86R5026 TSS-F

By:  Miles S.B. No. 1241

A BILL TO BE ENTITLED

AN ACT

relating to students eligible to receive compensatory, intensive, and accelerated instructional services.

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

SECTION 1.  Sections 29.081(d) and (g), Education Code, are amended to read as follows:

(d)  For purposes of this section, "student at risk of dropping out of school" includes each student who is under 26 years of age and who:

(1)  was not advanced from one grade level to the next for one or more school years;

(2)  if the student is in grade 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;

(3)  did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;

(4)  if the student is in prekindergarten, kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;

(5)  is pregnant or is a parent;

(6)  has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;

(7)  has been expelled in accordance with Section 37.007 during the preceding or current school year;

(8)  is currently on parole, probation, deferred prosecution, or other conditional release;

(9)  was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;

(10)  is a student of limited English proficiency, as defined by Section 29.052;

(11)  is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;

(12)  is homeless, as defined by 42 U.S.C. Section 11302, and its subsequent amendments; [~~or~~]

(13)  resided in the preceding school year or resides in the current school year in a residential placement facility in the district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, cottage home operation, specialized child-care home, or general residential operation;

(14)  has dyslexia or a related disorder;

(15)  is educationally disadvantaged;

(16)  has enrolled in two or more public schools, including an open-enrollment charter school, in the same school year during the preceding or current school year; or

(17)  has 10 or more absences in a school year, with each partial-day absence counting as a half day, during the preceding or current school year.

(g)  In addition to students described by Subsection (d), a student who satisfies local eligibility criteria adopted by the board of trustees of a school district may receive instructional services under this section. The number of students receiving services under this subsection during a school year may not exceed 20 [~~10~~] percent of the number of students described by Subsection (d) who received services from the district during the preceding school year.

SECTION 2.  Section 33.151(4), Education Code, is amended to read as follows:

(4)  "Student at risk of dropping out of school" means:

(A)  a student at risk of dropping out of school as defined by Section 29.081; or

(B)  [~~a student who is eligible for a free or reduced lunch; or~~

[~~(C)~~]  a student who is in family conflict or crisis.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.