

BILL ANALYSIS

Senate Research Center
84R24278 SRS-D

C.S.S.B. 1170
By: Garcia
Education
4/22/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, students being served while in a Texas Juvenile Justice Department (TJJD) facility are not counted for the purposes of dropout and completion rates if they are receiving education services through a public school district. However, if a TJJD facility is being operated by a charter school, the same exemption does not apply.

Additionally, under the federal Individuals with Disabilities Act, students are allowed to remain in public school until their 22nd birthday to receive transition services as part of their Individualized Education Program (IEP). However, current state law requires those students to be added to the number of students in the school who have not graduated, which negatively impacts the school's graduation rate and overall accountability rating.

Accordingly, C.S.S.B. 1170 excludes those students who have completed all credit requirements for graduation, but remain in high school to receive additional services, from the computation of dropout and completion rates for purposes of public school accountability. This bill will also extend the same dropout and completion rate exemption for TJJD students receiving educational services through a charter school.

C.S.S.B. 1170 amends current law relating to excluding certain students from the computation of dropout and completion rates for purposes of public school accountability.

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 39.053(g-1), Education Code, as follows:

(g-1) Requires the commissioner of education, in computing dropout and completion rates under Subsection (c)(2) (relating to indicators of student achievement), to exclude:

(1)-(4) Makes no change to these subdivisions;

(5) students who are detained at a county pre-adjudication or post-adjudication juvenile detention facility and:

(A) in the district exclusively as a function of having been detained at the facility, rather than at a county detention facility, but are otherwise not students of the district in which the facility is located; or

(B) provided services by an open-enrollment charter school exclusively as the result of having been detained at the facility;

Makes nonsubstantive changes.

(6) Makes a nonsubstantive change; and

(7) students who:

(A) are at least 18 years of age and have satisfied the credit requirements for high school graduation;

(B) have not completed their individualized education program under 19 T.A.C. Section 89.1070(b)(2) and the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.); and

(C) are enrolled and receiving individualized education program services.

SECTION 2. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 3. Effective date: upon passage or September 1, 2015.