

AN ACT

relating to the inclusion of certain students as students at risk of dropping out of school.

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

SECTION 1. Section 29.081(d), Education Code, is 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,

1 kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on
2 a readiness test or assessment instrument administered during the
3 current school year;

4 (5) is pregnant or is a parent;

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

8 (7) has been expelled in accordance with Section
9 37.007 during the preceding or current school year;

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

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

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

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

21 (12) is homeless, as defined by 42 U.S.C. Section
22 11302, and its subsequent amendments; [~~or~~]

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

1 home, or general residential operation; or
2 (14) has been incarcerated or has a parent or guardian
3 who has been incarcerated, within the lifetime of the student, in a
4 penal institution as defined by Section 1.07, Penal Code.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1746 passed the Senate on April 29, 2019, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1746 passed the House on May 16, 2019, by the following vote: Yeas 136, Nays 5, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor