

Amend CSHB 308 as follows:

(1) On page 1, between lines 4 and 5, insert the following new section, appropriately numbered:

SECTION __. Section 7.027(a), Education Code, as added by Section 4, Chapter 201, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) Except as provided by Section 29.001(5), 29.010(a), 37.008, 39.074, or 39.075, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, Subchapter A, Chapter 37, or Section 38.003, and the use of funds provided for such a program under Subchapter C, Chapter 42, only as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance with grant requirements; and
- (3) data integrity for purposes of:
 - (A) the Public Education Information Management System (PEIMS); and
 - (B) accountability under Chapter 39.

(2) On page 4, strike lines 1 and 2 and substitute the following:

SECTION 3. Section 37.008, Education Code, is amended by amending Subsections (a), (c), and (m) and adding Subsection (n) to read as follows:

- (3) On page 5, between lines 3 and 4, insert the following:
- (m) The commissioner shall adopt rules necessary to evaluate annually the performance of each district's disciplinary alternative education program established under this subchapter. The evaluation required by this section must ~~shall~~ be based on indicators defined by the commissioner, including ~~but must include~~ student performance on assessment instruments required under Sections 39.023(a) and (c). The evaluation must include on-site analysis and interpretation of program data by the agency if determined necessary by the commissioner or if an electronic

evaluation under Subsection (m-1) indicates the need for on-site evaluation. The academic [Academically, the] mission of disciplinary alternative education programs must [shall] be to enable students to perform at grade level.

(n) Section 7.027, Education Code, as added by Section 4, Chapter 201, Acts of the 78th Legislature, Regular Session, 2003, does not apply to an evaluation under Subsection (m) or (m-1).

(4) Renumber the existing sections of the bill accordingly.