

By: Zaffirini

S.B. No. 1867

A BILL TO BE ENTITLED

1 AN ACT
2 relating to excluding certain adult students receiving special
3 education services from computation of dropout and completion rates
4 for purposes of public school accountability.

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; and

5 (7) students who:

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

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

12 (C) are enrolled and receiving individualized
13 education program services.

14 SECTION 2. This Act applies beginning with the 2015-2016
15 school year.

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