

By: Garcia, West

S.B. No. 1170

A BILL TO BE ENTITLED

AN ACT

relating to excluding certain students from the computation of dropout and completion rates for purposes of public school accountability.

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

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

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

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

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

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

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

(5) students who are detained at a county pre-adjudication or post-adjudication juvenile detention facility and:

1 (A) in the district exclusively as a function of
2 having been detained at the [~~a county detention~~] facility but are
3 otherwise not students of the district in which the facility is
4 located; or

5 (B) provided services by an open-enrollment
6 charter school exclusively as the result of having been detained at
7 the facility; [and]

8 (6) students who are incarcerated in state jails and
9 federal penitentiaries as adults and as persons certified to stand
10 trial as adults; and

11 (7) students who:

12 (A) are at least 18 years of age and have
13 satisfied the credit requirements for high school graduation;

14 (B) have not completed their individualized
15 education program under 19 T.A.C. Section 89.1070(b)(2) and the
16 Individuals with Disabilities Education Act (20 U.S.C. Section 1400
17 et seq.); and

18 (C) are enrolled and receiving individualized
19 education program services.

20 SECTION 2. This Act applies beginning with the 2015-2016
21 school year.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2015.