

By: Noriega

H.B. No. 642

A BILL TO BE ENTITLED

AN ACT

relating to the dropout count and dropout rate of students in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.001, Education Code, is amended by adding Subdivisions (3-a) and (3-b) to read as follows:

(3-a) "Dropout" means a student who:

(A) does not hold a high school diploma; and

(B) is absent from the school at which the student is enrolled for a period of at least 30 consecutive school days, and whose attendance at another school, including a private school, cannot be verified.

(3-b) "Dropout rate" means the rate computed under Section 39.0545.

SECTION 2. Section 39.051(d), Education Code, is amended to read as follows:

(d) Annually, the commissioner shall define exemplary, recognized, and unacceptable performance for each academic excellence indicator included under Subsections (b)(1) through (6) and shall project the standards for each of those levels of performance for succeeding years. For the indicator under Subsection (b)(7), the commissioner shall define exemplary, recognized, and unacceptable performance based on student performance for the period covering both the current and preceding

1 academic years. [~~In defining exemplary, recognized, and~~  
2 ~~unacceptable performance for the indicators under Subsections~~  
3 ~~(b)(2) and (3), the commissioner may not consider as a dropout or as~~  
4 ~~a student who has failed to attend school a student whose failure to~~  
5 ~~attend school results from:~~

6 [~~(1) the student's expulsion under Section 37.007; and~~

7 [~~(2) as applicable.~~

8 [~~(A) adjudication as having engaged in~~  
9 ~~delinquent conduct or conduct indicating a need for supervision, as~~  
10 ~~defined by Section 51.03, Family Code; or~~

11 [~~(B) conviction of and sentencing for an offense~~  
12 ~~under the Penal Code.]~~

13 SECTION 3. Subchapter C, Chapter 39, Education Code, is  
14 amended by adding Section 39.0545 to read as follows:

15 Sec. 39.0545. DROPOUT COUNT AND DROPOUT RATE. (a) In this  
16 section:

17 (1) "A" is the number of students enrolled at a campus  
18 at grade level 9;

19 (2) "B" is the number of students not enrolled at a  
20 campus at grade level 9 who subsequently enroll at the campus at the  
21 same grade level as the students described by Subdivision (1);

22 (3) "C" is the number of those students described by  
23 Subdivisions (1) and (2) who remain enrolled at the same campus at  
24 grade level 12;

25 (4) "D" is the number of those students described by  
26 Subdivisions (1) and (2):

27 (A) who enroll at another campus, including a

1 private school campus, in a program that grants a high school  
2 diploma; and

3 (B) whose enrollment is verified by the receiving  
4 campus;

5 (5) "E" is the number of students described by  
6 Subdivisions (1) and (2) who die while enrolled at the campus before  
7 receiving a high school diploma;

8 (6) "F" is the number of students described by  
9 Subdivisions (1) and (2) who receive a high school diploma before  
10 completing grade level 12;

11 (7) "DC" is the dropout count; and

12 (8) "DR" is the dropout rate.

13 (b) The dropout count of students at a school campus is  
14 determined by the formula:

15 
$$\underline{DC = (A + B) - (C + D + E + F)}$$

16 (c) The dropout rate of students at a school campus is  
17 determined by the formula:

18 
$$\underline{DR = DC / (A + B) \times 100}$$

19 (d) The dropout count and dropout rate of students enrolled  
20 in a school district or in this state are computed in the same  
21 manner as the dropout count and dropout rate of a campus under this  
22 section.

23 SECTION 4. Section 39.182(a), Education Code, is amended to  
24 read as follows:

25 (a) Not later than December 1 of each year, the agency shall  
26 prepare and deliver to the governor, the lieutenant governor, the  
27 speaker of the house of representatives, each member of the

1 legislature, the Legislative Budget Board, and the clerks of the  
2 standing committees of the senate and house of representatives with  
3 primary jurisdiction over the public school system a comprehensive  
4 report covering the preceding school year and containing:

5 (1) an evaluation of the achievements of the state  
6 educational program in relation to the statutory goals for the  
7 public education system under Section 4.002;

8 (2) an evaluation of the status of education in the  
9 state as reflected by the academic excellence indicators adopted  
10 under Section 39.051;

11 (3) a summary compilation of overall student  
12 performance on academic skills assessment instruments required by  
13 Section 39.023 with the number and percentage of students exempted  
14 from the administration of those instruments and the basis of the  
15 exemptions, aggregated by grade level, subject area, campus, and  
16 district, with appropriate interpretations and analysis, and  
17 disaggregated by race, ethnicity, gender, and socioeconomic  
18 status;

19 (4) a summary compilation of overall performance of  
20 students placed in an alternative education program established  
21 under Section 37.008 on academic skills assessment instruments  
22 required by Section 39.023 with the number of those students  
23 exempted from the administration of those instruments and the basis  
24 of the exemptions, aggregated by district, grade level, and subject  
25 area, with appropriate interpretations and analysis, and  
26 disaggregated by race, ethnicity, gender, and socioeconomic  
27 status;

1           (5) a summary compilation of overall performance of  
2 students at risk of dropping out of school, as defined by Section  
3 29.081(d), on academic skills assessment instruments required by  
4 Section 39.023 with the number of those students exempted from the  
5 administration of those instruments and the basis of the  
6 exemptions, aggregated by district, grade level, and subject area,  
7 with appropriate interpretations and analysis, and disaggregated  
8 by race, ethnicity, gender, and socioeconomic status;

9           (6) an evaluation of the correlation between student  
10 grades and student performance on academic skills assessment  
11 instruments required by Section 39.023;

12           (7) a statement of the dropout count and dropout rate  
13 of students in grade levels 7 through 12, expressed in the aggregate  
14 and by grade level, and a statement of the dropout count and dropout  
15 rate [~~completion rates~~] of students in [~~for~~] grade levels 9 through  
16 12;

17           (8) a statement of:

18                   (A) the completion rate of students who enter  
19 grade level 9 and graduate not more than four years later;

20                   (B) the completion rate of students who enter  
21 grade level 9 and graduate, including students who require more  
22 than four years to graduate;

23                   (C) the completion rate of students who enter  
24 grade level 9 and not more than four years later receive a high  
25 school equivalency certificate;

26                   (D) the completion rate of students who enter  
27 grade level 9 and receive a high school equivalency certificate,

1 including students who require more than four years to receive a  
2 certificate; and

3 (E) the number and percentage of all students who  
4 have not been accounted for under Paragraph (A), (B), (C), or (D);

5 (9) a statement of the projected cross-sectional and  
6 longitudinal dropout rates for grade levels 9 through 12 for the  
7 next five years, assuming no state action is taken to reduce the  
8 dropout rate;

9 (10) a description of a systematic, measurable plan  
10 for reducing the projected cross-sectional and longitudinal  
11 dropout rates to five percent or less for the 1997-1998 school year;

12 (11) a summary of the information required by Section  
13 29.083 regarding grade level retention of students and information  
14 concerning:

15 (A) the number and percentage of students  
16 retained; and

17 (B) the performance of retained students on  
18 assessment instruments required under Section 39.023(a);

19 (12) information, aggregated by district type and  
20 disaggregated by race, ethnicity, gender, and socioeconomic  
21 status, on:

22 (A) the number of students placed in an  
23 alternative education program established under Section 37.008;

24 (B) the average length of a student's placement  
25 in an alternative education program established under Section  
26 37.008;

27 (C) the academic performance of students on

1 assessment instruments required under Section 39.023(a) during the  
2 year preceding and during the year following placement in an  
3 alternative education program; and

4 (D) the dropout rates of students who have been  
5 placed in an alternative education program established under  
6 Section 37.008;

7 (13) a list of each school district or campus that does  
8 not satisfy performance standards, with an explanation of the  
9 actions taken by the commissioner to improve student performance in  
10 the district or campus and an evaluation of the results of those  
11 actions;

12 (14) an evaluation of the status of the curriculum  
13 taught in public schools, with recommendations for legislative  
14 changes necessary to improve or modify the curriculum required by  
15 Section 28.002;

16 (15) a description of all funds received by and each  
17 activity and expenditure of the agency;

18 (16) a summary and analysis of the compliance of  
19 school districts with administrative cost ratios set by the  
20 commissioner under Section 42.201, including any improvements and  
21 cost savings achieved by school districts;

22 (17) a summary of the effect of deregulation,  
23 including exemptions and waivers granted under Section 7.056 or  
24 39.112;

25 (18) a statement of the total number and length of  
26 reports that school districts and school district employees must  
27 submit to the agency, identifying which reports are required by

1 federal statute or rule, state statute, or agency rule, and a  
2 summary of the agency's efforts to reduce overall reporting  
3 requirements;

4 (19) a list of each school district that is not in  
5 compliance with state special education requirements, including:

6 (A) the period for which the district has not  
7 been in compliance;

8 (B) the manner in which the agency considered the  
9 district's failure to comply in determining the district's  
10 accreditation status; and

11 (C) an explanation of the actions taken by the  
12 commissioner to ensure compliance and an evaluation of the results  
13 of those actions;

14 (20) a comparison of the performance of  
15 open-enrollment charter schools and school districts on the  
16 academic excellence indicators specified in Section 39.051(b) and  
17 accountability measures adopted under Section 39.051(g), with a  
18 separately aggregated comparison of the performance of  
19 open-enrollment charter schools predominantly serving students at  
20 risk of dropping out of school, as defined by Section 29.081(d),  
21 with the performance of school districts; and

22 (21) any additional information considered important  
23 by the commissioner or the State Board of Education.

24 SECTION 5. This Act applies beginning with the 2003-2004  
25 school year.

26 SECTION 6. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as



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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2003.