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By:  Dutton H.B. No. 3452

Substitute the following for H.B. No. 3452:

By:  Allen C.S.H.B. No. 3452

A BILL TO BE ENTITLED

AN ACT

relating to evaluating the performance of dropout recovery schools for purposes of the public school accountability system.

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

SECTION 1.  Section 39.0548, Education Code, is amended by amending Subsections (a) and (d) and adding Subsections (a-1), (e), and (f) to read as follows:

(a)  For purposes of evaluating performance under Section 39.053(c), the commissioner shall designate as a dropout recovery school a school district or an open-enrollment charter school or a campus of a district or of an open-enrollment charter school:

(1)  that serves students in grades 9 through 12 and has an enrollment of which at least 50 percent of the students are 17 years of age or older as of September 1 of the school year as reported for the fall semester Public Education Information Management System (PEIMS) submission; and

(2)  that [~~meets the eligibility requirements for and~~] is registered under alternative education accountability procedures adopted by the commissioner.

(a-1)  For purposes of assigning performance ratings under Section 39.054, the commissioner shall evaluate a dropout recovery school under alternative education accountability procedures adopted by the commissioner.

(d)  For [~~Notwithstanding Section 39.053(c), for~~] purposes of evaluating a dropout recovery school under the alternative education accountability procedures adopted by the commissioner [~~to determine the performance rating of the school under Section 39.054~~], only the best result from the primary administration or any retake of an assessment instrument administered to a student in the school year evaluated may be considered in assigning performance ratings for the school under Section 39.054.

(e)  For purposes of evaluating performance of a dropout recovery school under the alternative education accountability procedures adopted by the commissioner, the commissioner shall adopt performance targets for the student achievement domain under Section 39.053(c)(1) and the school progress domain under Section 39.053(c)(2) that are based on the average performance of school districts and campuses registered under the alternative education accountability procedures for the preceding school year for those respective domains.

(f)  For purposes of assigning an overall performance rating for a dropout recovery school under Section 39.054, the commissioner shall attribute not more than 10 percent of that rating to the closing the gaps domain under Section 39.053(c)(3).

SECTION 2.  (a) This Act takes effect on any date not later than September 1, 2021, on which the commissioner of education:

(1)  obtains any necessary waiver from the application of federal law or regulation conflicting with Section 39.0548, Education Code, as amended by this Act; or

(2)  receives written notification from the United States Department of Education that a waiver is not required.

(b)  This Act applies beginning with the first school year that begins after the date on which this Act takes effect under Subsection (a) of this section.

(c)  If the commissioner of education obtains any necessary waiver or receives written notification as described by Subsection (a) of this section, the commissioner shall certify that the commissioner has obtained the waiver or received notification that a waiver is not required, as applicable, and shall publish notice of that fact in the Texas Register as soon as practicable after obtaining the waiver or receiving notification.