

By: Oliveira

H.B. No. 2184

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the Texas Academy of Mathematics and Science at The
3 University of Texas at Brownsville.

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

5 SECTION 1. Subchapter F, Chapter 78 Education Code, is
6 amended by adding Section 78.10 to read as follows:

7 Sec. 78.10 TEXAS ACADEMY OF MATHEMATICS AND SCIENCE

8 (a)

9 In this section:

10 (1) "Academy" means the Texas Academy of Mathematics
11 and Science.

12 (2) "Board" means the board of regents of The
13 University of Texas System

14 (3) "University" means The University of Texas at
15 Brownsville.

16 (b) The Texas Academy of Mathematics and Science Studies is
17 a division of The University of Texas at Brownsville and is under
18 the management and control of the board. The academy serves the
19 following purposes:

20 (1) to provide academically qualified and motivated
21 junior and senior high school students with a challenging
22 university-level curriculum that:

23 (A) allows students to complete high school
24 graduation requirements, including requirements adopted under

1 Section 28.025 for the advanced high school program, while
2 attending for academic credit a public institution of higher
3 education;

4 (B) fosters students' knowledge of real-world
5 mathematics and science issues and applications and teaches
6 students to apply critical thinking and problem-solving skills to
7 those issues and problems;

8 (C) includes the study of English, foreign
9 languages, social studies, mathematics, science and technology;
10 and

11 (D) offers students learning opportunities
12 related to mathematics and science through in-depth research and
13 field-based studies;

14 (2) to provide students with an awareness of
15 mathematics and science careers and professional development
16 opportunities through seminars, workshops, collaboration with
17 postsecondary and university students including opportunities for
18 summer studies, internships in foreign countries, and similar
19 methods; and

20 (3) to provide students with social development
21 activities that enrich the academic curriculum and student life,
22 including, as determined appropriate by the academy, University
23 Interscholastic League activities and other extracurricular
24 activities.

25 (c) The academy is a coeducational institution for selected
26 Texas high school students with an interest in and the potential to
27 excel in mathematics and science studies. The academy shall admit

1 only high school juniors and seniors, except that the academy may
2 admit a student with exceptional abilities who is not yet a high
3 school junior. The board shall set aside adequate space on the
4 campus of The University of Texas at Brownsville to operate the
5 academy and implement the purposes of this section. The academy
6 must operate on the same fall and spring semester basis as the
7 university. Full-time students of the academy must enroll for both
8 the fall and spring semesters. Faculty members of the university
9 shall teach all academic classes at the academy. A student of the
10 academy may attend a college course offered by the university and
11 receive college credit for that course.

12 (d) Except as otherwise provided by this subsection, the
13 university administration has the same powers and duties with
14 respect to the academy that the administration has with respect to
15 the university. The board shall consult with the vice president for
16 Academic Affairs and the dean of the School of Education and other
17 members of the administration as the board considers necessary
18 concerning the academy's administrative design and support,
19 personnel and student issues, and faculty development. The board
20 shall consult with the dean of the College of Science, Mathematics
21 and Technology and other members of the administration as the board
22 considers necessary concerning the academy's curriculum
23 development, program design, and general faculty issues. The
24 board, in consultation with university administration, shall:

25 (1) establish an internal management system for the
26 academy and appoint an academy principal who serves at the will of
27 the board and reports to the vice president for academic affairs;

1 (2) provide for one or more academy counselors;

2 (3) establish for the academy a site-based
3 decision-making process similar to the process required by
4 Subchapter F, Chapter 11, that provides for the participation of
5 academy faculty, parents of academy students, and other members of
6 the community; and

7 (4) establish an admissions process for the academy.

8 (e) The student-teacher ratio in all regular academic
9 classes at the academy may not exceed 30 students for each classroom
10 teacher although academy classes may be combined with university
11 classes with more than thirty students, except that the
12 student-teacher ratio may exceed that limit:

13 (1) in a program provided for the purposes prescribed
14 by Subsection (b)(2) or another special enrichment course or in a
15 physical education course; or

16 (2) if the board determines that a class with a higher
17 student-teacher ratio would contribute to the educational
18 development of the students in the class.

19 (f) The academy shall provide the university-level
20 curriculum in a manner that is appropriate for the social,
21 psychological, emotional, and physical development of high school
22 juniors and seniors. The administrative and counseling personnel
23 of the academy shall provide continuous support to and supervision
24 of students.

25 (g) For each student enrolled in the academy, the academy is
26 entitled to allotments from the foundation school fund under
27 Chapter 42 as if the academy were a school district without a tier

1 one local share for purposes of Section 42.253. If in any academic
2 year the amount of the allotments under this subsection exceeds the
3 amount of state funds paid to the academy in the first fiscal year
4 of the academy's operation, the commissioner of education shall set
5 aside from the total amount of funds to which school districts are
6 entitled under Section 42.253(c) an amount equal to the excess
7 amount and shall distribute that amount to the academy. After
8 deducting the amount set aside and paid to the academy by the
9 commissioner of education under this subsection, the commissioner
10 of education shall reduce the amount to which each district is
11 entitled under Section 42.253(c) in the manner described by Section
12 42.253(h). A determination of the commissioner of education under
13 this subsection is final and may not be appealed.

14 (h) The board may use any available money, enter into
15 contracts, and accept grants, including matching grants, federal
16 grants, and grants from a corporation or other private contributor,
17 in establishing and operating the academy. Money spent by the
18 academy must further the purposes of the academy prescribed by
19 Subsection (b).

20 (i) The liability of the state under Chapters 101 and 104,
21 Civil Practice and Remedies Code, is limited for the academy and
22 employees assigned to the academy and acting on behalf of the
23 academy to the same extent that the liability of a school district
24 and an employee of the school district is limited under Sections
25 22.0511, 22.0512, and 22.052 of this code and Section 101.051,
26 Civil Practice and Remedies Code. An employee assigned to the
27 academy is entitled to representation by the attorney general in a

1 civil suit based on an action or omission of the employee in the
2 course of the employee's employment, limits on liability, and
3 indemnity under Chapters 104 and 108, Civil Practice and Remedies
4 Code.

5 (j) Except as otherwise provided by this section, the
6 academy is not subject to the provisions of this code, or to the
7 rules of the Texas Education Agency, regulating public schools.

8 SECTION 2. Section 25.086(a), Education Code, is amended to
9 read as follows:

10 (a) A child is exempt from the requirements of compulsory
11 school attendance if the child:

12 (1) attends a private or parochial school that
13 includes in its course a study of good citizenship;

14 (2) is eligible to participate in a school district's
15 special education program under Section 29.003 and cannot be
16 appropriately served by the resident district;

17 (3) has a physical or mental condition of a temporary
18 and remediable nature that makes the child's attendance infeasible
19 and holds a certificate from a qualified physician specifying the
20 temporary condition, indicating the treatment prescribed to remedy
21 the temporary condition, and covering the anticipated period of the
22 child's absence from school for the purpose of receiving and
23 recuperating from that remedial treatment;

24 (4) is expelled in accordance with the requirements of
25 law in a school district that does not participate in a mandatory
26 juvenile justice alternative education program under Section
27 37.011;

1 (5) is at least 17 years of age and:

2 (A) is attending a course of instruction to
3 prepare for the high school equivalency examination, and:

4 (i) has the permission of the child's parent
5 or guardian to attend the course;

6 (ii) is required by court order to attend
7 the course;

8 (iii) has established a residence separate
9 and apart from the child's parent, guardian, or other person having
10 lawful control of the child; or

11 (iv) is homeless as defined by 42 U.S.C.
12 Section 11302; or

13 (B) has received a high school diploma or high
14 school equivalency certificate;

15 (6) is at least 16 years of age and is attending a
16 course of instruction to prepare for the high school equivalency
17 examination, if:

18 (A) the child is recommended to take the course
19 of instruction by a public agency that has supervision or custody of
20 the child under a court order; or

21 (B) the child is enrolled in a Job Corps training
22 program under [~~the Job Training Partnership Act (~~] 29 U.S.C.
23 Section 2881 [~~1501~~] et seq. [~~), and its subsequent amendments~~];

24 (7) is enrolled in the Texas Academy of Mathematics
25 and Science;

26 (8) is enrolled in the Texas Academy of Leadership in
27 the Humanities; [~~or~~]

1 (9) is enrolled in the Texas Academy of International
2 Studies; or

3 (10) is specifically exempted under another law.

4 SECTION 3. Section 28.024, Education Code, is amended to
5 read as follows:

6 Sec. 28.024. CREDIT FOR ENROLLMENT IN CERTAIN ACADEMIES. A
7 school district shall grant to a student credit toward the academic
8 course requirements for high school graduation, up to a maximum of
9 two years of credit, for courses the student successfully completes
10 at:

11 (1) the Texas Academy of Leadership in the Humanities
12 under Section 96.707 [~~Subchapter E, Chapter 108~~]; [~~or~~]

13 (2) the Texas Academy of Mathematics and Science under
14 Subchapter G [~~H~~], Chapter 105; or

15 (3) the Texas Academy of International Studies under
16 Section 87.505.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2005.