

By: Dutton

H.B. No. 3432

A BILL TO BE ENTITLED

AN ACT

relating to dropout recovery education programs.

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

SECTION 1. Section [29.081](#), Education Code, is amended by amending Subsections (e), (e-1), (e-2), and (f) and adding Subsections (e-3), (e-4), (e-5), and (e-6) to read as follows:

(e) A school district or open-enrollment charter school may 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. The program may be offered in person at a campus, remotely, or through a hybrid of in-person and remote instruction~~[+~~

~~[(1) at a campus; or~~

~~[(2) through the use of an Internet online program that leads to a high school diploma and prepares the student to enter the workforce].~~

(e-1) An in-person, [A] campus-based dropout recovery education program must:

(1) provide not less than four hours of instructional time per day;

(2) employ as teachers only ~~[faculty and administrators]~~ persons certified under Subchapter B, Chapter 21 ~~[with baccalaureate or advanced degrees];~~

(3) provide at least one instructor for each 28

1 students;

2 (4) perform satisfactorily according to performance
3 indicators and accountability standards adopted for alternative
4 education programs by the commissioner; and

5 (5) comply with this title and rules adopted under
6 this title except as otherwise provided by this subsection.

7 (e-2) A remote or hybrid ~~[An Internet online]~~ dropout
8 recovery education program must:

9 (1) include as a part of its curriculum credentials,
10 certifications, or other course offerings that relate directly to
11 employment opportunities in the state;

12 (2) employ as teachers only ~~[faculty and~~
13 ~~administrators]~~ persons certified under Subchapter B, Chapter 21
14 ~~[with baccalaureate or advanced degrees];~~

15 (3) provide an academic coach and local advocate for
16 each student;

17 (4) use an individual learning plan to monitor each
18 student's progress;

19 (5) establish satisfactory requirements for the
20 monthly progress of students according to standards set by the
21 commissioner;

22 (6) provide a monthly report to the student's school
23 district or open-enrollment charter school regarding the student's
24 progress;

25 (7) perform satisfactorily according to performance
26 indicators and accountability standards adopted for alternative
27 education programs by the commissioner; ~~and]~~

1 (8) operate an in-person student engagement center at
2 a location suitable for high school students; and

3 (9) comply with this title and rules adopted under
4 this title except as otherwise provided by this subsection.

5 (e-3) A dropout recovery education program under Subsection
6 (e):

7 (1) may be operated only by an entity that is
8 accredited by the agency or a regional accrediting agency;

9 (2) must offer or provide referrals for mental health
10 services to students enrolled in the program; and

11 (3) may not market directly to students enrolled in a
12 traditional education program.

13 (e-4) A school district or open-enrollment charter school
14 may operate one campus-based dropout recovery education program
15 under Subsection (e) for all students in the district or school.

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

21 (e-6) Each year, a school district or open-enrollment
22 charter school shall post on the district's or school's Internet
23 website a report on measurable outcomes for each dropout recovery
24 education program under Subsection (e) offered by the district or
25 school. The report must include the percentage of students
26 enrolled in the program during the preceding school year who
27 attained each of the following outcomes:

1 (1) transfer to a traditional education program;

2 (2) successful completion of the program;

3 (3) dual credit; or

4 (4) a credential of value.

5 (f) The commissioner shall include a student who
6 successfully completes a course offered through [~~students in~~
7 ~~attendance in~~] a program under Subsection (e) in the computation of
8 the district's or school's average daily attendance with a 100
9 percent attendance rate for funding purposes.

10 SECTION 2. Section [39.023](#), Education Code, is amended by
11 amending Subsection (c-3) and adding Subsection (c-10) to read as
12 follows:

13 (c-3) Except as provided by Subsection (c-7) or (c-10) or as
14 otherwise provided by this subsection, in adopting a schedule for
15 the administration of assessment instruments under this section,
16 the State Board of Education shall ensure that assessment
17 instruments administered under Subsection (a) or (c) are not
18 administered on the first instructional day of a week. On request
19 by a school district or open-enrollment charter school, the
20 commissioner may allow the district or school to administer an
21 assessment instrument required under Subsection (a) or (c) on the
22 first instructional day of a week if administering the assessment
23 instrument on another instructional day would result in a
24 significant administrative burden due to specific local
25 conditions.

26 (c-10) An entity that operates a dropout recovery education
27 program under Section [29.081](#)(e) may administer an assessment

1 instrument under this section on any date selected by the entity.

2 SECTION 3. This Act applies beginning with the 2023-2024
3 school year.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.