

By: West, Royce

S.B. No. 1359

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to reporting regarding the academic performance of  
3 students placed in disciplinary alternative education programs.

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

5 SECTION 1. Section 37.008(m), Education Code, is amended to  
6 read as follows:

7 (m) The commissioner shall adopt rules necessary to  
8 evaluate annually the performance of each district's disciplinary  
9 alternative education program established under this subchapter.  
10 The evaluation required by this section shall be based on  
11 indicators defined by the commissioner, but must include the  
12 ~~[student]~~ performance of students in the program on assessment  
13 instruments administered ~~[required]~~ under Sections 39.023(a), (b),  
14 ~~[and]~~ (c), and (d), and an analysis of the performance of those  
15 students in relation to the performance on the assessment  
16 instruments of students in the regular education program at the  
17 campus in which the students in the disciplinary alternative  
18 education program would regularly be enrolled. Academically, the  
19 mission of disciplinary alternative education programs shall be to  
20 enable students to perform at grade level.

21 SECTION 2. Section 39.182(a), Education Code, is amended to  
22 read as follows:

23 (a) Not later than December 1 of each year, the agency shall  
24 prepare and deliver to the governor, the lieutenant governor, the

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

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

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

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

20 (4) a summary compilation of overall performance of  
21 students placed in a disciplinary [~~an~~] alternative education  
22 program established under Section 37.008 on academic skills  
23 assessment instruments administered under [~~required by~~] Section  
24 39.023 (a), (b), (c), or (d) with the number of those students  
25 exempted from the administration of those instruments and the basis  
26 of the exemptions, aggregated by district, grade level, and subject  
27 area, with appropriate interpretations and analysis, including the

1 evaluation described by Section 37.008(m), and disaggregated by  
2 mandatory or discretionary placement in the program, race,  
3 ethnicity, gender, status as a student with a disability, status as  
4 a student of limited English proficiency, status as a migratory  
5 child as defined by 20 U.S.C. Section 6399, and socioeconomic  
6 status;

7 (5) a summary compilation of overall performance of  
8 students at risk of dropping out of school, as defined by Section  
9 29.081(d), on academic skills assessment instruments required by  
10 Section 39.023 with the number of those students exempted from the  
11 administration of those instruments and the basis of the  
12 exemptions, aggregated by district, grade level, and subject area,  
13 with appropriate interpretations and analysis, and disaggregated  
14 by race, ethnicity, gender, and socioeconomic status;

15 (6) an evaluation of the correlation between student  
16 grades and student performance on academic skills assessment  
17 instruments required by Section 39.023;

18 (7) a statement of the dropout rate of students in  
19 grade levels 7 through 12, expressed in the aggregate and by grade  
20 level, and a statement of the completion rates of students for grade  
21 levels 9 through 12;

22 (8) a statement of:

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

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

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

4 (D) the completion rate of students who enter  
5 grade level 9 and receive a high school equivalency certificate,  
6 including students who require more than four years to receive a  
7 certificate; and

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

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

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

17 (11) a summary of the information required by Section  
18 29.083 regarding grade level retention of students and information  
19 concerning:

20 (A) the number and percentage of students  
21 retained; and

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

24 (12) information, aggregated by district [~~type~~] and  
25 disaggregated by mandatory or discretionary placement in the  
26 program, race, ethnicity, gender, status as a student with a  
27 disability, status as a student of limited English proficiency,

1 status as a migratory child as defined by 20 U.S.C. Section 6399,  
2 and socioeconomic status, on:

3 (A) the number of students placed in a  
4 disciplinary [~~an~~] alternative education program established under  
5 Section 37.008;

6 (B) the average length of a student's placement  
7 in a disciplinary [~~an~~] alternative education program established  
8 under Section 37.008;

9 (C) the academic performance of students on  
10 assessment instruments required under Section 39.023(a) during the  
11 year preceding and during the year following placement in a  
12 disciplinary [~~an~~] alternative education program; and

13 (D) the dropout rates of students who have been  
14 placed in a disciplinary [~~an~~] alternative education program  
15 established under Section 37.008;

16 (13) a list of each school district or campus that does  
17 not satisfy performance standards, with an explanation of the  
18 actions taken by the commissioner to improve student performance in  
19 the district or campus and an evaluation of the results of those  
20 actions;

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

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

27 (16) a summary and analysis of the instructional

1 expenditures ratios and instructional employees ratios of school  
2 districts computed under Section 44.0071;

3 (17) a summary of the effect of deregulation,  
4 including exemptions and waivers granted under Section 7.056 or  
5 39.112;

6 (18) a statement of the total number and length of  
7 reports that school districts and school district employees must  
8 submit to the agency, identifying which reports are required by  
9 federal statute or rule, state statute, or agency rule, and a  
10 summary of the agency's efforts to reduce overall reporting  
11 requirements;

12 (19) a list of each school district and disciplinary  
13 alternative education program that is not in compliance with state  
14 special education requirements, including:

15 (A) the period for which the district or program  
16 has not been in compliance;

17 (B) in the case of a school district, the manner  
18 in which the agency considered the district's failure to comply in  
19 determining the district's accreditation status; and

20 (C) an explanation of the actions taken by the  
21 commissioner to ensure compliance and an evaluation of the results  
22 of those actions;

23 (20) a comparison of the performance of  
24 open-enrollment charter schools and school districts on the  
25 academic excellence indicators specified in Section 39.051(b) and  
26 accountability measures adopted under Section 39.051(g), with a  
27 separately aggregated comparison of the performance of

1 open-enrollment charter schools predominantly serving students at  
2 risk of dropping out of school, as defined by Section 29.081(d),  
3 with the performance of school districts; and

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

6 SECTION 3. This Act applies beginning with the 2005-2006  
7 school year.

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2005.