

By: Olivo

H.B. No. 847

A BILL TO BE ENTITLED

1 AN ACT

2 relating to evaluation of disciplinary alternative education
3 programs and reporting regarding the academic performance of
4 students placed in those programs.

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

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

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

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

24 (a) Not later than December 1 of each year, the agency shall

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

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

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

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

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

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

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

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

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

23 (8) a statement of:

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

26 (B) the completion rate of students who enter
27 grade level 9 and graduate, including students who require more

1 than four years to graduate;

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

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

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

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

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

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

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

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

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

1 disability, status as a student of limited English proficiency,
2 status as a migratory child as defined by 20 U.S.C. Section 6399,
3 and socioeconomic status, on:

4 (A) the number of students placed in a
5 disciplinary alternative education program established under
6 Section 37.008;

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

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

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

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

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

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

1 (16) a summary and analysis of the instructional
2 expenditures ratios and instructional employees ratios of school
3 districts computed under Section 44.0071;

4 (17) a summary of the effect of deregulation,
5 including exemptions and waivers granted under Section 7.056 or
6 39.112;

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

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

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

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

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

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

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

5 (21) a summary of the information required by Section
6 38.0141 regarding student health and physical activity from each
7 school district; and

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

10 SECTION 3. This Act applies beginning with the 2007-2008
11 school year.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.