

- SUBJECT:** Authorizing a dropout recovery competency-based educational program
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 11 ayes — Dutton, Allison, K. Bell, Bernal, Buckley, M. González, Huberty, K. King, Meza, Talarico, VanDeaver
- 0 nays
- 2 absent — Lozano, Allen
- WITNESSES:** For — Jessica Shopoff, Learn4Life; Cintia Rodriguez and Sarah Torres, Premier High School Gallery Furniture North Responsive Ed; Josph Hoffer, Schulman, Lopez, Hoffer & Adelstein; (*Registered, but did not testify*: Justin Keener, Americans for Prosperity, Libre Initiative, and Doug Deason; Daniela Rubio, Austin Achieve; Tom Sage, Hunton Andrews Kurth LLP; Addie Gomez, KIPP Texas Public Schools; Frank Corte Jr, Schulman, Lopez, Hoffer & Adelstein; Maggie Luna, Statewide Leadership Council; Mia McCord, Texas Conservative Coalition; Alycia Castillo, Texas Criminal Justice Coalition; Starlee Coleman, Texas Public Charter School Association; Erin Valdez, Texas Public Policy Foundation; Knox Kimberly, Upbring; Craig Chick, Yes. Every Kid; Annemarie Donnelly; Amanda List; Karen Marshall)
- Against — (*Registered, but did not testify*: Dee Carney, Texas School Alliance)
- On — (*Registered, but did not testify*: Eric Marin, Monica Martinez, Heather Mauze, and Matt Montano, Texas Education Agency)
- BACKGROUND:** Interested observers have suggested that school districts and charter schools need flexibility to provide programs for students who are at risk of dropping out of school or who have dropped out to earn course credit and obtain a high school diploma.
- DIGEST:** CSHB 572 would authorize a school district or open-enrollment charter

school to offer a dropout recovery competency-based educational program to eligible students. A program would have to:

- serve students in grades 9 through 12 and have an enrollment of which at least 50 percent of the students were 16 years of age or older as of September 1 of the school year; and
- meet the eligibility requirements for and be registered under alternative education accountability procedures adopted by the commissioner of education.

A program could be offered at a new or existing school district or open-enrollment charter school campus, as a new campus program, or as part of an existing campus program, including a campus or campus program charter. A nonprofit entity that had been granted a charter as an adult high school diploma and industry certification charter school could transfer its program to a district or charter school to be offered as a dropout recovery competency-based educational program.

Eligible students. A student between the ages of 14 and 49 would be eligible to enroll in a program under certain circumstances.

A student who on September 1 of the school year was at least 14 years of age and under 26 years of age would be eligible if the student met one or more of the following criteria:

- the student was reported through the Public Education Information Management System or in another state to have dropped out of school, including a student who had previously dropped out;
- the student was at risk of dropping out of school due to circumstances specified in current statute;
- the student had been placed in a disciplinary alternative education program during the previous or current school year;
- the student had been expelled during the previous four school years or the current one;
- the student was on parole, probation, deferred prosecution, deferred adjudication, or other conditional release;

- the student was in the custody or care of the Department of Family and Protective Services or had been referred to the department during the previous or current school year by a school official, officer of a juvenile court, or law enforcement official;
- the student was or had been previously homeless, as defined by federal law;
- the student had resided at any time or currently resided in a residential care facility;
- the student was working for pay at least 15 hours or more each week to provide individual or family support;
- the student was ordered by a court to attend a high school equivalency certificate program but had not yet earned the certificate or a high school diploma;
- the student had previously been placed on a personal graduation plan or intensive program of instruction; or
- the student or the student's parent certified to the school that the student would benefit from the program to avoid dropping out due to extenuating family circumstances or responsibilities.

A student who was at least 26 years of age and under 50 years of age would be eligible to enroll in a program under the bill if the student had failed to complete the curriculum requirements for high school graduation or had failed to perform satisfactorily on an exam required for high school graduation.

Program calendar. A district or charter school that offered a program would have to create an educational calendar and class schedule for the program that provided flexibility in scheduling and student attendance.

Program completion. A student enrolled in a dropout recovery program established by the bill could earn high school course credits and receive a diploma if the student successfully completed the required state curriculum. A district or charter school that operated a program would have to establish the procedures and requirements to demonstrate satisfactory completion of the program, including successful completion of the coursework and successful performance on required state exams.

Accountability. The education commissioner would be required to evaluate the performance of students enrolled in a program for purposes of accountability separately for the two different age ranges of students. The results of the evaluation for students aged 26 to 49 could not be considered in determining the accreditation status or overall or domain performance ratings of the school district or charter school that offered the program.

Funding. A district or charter school that offered a program under the bill would be entitled to receive funding for students enrolled in the program as provided by state funding laws, except that the commissioner would have to calculate average daily attendance based on a student's successful completion of a number of courses as determined by commissioner rule and a student's hours of contact time with the school. Funding would have to be proportionately reduced if a student failed to complete a number of courses as determined by commissioner rule.

The bill would take effect September 1, 2021, and would apply beginning with the 2021-2022 school year.

NOTES:

The Legislative Budget Board estimates the bill would have a negative impact of \$585,140 to general revenue through the biennium ending August 31, 2023.