

AN ACT

relating to high school completion and the creation of certain college education pilot programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 11, Education Code, is amended by adding Section 11.255 to read as follows:

Sec. 11.255. DROPOUT PREVENTION REVIEW. (a) Each district-level planning and decision-making committee and each campus-level planning and decision-making committee for a junior, middle, or high school campus shall analyze information related to dropout prevention, including:

(1) the results of the audit of dropout records required by Section 39.055;

(2) campus information related to graduation rates, dropout rates, high school equivalency certificate rates, and the percentage of students who remain in high school more than four years after entering grade level 9;

(3) the number of students who enter a high school equivalency certificate program and:

(A) do not complete the program;

(B) complete the program but do not take the high school equivalency examination; or

(C) complete the program and take the high school equivalency examination but do not obtain a high school equivalency

1 certificate;

2 (4) for students enrolled in grade levels 9 and 10,
3 information related to academic credit hours earned, retention
4 rates, and placements in alternative education programs and
5 expulsions under Chapter 37; and

6 (5) the results of an evaluation of each school-based
7 dropout prevention program in the district.

8 (b) Each district-level planning and decision-making
9 committee and each campus-level planning and decision-making
10 committee shall use the information reviewed under this section in
11 developing district or campus improvement plans under this
12 subchapter.

13 SECTION 2. Subchapter Z, Chapter 29, Education Code, is
14 amended by adding Section 29.908 to read as follows:

15 Sec. 29.908. MIDDLE COLLEGE EDUCATION PILOT PROGRAM.

16 (a) The commissioner shall establish and administer a middle
17 college education pilot program for students who are at risk of
18 dropping out of school or who wish to accelerate high school
19 completion. For purposes of this section, "student at risk of
20 dropping out of school" has the meaning assigned by Section 29.081.

21 (b) The program must:

22 (1) provide for a course of study that enables a
23 participating student to combine high school courses and
24 college-level courses during grade levels 11 and 12;

25 (2) allow a participating student to complete high
26 school and receive at least a high school diploma and associate
27 degree at the time of graduation;

1 (3) include articulation agreements under Subchapter
2 T, Chapter 61, with colleges, universities, and technical schools
3 in this state to provide a participating student access to
4 postsecondary educational and training opportunities on the campus
5 of the college, university, or technical school; and

6 (4) provide a participating student flexibility in
7 class scheduling and academic mentoring.

8 (c) A student participating in the program is entitled to
9 the benefits of the Foundation School Program in proportion to the
10 amount of time spent by the student on high school courses, in
11 accordance with rules adopted by the commissioner. The
12 commissioner may accept gifts, grants, and donations from any
13 source, including private and nonprofit organizations, to pay any
14 costs of the program not covered by the student's Foundation School
15 Program benefits.

16 (d) The commissioner shall consult the Texas Higher
17 Education Coordinating Board in establishing and administering the
18 program.

19 SECTION 3. Subsection (a), Section 39.131, Education Code,
20 is amended to read as follows:

21 (a) If a district does not satisfy the accreditation
22 criteria, the commissioner shall take any of the following actions,
23 listed in order of severity, to the extent the commissioner
24 determines necessary:

25 (1) issue public notice of the deficiency to the board
26 of trustees;

27 (2) order a hearing conducted by the board of trustees

1 of the district for the purpose of notifying the public of the
2 unacceptable performance, the improvements in performance expected
3 by the agency, and the sanctions that may be imposed under this
4 section if the performance does not improve;

5 (3) order the preparation of a student achievement
6 improvement plan that addresses each academic excellence indicator
7 for which the district's performance is unacceptable, the
8 submission of the plan to the commissioner for approval, and
9 implementation of the plan;

10 (4) order a hearing to be held before the commissioner
11 or the commissioner's designee at which the president of the board
12 of trustees of the district and the superintendent shall appear and
13 explain the district's low performance, lack of improvement, and
14 plans for improvement;

15 (5) arrange an on-site investigation of the district;

16 (6) appoint an agency monitor to participate in and
17 report to the agency on the activities of the board of trustees or
18 the superintendent;

19 (7) appoint a master to oversee the operations of the
20 district;

21 (8) appoint a management team to direct the operations
22 of the district in areas of unacceptable performance or require the
23 district to obtain certain services under a contract with another
24 person;

25 (9) if a district has been rated as academically
26 unacceptable for a period of one year or more, appoint a board of
27 managers to exercise the powers and duties of the board of trustees;

1 ~~[or]~~

2 (10) if a district has been rated as academically
3 unacceptable for a period of two years or more:

4 (A) annex the district to one or more adjoining
5 districts under Section 13.054; or

6 (B) in the case of a home-rule school district or
7 open-enrollment charter school, order closure of all programs
8 operated under the district's or school's charter; or

9 (11) if a district has been rated as academically
10 unacceptable for a period of two years or more due to the district's
11 dropout rates, impose sanctions designed to improve high school
12 completion rates, including:

13 (A) ordering the development of a dropout
14 prevention plan for approval by the commissioner;

15 (B) restructuring the district or appropriate
16 school campuses to improve identification of and service to
17 students who are at risk of dropping out of school, as defined by
18 Section 29.081;

19 (C) ordering lower student-to-counselor ratios
20 on school campuses with high dropout rates; and

21 (D) ordering the use of any other intervention
22 strategy effective in reducing dropout rates, including mentor
23 programs and flexible class scheduling.

24 SECTION 4. Subchapter A, Chapter 130, Education Code, is
25 amended by adding Section 130.0012 to read as follows:

26 Sec. 130.0012. PILOT PROJECT: BACCALAUREATE DEGREE
27 PROGRAMS. (a) The Texas Higher Education Coordinating Board shall

1 establish a pilot project to examine the feasibility and
2 effectiveness of authorizing public junior colleges to offer
3 baccalaureate degree programs in the fields of applied science and
4 applied technology. Participation in the pilot project does not
5 otherwise alter the role and mission of a public junior college.

6 (b) The coordinating board shall operate the pilot project
7 at three public junior colleges, as determined by the coordinating
8 board.

9 (c) A public junior college participating in the pilot
10 project must meet all applicable accreditation requirements of the
11 Commission on Colleges of the Southern Association of Colleges and
12 Schools.

13 (d) A public junior college participating in the pilot
14 project may not offer more than five baccalaureate degree programs
15 under the project at any time. The degree programs are subject to
16 the continuing approval of the coordinating board. In determining
17 what baccalaureate degree programs are to be offered, the junior
18 college and the coordinating board shall consider:

19 (1) the need for the degree programs in the region
20 served by the junior college;

21 (2) how those degree programs would complement the
22 other programs and course offerings of the junior college;

23 (3) whether those degree programs would unnecessarily
24 duplicate the degree programs offered by other institutions of
25 higher education; and

26 (4) the ability of the junior college to support the
27 program and the adequacy of the junior college's facilities,

1 faculty, administration, libraries, and other resources.

2 (e) Each public junior college that offers a baccalaureate
3 degree program under the pilot project must enter into an
4 articulation agreement with one or more general academic teaching
5 institutions to ensure that students enrolled in the degree program
6 have an opportunity to complete the degree if the public junior
7 college ceases to offer the degree program. The coordinating board
8 may require a general academic teaching institution that offers a
9 comparable degree program to enter into an articulation agreement
10 with the public junior college as provided by this subsection.

11 (f) In its recommendations to the legislature relating to
12 state funding for public junior colleges, the coordinating board
13 shall recommend that a public junior college receive substantially
14 the same state support for junior-level and senior-level courses
15 offered under the pilot project as that provided to a general
16 academic teaching institution for substantially similar courses.
17 In determining the contact hours attributable to students enrolled
18 in a junior-level or senior-level course offered under the pilot
19 project used to determine a public junior college's proportionate
20 share of state appropriations under Section 130.003, the
21 coordinating board shall weigh those contact hours as necessary to
22 provide the junior college the appropriate level of state support
23 to the extent state funds for those courses are included in the
24 appropriations. This subsection does not prohibit the legislature
25 from directly appropriating state funds to support junior-level and
26 senior-level courses offered under the pilot project.

27 (g) Each public junior college participating in the pilot

1 project shall prepare a biennial report on the operation and
2 effectiveness of the junior college's baccalaureate degree
3 programs offered under the project and shall deliver a copy of the
4 report to the coordinating board in the form and at the time
5 determined by the coordinating board.

6 (h) Not later than January 1, 2009, the coordinating board
7 shall prepare a progress report on the pilot project. Not later
8 than January 1, 2011, the coordinating board shall prepare a report
9 on the effectiveness of the pilot project, including any
10 recommendations for legislative action regarding the offering of
11 baccalaureate degree programs by public junior colleges. The
12 coordinating board shall deliver a copy of each report to the
13 governor, the lieutenant governor, the speaker of the house of
14 representatives, and the chair of the standing committee of each
15 house of the legislature with primary jurisdiction over higher
16 education.

17 (i) Unless the authority to continue offering the
18 baccalaureate degree programs is continued by the legislature, a
19 public junior college may not:

20 (1) enroll a new student in a baccalaureate degree
21 program under the pilot project after the 2011 fall semester;

22 (2) offer junior-level or senior-level courses for
23 those degree programs after the 2015 fall semester, unless the
24 coordinating board authorizes the college to offer those courses;

25 or

26 (3) award a baccalaureate degree under the pilot
27 project after the 2015 fall semester, unless the coordinating board

1 approves the awarding of the degree.

2 (j) The coordinating board shall prescribe procedures to
3 ensure that each public junior college that offers a degree program
4 under the pilot project informs each student who enrolls in the
5 degree program of:

6 (1) the nature of the pilot project, including the
7 limited duration of the project; and

8 (2) the articulation agreement entered into under
9 Subsection (e) for the student's degree program.

10 (k) This section expires January 1, 2020.

11 SECTION 5. (a) This Act takes effect September 1, 2003.

12 (b) Sections 1 and 3 of this Act apply beginning with the
13 2004-2005 school year.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 976 passed the Senate on April 7, 2003, by a viva-voce vote; May 29, 2003, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 30, 2003, House granted request of the Senate; June 1, 2003, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 976 passed the House, with amendments, on May 25, 2003, by a non-record vote; May 30, 2003, House granted request of the Senate for appointment of Conference Committee; June 1, 2003, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor