.

(d) Prohibits the operating costs of a program from being charged to another school district.

(e) Authorizes a program to participate in the textbook program under Chapter 31 (Textbooks).

Sec. 18.008. PROGRAM EMPLOYEES. (a) Provides that program employees are not considered employees of the state except as provided by this section. Authorizes a program to establish personnel policies as necessary to ensure its effective and efficient operation under this chapter.

(b) Requires a program employee required under Subchapter B, Chapter 21, to hold a certificate to be certified in accordance with that chapter.

SECTION 2. Amends Section 1.001(b), Education Code, to provide that except as provided by Chapter 18, this code does not apply to students, facilities, or programs under the jurisdiction of the Department of Aging and Disability Services, rather than the Texas Department of Mental

Health and Mental Retardation, and a Job Corps program operated by the United States Department of Labor. Deletes existing text relating to the Texas Department of Human Services.

SECTION 3. Amends Section 25.086(a), Education Code, to provide that a child is exempt from the requirements of compulsory school attendance if the child is enrolled in a high school diploma program under Chapter 18.

SECTION 4. Makes application of Chapter 18, as added by this Act, prospective to the 2005-2006 school year.

SECTION 5. Effective date: upon passage or September 1, 2005.