

1-1 By: Shapiro S.B. No. 976
1-2 (In the Senate - Filed March 7, 2003; March 13, 2003, read
1-3 first time and referred to Committee on Education; March 27, 2003,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 9, Nays 0; March 27, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 976 By: Shapiro

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to high school completion and the creation of a middle
1-10 college education pilot program.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter F, Chapter 11, Education Code, is
1-13 amended by adding Section 11.255 to read as follows:

1-14 Sec. 11.255. DROPOUT PREVENTION REVIEW. (a) Each
1-15 district-level planning and decision-making committee and each
1-16 campus-level planning and decision-making committee for a junior,
1-17 middle, or high school campus shall analyze information related to
1-18 dropout prevention, including:

1-19 (1) the results of the audit of dropout records
1-20 required by Section 39.055;

1-21 (2) campus information related to graduation rates,
1-22 dropout rates, high school equivalency certificate rates, and the
1-23 percentage of students who remain in high school more than four
1-24 years after entering grade level 9;

1-25 (3) the number of students who enter a high school
1-26 equivalency certificate program and:

1-27 (A) do not complete the program;

1-28 (B) complete the program but do not take the high
1-29 school equivalency examination; or

1-30 (C) complete the program and take the high school
1-31 equivalency examination but do not obtain a high school equivalency
1-32 certificate;

1-33 (4) for students enrolled in grade levels 9 and 10,
1-34 information related to academic credit hours earned, retention
1-35 rates, and placements in alternative education programs and
1-36 expulsions under Chapter 37; and

1-37 (5) the results of an evaluation of each school-based
1-38 dropout prevention program in the district.

1-39 (b) Each district-level planning and decision-making
1-40 committee and each campus-level planning and decision-making
1-41 committee shall use the information reviewed under this section in
1-42 developing district or campus improvement plans under this
1-43 subchapter.

1-44 SECTION 2. Subchapter Z, Chapter 29, Education Code, is
1-45 amended by adding Section 29.908 to read as follows:

1-46 Sec. 29.908. MIDDLE COLLEGE EDUCATION PILOT PROGRAM.

1-47 (a) The commissioner shall establish and administer a middle
1-48 college education pilot program for students who are at risk of
1-49 dropping out of school. For purposes of this section, "student at
1-50 risk of dropping out of school" has the meaning assigned by Section
1-51 29.081.

1-52 (b) The program must:

1-53 (1) provide for a course of study that enables a
1-54 participating student to combine high school courses and
1-55 college-level courses during grade levels 11 and 12;

1-56 (2) allow a participating student to complete high
1-57 school and receive at least a high school diploma and associate
1-58 degree at the time of graduation;

1-59 (3) include articulation agreements under Subchapter
1-60 T, Chapter 61, with colleges, universities, and technical schools
1-61 in this state to provide a participating student access to
1-62 postsecondary educational and training opportunities; and

1-63 (4) provide a participating student flexibility in

2-1 class scheduling and academic mentoring.

2-2 (c) A student participating in the program is entitled to
 2-3 the benefits of the Foundation School Program in proportion to the
 2-4 amount of time spent by the student on high school courses, in
 2-5 accordance with rules adopted by the commissioner. The
 2-6 commissioner may accept gifts, grants, and donations from any
 2-7 source, including private and nonprofit organizations, to pay any
 2-8 costs of the program not covered by the student's Foundation School
 2-9 Program benefits.

2-10 (d) The commissioner shall consult the Texas Higher
 2-11 Education Coordinating Board in establishing and administering the
 2-12 program.

2-13 SECTION 3. Subsection (a), Section 39.131, Education Code,
 2-14 is amended to read as follows:

2-15 (a) If a district does not satisfy the accreditation
 2-16 criteria, the commissioner shall take any of the following actions,
 2-17 listed in order of severity, to the extent the commissioner
 2-18 determines necessary:

2-19 (1) issue public notice of the deficiency to the board
 2-20 of trustees;

2-21 (2) order a hearing conducted by the board of trustees
 2-22 of the district for the purpose of notifying the public of the
 2-23 unacceptable performance, the improvements in performance expected
 2-24 by the agency, and the sanctions that may be imposed under this
 2-25 section if the performance does not improve;

2-26 (3) order the preparation of a student achievement
 2-27 improvement plan that addresses each academic excellence indicator
 2-28 for which the district's performance is unacceptable, the
 2-29 submission of the plan to the commissioner for approval, and
 2-30 implementation of the plan;

2-31 (4) order a hearing to be held before the commissioner
 2-32 or the commissioner's designee at which the president of the board
 2-33 of trustees of the district and the superintendent shall appear and
 2-34 explain the district's low performance, lack of improvement, and
 2-35 plans for improvement;

2-36 (5) arrange an on-site investigation of the district;

2-37 (6) appoint an agency monitor to participate in and
 2-38 report to the agency on the activities of the board of trustees or
 2-39 the superintendent;

2-40 (7) appoint a master to oversee the operations of the
 2-41 district;

2-42 (8) appoint a management team to direct the operations
 2-43 of the district in areas of unacceptable performance or require the
 2-44 district to obtain certain services under a contract with another
 2-45 person;

2-46 (9) if a district has been rated as academically
 2-47 unacceptable for a period of one year or more, appoint a board of
 2-48 managers to exercise the powers and duties of the board of trustees;
 2-49 [~~or~~]

2-50 (10) if a district has been rated as academically
 2-51 unacceptable for a period of two years or more:

2-52 (A) annex the district to one or more adjoining
 2-53 districts under Section 13.054; or

2-54 (B) in the case of a home-rule school district or
 2-55 open-enrollment charter school, order closure of all programs
 2-56 operated under the district's or school's charter; or

2-57 (11) if a district has been rated as academically
 2-58 unacceptable for a period of two years or more due to the district's
 2-59 dropout rates, impose sanctions designed to improve high school
 2-60 completion rates, including:

2-61 (A) ordering the development of a dropout
 2-62 prevention plan for approval by the commissioner;

2-63 (B) restructuring the district or appropriate
 2-64 school campuses to improve identification of and service to
 2-65 students who are at risk of dropping out of school, as defined by
 2-66 Section 29.081;

2-67 (C) ordering lower student-to-counselor ratios
 2-68 on school campuses with high dropout rates; and

2-69 (D) ordering the use of any other intervention

3-1 strategy effective in reducing dropout rates, including mentor
3-2 programs and flexible class scheduling.

3-3 SECTION 4. (a) This Act takes effect September 1, 2003.

3-4 (b) Sections 1 and 3 of this Act apply beginning with the
3-5 2004-2005 school year.

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