

**SUBJECT:** Using juvenile justice facility data to compute school dropout rates

**COMMITTEE:** Public Education — favorable, without amendment

**VOTE:** 6 ayes — Sadler, Dutton, Dunnam, Hardcastle, Hochberg, Olivo  
0 nays  
3 absent —Grusendorf, Oliveira, Smith

**WITNESSES:** For — Patricia Sullivan, San Marcos Consolidated Independent School District  
Against — None

**BACKGROUND:** Under Education Code, sec. 29.012, a student who resides in a detention, correctional, or treatment center is considered a resident of the school district in which the facility is located for enrollment purposes. A school district must serve the students of a juvenile facility that is located within its district.

Student data from a juvenile facility within a school district’s boundaries must be used in calculating academic excellence indicators for that district. Annual dropout rates are one of three primary factors used in ranking middle and high schools and determining accreditation status. (Education Code, secs. 29.072 and 29.073) Schools are rated exemplary, recognized, acceptable, or unacceptable based on dropout rates, attendance rates, and TAAS test passage rates. Districts that meet or exceed state standards are eligible for additional state funding. Districts that fail to meet state standards are subject to sanctions imposed by the commissioner of education, ranging from issuance of a public notice to a takeover of the district by the state.

**DIGEST:** (The author plans to offer a floor substitute. The analysis reflects that substitute.)

HB 457 as substituted would add Education Code, sec. 39.073(f) relating to the computation of dropout rates in determining accreditation status for school districts. The bill would allow a district not to count toward its dropout rate a student who failed to enroll in school after being released from a juvenile pre-adjudication secure detention facility or a juvenile post-

adjudication secure correctional facility or after leaving a residential treatment center after receiving treatment for less than 85 days, unless the student was regularly assigned to the school or district serving the facility or center.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001. It would apply to the computation of dropout rates beginning with the 2001-02 school year.

**SUPPORTERS  
SAY:**

HB 457 as substituted would help school districts that serve students at a juvenile detention, correction, or treatment center to maintain their accreditation ratings. These districts currently are held accountable for students who do not live in their districts. Often children do not live in the same district as the facility to which they have been assigned. If a juvenile is released and does not enroll in school in the same district that serves the facility, the district is charged with a dropout in calculating its academic excellence indicators. For a small district, even a few of these incidents in a year could prevent a school from achieving a high rating and thus result in state action being taken against the district, which may be penalized for juveniles beyond their control.

**OPPONENTS  
SAY:**

No apparent opposition.

**NOTES:**

The floor substitute would amend the bill as filed by specifying the types of juvenile correctional and detention facilities and adding a 85-day time limit for receiving treatment before leaving a treatment center.