

1-1 By: Hilderbran, et al. (Senate Sponsor - Duncan) H.B. No. 3092  
1-2 (In the Senate - Received from the House May 9, 2007;  
1-3 May 10, 2007, read first time and referred to Committee on  
1-4 Education; May 15, 2007, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 15, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to considering for school district accountability  
1-9 purposes the performance of students confined by court order in a  
1-10 residential program or facility.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 39.072(d), Education Code, is amended by  
1-13 amending Subsection (d) to read as follows:

1-14 (d) Notwithstanding any other provision of this code, for  
1-15 purposes of determining the performance of a school district under  
1-16 this chapter, including the accreditation status of the district, a  
1-17 student confined by court order in a residential program or  
1-18 facility operated by or under contract with the Texas Youth  
1-19 Commission, Texas Juvenile Probation Commission, or any other  
1-20 governmental entity, including a juvenile board, is not considered  
1-21 to be a student of the school district in which the program or  
1-22 facility is physically located. The performance of such a student  
1-23 on an assessment instrument or other academic excellence indicator  
1-24 adopted under Section 39.051 shall be determined, reported, and  
1-25 considered separately from the performance of students attending a  
1-26 school of the district in which the program or facility is  
1-27 physically located.

1-28 SECTION 2. This Act applies beginning with the 2007-2008  
1-29 school year.

1-30 SECTION 3. This Act takes effect immediately if it receives  
1-31 a vote of two-thirds of all the members elected to each house as  
1-32 provided by Section 39, Article III, Texas Constitution. If this  
1-33 Act does not receive the vote necessary for immediate effect, this  
1-34 Act takes effect September 1, 2007.

1-35 \* \* \* \* \*