

**STATE COMPENSATORY EDUCATION**  
**STATE ELIGIBILITY CRITERIA**  
**FOR BEING AT RISK OF DROPPING OUT OF SCHOOL**

According to the Texas Education Code (TEC) 29.081 a “student at risk of dropping out of school” includes each student who is under 26 years of age and who:

1. 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;
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. was not advanced from one grade level to the next for one or more school years; **(Retained – stays with them for entire school career) NEW – NOTE: a student is not considered at risk of dropping out of school if the student did not advance from Pre-K or Kindergarten to the next grade level only as a result of the request of the student’s parent.**
4. 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;
5. is pregnant or is a parent; **(Pregnant/Parent – stays with them for entire school career unless they are no longer parenting)**
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; **(dropout – stays with them for entire school career)**
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 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, 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 district, including a detention facility, substance abuse treatment facility in the district, emergency shelter, psychiatric hospital, halfway house, or foster group home.