

## **BILL ANALYSIS**

C.S.H.B. 2237  
By: Eissler  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The 78th Legislature designated funds for high school completion and success in 2003. The 79th Legislature continued to appropriate funds for the Texas High School Initiative in 2005. A rider directed the use of these funds.

The funds that are designated in the proposed budget are contingent on passage of enabling legislation to establish and more formally direct the Texas High School Project. This bill establishes the High School Completion and Success Initiative.

To improve secondary school instruction in Texas, the high school completion and success initiative shall provide support to schools and districts implementing of curriculum and instruction improvements that align with state standards and expectations for post-secondary success. The initiative shall include technical assistance to assist schools and school districts in the implementation of successful secondary education programs that maximize the impact of all available funds, including high school allotment funds.

This bill also establishes the High School Completion and Success Initiative Board to develop and manage the implementation of a strategic plan that coordinates public and private high school improvement initiatives.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 6; Commissioner of Education in SECTION 4, SECTION 7, SECTION 9, and SECTION 11; the Higher Education Coordinating Board in SECTION 5; the Commissioner of Higher Education in SECTION 11; the State Board for Educator Certification in SECTION 5; and the High School Completion and Success Initiative Board in SECTION 8.

### **ANALYSIS**

This bill amends the Education Code to add "dropout prevention" to the list of items for which the Texas Education Agency (TEA), in conjunction with the Legislative Budget Board (LBB), must establish an online clearinghouse of information. "Dropout prevention" is also added to the list of examples of best practices that TEA shall collect from the LBB, centers for education research established under the Education Code, and exemplary or recognized school districts, campuses, and open-enrollment charter schools.

This bill also adds a section to the Education Code regarding the study of best practices for dropout prevention. In order to conduct this study, the Commissioner of Education (commissioner) must contract with at least one center for education research to study the best practices of campuses and school districts in this state and in other states regarding dropout prevention programs and must prepare a report of their findings. This report must identify high-performing and highly efficient dropout prevention programs, identify the dropout prevention programs that have the most potential for success in this state, and recommend legislation or other actions necessary to implement a dropout prevention program identified for success in this state. The commissioner shall deliver this report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officers of the standing committees of each house of the legislature with primary jurisdiction over public education, not later than December 1, 2008. This section of the Education Code will expire January 1, 2009.

This bill adds a section to the Education Code relating to the professional development activities for teachers and administrators. This provision authorizes the High School Completion and

Success Initiative Board (board), using funds appropriated for that purpose, to develop and award grants to school districts, regional education service centers, and institutions of higher education for the establishment of technical assistance and professional development activities in the staff development training of public school teachers and administrators. This training must include training relating to implementing curriculum and instruction that is aligned with the foundation curriculum described under a specific provision of the Education Code, and standards and expectations for college readiness, as determined by rule of the State Board of Education (SBOE). The board can give preference to a school district, regional education service center, or institution of higher education conducting this training that applies for a grant in partnership with a state or national organization that has demonstrated success in development and implementation of high school reform strategies.

This bill adds a section to the Education Code regarding a mathematics instructional coaches pilot program. Using funds appropriated for this purpose, the commissioner by rule must establish a pilot program where participating school districts and campuses receive assistance in developing the instructional expertise of teachers who teach math at the middle school, junior high school, or high school level. The commissioner must select school districts and campuses to participate that have relatively low levels of student performance at the middle school, junior high school, or high school level on the assessment instruments required by a specific provision of the Education Code, and relatively low numbers of teachers who are properly certified under a specific provision of the Education Code. The commissioner must design this pilot program so that each participating school district or campus has access to the services of someone certified to teach mathematics at the appropriate grade levels and who has significant experience in providing math instruction to students. This person must also be available to provide instructional coaching to teachers who teach math at the middle school, junior high school, or high school levels. This instructional coaching may include, but is not limited to, the functions and activities specified in the bill. The commissioner must adopt rules necessary to implement this pilot program and, in adopting rules, the commissioner must adopt procedures that coordinate the granting of funds with the funding for mentor teachers.

This bill adds a section to the Education Code regarding mathematics, science, and technology teacher preparation academies. Under this section, the Texas Higher Education Coordinating Board (THECB), using funds appropriated for the purpose, must establish academies at institutions of higher education to improve the instructional skills of teachers certified under a specific provision of the Education Code and train students enrolled in a teacher preparation program to perform at the highest levels in math, science, and technology. The THECB may adopt rules as necessary to administer this provision.

Before an institution of higher education can establish an academy, it must apply through a competitive process as determined by the THECB, and meet the requirements they establish. The institution must have a teacher preparation program approved by the State Board for Educator Certification (SBEC) or be affiliated with an approved program in a manner that allows participants to be certified under certain specified provisions of the Education Code. The THECB and SBEC must adopt rules to coordinate their requirements so that a graduate of an academy can obtain a master teacher certificate under certain specified provisions of the Education Code. A participant in an academy program must meet the requirements listed in the bill to be eligible for participation. The academy program must have certain attributes and perform certain functions as specified in the bill. The bill also lists certain discretionary attributes and functions of an academy program. The bill provides that the commissioner, to the extent funds are appropriated for that purpose, develop training materials, coordinate activities of professional development institutes, and target grants under certain specified provisions of the Education Code to support experienced teachers participating in the academy program.

This bill amends the Education Code to add a provision specifying that, starting with the 2007-2008 school year, the SBOE must incorporate college readiness standards and expectations into the essential knowledge and skills of the foundation curriculum under a specific provision of the Education Code for course in which students in 9th through 12th grade generally enroll, as determined by SBOE rule. This provision expires December 1, 2012.

This bill amends the Education Code to provide that the TEA must establish minimum standards for a personal graduation plan under a specified provision of the Education Code. The commissioner is authorized to adopt rules as necessary to administer this provision.

This bill adds a section to the Education Code regarding grants for student clubs. This section provides that the High School Completion and Success Initiative Board (board) must administer a pilot program to provide grants to school districts to fund school club activities for students at risk of dropping out. Using funds appropriated for this purpose, the board must spend an amount not to exceed \$5 million in any state fiscal biennium on this program. The board can award a grant, not exceeding \$5000 in a school year, to a school district on behalf of a student club at a district high school campus where at least 60% of students are identified as students at risk of dropping out. To be eligible, the club and the club's sponsor must be sanctioned by the campus and district. A grant awarded must be matched by other federal, state, or local funds (including donations), in an amount equal to the grant. A district must seek donations or sponsorships from local businesses and community organizations to raise the matching funds. The board can award a grant on behalf of more than one student club at a campus in the same school year. The board must establish application criteria for receipt of a grant. The criteria must require confirmation that the appropriate campus-level planning and decision-making committee established under a specified provision of the Education Code and the school district board of trustees has approved a plan that includes certain specific attributes as listed in the bill. The board must establish minimum requirements for a local grant agreement as specified in the bill. This bill provides that a student club may use the grant money to support academic or co-curricular club activities (other than athletics) in which at least 50% of the participating students have been identified as students at risk of dropping out of school. A student club may also use the funds for materials, sponsor stipends, and other needs that directly support the club's activities. A student club must use the entire amount of the grant to directly fund the club's activities described in the plan above, but the club may not use more than 50% of the grant to pay sponsor stipends. The school district board of trustees must ensure that the funds are expended in compliance with the above provision. At the end of each school year, a club that receives a grant must submit a report to the board of trustees that summarizes the club's activities and the extent to which the club's goals and intentions were achieved. The decision of the board of trustees regarding compliance is final and not appealable.

This bill also adds a section to the Education Code providing for the creation of a collaborative dropout reduction pilot program. The board, using funds appropriated for that purpose, must establish by rule a pilot program under which a school district or open-enrollment charter school may receive a grant to implement a local collaborative dropout reduction program. When selecting school districts or open-enrollment charter schools to participate, the board shall consider school districts and open-enrollment charter schools that meet the criteria specified in the bill, and may consider additional criteria specified in the bill. The board must establish application criteria for receiving a grant and the criteria must require a school district or open-enrollment charter school that applies for a grant to collaborate with local businesses, other local governments or law enforcement agencies, nonprofit organizations, faith-based organizations, or institutions of higher education to deliver intervention services. The goal of the program is to coordinate services and programs among local entities reduce dropouts and increase job skills and opportunities for students who might otherwise have dropped out of school.

The board must establish minimum standards for a local collaborative agreement, including a requirement that the agreement must be signed by an authorized school district or open-enrollment charter school officer and an authorized representative of the other participating entities in the collaboration. The program must be conducted in accordance with criteria specified in the bill. Functions and activities authorized to be conducted under a local collaborative agreement are specified in the bill. The board can approve innovative instructional techniques for course credit in the enrichment curriculum leading to high school graduation under a collaborative program and the board must develop accountability measures for these programs. The board may fund electronic courses that are part of the collaborative program and otherwise eligible for state funding, but funding may not exceed the total amount of state and local funding for a student to which the school district or open-enrollment charter school would otherwise be entitled. There is nothing in this section that allows the award of a high school diploma other than in compliance with a specified provision of the Education Code. The board shall adopt rules necessary to administer the pilot program.

This bill adds a section to the Education Code providing for the creation of an intensive technology-based academic intervention pilot program. The High School Completion and Success Initiative Board (board), using funds appropriated for that purpose, must establish a pilot program to award grants to participating campuses to provide intensive technology-based supplementary instruction in English, math, science, or social studies to students in 9th - 12th grades who are identified as at risk of dropping out of school. The board will determine the type of instruction techniques and technology based upon the best available research regarding college and workforce readiness, and these must be used by the campus. Only campuses where at least 50 percent of the students are identified as being at risk for dropping out may be selected by the board for participation in the pilot program. These campuses must also be located in communities that exhibit demographic characteristics that strongly correlate with high dropout rates, including factors specified in the bill, as determined by the commissioner. A program that is supported by a grant must satisfy those criteria specified in the bill. Funds may also be used to benefit a campus-wide program if the use of the money does not defeat the primary purpose of the grant program. A grant awarded in this program may not exceed \$50 for each participating student and must be matched by other federal, state, or local funds, including private donations. The bill encourages the use of funds allocated under a specific provision of the Education Code. A grant may be used to expand an existing program but can't be used to replace federal, state, or local funds previously spent on an instructional program. The entire amount of the grant may be used for purposes enumerated in the bill.

This bill adds a section to the Education Code providing for the creation of intensive summer programs. Using funds appropriated for that purpose, the High School Completion and Success Initiative Board (board) must establish a pilot program to award grants to participating campuses to provide intensive academic instruction during the summer semester to promote college and workforce readiness to students identified as being at risk of dropping out of school or college. A grant for this program may be used to fund the categories of programs specified in the bill. Only campuses where at least 50 percent of the students who attended the previous year or will attend the following year are identified as being at risk for dropping out may be selected by the board for participation in the pilot program. These campuses must also be located in communities that exhibit demographic characteristics that strongly correlate with high dropout rates, including factors specified in the bill, as determined by the commissioner.

A grant can be awarded to an institution of higher education for a program administered under a specified provision of the bill only if at least 50 percent of the students served in the program meet the criteria set forth in the bill. A program supported by a grant to provide intensive summer instruction must provide rigorous academic instruction, provide at least 4 weeks of instruction, and for certain specified programs must be designed and implemented in partnership with an institution of higher education.

To the extent practicable, an institution of higher education must create work-study opportunities for students enrolled in teacher preparation programs to assist in providing instruction in programs created by this section. A grant awarded in this program may not exceed \$750 for each participating student and must be matched by not less than \$250 for each participating student in other federal, state, or local funds, including private donations. The bill encourages the use of funds allocated under a specific provision of the Education Code. The grant may be used to expand an existing program but can't be used to replace federal, state, or local funds spent on instructional programs. The entire amount of a grant awarded for these programs must fund the program described in the application for the grant and may be used for the purposes specified in the bill.

The commissioner of education and the commissioner of higher education must jointly develop or adopt assessment instruments to diagnose students' readiness to perform college level work, assess the cumulative knowledge of students participating in a program under this section, and ensure the rigorous quality of the instruction provided. If practical and appropriate, existing state-adopted assessment instruments should be used. All students enrolled in a participating program must be given an assessment developed or adopted under a specified subsection of the bill. The commissioner of education, in coordination with the Texas Higher Education Coordinating Board, must adopt a series of optional questions to be included in the assessments, and these questions must be developed consistent with college readiness standards adopted under

specified provisions of the Education Code. Instructional materials developed and adopted by the SBOE must be used for instruction in particular programs under specified subsections of the bill. SBOE can develop and adopt additional instructional materials as necessary for these particular programs. The Texas Higher Education Coordinating Board can also develop and adopt instructional materials as necessary for a program under a specified subsection of the bill. SBOE and the Texas Higher Education Coordinating Board must include information technology resources that incorporate established best practices for instruction among approved instructional materials for intensive summer programs to enhance the effectiveness of the programs.

This bill adds a section to the Education Code relating to dropout prevention strategies. The bill requires a school district or open-enrollment charter school with a high drop-out rate, as determined by the commissioner, to submit a plan to the commissioner describing how the district or charter school intends to use the compensatory education allotment under a specified section of the Education Code for developing and implementing research-based strategies for dropout prevention. School districts and open-enrollment charter schools to which this section of the bill applies may not spend or obligate more than 25 percent of their compensatory education allotment, unless the commissioner approves the plan submitted under a specified provision of the bill. The commissioner is required to adopt rules to administer this section. The commissioner may impose sanctions under specified provisions of the Education Code if a school district or open-enrollment charter school fails to timely comply with this section.

This bill adds a section to the Education Code relating to a high school innovation grant initiative. From funds appropriated for that purpose, the High School Completion and Success Initiative Board (board) may provide grants to secondary campuses and school districts to support the implementation of innovative high school improvement programs that are based on the best available research regarding high school reform, dropout prevention, and preparing students for post secondary coursework or employment.. The grants must also support enhancing education practices that have been demonstrated by significant evidence of effectiveness, as determined by the board. In order to receive one of these grants, the board may require a campus or school district to obtain local matching funds or meet other conditions, including developing a personal graduation plan under a specified provision of the Education code for each student enrolled at the campus or in a district high school.

This bill adds a subchapter to the Education Code relating to high school completion and success initiative. These provisions of the bill establish the High School Completion and Success Initiative Board (board) to coordinate improvement in secondary instruction in public schools in Texas. The bill specifies the composition of the board and, where applicable, who will appoint certain board members, and the attributes of such members. The bill also sets forth the terms of members, identifies the presiding officer, makes board meetings subject to Chapter 551, Government Code, and includes provisions relating to compensation and reimbursement and board staff.

This bill requires the board to adopt a strategic plan to address the manner in which federal and state funds appropriated or received for the purposes of high school reform, dropout prevention, and preparation of students for postsecondary coursework or employment will be distributed. The plan must also specify strategies to identify, support, and expand programs to improve high school completion rates and college and workforce readiness and must develop and award grants that support the strategic plan adopted under a specified provision of the bill, including grants awarded under certain specified provisions of the Education Code. The plan must also establish criteria for scoring grant applications subject to the strategic plan and for awarding grants on the basis of the criteria adopted. The plan must also award grants to school districts, open-enrollment charter schools, institutions of higher education, regional education service centers, or nonprofit organizations to meet the goals of the board's strategic plan. Also, the plan must ensure that appropriate research and program evaluation is conducted. This bill requires the commissioner of education and the commissioner of higher education to adopt rules as necessary to administer the strategic plan adopted by the board.

This bill requires the board, using funds appropriated for that purpose, to set aside not more than \$500,000 annually to contract with one or more persons who have experience in reviewing grant applications to score the applications subject to the strategic plan and make funding recommendations to the board.

The board must coordinate with private foundations that have made a substantial investment in the improvement of high schools in Texas to maximize the impact of public and private investments. A private foundation does not need to obtain board approval before allocating resources to a school in Texas.

Using funds appropriated for high school improvement, the commissioner of education must set aside not more than \$1.5 million annually to contract with centers for education research established under a specified provision of the Education Code to evaluate programs supported by grants approved by the board. A person who receives such a grant must consent to an evaluation as a condition of receiving the grant.

The bill includes reporting provisions under which the board or the commissioner of education must report, by specified deadlines, to elected officials and other governmental entities specified in the bill. The bill specifies the required content of such reports.

The bill sets forth a process for making initial appointments to the board.

The bill provides that the Act applies beginning with the 2007-2008 school year.

### **EFFECTIVE DATE**

Upon passage or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original bill was a "shell bill" that was filed in order to give legislative staff and affected agencies and interest groups an opportunity to work on the development of a more comprehensive bill relating to high school success and college readiness in public schools. The original bill included the following substantive provisions that, while relating to the same general subject matter, differ in significant detail from the comprehensive bill that was adopted as the committee substitute (note unless otherwise indicated, statutory references are to the Education Code):

The original bill included the following: Beginning with the 2007-2008 school year, the State Board of Education shall incorporate college readiness standards and expectations into the essential knowledge and skills of the foundation curriculum under Section 28.002(a)(1) for courses in which 12th grade students generally enroll, as determined by board rule. This subsection expires December 1, 2012.

The substitute bill included the following: Beginning with the 2007-2008 school year, the State Board of Education shall incorporate college readiness standards and expectations into the essential knowledge and skills of the foundation curriculum under Section 28.002(a)(1) for courses in which students in grades nine through 12 generally enroll, as determined by board rule. This subsection expires December 1, 2012.

The original bill included the following:

Sec. 39.115. HIGH SCHOOL COMPLETION AND SUCCESS INITIATIVE. Using funds from private sources and state and federal funds available for that purpose in an amount not more than the amount provided by private sources, the commissioner may provide grants to school districts to support the establishment and implementation of sustainable and comprehensive high school completion and success initiatives; and support, directly or through contract with a private entity, for the restructuring and reform of high school campuses considered academically unacceptable under Section 39.132 that are participating in an innovative redesign of the campus to improve campus performance under Subchapter G. To receive a grant under this section, a school district must develop an individualized graduation plan for each student enrolled in a district high school. A student's individualized graduation plan must include information concerning the student's performance on assessment instruments administered under Subchapter

B; and ensure that a student at risk of dropping out of school, as defined by Section 29.081 is afforded instruction from highly qualified teachers, has access to online diagnostic and assessment instruments; and is provided accelerated instruction in areas of academic weakness identified in the individualized graduation plan. A school district that receives a grant under this section must use the grant funds to implement or administer programs that demonstrate the greatest potential for improving high school completion and success and successfully encouraging students to pursue postsecondary education and training opportunities, including programs for high school students who have not earned sufficient course credit to advance to the next grade level, after-school programs designed to promote high school completion, literacy programs for high school students who struggle with reading, ninth grade acceleration and enrichment programs, programs to improve the academic achievement of high school students of limited English proficiency, and early college and middle college programs that encourage a student who wishes to accelerate the student's education or a student at risk of dropping out of school, as defined by Section 29.081, to undertake courses of study that allow the student to receive college credit in high school. A school district that receives a grant under this section may use the grant funds to implement or administer programs that allow a high school student to attend school on a flexible schedule, such as a flexible year program under Section 29.0821 or a flexible school day program under Section 29.0822, programs that encourage personalized learning environments, programs that encourage multiple methods for pursuing postsecondary education and training opportunities, including partnerships with institutions of higher education, businesses, and community organizations; and sustainable innovative models for the restructuring and reform of a district high school campus considered academically unacceptable under Section 39.132 that is participating in an innovative redesign of the campus to improve campus performance under Subchapter G. A school district that receives a grant under this section may contract with a private organization to assist the district in implementing a program described by Subsection (c) or (d). Using not more than five percent of the funding available to the agency for purposes of this section, the commissioner shall research and evaluate programs implemented by school districts under Subsections (c) and (d). Not later than December 1, 2008, the commissioner shall prepare and deliver a report to the legislature describing expenditures made by school districts using grant funds provided under this section; and the results of the commissioner's research and evaluation of programs implemented by school districts under Subsections (c) and (d).

The substitute bill significantly amended and expanded upon the provisions described above, as more fully described in the ANALYSIS section above. In the interest of brevity, such provisions of the substitute bill, which are set forth above in the ANALYSIS section, are hereby incorporated by reference into the COMPARISON OF ORIGINAL TO SUBSTITUTE section.