

BILL ANALYSIS

Senate Research Center
87R19028 TSS-D

H.B. 30
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Criminal Justice
5/17/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Windham School District more than 300 students in Texas who were either adjudicated as adults under the age of 18 or are between the ages of 18 and 22 are eligible to receive special education services under the Individuals with Disabilities Education Act. Although some students may be close to completing the requirements to earn a high school diploma, they are not currently provided this opportunity. Minors certified as adults and those eligible for special education services in the Texas Department of Criminal Justice (TDCJ), unlike individuals in juvenile facilities, do not have access to a high school diploma program and instead must pursue high school equivalency.

H.B. 30 seeks to ensure that students who are not currently covered by any state education requirements are taught by requiring the Windham School District to educate minors certified as adults.

H.B. 30 amends the Education Code to require the Windham School District to develop and provide an educational program that includes the curriculum requirements for a high school diploma or a course of instruction that prepares the person for the high school equivalency examination to each person confined or imprisoned in TDCJ who is not a high school graduate, is younger than 18 years of age, and is eligible to receive special education services and younger than 22 years of age.

H.B. 30 requires the Windham School District, in developing a person's educational program, to consider the duration of the person's confinement or imprisonment, the person's current level of education, the person's educational goals and preference, and, if applicable, recommendations of the person's admission, review, and dismissal committee.

H.B. 30 amends current law relating to educational programs provided by the Windham School District in the Texas Department of Criminal Justice for certain inmates.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Criminal Justice in SECTION 1 (Section 19.0051, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 19, Education Code, by adding Section 19.0051, as follows:

Sec. 19.0051. EDUCATIONAL PROGRAMS. (a) Requires the Windham School District to develop and provide an educational program that includes the curriculum requirements for a high school diploma under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record) or a course of instruction that prepares the person for the high school equivalency examination to each person confined or imprisoned in the Texas Department of Criminal Justice who is not a high school graduate and is:

- (1) younger than 18 years of age; or

(2) eligible to receive special education services under Subchapter A (Special Education Programs), Chapter 29 (Educational Program), and younger than 22 years of age.

(b) Requires the Windham School District, in developing a person's educational program under Subsection (a), to consider:

- (1) the duration of the person's confinement or imprisonment;
- (2) the person's current level of education;
- (3) the person's educational goals and preference; and
- (4) if applicable, recommendations of the person's admission, review, and dismissal committee.

(c) Authorizes the Texas Board of Criminal Justice to adopt rules as necessary to implement this section.

SECTION 2. Effective date: September 1, 2021.