

By: Zaffirini

S.B. No. 151

A BILL TO BE ENTITLED

AN ACT

relating to students enrolled in junior college courses for which students may receive both high school and higher education academic credit.

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

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.2161 to read as follows:

Sec. 54.2161. PILOT PROJECT FOR CERTAIN STUDENTS ENROLLED IN JUNIOR COLLEGE COURSES FOR CONCURRENT HIGH SCHOOL AND HIGHER EDUCATION ACADEMIC CREDIT. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Public junior college" has the meaning assigned by Section 61.003.

(b) Notwithstanding Section 54.002 or 54.216, the governing board of a public junior college participating in the pilot project established under this section shall waive the tuition and mandatory fees charged by the college for a student who:

(1) is educationally disadvantaged, as defined by Section 5.001; and

(2) is enrolled in a course offered by the college for which the student is entitled to simultaneously receive both:

(A) course credit toward the student's high school academic requirements; and

1 (B) course credit toward a degree or certificate
2 offered by the college.

3 (c) A student described by Subsection (b) is entitled to
4 free textbooks required for a course described by Subsection
5 (b)(2). The institution of higher education offering the course
6 shall provide the textbooks to the student. The school district in
7 which the student attends school shall pay the costs of the
8 textbooks in accordance with Section 31.031.

9 (d) The coordinating board shall adopt a procedure for a
10 public junior college to use in applying to participate in the pilot
11 project established under this section. From among the public
12 junior colleges that apply to participate under this subsection,
13 the coordinating board shall select five to participate in the
14 pilot project. The public junior colleges selected by the board
15 must:

16 (1) be located in various geographic regions of the
17 state;

18 (2) vary significantly in the number of students
19 enrolled; and

20 (3) satisfy any other requirements adopted by the
21 board.

22 (e) The pilot project established under this section may not
23 be implemented in a state fiscal year unless in the General
24 Appropriations Act for that fiscal year the legislature accounts
25 for the tuition and fee exemptions required by this section in a way
26 that provides a corresponding increase in the general revenue funds
27 appropriated to the public junior colleges that would be

participating in the pilot project. It is the intent of the legislature that the tuition and fee exemptions required by this section be financed by savings to the state resulting under this section from reductions in the number of courses taken by undergraduate students.

(f) If the pilot project established under this section is implemented, the commissioner of higher education shall conduct an ongoing evaluation of the effectiveness of the pilot project in encouraging students to graduate from public and private institutions of higher education in a timely manner and of any other benefits or any problems that result from the pilot project. In making an evaluation under this subsection, the commissioner of higher education shall consult with the commissioner of education. The commissioner of higher education shall report the results of an evaluation under this subsection to the legislature not later than December 31, 2006, and December 31, 2008.

(g) The governing board of a public junior college may not waive tuition and fees under this section and a student is not entitled to free textbooks under this section for a semester or other academic term beginning before the 2005 fall semester.

(h) This section expires August 15, 2009.

SECTION 2. Section 31.021, Education Code, is amended by adding Subsection (c) to read as follows:

(c) This subsection applies only if the pilot project established under Section 54.2161 is implemented, and expires August 15, 2009. In addition to the amount set aside under Subsection (b), the State Board of Education shall annually set

aside out of the available school fund an amount sufficient for each school district with one or more students entitled to free textbooks under the pilot project established under Section 54.2161 to pay the costs of those textbooks as required by Section 31.031 for the following school year. The board shall determine the amount of the available school fund to set aside for the state textbook fund for purposes of this subsection based on the commissioner's estimate of the amount that will be necessary to pay the costs of textbooks as required under Section 31.031.

SECTION 3. Subchapter B, Chapter 31, Education Code, is amended by adding Section 31.031 to read as follows:

Sec. 31.031. TEXTBOOKS FOR STUDENTS ENROLLED IN JUNIOR COLLEGE COURSES FOR CONCURRENT HIGH SCHOOL AND HIGHER EDUCATION ACADEMIC CREDIT UNDER PILOT PROJECT. (a) This section applies only if the pilot project established under Section 54.2161 is implemented.

(b) From the amount set aside by the State Board of Education under Section 31.021(c), the school district that a student entitled to free textbooks under the pilot project established by Section 54.2161 attends shall pay the costs of each textbook the student requires for a course described by Section 54.2161(b)(2).

(c) The State Board of Education shall adopt rules in accordance with which a school district shall pay the costs of textbooks under this section. The rules shall provide for a school district to reimburse an institution of higher education for the costs of textbooks that the institution provides to a student under

1 Section 54.2161.

2 (d) Section 31.102(c) does not apply to a textbook provided
3 under this section, except that the board of trustees of the school
4 district in which a student is enrolled is the legal custodian of a
5 textbook provided under this section.

6 (e) This section expires August 15, 2009.

7 SECTION 4. Section 42.005, Education Code, is amended by
8 adding Subsection (g) to read as follows:

9 (g) If a student may receive course credit toward the
10 student's high school academic requirements and toward the
11 student's higher education academic requirements for a single
12 course, the time during which the student attends the course shall
13 be counted as part of the minimum number of instructional hours
14 required for a student to be considered a full-time student in
15 average daily attendance for purposes of this section.

16 SECTION 5. (a) Subsection (c), Section 31.021, Education
17 Code, as added by this Act, applies to funding for textbooks
18 beginning with textbooks provided for the 2005-2006 school year and
19 the 2005 fall semester.

20 (b) The State Board of Education shall adopt rules under
21 Section 31.031, Education Code, as added by this Act, as soon as
22 practicable after this Act takes effect. For that purpose, the
23 State Board of Education may adopt the initial rules in the manner
24 provided by law for adoption of emergency rules.

25 (c) Subsection (g), Section 42.005, Education Code, as
26 added by this Act, applies beginning with the 2005-2006 school
27 year.

1 SECTION 6. This Act takes effect immediately if it receives
2 a vote of two-thirds of all members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2005.