

By: González

H.B. No. 3145

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the computation of dropout rates of a school district
3 and the calculation of average daily attendance for funding
4 purposes with respect to certain students 18 years of age or older
5 receiving special education services from the district.

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

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

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

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

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

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

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

23 (5) students who are in the district exclusively as a
24 function of having been detained at a county detention facility but

1 are otherwise not students of the district in which the facility is
2 located; ~~and~~

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

6 (7) students 18 years of age or older who remain
7 enrolled in the district and receive special education services
8 from the district under Section 29.003 after completing high school
9 graduation requirements.

10 SECTION 2. Section 42.151, Education Code, is amended by
11 amending Subsection (a) and adding Subsections (f-1) and (f-2) to
12 read as follows:

13 (a) For each student in average daily attendance in a
14 special education program under Subchapter A, Chapter 29, in a
15 mainstream instructional arrangement, a school district is
16 entitled to an annual allotment equal to the adjusted basic
17 allotment multiplied by 1.1. For each full-time equivalent student
18 in average daily attendance in a special education program under
19 Subchapter A, Chapter 29, in an instructional arrangement other
20 than a mainstream instructional arrangement, a district is entitled
21 to an annual allotment equal to the adjusted basic allotment
22 multiplied by a weight determined according to instructional
23 arrangement as follows:

24	Homebound	5.0
25	Hospital class	3.0
26	Speech therapy	5.0
27	Resource room	3.0

1	Self-contained, mild and moderate,	
2	regular campus	3.0
3	Self-contained, severe, regular campus	3.0
4	Off home campus	<u>5.0</u> [2.7]
5	Nonpublic day school	1.7
6	Vocational adjustment class	2.3

7 (f-1) Notwithstanding Subsection (f), a student 18 years of
8 age or older who is in an off home campus instructional arrangement
9 is a full-time equivalent student if the student receives four
10 hours of contact a week. A student described by this subsection is
11 a part-time equivalent student if the student receives two hours or
12 more but less than four hours of contact a week.

13 (f-2) The commissioner by rule shall designate equivalent
14 contact hour multipliers of not less than 5.5 for:

- 15 (1) the off home campus instructional placement; and
- 16 (2) the vocational adjustment class instructional
17 placement.

18 SECTION 3. This Act applies beginning with the 2015-2016
19 school year.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2015.