

1-1 By: Parker S.B. No. 1647  
 1-2 (In the Senate - Filed March 6, 2023; March 16, 2023, read  
 1-3 first time and referred to Committee on Education; April 24, 2023,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 10, Nays 2; April 24, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14		X		
1-15		X		
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			

1-21 COMMITTEE SUBSTITUTE FOR S.B. No. 1647 By: Campbell

1-22 A BILL TO BE ENTITLED  
 1-23 AN ACT

1-24 relating to dropout recovery education programs.  
 1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-26 SECTION 1. Section 29.081, Education Code, is amended by  
 1-27 amending Subsections (e), (e-1), (e-2), and (f) and adding  
 1-28 Subsections (e-3), (e-4), (e-5), and (e-6) to read as follows:  
 1-29 (e) A school district or open-enrollment charter school may  
 1-30 use a private or public community-based dropout recovery education  
 1-31 program or education management organization to provide  
 1-32 alternative education programs for students at risk of dropping out  
 1-33 of school. The program may be offered in person at a campus,  
 1-34 remotely, or through a hybrid of in-person and remote instruction~~+~~  
 1-35 ~~[(1) at a campus; or~~  
 1-36 ~~[(2) through the use of an Internet online program~~  
 1-37 ~~that leads to a high school diploma and prepares the student to~~  
 1-38 ~~enter the workforce].~~  
 1-39 (e-1) An in-person, [A] campus-based dropout recovery  
 1-40 education program must:  
 1-41 (1) provide not less than four hours of instructional  
 1-42 time per day;  
 1-43 (2) employ as teachers only [~~faculty and~~  
 1-44 ~~administrators~~] persons certified under Subchapter B, Chapter 21  
 1-45 [with baccalaureate or advanced degrees];  
 1-46 (3) provide at least one instructor for each 28  
 1-47 students;  
 1-48 (4) perform satisfactorily according to performance  
 1-49 indicators and accountability standards adopted for alternative  
 1-50 education programs by the commissioner; and  
 1-51 (5) comply with this title and rules adopted under  
 1-52 this title except as otherwise provided by this subsection.  
 1-53 (e-2) A remote or hybrid [~~An Internet online~~] dropout  
 1-54 recovery education program must:  
 1-55 (1) include as a part of its curriculum credentials,  
 1-56 certifications, or other course offerings that relate directly to  
 1-57 employment opportunities in the state;  
 1-58 (2) employ as teachers only [~~faculty and~~  
 1-59 ~~administrators~~] persons certified under Subchapter B, Chapter 21  
 1-60 [with baccalaureate or advanced degrees];

2-1 (3) provide an academic coach and local advocate for  
 2-2 each student;  
 2-3 (4) use an individual learning plan to monitor each  
 2-4 student's progress;  
 2-5 (5) establish satisfactory requirements for the  
 2-6 monthly progress of students according to standards set by the  
 2-7 commissioner;  
 2-8 (6) provide a monthly report to the student's school  
 2-9 district or open-enrollment charter school regarding the student's  
 2-10 progress;  
 2-11 (7) perform satisfactorily according to performance  
 2-12 indicators and accountability standards adopted for alternative  
 2-13 education programs by the commissioner; ~~and~~  
 2-14 (8) operate an in-person student engagement center at  
 2-15 a location suitable for high school students; and  
 2-16 (9) comply with this title and rules adopted under  
 2-17 this title except as otherwise provided by this subsection.  
 2-18 (e-3) A dropout recovery education program under Subsection  
 2-19 (e):  
 2-20 (1) may be operated only by an entity that is  
 2-21 accredited by the agency or a regional accrediting agency;  
 2-22 (2) must offer or provide referrals for mental health  
 2-23 services to students enrolled in the program; and  
 2-24 (3) may not market directly to students enrolled in a  
 2-25 traditional education program.  
 2-26 (e-4) A school district or open-enrollment charter school  
 2-27 may operate one campus-based dropout recovery education program  
 2-28 under Subsection (e) for all students in the district or school.  
 2-29 (e-5) A school district or open-enrollment charter school  
 2-30 administrator or school counselor may refer a student to a dropout  
 2-31 recovery education program under Subsection (e) if the  
 2-32 administrator or counselor determines that enrollment in the  
 2-33 program could prevent the student from dropping out of school.  
 2-34 (e-6) Each year, a school district or open-enrollment  
 2-35 charter school shall post on the district's or school's Internet  
 2-36 website a report on measurable outcomes for each dropout recovery  
 2-37 education program under Subsection (e) offered by the district or  
 2-38 school. The report must include the percentage of students  
 2-39 enrolled in the program during the preceding school year who  
 2-40 attained each of the following outcomes:  
 2-41 (1) transfer to a traditional education program;  
 2-42 (2) successful completion of the program;  
 2-43 (3) dual credit; or  
 2-44 (4) a credential of value.  
 2-45 (f) The commissioner shall include a student who  
 2-46 successfully completes a course offered through ~~students in~~  
 2-47 ~~attendance in~~ a program under Subsection (e) in the computation of  
 2-48 the district's or school's average daily attendance for funding  
 2-49 purposes. For a student who successfully completes a remote course  
 2-50 offered through the program, the commissioner shall include the  
 2-51 student in the computation of the district's or school's average  
 2-52 daily attendance with an attendance rate equal to:  
 2-53 (1) the district's or school's average attendance rate  
 2-54 for students successfully completing a course offered in person  
 2-55 under the program; or  
 2-56 (2) if the district or school does not offer courses in  
 2-57 person under the program, the statewide average attendance rate for  
 2-58 students successfully completing a course offered in person under a  
 2-59 program under Subsection (e).  
 2-60 SECTION 2. Section 39.023, Education Code, is amended by  
 2-61 amending Subsection (c-3) and adding Subsection (c-10) to read as  
 2-62 follows:  
 2-63 (c-3) Except as provided by Subsection (c-7) or (c-10) or as  
 2-64 otherwise provided by this subsection, in adopting a schedule for  
 2-65 the administration of assessment instruments under this section,  
 2-66 the State Board of Education shall ensure that assessment  
 2-67 instruments administered under Subsection (a) or (c) are not  
 2-68 administered on the first instructional day of a week. On request  
 2-69 by a school district or open-enrollment charter school, the

3-1 commissioner may allow the district or school to administer an  
3-2 assessment instrument required under Subsection (a) or (c) on the  
3-3 first instructional day of a week if administering the assessment  
3-4 instrument on another instructional day would result in a  
3-5 significant administrative burden due to specific local  
3-6 conditions.

3-7 (c-10) An entity that operates a dropout recovery education  
3-8 program under Section 29.081(e) may administer an assessment  
3-9 instrument under this section on any date selected by the entity  
3-10 that falls within a testing window established, in accordance with  
3-11 Subsection (c-3), for the administration of the assessment  
3-12 instrument.

3-13 SECTION 3. This Act applies beginning with the 2023-2024  
3-14 school year.

3-15 SECTION 4. This Act takes effect immediately if it receives  
3-16 a vote of two-thirds of all the members elected to each house, as  
3-17 provided by Section 39, Article III, Texas Constitution. If this  
3-18 Act does not receive the vote necessary for immediate effect, this  
3-19 Act takes effect September 1, 2023.

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