

1-1 By: Lucio S.B. No. 879
 1-2 (In the Senate - Filed March 1, 2021; March 11, 2021, read
 1-3 first time and referred to Committee on Education; April 23, 2021,
 1-4 reported favorably by the following vote: Yeas 11, Nays 0;
 1-5 April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Hall	X			
1-11 Hughes	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry	X			
1-15 Powell	X			
1-16 Schwertner	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the qualifications for designation as a dropout
 1-22 recovery school.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 12.1141(c), Education Code, is amended
 1-25 to read as follows:

1-26 (c) At the end of the term of a charter for an
 1-27 open-enrollment charter school, if a charter holder submits to the
 1-28 commissioner a petition for renewal of the charter and the charter
 1-29 does not meet the criteria for expedited renewal under Subsection
 1-30 (b) or for expiration under Subsection (d), the commissioner shall
 1-31 use the discretionary consideration process. The commissioner's
 1-32 decision under the discretionary consideration process must take
 1-33 into consideration the results of annual evaluations under the
 1-34 performance frameworks established under Section 12.1181. The
 1-35 renewal of the charter of an open-enrollment charter school that is
 1-36 registered under the agency's alternative education accountability
 1-37 procedures for evaluation under Chapter 39 shall be considered
 1-38 under the discretionary consideration process regardless of the
 1-39 performance ratings under Subchapter C, Chapter 39, of the
 1-40 open-enrollment charter school or of any campus operating under the
 1-41 charter, except that if the charter holder has been assigned a
 1-42 financial accountability performance rating under Subchapter D,
 1-43 Chapter 39, indicating financial performance that is lower than
 1-44 satisfactory for any three of the five preceding school years, the
 1-45 commissioner shall allow the charter to expire under Subsection
 1-46 (d). In considering the renewal of the charter of an
 1-47 open-enrollment charter school that is registered under the
 1-48 agency's alternative education accountability procedures for
 1-49 evaluation under Chapter 39, such as a dropout recovery school or a
 1-50 school providing education within a residential treatment
 1-51 facility, the commissioner shall use academic criteria established
 1-52 by commissioner rule that are appropriate to measure the specific
 1-53 goals of the school. The criteria established by the commissioner
 1-54 shall recognize growth in student achievement as well as
 1-55 educational attainment. For purposes of this subsection, the
 1-56 commissioner shall designate as a dropout recovery school an
 1-57 open-enrollment charter school or a campus of an open-enrollment
 1-58 charter school:

1-59 (1) that serves students in grades 9 through 12 and has
 1-60 an enrollment of which at least 60 [~~50~~] percent of the students are
 1-61 16 [~~17~~] years of age or older as of September 1 of the school year as

2-1 reported for the fall semester Public Education Information
2-2 Management System (PEIMS) submission; and

2-3 (2) that meets the eligibility requirements for and is
2-4 registered under alternative education accountability procedures
2-5 adopted by the commissioner.

2-6 SECTION 2. Section 12.137(a), Education Code, is amended to
2-7 read as follows:

2-8 (a) This section applies only to:

2-9 (1) an open-enrollment charter school designated as a
2-10 dropout recovery school as described by Section 12.1141(c) if the
2-11 enrollment of the school consists only of students 16 [~~17~~] years of
2-12 age and older; and

2-13 (2) an adult education program provided under a high
2-14 school diploma and industry certification charter school program
2-15 under Section 29.259.

2-16 SECTION 3. Section 39.0548(a), Education Code, is amended
2-17 to read as follows:

2-18 (a) For purposes of evaluating performance under Section
2-19 39.053(c), the commissioner shall designate as a dropout recovery
2-20 school a school district or an open-enrollment charter school or a
2-21 campus of a district or of an open-enrollment charter school:

2-22 (1) that:

2-23 (A) _____ serves students in grades 9 through 12 and
2-24 has an enrollment of which at least 60 [~~50~~] percent of the students
2-25 are 16 [~~17~~] years of age or older as of September 1 of the school
2-26 year as reported for the fall semester Public Education Information
2-27 Management System (PEIMS) submission; or

2-28 (B) applies for and receives designation as a
2-29 dropout recovery school in accordance with commissioner rule; and

2-30 (2) that meets the eligibility requirements for and is
2-31 registered under alternative education accountability procedures
2-32 adopted by the commissioner.

2-33 SECTION 4. This Act applies beginning with the 2021-2022
2-34 school year.

2-35 SECTION 5. This Act takes effect immediately if it receives
2-36 a vote of two-thirds of all the members elected to each house, as
2-37 provided by Section 39, Article III, Texas Constitution. If this
2-38 Act does not receive the vote necessary for immediate effect, this
2-39 Act takes effect September 1, 2021.

2-40 * * * * *