

By: Garcia

S.B. No. 727

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. 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

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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.