

14 State Criteria for Identification of Students at Risk of Dropping Out of School

TEC [Section 29.081](#) defines the State criteria used to identify students at risk of dropping out of school. A student at risk of dropping out of school includes each student who is under 26 years of age and who:

1. Was not advanced from one grade level to the next for one or more school years; *Note: prekindergarten or kindergarten students who did not advance to the next grade level only as the result of the request of the student's parents are excluded from this identification; effective school year 2009-2010.*
2. Is in grade 7, 8, 9, 10, 11, or 12, and did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;
3. Did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;
4. Is in prekindergarten, kindergarten or grade 1, 2, or 3, and did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
5. Is pregnant or is a parent;
6. Has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;
7. Has been expelled in accordance with [Section 37.007](#) during the preceding or current school year.
8. Is currently on parole, probation, deferred prosecution, or other conditional release;
9. Was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;
10. Is a student of limited English proficiency, as defined by [Section 29.052](#);
11. Is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
12. Is homeless, McKinney-Vento, as defined by 42 U.S.C. Section 11302, and its subsequent amendments; or
13. Resided in the preceding school year or resides in the current school year in a residential placement facility in the LEA, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home; or
- #14. Has been incarcerated or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Section 1.07, Penal Code.