

## **BILL ANALYSIS**

Senate Research Center

S.B. 879  
By: Lucio  
Education  
5/24/2021  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Dropout recovery programs are an essential tool for helping students who have dropped out of school complete the courses they need to earn their high school diploma. By their nature, these programs serve students who faced some barrier to succeeding academically in their previous schools, and this special student population is recognized in the way these programs are evaluated under the state accountability system. Unfortunately, the hard-and-fast rules designating which schools are dropout recovery programs can exclude some of these programs from appropriate accountability measures, especially those that serve students who drop out at age 16 and therefore fall outside the current age bracket. Without better capturing the type of program that provides dropout recovery services, such vital programs will not be held to the standard designed for the unique student population they serve.

S.B. 879 provides more appropriate accountability measures for dropout recovery programs by instituting new criteria for inclusion in the state's alternative accountability system. The bill designates any program that serves at least 60 percent students who are age 16 or older as a dropout recovery program (as compared to the current threshold, under which only programs serving at least 50 percent students who are age 17 or above). Furthermore, the bill allows the commissioner of education to set by rule other criteria by which a program that provides dropout recovery services may apply for inclusion in the alternative accountability standards. By setting reasonable accountability bars for dropout recovery programs, S.B. 879 will help these programs thrive under the proper standards.

S.B. 879 amends current law relating to the qualifications for designation as a dropout recovery school.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 12.1141(c), Education Code, to require the commissioner of education (commissioner) to designate an open-enrollment charter school or a campus of an open-enrollment charter school that serves students in grades 9 through 12 and has an enrollment of which at least 60 percent, rather than 50 percent, of the students are 16 years of age, rather than 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 as a dropout recovery school for purposes of this subsection.

SECTION 2. Amends Section 12.137(a), Education Code, to provide that Section 12.137 (Certain Charter Holders Authorized to Provide Combined Services for Certain Adult and High School Dropout Recovery Programs) applies only to certain schools and programs, including to an open-enrollment charter school designated as a dropout recovery school as described by Section 12.1141(c) if the enrollment of the school consists only of students 16 years of age, rather than 17 years of age, and older.

SECTION 3. Amends Section 39.0548(a), Education Code, as follows:

(a) Requires that the commissioner, for purposes of evaluating performance under Section 39.053(c) (relating to certain domains of indicators of achievement for which schools and campuses are required to be evaluated), to 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:

(A) creates this paragraph from existing text and makes conforming and nonsubstantive changes; or

(B) applies for and receives designation as a dropout recovery school in accordance with commissioner rule; and

(2) makes no change to this subdivision.

SECTION 4. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 5. Effective date: upon passage or September 1, 2021.