

By: Zaffirini

S.B. No. 151

A BILL TO BE ENTITLED

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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

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

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

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

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

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

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

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

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

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

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

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