

By: Huberty

H.B. No. 3075

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to excluding certain students from the computation of  
3 dropout and completion rates for purposes of public school  
4 accountability.

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

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

8 (g-1) In computing dropout and completion rates under  
9 Subsections (c)(4)(A)(i) and (B)(ii)(a), the commissioner shall  
10 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 detained at a county  
24 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

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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.