

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. Sections 39.053(g-1) and (g-2), Education Code, are amended to read as follows:

(g-1) In computing dropout and completion rates under Subsections (c)(4)(A)(i) and (B)(ii)(a), 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

1 and:

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

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

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

12 (g-2) In computing completion rates under Subsection
13 (c)(4)(A)(i) [~~(c)(2)~~], the commissioner shall exclude students
14 who:

15 (1) are at least 18 years of age as of September 1 of
16 the school year as reported for the fall semester Public Education
17 Information Management System (PEIMS) submission and have
18 satisfied the credit requirements for high school graduation;

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

23 (3) are enrolled and receiving individualized
24 education program services.

25 SECTION 2. This Act applies beginning with the 2017-2018
26 school year.

27 SECTION 3. This Act takes effect immediately if it receives

H.B. No. 3075

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3075 was passed by the House on April 25, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3075 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor