

BILL ANALYSIS

Senate Research Center

C.S.S.B. 2188
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Education
4/24/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Students in special education programs are allowed under federal law to attend public school until they are 22 years old even though they have already met the graduation requirements. Many schools provide off-campus instructional arrangements for these students to help them transition into adulthood. These arrangements often involve sending either a teacher or educational aide with the student to their job, and the instructor providing workforce training to the student on-site. Despite a school's heavy involvement in this aspect of the student's education, the school does not receive any funding for these students.

S.B. 2188 provides full day average daily attendance (ADA) funding for older special education students by allowing these students to be designated as full-time equivalent students if they receive 20 contact hours of instruction per week. It also allows them to receive part-time equivalent funding if they receive 10 hours or more of instruction. It also gives the commissioner of education authority to make rules to administer the bill. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2188 amends current law relating to the average daily attendance calculation for students over 18 years of age who are in an off home campus instructional arrangement.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 42.151, Education Code) and SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.151, Education Code, by adding Subsection (f-1), as follows:

(f-1) Provides that, notwithstanding Subsection (f) (relating to the definition of "full-time equivalent student"), a student who is 18 years of age or older who has met graduation credit requirements and is in an off home campus instructional arrangement is a full-time equivalent student if the student receives 20 hours of contact a week. Provides that student described by this subsection is a part-time equivalent student if the student receives 10 hours or more but less than 20 hours of contact a week. Authorizes the commissioner of education (commissioner) to adopt rules to administer this section.

SECTION 2. Authorizes the commissioner to adopt rules to administer this Act.

SECTION 3. Provides that the commissioner is required to implement this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, the commissioner to implement this Act using other appropriations available for the purpose, if the legislature does not appropriate money specifically for that purpose.

SECTION 4. Provides that this Act applies beginning with the 2017-2018 school year.