

By: Noriega

H.B. No. 3621

A BILL TO BE ENTITLED

AN ACT

relating to dropout rates in public schools.

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

SECTION 1. Sections 39.051(d) and (e), Education Code, are 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 (7) and shall project the standards for each of those levels of performance for succeeding years. For the indicator under Subsection (b)(8), the commissioner shall define exemplary, recognized, and unacceptable performance based on student performance for the period covering both the current and preceding academic years. In defining exemplary, recognized, and unacceptable performance for the indicators under Subsections (b)(2) and (4), the commissioner:

(1) shall define a student who has obtained a high school equivalency certificate or who is attending a course of instruction to prepare for the high school equivalency examination as a dropout; and

(2) may not consider as a dropout or as a student who has failed to attend school a student whose failure to attend school results from+

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

1           ~~[(2) as applicable.]~~

2                   ~~[(A) adjudication as having engaged in~~  
3 ~~delinquent conduct or conduct indicating a need for supervision, as~~  
4 ~~defined by Section 51.03, Family Code, or~~

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

7           (e) Each school district shall cooperate with the agency in  
8 determining whether a student is considered a dropout under this  
9 section. The agency shall require that a school district provide at  
10 least the following documentation regarding a student who dies or  
11 who leaves school but is not considered a dropout under this  
12 section:

13                   (1) for a student who dies, a death certificate;

14                   (2) for a student who transfers to another school in  
15 this country:

16                           (A) a statement signed by the student's parent or  
17 guardian confirming that the student has enrolled or will enroll  
18 promptly in another school; and

19                           (B) a transcript or other written evidence of  
20 enrollment from the other school in which the student enrolled;

21                   (3) for a student who leaves school to reside in  
22 another country, a statement signed by the student's parent or  
23 guardian confirming that the student will reside in the other  
24 country; and

25                   (4) for a student who leaves school to attend a home  
26 school, a statement signed by the student's parent or guardian  
27 confirming that the student is being educated at home in accordance

1 with applicable law.

2 SECTION 2. Subchapter C, Chapter 39, Education Code, is  
3 amended by adding Section 39.0511 to read as follows:

4 Sec. 39.0511. FOUR-YEAR ADJUSTED COHORT HIGH SCHOOL  
5 GRADUATION RATE FORMULA. (a) In this section, "high school  
6 diploma" does not include a high school equivalency certificate  
7 (GED) or a certificate of coursework completion issued under  
8 Section 28.025.

9 (b) For purposes of Section 39.051, the high school  
10 graduation rate is computed by applying the four-year adjusted  
11 cohort formula as follows:

$$\text{Graduation rate} = G / (A + B - C)$$

12 where:

13 "G" is the number of students in a school year who graduate  
14 with a high school diploma not later than the conclusion of the  
15 fourth year of enrollment in high school, including any enrollment  
16 period available to senior students during the summer following the  
17 fourth regular school year;

18 "A" is the number of students who entered the ninth grade at  
19 the beginning of the first year of the four-year enrollment period  
20 described in "G";

21 "B" is the number of students who subsequently enroll at the  
22 same grade level as the students described by "A"; and

23 "C" is the number of students in the group of students  
24 described by "A" and "B" who die or transfer to another school,  
25 school district, or educational program that grants a high school  
26 diploma, provided that each student's death or actual enrollment in  
27 diploma, provided that each student's death or actual enrollment in

1 the subsequent school, school district, or educational program is  
2 documented in accordance with Section 39.051(e).

3 SECTION 3. Section 39.053(a), Education Code, is amended to  
4 read as follows:

5 (a) Each board of trustees shall publish an annual report  
6 describing the educational performance of the district and of each  
7 campus in the district that includes uniform student performance  
8 and descriptive information as determined under rules adopted by  
9 the commissioner. The annual report must also include:

10 (1) campus performance objectives established under  
11 Section 11.253 and the progress of each campus toward those  
12 objectives, which shall be available to the public;

13 (2) the performance rating for the district as  
14 provided under Section 39.072(a) and the performance rating of each  
15 campus in the district as provided under Section 39.072(c);

16 (3) the district's current special education  
17 compliance status with the agency;

18 (4) a statement of the number, rate, and type of  
19 violent or criminal incidents that occurred on each district  
20 campus, to the extent permitted under the Family Educational Rights  
21 and Privacy Act of 1974 (20 U.S.C. Section 1232g);

22 (5) information concerning school violence prevention  
23 and violence intervention policies and procedures that the district  
24 is using to protect students; ~~and~~

25 (6) the findings that result from evaluations  
26 conducted under the Safe and Drug-Free Schools and Communities Act  
27 of 1994 (20 U.S.C. Section 7101 et seq.) and its subsequent

1 amendments; ~~and~~

2 (7) information received under Section 51.403(e) for  
3 each high school campus in the district, presented in a form  
4 determined by the commissioner; and

5 (8) dropout rates for each high school in the  
6 district.

7 SECTION 4. Section 39.055, Education Code, is amended by  
8 adding Subsection (b) to read as follows:

9 (b) The electronic audit system required by Subsection (a)  
10 must have the capacity to identify irregularities in a district's  
11 dropout records, including irregularities based on an excessive  
12 number of students identified by the district as leaving school for  
13 a specified reason. Notwithstanding any other provision of this  
14 section, the agency shall conduct on-site monitoring of a school  
15 district's dropout records if the electronic auditing system  
16 identifies an irregularity under this subsection.

17 SECTION 5. This Act applies beginning with the 2007-2008  
18 school year.

19 SECTION 6. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2007.