

By: Branch

H.B. No. 57

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to high school programs and the advancement of  
3 college-readiness in secondary schools and institutions of higher  
4 education.

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

6 SECTION 1. Subchapter A, Chapter 28, Education Code, is  
7 amended by adding Sections 28.008 and 28.009 to read as follows:

8 Sec. 28.008. ADVANCEMENT OF COLLEGE-READINESS IN HIGH  
9 SCHOOL CURRICULUM. (a) To align the curriculum for grades nine  
10 through 12 with higher education curriculum and expectations, the  
11 commissioner and the Texas Higher Education Coordinating Board by  
12 rule shall establish vertical teams composed of high school  
13 educators and institution of higher education faculty with  
14 appropriate expertise.

15 (b) The vertical teams shall:

16 (1) recommend for approval by the commissioner and the  
17 Texas Higher Education Coordinating Board college-readiness  
18 standards and expectations that address what students must know and  
19 be able to do to succeed in entry-level courses offered at  
20 institutions of higher education;

21 (2) evaluate whether the high school curriculum  
22 requirements under Section 28.002 serve to prepare students to  
23 successfully perform college-level course work;

24 (3) develop instructional strategies for teaching

1 courses in the high school curriculum to prepare students to  
2 successfully perform college-level course work; and

3 (4) jointly develop an English language arts course, a  
4 mathematics course, a science course, and a social studies course,  
5 including curriculum, professional development materials, and  
6 online support materials, designed to be offered to students who  
7 need additional assistance in preparing to successfully perform  
8 college-level course work.

9 (c) The State Board of Education shall incorporate  
10 college-readiness standards and expectations approved by the  
11 commissioner and the Texas Higher Education Coordinating Board  
12 under Subsection (b) into the essential knowledge and skills  
13 identified by the board under Section 28.002(c).

14 (d) The State Board of Education by rule shall provide that  
15 each course developed under Subsection (b)(4) may be used to  
16 fulfill high school graduation requirements for the recommended  
17 high school program under Section 28.025(a).

18 (e) Not later than September 1, 2011, the vertical teams  
19 shall complete the development of the courses under Subsection  
20 (b)(4). The vertical teams shall develop the English language arts  
21 course first, followed by the mathematics course, the science  
22 course, and the social studies course, respectively. The English  
23 language arts course must be developed by the vertical teams and  
24 approved by the State Board of Education not later than June 1,  
25 2009. The course must be available to high school students  
26 beginning with the 2009 fall semester, with each subsequent course  
27 becoming available each subsequent fall semester. This subsection

1 expires December 1, 2012.

2 Sec. 28.009. AVAILABILITY OF CERTAIN CORE POSTSECONDARY  
3 COURSES IN DUAL CREDIT PROGRAM. (a) The State Board of Education  
4 by rule shall provide for the core curriculum courses revised under  
5 Section 61.822(a-1) to be offered in high schools through a dual  
6 credit program.

7 (b) The agency shall coordinate with the Texas Higher  
8 Education Coordinating Board as necessary in administering this  
9 section.

10 SECTION 2. Section 28.025, Education Code, is amended by  
11 adding Subsection (b-1) to read as follows:

12 (b-1) The State Board of Education by rule shall require  
13 that:

14 (1) the curriculum requirements for the recommended  
15 and advanced high school programs under Subsection (a) include a  
16 requirement that students successfully complete four courses in  
17 each subject of the foundation curriculum under Section  
18 28.002(a)(1); and

19 (2) one or more courses offered in the required  
20 curriculum for the recommended and advanced high school programs  
21 include a research writing component.

22 SECTION 3. Subchapter C, Chapter 29, Education Code, is  
23 amended by adding Section 29.0822 to read as follows:

24 Sec. 29.0822. OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM. (a)  
25 Notwithstanding Section 25.081 or 25.082, a school district may  
26 provide a flexible school day program for students in grades nine  
27 through 12 who have dropped out of school or who are at risk of

1 dropping out of school as defined by Section 29.081.

2 (b) To enable a school district to provide a program under  
3 this section that meets the needs of students described by  
4 Subsection (a), a school district may:

5 (1) provide flexibility in the number of hours each  
6 day a student attends;

7 (2) provide flexibility in the number of days each  
8 week a student attends; or

9 (3) allow a student to enroll in less than or more than  
10 a full course load.

11 (c) A course offered in a program under this section must  
12 provide for at least the same number of instructional hours as  
13 required for a course offered in a program that meets the required  
14 minimum number of instructional days under Section 25.081 and the  
15 required length of school day under Section 25.082.

16 (d) The commissioner may adopt rules for the administration  
17 of this section. The commissioner shall calculate average daily  
18 attendance for students served under this section. The  
19 commissioner shall allow accumulations of hours of instruction for  
20 students whose schedule would not otherwise allow full state  
21 funding. Funding under this subsection shall be determined based  
22 on the number of instructional days in the school district calendar  
23 and a seven-hour school day, but attendance may be cumulated over a  
24 school year, including any summer or vacation session. The  
25 attendance of students who accumulate less than the number of  
26 attendance hours required under this subsection shall be  
27 proportionately reduced for funding purposes. The commissioner may

1 set maximum funding amounts for an individual course under this  
2 section.

3 SECTION 4. Subchapter D, Chapter 29, Education Code, is  
4 amended by adding Section 29.124 to read as follows:

5 Sec. 29.124. TEXAS GOVERNOR'S SCHOOLS. (a) In this  
6 section, "public senior college or university" has the meaning  
7 assigned by Section 61.003.

8 (b) A Texas governor's school is a summer residential  
9 program for high-achieving high school students. A governor's  
10 school program may include any or all of the following educational  
11 curricula:

- 12 (1) mathematics and science;
- 13 (2) humanities; or
- 14 (3) leadership and public policy.

15 (c) A public senior college or university may apply to the  
16 commissioner to administer a Texas governor's school program under  
17 this section. The commissioner shall give preference to a public  
18 senior college or university that applies in cooperation with a  
19 nonprofit association. The commissioner shall give additional  
20 preference if the nonprofit association receives private  
21 foundation funds that may be used to finance the program.

22 (d) The commissioner may approve an application under this  
23 section only if the applicant:

- 24 (1) applies within the period and in the manner  
25 required by rule adopted by the commissioner;
- 26 (2) submits a program proposal that includes:
  - 27 (A) a curriculum consistent with Subsection (b);

1                   (B) criteria for selecting students to  
2 participate in the program;

3                   (C) a statement of the length of the program,  
4 which must be at least three weeks; and

5                   (D) a statement of the location of the program;

6                   (3) agrees to use a grant under this section only for  
7 the purpose of administering a program; and

8                   (4) satisfies any other requirements established by  
9 rule adopted by the commissioner.

10                  (e) From funds appropriated to the agency, the commissioner  
11 may make a grant in an amount not to exceed \$750,000 each year to  
12 public senior colleges or universities whose applications are  
13 approved under this section to pay the costs of administering a  
14 Texas governor's school program.

15                  (f) The commissioner may adopt other rules necessary to  
16 implement this section.

17                  SECTION 5. Subchapter B, Chapter 39, Education Code, is  
18 amended by adding Section 39.0232 to read as follows:

19                  Sec. 39.0232. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS  
20 PLACEMENT INSTRUMENT. To the extent practicable, the agency shall  
21 ensure that any high school end-of-course assessment instrument  
22 developed by the agency is developed in such a manner that the  
23 assessment instrument may be used to determine the appropriate  
24 placement of a student in a course of the same subject matter at an  
25 institution of higher education.

26                  SECTION 6. Subchapter F, Chapter 39, Education Code, is  
27 amended by adding Sections 39.113 and 39.114 to read as follows:

1       Sec. 39.113. RECOGNITION OF HIGH SCHOOL COMPLETION AND  
2 SUCCESS AND COLLEGE-READINESS PROGRAMS. (a) The agency shall:

3           (1) develop standards for evaluating the success and  
4 cost-effectiveness of high school completion and success and  
5 college-readiness programs;

6           (2) provide guidance for school districts and campuses  
7 in establishing and improving high school completion and success  
8 and college-readiness programs; and

9           (3) develop standards for selecting and methods for  
10 recognizing school districts and campuses that offer exceptional  
11 high school completion and success and college-readiness programs.

12       (b) The commissioner may adopt rules for the administration  
13 of this section.

14       Sec. 39.114. HIGH SCHOOL ALLOTMENT. (a) For each student  
15 in average daily attendance in grades nine through 12, a school  
16 district is entitled to an annual allotment of \$500.

17       (b) Except as provided by Subsection (c), a school district  
18 or campus must use funds allocated under this section to:

19           (1) implement or administer a college-readiness  
20 program that provides academic support and instruction to prepare  
21 underachieving students for entrance into an institution of higher  
22 education;

23           (2) implement or administer a program that encourages  
24 students to pursue advanced academic opportunities, including  
25 early college high school programs and dual credit, advanced  
26 placement, and international baccalaureate courses;

27           (3) implement or administer a program that provides

1 opportunities for students to take academically rigorous course  
2 work, including four years of mathematics and four years of science  
3 at the high school level;

4 (4) implement or administer a program, including  
5 online course support and professional development, that aligns the  
6 curriculum for grades six through 12 with postsecondary curriculum  
7 and expectations; or

8 (5) implement or administer other high school  
9 completion and success initiatives in grades six through 12  
10 approved by the commissioner.

11 (c) A school district whose performance is recognized as  
12 exceptional by the commissioner with regard to the district's  
13 students' progress to postsecondary success may use funds allocated  
14 under this section on any instructional program in grades six  
15 through 12 other than an athletic program.

16 (d) The commissioner may adopt rules for the administration  
17 of this section.

18 SECTION 7. Section 42.005(a), Education Code, is amended to  
19 read as follows:

20 (a) In this chapter, average daily attendance is:

21 (1) the quotient of the sum of attendance for each day  
22 of the minimum number of days of instruction as described under  
23 Section 25.081(a) divided by the minimum number of days of  
24 instruction; ~~or~~

25 (2) for a district that operates under a flexible year  
26 program under Section 29.0821, the quotient of the sum of  
27 attendance for each actual day of instruction as permitted by



1 Section 29.0821(b)(1) divided by the number of actual days of  
2 instruction as permitted by Section 29.0821(b)(1); or

3 (3) for a district that operates under a flexible  
4 school day program under Section 29.0822, the average daily  
5 attendance as calculated by the commissioner in accordance with  
6 Section 29.0822(d).

7 SECTION 8. Subchapter D, Chapter 61, Education Code, is  
8 amended by adding Sections 61.0761 and 61.0762 to read as follows:

9 Sec. 61.0761. P-16 COLLEGE-READINESS AND SUCCESS STRATEGIC  
10 ACTION PLAN. (a) The P-16 Council established under Section 61.076  
11 shall recommend to the commissioner of education and the board a  
12 college-readiness and success strategic action plan to increase  
13 student success and decrease the number of students enrolling in  
14 developmental coursework in institutions of higher education. The  
15 plan must include:

16 (1) definitions, as determined by the P-16 Council in  
17 coordination with the State Board of Education, of the standards  
18 and expectations for college-readiness that address the knowledge  
19 and skills expected of students to perform successfully in  
20 entry-level courses offered at institutions of higher education;

21 (2) a description of the components of a P-16  
22 individualized graduation plan sufficient to prepare students for  
23 college success;

24 (3) the manner in which the Texas Education Agency  
25 should provide model curricula for use as a reference tool by school  
26 district employees;

27 (4) recommendations to the Texas Education Agency, the

1 State Board of Education, and the board regarding strategies for  
2 decreasing the number of students enrolling in developmental  
3 coursework at institutions of higher education;

4 (5) recommendations to the State Board for Educator  
5 Certification regarding changes to educator certification and  
6 professional development requirements that contribute to the  
7 ability of public school teachers to prepare students for higher  
8 education; and

9 (6) any other elements that the commissioner of  
10 education and the board suggest for inclusion in the plan.

11 (b) The commissioner of education and the board shall adopt  
12 the college-readiness and success strategic action plan  
13 recommended by the P-16 Council if the commissioner of education  
14 and the board determine that the plan meets the requirements of this  
15 section.

16 (c) Not later than December 1 of each even-numbered year,  
17 the commissioner of education and the board shall submit a report to  
18 the governor, lieutenant governor, the speaker of the house of  
19 representatives, each member of the Legislative Budget Board, and  
20 the members of the standing committees of the senate and house of  
21 representatives with primary jurisdiction over the public school  
22 system and higher education system describing progress in  
23 implementing the college-readiness and success strategic action  
24 plan.

25 (d) The commissioner of education and the board shall adopt  
26 rules necessary to implement this section.

27 Sec. 61.0762. PROGRAMS TO ENHANCE STUDENT SUCCESS. To

1 implement the college-readiness and success strategic action plan  
2 adopted under Section 61.0761 and to enhance the success of  
3 students at institutions of higher education, the board by rule  
4 shall develop:

5 (1) summer higher education bridge programs in the  
6 subject areas of mathematics, science, and English language arts;

7 (2) incentive programs for institutions of higher  
8 education that implement research-based, innovative developmental  
9 education initiatives;

10 (3) financial assistance programs for educationally  
11 disadvantaged students, as defined by Section 5.001, who take  
12 college entrance and college-readiness assessment instruments; and

13 (4) professional development programs for faculty of  
14 institutions of higher education on college-readiness standards  
15 and the implications of such standards on instruction.

16 SECTION 9. Section 61.822, Education Code, is amended by  
17 adding Subsections (a-1) and (a-2) to read as follows:

18 (a-1) To improve student learning and reduce the cost of  
19 course delivery, the board, with the assistance of the advisory  
20 committees described by Subsection (a) and nonprofit organizations  
21 with expertise in higher education course development, shall review  
22 and adopt revisions of or additions to the curriculum and any online  
23 support materials supplementing the curriculum of not more than 25  
24 courses in which students may enroll to satisfy the recommended  
25 core curriculum requirements.

26 (a-2) Not later than September 1, 2006, the board shall  
27 begin reviewing and adopting revisions of or additions to the

1 curriculum and online support materials for courses in which  
2 students may enroll to satisfy the recommended English language  
3 arts core curriculum requirements, including composition, American  
4 literature with a focus on textual analysis, and interdisciplinary  
5 literature and American history. Not later than the 2009 fall  
6 semester, the board shall make the revised curriculum and online  
7 support materials for the English language arts courses described  
8 by this subsection available to institutions of higher education.  
9 Not later than September 1, 2011, the board shall complete its  
10 review and revisions of and additions to courses selected under  
11 Subsection (a-1). This subsection expires December 1, 2011.

12 SECTION 10. Not later than January 1, 2007, the State Board  
13 of Education shall adopt rules as required by Section 28.025(b-1),  
14 Education Code, as added by this Act. The rules shall require that  
15 the curriculum requirements for the recommended and advanced high  
16 school programs under that subsection apply to students entering  
17 the ninth grade beginning with the 2007-2008 school year.

18 SECTION 11. Except as otherwise provided by this Act, this  
19 Act applies beginning with the 2006-2007 school year.

20 SECTION 12. This Act takes effect immediately if it  
21 receives a vote of two-thirds of all the members elected to each  
22 house, as provided by Section 39, Article III, Texas Constitution.  
23 If this Act does not receive the vote necessary for immediate  
24 effect, this Act takes effect on the 91st day after the last day of  
25 the legislative session.