

By: Chisum

H.B. No. 131

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the treatment of students receiving a high school  
3 equivalency certificate in calculating dropout rates in public  
4 schools.

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

6 SECTION 1. Section 39.051(d), Education Code, is amended  
7 to read as follows:

8 (d) Annually, the commissioner shall define exemplary,  
9 recognized, and unacceptable performance for each academic  
10 excellence indicator included under Subsections (b)(1) through (7)  
11 and shall project the standards for each of those levels of  
12 performance for succeeding years. For the indicator under  
13 Subsection (b)(8), the commissioner shall define exemplary,  
14 recognized, and unacceptable performance based on student  
15 performance for the period covering both the current and preceding  
16 academic years. In defining exemplary, recognized, and  
17 unacceptable performance for the indicators under Subsections  
18 (b)(2) and (4), the commissioner may not consider as a dropout or as  
19 a student who has failed to attend school a student:

20 (1) who has obtained a high school equivalency  
21 certificate (GED); or

22 (2) whose failure to attend school results from:

23 (A) [~~(1)~~] the student's expulsion under Section  
24 37.007; and

1                    (B) [~~(2)~~] as applicable:

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

7                    SECTION 2. This Act applies beginning with the 2009-2010  
8 school year.

9                    SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2009.