

BILL ANALYSIS

Senate Research Center
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S.B. 2035
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

High dropout rates from high schools across the state have brought special attention to the issue of dropouts and graduation rates. The state must keep students in school until they graduate if the state is to succeed in this globally-oriented society.

As proposed, S.B. 2035 creates a comprehensive dropout system that provides a holistic approach to reducing the number of Texas dropouts. The system includes identification of students at risk of dropping out or who have dropped out, prevention and intervention programs, identification of the best practices in such programs, and a recovery system. The bill also establishes academies at institutions of higher education to improve the instructional skills of teachers in certain subjects and pilot programs intended to improve such skills and reduce such rates.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 21.4541, Education Code), SECTION 6 (Section 28.0212, Education Code), SECTION 7 (Sections 29.096 and 29.097, Education Code), and SECTION 8 (Section 29.918, Education Code) of this bill.

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 4 (Section 21.462, Education Code), of this bill.

Rulemaking authority is expressly granted to the State Board for Educator Certification Board in SECTION 4 (Section 21.462, Education Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 7.009(a) and (b), Education Code, as follows:

(a) Requires the Texas Education Agency (TEA), in coordination with the Legislative Budget Board, to establish an online clearinghouse of information relating to the best practices of campuses and school districts (districts) regarding dropout prevention, in addition to other information set forth in this subsection.

(b) Makes a conforming change.

SECTION 2. Amends Subchapter B, Chapter 7, Education Code, by adding Section 7.031, as follows:

Sec. 7.031. STUDY OF BEST PRACTICES FOR DROPOUT PREVENTION. (a) Requires TEA to contract with one or more centers for education research (centers) established under Section 1.005 to study the best practices of campuses and districts in this state and other states regarding dropout prevention programs and prepare a report regarding the findings of the study.

(b) Requires the report under Subsection (a) to make certain identifications and recommendations as set forth in this subsection.

(c) Requires TEA to deliver the report produced under Subsection (a) 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.

(d) Provides that this section expires January 1, 2009.

SECTION 3. Amends Subchapter J, Chapter 21, Education Code, by adding Section 21.4541, as follows:

Sec. 21.4541. MATHEMATICS INSTRUCTIONAL COACHES PILOT PROGRAM.

(a) Requires the commissioner of education (commissioner) by rule to establish a pilot program under which participating districts and campuses receive assistance in developing the instructional expertise of teachers who instruct students in mathematics at the middle school, junior high school, or high school level using funds appropriated for that purpose.

(b) Requires the commissioner to select districts and campuses to participate in the pilot program that have relatively low levels of student performance and certified teachers as set forth in this subsection.

(c) Requires the commissioner to design the pilot program so that each participating district or campus has access to the services of an individual who is certified under Subchapter B (Certification of Educators) to teach mathematics at the appropriate grade levels and has significant experience in providing mathematics instruction to students. Requires the individual to be available to provide instructional coaching to district or campus teachers who provide instruction in mathematics at the middle school, junior high school, or high school level. Authorizes the instructional coaching to include certain items set forth in this subsection.

(d) Requires the commissioner to adopt rules necessary to implement the pilot program. Requires the commissioner, in adopting rules under this subsection, to adopt procedures that coordinate a grant of funds under this section with the funding for mentor teachers under Section 21.458 (Mentors).

SECTION 4. Amends Subchapter J, Chapter 21, Education Code, by adding Section 21.462, as follows:

Sec. 21.462. MATHEMATICS, SCIENCE, AND TECHNOLOGY TEACHER PREPARATION ACADEMIES. (a) Requires the Texas Higher Education Coordinating Board (THECB) to establish academies at institutions of higher education (institutions) to improve the instructional skills of teachers certified under Subchapter B and train students enrolled in a teacher preparation program to perform at the highest levels in mathematics, science, and technology. Authorizes THECB to adopt rules as necessary to administer this section.

(b) Requires an institution, before establishing an academy under this section, to apply through a competitive process, as determined by THECB, and meet any requirements established by THECB for designation as an academy and continued funding under this section. Requires the institution to have a teacher preparation program approved by the State Board for Educator Certification (certification board) or be affiliated with an approved program in a manner that allows participants to meet the certification requirements under certain law.

(c) Requires THECB and the certification board to adopt rules to coordinate the requirements of each board to facilitate the ability of a graduate of an academy established under this section to obtain a master teacher certificate under certain law.

- (d) Requires a participant in an academy program to have certain qualifications set forth in this subsection.
- (e) Sets forth certain requirements of the academy program.
- (f) Sets forth certain authorizations of the academy program.
- (g) Requires the commissioner to take certain actions set forth in this subsection related to academy programs to the extent funds are appropriated for such purposes.

SECTION 5. Amends Sections 25.085(b) and (e), Education Code, as follows:

- (b) Requires a child who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not completed the school year in which the child's 18th birthday occurs to attend school.
- (c) Requires a person who voluntarily enrolls in school or voluntarily attends school, regardless of whether it is after the person's 18th birthday, to attend school each school day for the entire period the program of instruction is offered

SECTION 6. Amends Section 28.0212, Education Code, by adding Subsections (d) and (e), as follows:

- (d) Requires TEA to establish minimum standards for a personal graduation plan under this section (Personal Graduation Plan).
- (e) Authorizes the commissioner to adopt rules as necessary to administer this section.

SECTION 7. Subchapter C, Chapter 29, Education Code, is amended by adding Sections 29.095, 29.096, and 29.097 to read as follows:

Sec. 29.095. GRANTS FOR STUDENT CLUBS. (a) Defines "student at risk of dropping out of school."

- (b) Requires the commissioner to administer a pilot program to provide grants to districts to fund student club activities for students at risk of dropping out of school. Requires the commissioner, from funds appropriated for purposes of this subchapter (Compensatory Education Programs), to spend an amount not to exceed \$5 million in any state fiscal biennium on the program.
- (c) Authorizes the commissioner to award a grant in an amount not to exceed \$5,000 in a school year to a district on behalf of a student club at a district high school campus at which at least 60 percent of students are identified as students at risk of dropping out of school. Requires the student club and the club's sponsor to be sanctioned by the campus and district in order to be eligible for such a grant. Requires a grant awarded under this program to be matched by other state, federal, or local funds, including donations, in an amount equal to the amount of the grant. Requires a district to seek donations or sponsorships from local businesses or community organizations to raise the matching funds. Authorizes the commissioner to award a grant on behalf of more than one student club at a campus in the same school year.
- (d) Requires the commissioner to establish application criteria for receipt of a grant under this section. Requires the criteria to require confirmation that the appropriate campus-level planning and decision-making committee established under Subchapter F (District-level and Site-based Decision-Making), Chapter 11, and the district board of trustees have approved a plan that includes certain information set forth in this subsection.

(e) Requires the commissioner to establish the minimum requirements for a local grant agreement, including certain requirements set forth in this subsection.

(f) Authorizes a student club to use funds awarded under this section to support academic or co-curricular club activities, other than athletics, in which at least 50 percent of the participating students have been identified as students at risk of dropping out of school. Authorizes a club to use the funds for materials, sponsor stipends, and other needs that directly support the club's activities. Requires a club to use the entire amount of the grant to directly fund the club's activities described in the plan approved as provided by Subsection (d). Prohibits a club from using more than 50 percent of a grant to pay sponsor stipends.

(g) Requires the district board of trustees to ensure that funds awarded under this section are expended in compliance with Subsection (f). Requires a student club that receives a grant to submit a report to the board summarizing its activities and the extent to which the club met its goals and achieved its intent at the end of the school year. Provides that the decision of the board under this subsection relating to compliance with Subsection (f) is final and prohibits it from being appealed.

Sec. 29.096. EARLY WARNING DATA SYSTEM. (a) Requires the commissioner by rule to establish an early warning data system (system), using funds appropriated for that purpose, to identify students in grades six through 12 likely to drop out of school.

(b) Requires a system created under this section to use student performance data and other indicators, including one or more of the at-risk indicators described by Section 29.081(d), attendance and truancy patterns for the student, and any other information as determined by the commissioner, to identify at the earliest possible time a student likely to drop out of school in order that appropriate intervention services may be provided to the student by the district or open-enrollment charter school (charter school).

(c) Requires the commissioner to provide analytical tools to districts and charter schools to support detection of and early intervention for students likely to drop out of school.

Sec. 29.097. COLLABORATIVE DROPOUT REDUCTION PILOT PROGRAM. (a) Requires the commissioner by rule to establish a pilot program under which a school district or charter school may receive a grant to implement a local collaborative dropout reduction program using funds appropriated for that purpose.

(b) Requires the commissioner to consider certain high-risk districts and charter schools and authorizes the commissioner to consider certain factors as set forth in this subsection in selecting districts or charter schools to participate and receive a grant under this section.

(c) Requires the commissioner to establish application criteria for receiving a grant under this section. Requires the criteria to require a district or 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 to deliver proven, research-based intervention services. Provides that the goal of the program is to coordinate services and programs among local entities to comprehensively reduce the number of students who drop out of school in that community and increase the job skills, employment opportunities, and continuing education opportunities of students who might otherwise have dropped out of school.

(d) Requires the commissioner to establish minimum standards for a local collaborative agreement, including a requirement that the agreement must be signed by an authorized district or charter school officer and an authorized representative of each of the other participating entities that is a partner in the collaboration. Sets forth certain requirements of the program.

(e) Authorizes a local collaborative agreement under this section to provide for certain actions to be taken as set forth in this subsection.

(f) Authorizes the commissioner to approve innovative instructional techniques for course credit in the enrichment curriculum leading to high school graduation under a collaborative program. Requires the commissioner to develop accountability measures appropriate to those programs. Authorizes the commissioner to fund electronic courses that are part of a collaborative program and are otherwise eligible for state funds. Prohibits funding for an electronic course from exceeding the total amount of state and local funding for a student to which the district or charter school would otherwise be entitled.

(g) Provides that nothing in this section authorizes the award of a high school diploma other than in compliance with Section 28.025.

(h) Requires the commissioner to adopt rules necessary to administer the pilot program under this section.

SECTION 8. Amends Subchapter Z, Chapter 29, Education Code, by adding Section 29.918, as follows:

Sec. 29.918. DROPOUT PREVENTION STRATEGIES. (a) Requires a district or charter school with a high dropout rate, as determined by the commissioner, to submit a plan to the commissioner describing the manner in which the district or charter school intends to use the compensatory education allotment under Section 42.152 (Compensatory Education Allotment) for developing and implementing research-based strategies for dropout prevention, notwithstanding that section.

(b) Prohibits a district or charter school to which this section applies from spending or obligating more than 25 percent of the district's or charter school's compensatory education allotment unless the commissioner approves the plan submitted under Subsection (a).

(c) Requires the commissioner to adopt rules to administer this section. Authorizes the commissioner to impose sanctions under Section 39.131 (Sanctions for Districts) or 39.1321 (Sanctions for Charter Schools) if a district or charter school fails to comply with this section in a timely manner.

SECTION 9. (a) Requires the commissioner to conduct studies of available data and student characteristics for the purpose of developing indicators for students in grades six through 12 who are identified as at risk of dropping out of school, as described by Section 29.081(d), Education Code, and analytical tools for identifying and providing intervention strategies for such students with funds appropriated for that purpose.

(b) Authorizes the commissioner to contract with one or more centers established under Section 1.005, Education Code, to conduct some or all of the studies required by this section.

(c) Requires the commissioner to report the results of studies conducted under this section to the legislature not later than September 1, 2008.

SECTION 10. (a) Provides that this Act applies beginning with the 2007-2008 school year, except as provided by Subsection (b) of this section.

(b) Authorizes the commissioner to delay implementing any part of this Act until the 2008-2009 school year to the extent that the commissioner determines that a study is required to support implementation, data is not currently available to support implementation, or implementation in the 2007-2008 school year is impracticable.

SECTION 11. Effective date: upon passage or September 1, 2007.