

AN ACT

relating to students enrolled in certain high school and junior college programs for which students may receive both high school and higher education academic credit; creating the Texas Academy of International Studies.

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

1 school academic requirements; and

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

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

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

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

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

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

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

1 appropriated to the public junior colleges that would be  
2 participating in the pilot project. It is the intent of the  
3 legislature that the tuition and fee exemptions required by this  
4 section be financed by savings to the state resulting under this  
5 section from reductions in the number of courses taken by  
6 undergraduate students.

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

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

22 (h) This section expires August 15, 2009.

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

25 (c) This subsection applies only if the pilot project  
26 established under Section 54.2161 is implemented, and expires  
27 August 15, 2009. In addition to the amount set aside under

1 Subsection (b), the State Board of Education shall annually set  
2 aside out of the available school fund an amount sufficient for each  
3 school district with one or more students entitled to free  
4 textbooks under the pilot project established under Section 54.2161  
5 to pay the costs of those textbooks as required by Section 31.031  
6 for the following school year. The board shall determine the amount  
7 of the available school fund to set aside for the state textbook  
8 fund for purposes of this subsection based on the commissioner's  
9 estimate of the amount that will be necessary to pay the costs of  
10 textbooks as required under Section 31.031.

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

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

18 (b) From the amount set aside by the State Board of  
19 Education under Section 31.021(c), the school district that a  
20 student entitled to free textbooks under the pilot project  
21 established by Section 54.2161 attends shall pay the costs of each  
22 textbook the student requires for a course described by Section  
23 54.2161(b)(2).

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

1 costs of textbooks that the institution provides to a student under  
2 Section 54.2161.

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

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

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

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

17 SECTION 5. Subchapter F, Chapter 87, Education Code, is  
18 amended by adding Section 87.505 to read as follows:

19 Sec. 87.505. TEXAS ACADEMY OF INTERNATIONAL STUDIES.

20 (a) In this section:

21 (1) "Academy" means the Texas Academy of International  
22 Studies.

23 (2) "Board" means the board of regents of The Texas A&M  
24 University System.

25 (3) "University" means Texas A&M International  
26 University.

27 (b) The Texas Academy of International Studies is a division

1 of Texas A&M International University and is under the management  
2 and control of the board. The academy serves the following  
3 purposes:

4 (1) to provide academically gifted and highly  
5 motivated junior and senior high school students with a challenging  
6 university-level curriculum that:

7 (A) allows students to complete high school  
8 graduation requirements, including requirements adopted under  
9 Section 28.025 for the advanced high school program, while  
10 attending for academic credit a public institution of higher  
11 education;

12 (B) fosters students' knowledge of real-world  
13 international issues and problems and teaches students to apply  
14 critical thinking and problem-solving skills to those issues and  
15 problems;

16 (C) includes the study of English, foreign  
17 languages, social studies, anthropology, and sociology;

18 (D) is presented through an interdisciplinary  
19 approach that introduces and develops issues, especially issues  
20 related to international concerns, throughout the curriculum; and

21 (E) offers students learning opportunities  
22 related to international issues through in-depth research and  
23 field-based studies;

24 (2) to provide students with an awareness of  
25 international career and professional development opportunities  
26 through seminars, workshops, collaboration with postsecondary  
27 students from other countries, summer academic international

1 studies internships in foreign countries, and similar methods; and  
2 (3) to provide students with social development  
3 activities that enrich the academic curriculum and student life,  
4 including, as determined appropriate by the academy, University  
5 Interscholastic League activities and other extracurricular  
6 activities generally offered by public high schools.

7 (c) The academy is a residential, coeducational institution  
8 for selected Texas high school students with an interest and the  
9 potential to excel in international studies. The academy shall  
10 admit only high school juniors and seniors, except that the academy  
11 may admit a student with exceptional abilities who is not yet a high  
12 school junior. The board shall set aside adequate space on the  
13 university campus in Laredo to operate the academy and implement  
14 the purposes of this section. The academy must operate on the same  
15 fall and spring semester basis as the university. Full-time  
16 students of the academy must enroll for both the fall and spring  
17 semesters. Faculty members of the university shall teach all  
18 academic classes at the academy. A student of the academy may  
19 attend a college course offered by the university and receive  
20 college credit for that course.

21 (d) Except as otherwise provided by this subsection, the  
22 university administration has the same powers and duties with  
23 respect to the academy that the administration has with respect to  
24 the university. The board shall consult with the dean of the  
25 College of Education and other members of the administration as the  
26 board considers necessary concerning the academy's administrative  
27 design and support, personnel and student issues, and faculty

1 development. The board shall consult with the dean of the College  
2 of Arts and Sciences and other members of the administration as the  
3 board considers necessary concerning the academy's curriculum  
4 development, program design, and general faculty issues. The  
5 board, in consultation with university administration, shall:

6 (1) establish an internal management system for the  
7 academy and appoint an academy principal who serves at the will of  
8 the board and reports to the university provost;

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

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

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

16 (e) The student-teacher ratio in all regular academic  
17 classes at the academy may not exceed 30 students for each classroom  
18 teacher, except that the student-teacher ratio may exceed that  
19 limit:

20 (1) in a program provided for the purposes prescribed  
21 by Subsection (b)(2) or another special enrichment course or in a  
22 physical education course; or

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

26 (f) The academy shall provide the university-level  
27 curriculum in a manner that is appropriate for the social,



1 psychological, emotional, and physical development of high school  
2  juniors and seniors. The administrative and counseling personnel  
3  of the academy shall provide continuous support to and supervision  
4  of students.

5  (g) For each student enrolled in the academy, the academy is  
6  entitled to allotments from the foundation school fund under  
7  Chapter 42 as if the academy were a school district without a tier  
8  one local share for purposes of Section 42.253. If in any academic  
9  year the amount of the allotments under this subsection exceeds the  
10  amount of state funds paid to the academy in the first fiscal year  
11  of the academy's operation, the commissioner of education shall set  
12  aside from the total amount of funds to which school districts are  
13  entitled under Section 42.253(c) an amount equal to the excess  
14  amount and shall distribute that amount to the academy. After  
15  deducting the amount set aside and paid to the academy by the  
16  commissioner of education under this subsection, the commissioner  
17  of education shall reduce the amount to which each district is  
18  entitled under Section 42.253(c) in the manner described by Section  
19  42.253(h). A determination of the commissioner of education under  
20  this subsection is final and may not be appealed.

21  (h) The board may use any available money, enter into  
22  contracts, and accept grants, including matching grants, federal  
23  grants, and grants from a corporation or other private contributor,  
24  in establishing and operating the academy. Money spent by the  
25  academy must further the purposes of the academy prescribed by  
26  Subsection (b).

27  (i) The liability of the state under Chapters 101 and 104,

1 Civil Practice and Remedies Code, is limited for the academy and  
2 employees assigned to the academy and acting on behalf of the  
3 academy to the same extent that the liability of a school district  
4 and an employee of the school district is limited under Sections  
5 22.0511, 22.0512, and 22.052 of this code and Section 101.051,  
6 Civil Practice and Remedies Code. An employee assigned to the  
7 academy is entitled to representation by the attorney general in a  
8 civil suit based on an action or omission of the employee in the  
9 course of the employee's employment, limits on liability, and  
10 indemnity under Chapters 104 and 108, Civil Practice and Remedies  
11 Code.

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

15 (k) A student may not begin attending the academy before the  
16 2007 fall semester. This subsection expires August 31, 2008.

17 SECTION 6. Subsection (a), Section 25.086, Education Code,  
18 is amended to read as follows:

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

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

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

26 (3) has a physical or mental condition of a temporary  
27 and remediable nature that makes the child's attendance infeasible

1 and holds a certificate from a qualified physician specifying the  
2 temporary condition, indicating the treatment prescribed to remedy  
3 the temporary condition, and covering the anticipated period of the  
4 child's absence from school for the purpose of receiving and  
5 recuperating from that remedial treatment;

6 (4) is expelled in accordance with the requirements of  
7 law in a school district that does not participate in a mandatory  
8 juvenile justice alternative education program under Section  
9 37.011;

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

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

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

15 (ii) is required by court order to attend  
16 the course;

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

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

22 (B) has received a high school diploma or high  
23 school equivalency certificate;

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

27 (A) the child is recommended to take the course

1 of instruction by a public agency that has supervision or custody of  
2 the child under a court order; or

3 (B) the child is enrolled in a Job Corps training  
4 program under [~~the Job Training Partnership Act (~~]29 U.S.C. Section  
5 2881 [~~1501~~] et seq. [~~)~~], and its subsequent amendments];

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

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

10 (9) is enrolled in the Texas Academy of International  
11 Studies; or

12 (10) is specifically exempted under another law.

13 SECTION 7. Section 28.024, Education Code, is amended to  
14 read as follows:

15 Sec. 28.024. CREDIT FOR ENROLLMENT IN CERTAIN ACADEMIES. A  
16 school district shall grant to a student credit toward the academic  
17 course requirements for high school graduation, up to a maximum of  
18 two years of credit, for courses the student successfully completes  
19 at:

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

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

24 (3) the Texas Academy of International Studies under  
25 Section 87.505.

26 SECTION 8. (a) Subsection (c), Section 31.021, Education  
27 Code, as added by this Act, applies to funding for textbooks

1 beginning with textbooks provided for the 2005-2006 school year and  
2 the 2005 fall semester.

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

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

11 SECTION 9. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2005.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 151 passed the Senate on April 28, 2005, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 28, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 151 passed the House, with amendment, on May 25, 2005, by the following vote: Yeas 146, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor