

BILL ANALYSIS

C.S.H.B. 998
By: Dutton
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls to make changes to the evaluation and designation of dropout recovery schools, which serve some of the state's vulnerable students and help students prepare to enter and participate in the workforce, to reflect students who drop out of school before the age of 17. C.S.H.B. 998 seeks to address this issue by requiring a dropout recovery school's student population to consist of at least 60 percent of students 16 years of age or older.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 998 amends the Education Code to revise the student population criteria that qualify a public school district or open-enrollment charter school for designation as a dropout recovery school as follows:

- by changing the criterion for a district, district campus, charter school, or charter school campus, for purposes of public school system accountability to:
 - change from an enrollment of which at least 50 percent of the students are 17 years of age or older to an enrollment of which at least 60 percent of the students are 16 years of age or older; and
 - include a district, charter school, or campus that applies for and receives designation as a dropout recovery school in accordance with commissioner of education rule as an alternative to the required enrollment criterion.
- by changing the criterion for a charter school or charter school campus, for purposes of evaluation for charter renewal, in the same manner; and
- by lowering the minimum enrollment age from 17 to 16 years of age for a charter school designated as a dropout recovery school that is authorized to provide combined services to certain adult and high school dropout recovery programs.

The bill applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 998 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the required threshold of a district, charter school, or campus student population that is 16 years of age or older from 50 percent, as required in the original, to 60 percent, as required in the substitute. The substitute includes criteria not in the original that qualifies a public school district or open-enrollment charter school for designation as a dropout recovery school on the basis of applying for and receiving designation in accordance with commissioner rule as an alternative to the required enrollment criterion.

The substitute does not include the following requirements for the commissioner contained in the original:

- for purposes of assigning performance ratings under the public school accountability system, to evaluate a dropout recovery school under alternative education accountability procedures adopted by the commissioner;
- for purposes of such evaluation and to the extent consistent with federal law or permitted by a federal waiver, to set standards in the domains of achievement indicators as specified by the bill; and
- not later than September 1, 2023, to obtain any necessary federal waiver regarding the bill's provisions relating to the evaluation of dropout recovery schools or to receive written notification from the U.S. Department of Education that such a waiver is not required, certify attainment of the waiver or receipt of the notification, as applicable, and publish notice of that fact in the Texas Register.