

By: Harper-Brown

H.B. No. 3907

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to consideration of certain graduates and dropouts in  
3 evaluation of school districts, campuses, and open-enrollment  
4 charter schools for accountability purposes.

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

6 SECTION 1. Section 39.053(g-1), Education Code, is amended  
7 to read as follows:

8 (g-1) In computing dropout and completion rates under  
9 Subsection (c)(2), the commissioner shall exclude:

10 (1) students who are ordered by a court to attend a  
11 high school equivalency certificate program but who have not yet  
12 earned a high school equivalency certificate;

13 (2) students who were previously reported to the state  
14 as dropouts, including a student who is reported as a dropout,  
15 reenrolls, and drops out again, regardless of the number of times of  
16 reenrollment and dropping out;

17 (3) students in attendance who are not in membership  
18 for purposes of average daily attendance;

19 (4) students whose initial enrollment in a school in  
20 the United States in grades 7 through 12 was as unschooled refugees  
21 or asylees as defined by Section 39.027(a-1);

22 (5) students who are in the district exclusively as a  
23 function of having been detained at a county detention facility but  
24 are otherwise not students of the district in which the facility is

1 located; and

2 (6) students who are incarcerated in state jails and  
3 federal penitentiaries as adults and as persons certified to stand  
4 trial as adults.

5 SECTION 2. Subchapter C, Chapter 39, Education Code, is  
6 amended by adding Section 39.0541 to read as follows:

7 Sec. 39.0541. STANDARDS FOR EVALUATING COMPLETION AND  
8 DROPOUT RATES. For purposes of evaluating a school district or  
9 campus or an open-enrollment charter school for adequate yearly  
10 progress under the No Child Left Behind Act of 2001 (20 U.S.C.  
11 Section 6301 et seq.) and, notwithstanding Section 39.053(c)(2),  
12 for accountability under this chapter and for performance under an  
13 agency performance-based monitoring analysis system:

14 (1) a student who graduates from a school district  
15 campus or open-enrollment charter school is considered a high  
16 school graduate of the campus or school regardless of whether the  
17 student graduates with the student's ninth grade cohort; and

18 (2) consistent with Section 39.053(g-1)(2), a student  
19 who was previously reported to the state as a dropout, including a  
20 student who is reported as a dropout, reenrolls, and drops out  
21 again, regardless of the number of times of reenrollment and  
22 dropping out, shall be excluded in computing completion and dropout  
23 rates.

24 SECTION 3. This Act applies beginning with the 2013-2014  
25 school year.

26 SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2013.