

Amend SB 460 on third reading by adding to the bill the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 39.055, Education Code, is amended to read as follows:

Sec. 39.055. STUDENT ORDERED BY A JUVENILE COURT OR STUDENT IN RESIDENTIAL FACILITY NOT CONSIDERED FOR ACCOUNTABILITY PURPOSES. Notwithstanding any other provision of this code except to the extent otherwise provided under Section 39.054(f), for purposes of determining the performance of a school district, ~~[or]~~ campus, or open-enrollment charter school under this chapter, a student who is ordered by a juvenile court into a residential program or facility operated by or under contract with the Texas Juvenile Justice Department ~~[Youth Commission, the Texas Juvenile Probation Commission]~~, a juvenile board, or any other governmental entity and who is receiving instruction from an educator who has completed the training under Section 21.044(c-1) or any student who is receiving treatment in a residential facility and who is receiving instruction from an educator who has completed the training under Section 21.044(c-1) is not considered to be a student of the school district in which the program or facility is physically located or of an open-enrollment charter school, as applicable. The performance of such a student on an assessment instrument or other student achievement indicator adopted under Section 39.053 or reporting indicator adopted under Section 39.301 shall be determined, reported, and considered separately from the performance of students attending a school of the district in which the program or facility is physically located or an open-enrollment charter school, as applicable.

SECTION _____. Section 39.055, Education Code, as amended by this Act, applies beginning with the 2013-2014 school year.