

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1647
By: Parker
Education
4/20/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current statute, a public school district may use a private or public community-based dropout recovery program for students who are at risk of dropping out of school. However, current programs have limits on the types of recovery programs available to students and limit the scope to only public school districts, leaving out open-enrollment charters.

S.B. 1647 seeks to amend Section 29.081, Education Code, to allow school districts and open-enrollment charter schools to use public or private community-based dropout recovery education programs to provide an alternative for students who are deemed by administrators, counselors, or teachers as being at high-risk. The program may be offered in person at a campus, remotely, or through a hybrid of in-person and remote instruction. The bill sets out specific requirements for in-person, remote, and hybrid programs and also mandates that dropout recovery education programs offer or provide referrals for mental health services to students enrolled in the program.

The committee substitute for S.B. 1647 clarifies in Subsection (f) that a student who successfully completes a remote course offered through the program be counted at the district's or school's average attendance rate for a person who completes an in-person program. Further, if a district or school does not offer an in-person dropout recovery program, then a student who completes a dropout recovery course must be counted under the statewide average attendance rate for a student who successfully completes an in-person recovery course under Subsection (e).

Lastly, C.S.S.B. 1647 allows an entity that is operating a dropout recovery program to administer an assessment instrument at any date that falls within the testing window established by the Texas Education Agency.

C.S.S.B. 1647 amends current law relating to dropout recovery education programs.

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 29.081, Education Code, by amending Subsections (e), (e-1), (e-2), and (f) and adding Subsections (e-3), (e-4), (e-5), and (e-6), as follows:

(e) Authorizes a school district or open-enrollment charter school to use a private or public community-based dropout recovery education program or education management organization to provide alternative education programs for students at risk of dropping out of school. Authorizes the program to be offered in person at a campus, remotely, or through a hybrid of in-person and remote instruction, rather than offered at a campus or through the use of an Internet online program that leads to a high school diploma and prepares the student to enter the workforce. Makes nonsubstantive changes.

(e-1) Requires that an in-person, campus-based dropout recovery education program take certain actions, including employing as teachers only persons certified under Subchapter

B (Certification of Educators), Chapter 21, rather than employ as faculty and administrators persons with baccalaureate or advanced degrees.

(e-2) Requires that a remote or hybrid dropout recovery education program, rather than an Internet online dropout recovery education program, take certain actions, including operating an in-person student engagement center at a location suitable for high school students. Makes conforming and nonsubstantive changes.

(e-3) Provides that a dropout recovery education program under Subsection (e):

(1) is authorized to be operated only by an entity that is accredited by the Texas Education Agency or a regional accrediting agency;

(2) is required to offer or provide referrals for mental health services to students enrolled in the program; and

(3) is prohibited from marketing directly to students enrolled in a traditional education program.

(e-4) Authorizes a school district or open-enrollment charter school to operate one campus-based dropout recovery education program under Subsection (e) for all students in the district or school.

(e-5) Authorizes a school district or open-enrollment charter school administrator or school counselor to refer a student to a dropout recovery education program under Subsection (e) if the administrator or counselor determines that enrollment in the program could prevent the student from dropping out of school.

(e-6) Requires a school district or open-enrollment charter school, each year, to post on the district's or school's Internet website a report on measurable outcomes for each dropout recovery education program under Subsection (e) offered by the district or school. Requires that the report include the percentage of students enrolled in the program during the preceding school year who attained each of the following outcomes: transfer to a traditional education program, successful completion of the program, dual credit, or a credential of value.

(f) Requires the commissioner of education (commissioner) to include a student who successfully completes a course offered through a program, rather than to include students in attendance in a program, under Subsection (e) in the computation of the district's or school's average daily attendance for funding purposes. Requires the commissioner, for a student who successfully completes a remote course offered through the program, to include the student in the computation of the district's or school's average daily attendance with an attendance rate equal to:

(1) the district's or school's average attendance rate for students successfully completing a course offered in person under the program; or

(2) if the district or school does not offer courses in person under the program, the statewide average attendance rate for students successfully completing a course offered in person under a program under Subsection (e).

SECTION 2. Amends Section 39.023, Education Code, by amending Subsection (c-3) and adding Subsection (c-10), as follows:

(c-3) Creates an exception under Subsection (c-10).

(c-10) Authorizes an entity that operates a dropout recovery education program under Section 29.081(e) to administer an assessment instrument under Section 39.023 (Adoption and Administration of Instruments) on any date selected by the entity that falls

within a testing window established, in accordance with Subsection (c-3), for the administration of the assessment instrument.

SECTION 3. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 4. Effective date: upon passage or September 1, 2023.