

By: West, Royce

S.B. No. 2035

A BILL TO BE ENTITLED

AN ACT

1
2 relating to dropout prevention and intervention in public schools
3 and compulsory school attendance.

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

5 SECTION 1. Sections 7.009(a) and (b), Education Code, are
6 amended to read as follows:

7 (a) In coordination with the Legislative Budget Board, the
8 agency shall establish an online clearinghouse of information
9 relating to best practices of campuses and school districts
10 regarding instruction, dropout prevention, public school finance,
11 resource allocation, and business practices. To the extent
12 practicable, the agency shall ensure that information provided
13 through the online clearinghouse is specific, actionable
14 information relating to the best practices of high-performing and
15 highly efficient campuses and school districts rather than general
16 guidelines relating to campus and school district operation. The
17 information must be accessible by campuses, school districts, and
18 interested members of the public.

19 (b) The agency shall solicit and collect from the
20 Legislative Budget Board, centers for education research
21 established under Section 1.005, and exemplary or recognized school
22 districts, campuses, and open-enrollment charter schools, as rated
23 under Section 39.072, examples of best practices relating to
24 instruction, dropout prevention, public school finance, resource

1 allocation, and business practices, including best practices
2 relating to curriculum, scope and sequence, compensation and
3 incentive systems, bilingual education and special language
4 programs, compensatory education programs, and the effective use of
5 instructional technology, including online courses.

6 SECTION 2. Subchapter B, Chapter 7, Education Code, is
7 amended by adding Section 7.031 to read as follows:

8 Sec. 7.031. STUDY OF BEST PRACTICES FOR DROPOUT PREVENTION.

9 (a) The agency shall contract with one or more centers for
10 education research established under Section 1.005 to:

11 (1) study the best practices of campuses and school
12 districts in this state and other states regarding dropout
13 prevention programs; and

14 (2) prepare a report regarding the findings of the
15 study.

16 (b) The report under Subsection (a) must:

17 (1) identify any high-performing and highly efficient
18 dropout prevention programs;

19 (2) identify the dropout prevention programs under
20 Subdivision (1) that have the most potential for success in this
21 state; and

22 (3) recommend legislation or other actions necessary
23 to implement a dropout prevention program identified under
24 Subdivision (2).

25 (c) Not later than December 1, 2008, the agency shall
26 deliver the report produced under Subsection (a) to the governor,
27 the lieutenant governor, the speaker of the house of

1 representatives, and the presiding officers of the standing
2 committees of each house of the legislature with primary
3 jurisdiction over public education.

4 (d) This section expires January 1, 2009.

5 SECTION 3. Subchapter J, Chapter 21, Education Code, is
6 amended by adding Section 21.4541 to read as follows:

7 Sec. 21.4541. MATHEMATICS INSTRUCTIONAL COACHES PILOT
8 PROGRAM. (a) Using funds appropriated for that purpose, the
9 commissioner by rule shall establish a pilot program under which
10 participating school districts and campuses receive assistance in
11 developing the instructional expertise of teachers who instruct
12 students in mathematics at the middle school, junior high school,
13 or high school level.

14 (b) The commissioner shall select school districts and
15 campuses to participate in the pilot program that have relatively
16 low:

17 (1) levels of student performance at the middle
18 school, junior high school, or high school level on the assessment
19 instruments in mathematics required under Section 39.023; and

20 (2) numbers of teachers who are properly certified in
21 mathematics under Subchapter B.

22 (c) The commissioner shall design the pilot program so that
23 each participating school district or campus has access to the
24 services of an individual who is certified under Subchapter B to
25 teach mathematics at the appropriate grade levels and who has
26 significant experience in providing mathematics instruction to
27 students. The individual must be available to provide

1 instructional coaching to district or campus teachers who provide
2 instruction in mathematics at the middle school, junior high
3 school, or high school level. The instructional coaching may
4 include:

5 (1) providing classes to teachers on effective
6 mathematics instruction;

7 (2) providing individual tutoring to teachers
8 regarding effective mathematics instruction; or

9 (3) engaging in any other activities determined by the
10 commissioner as likely to improve the instructional skills of
11 teachers providing mathematics instruction.

12 (d) The commissioner shall adopt rules necessary to
13 implement the pilot program. In adopting rules under this
14 subsection, the commissioner shall adopt procedures that
15 coordinate a grant of funds under this section with the funding for
16 mentor teachers under Section 21.458.

17 SECTION 4. Subchapter J, Chapter 21, Education Code, is
18 amended by adding Section 21.462 to read as follows:

19 Sec. 21.462. MATHEMATICS, SCIENCE, AND TECHNOLOGY TEACHER
20 PREPARATION ACADEMIES. (a) From funds appropriated for that
21 purpose, the Texas Higher Education Coordinating Board shall
22 establish academies at institutions of higher education to improve
23 the instructional skills of teachers certified under Subchapter B
24 and train students enrolled in a teacher preparation program to
25 perform at the highest levels in mathematics, science, and
26 technology. The coordinating board may adopt rules as necessary to
27 administer this section.

1 (b) Before an institution of higher education establishes
2 an academy under this section, the institution must apply through a
3 competitive process, as determined by the Texas Higher Education
4 Coordinating Board, and meet any requirements established by the
5 coordinating board for designation as an academy under this section
6 and continued funding. The institution of higher education must
7 have a teacher preparation program approved by the State Board for
8 Educator Certification or be affiliated with an approved program in
9 a manner that allows participants to meet the certification
10 requirements under Sections 21.0482, 21.0483, and 21.0484.

11 (c) The Texas Higher Education Coordinating Board and the
12 State Board for Educator Certification shall adopt rules to
13 coordinate the requirements of each board to facilitate the ability
14 of a graduate of an academy established under this section to obtain
15 a master teacher certificate under Section 21.0482, 21.0483, or
16 21.0484.

17 (d) A participant in an academy program must be:

18 (1) an experienced teacher who:

19 (A) is recommended by a school district; and

20 (B) has at least five years experience teaching
21 mathematics, science, or technology in assignments for which the
22 teacher met all certification requirements; or

23 (2) a teacher preparation program candidate who has or
24 will graduate with a degree in mathematics, science, or technology.

25 (e) An academy program shall:

26 (1) offer a masters-level degree as part of the
27 program on a schedule that allows a teacher participant to complete

1 the program and degree while employed as a teacher;

2 (2) coordinate with the mathematics, science, and
3 technology departments of the institution of higher education
4 operating the program to facilitate the ability of:

5 (A) academy participants to take advanced
6 courses and qualify for degrees; and

7 (B) teacher preparation program candidates
8 pursuing mathematics, science, or technology degrees to
9 participate in academy programs;

10 (3) integrate advanced subject-matter coursework with
11 instructional methodology and curriculum delivery; and

12 (4) focus on strengthening instructional skills.

13 (f) An academy program may:

14 (1) provide financial assistance for the purpose of
15 allowing participants to complete the program and obtain a master
16 teacher certificate under Section 21.0482, 21.0483, or 21.0484;

17 (2) include programs in leadership skills to develop
18 training, mentoring, and coaching skills;

19 (3) deliver coursework electronically for some or all
20 of the program; and

21 (4) provide for ongoing professional development and
22 coordination with specific public school instructional programs.

23 (g) The commissioner of education shall, to the extent funds
24 are appropriated for that purpose:

25 (1) develop training materials under Sections 21.454
26 and 21.456 consistent with the academy training and master
27 mathematics, science, and technology certification;

1 (2) coordinate the activities of professional
2 development institutes in mathematics under Section 21.455 with
3 activities of academies established under this section; and

4 (3) target grants under Sections 21.411, 21.412, and
5 21.413 to support experienced teachers participating in an academy
6 program.

7 SECTION 5. Sections 25.085(b) and (e), Education Code, are
8 amended to read as follows:

9 (b) Unless specifically exempted by Section 25.086, a child
10 who is at least six years of age, or who is younger than six years of
11 age and has previously been enrolled in first grade, and who has not
12 completed the school year in which ~~[yet reached]~~ the child's 18th
13 birthday occurs shall attend school.

14 (e) A person who voluntarily enrolls in school or
15 voluntarily attends school ~~[after the person's 18th birthday]~~ shall
16 attend school each school day for the entire period the program of
17 instruction is offered. A school district may revoke for the
18 remainder of the school year the enrollment of a person who has more
19 than five absences in a semester that are not excused under Section
20 25.087. A person whose enrollment is revoked under this subsection
21 may be considered an unauthorized person on school district grounds
22 for purposes of Section 37.107.

23 SECTION 6. Section 28.0212, Education Code, is amended by
24 adding Subsections (d) and (e) to read as follows:

25 (d) The agency shall establish minimum standards for a
26 personal graduation plan under this section.

27 (e) The commissioner may adopt rules as necessary to

1 administer this section.

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

5 Sec. 29.095. GRANTS FOR STUDENT CLUBS. (a) In this section,
6 "student at risk of dropping out of school" has the meaning assigned
7 by Section 29.081(d).

8 (b) The commissioner shall administer a pilot program to
9 provide grants to school districts to fund student club activities
10 for students at risk of dropping out of school. From funds
11 appropriated for purposes of this subchapter, the commissioner
12 shall spend an amount not to exceed \$5 million in any state fiscal
13 biennium on the program.

14 (c) The commissioner may award a grant in an amount not to
15 exceed \$5,000 in a school year to a school district on behalf of a
16 student club at a district high school campus at which at least 60
17 percent of students are identified as students at risk of dropping
18 out of school. To be eligible for a grant, the student club and the
19 club's sponsor must be sanctioned by the campus and district. A
20 grant awarded under this program must be matched by other state,
21 federal, or local funds, including donations, in an amount equal to
22 the amount of the grant. A district shall seek donations or
23 sponsorships from local businesses or community organizations to
24 raise the matching funds. The commissioner may award a grant on
25 behalf of more than one student club at a campus in the same school
26 year.

27 (d) The commissioner shall establish application criteria

1 for receipt of a grant under this section. The criteria must
2 require confirmation that the appropriate campus-level planning
3 and decision-making committee established under Subchapter F,
4 Chapter 11, and the school district board of trustees have approved
5 a plan that includes:

6 (1) a description of the student club;

7 (2) a statement of the student club's goals, intent,
8 and activities;

9 (3) a statement of the source of funds to be used to
10 match the grant;

11 (4) a budget for the student club;

12 (5) a statement showing that the student club's
13 finances are sustainable; and

14 (6) any other information the commissioner requires.

15 (e) The commissioner shall establish the minimum
16 requirements for a local grant agreement, including requiring:

17 (1) the agreement to be signed by the sponsor of a
18 student club receiving a grant and another authorized school
19 district officer; and

20 (2) the district and the student club to participate
21 in an evaluation, as determined by the commissioner, of the club's
22 program and the program's effect on student achievement and dropout
23 rates.

24 (f) A student club may use funds awarded under this section
25 to support academic or co-curricular club activities, other than
26 athletics, in which at least 50 percent of the participating
27 students have been identified as students at risk of dropping out of

1 school. A student club may use funds for materials, sponsor
2 stipends, and other needs that directly support the club's
3 activities. A student club must use the entire amount of the grant
4 to directly fund the club's activities described in the plan
5 approved as provided by Subsection (d). A student club may not use
6 more than 50 percent of a grant to pay sponsor stipends.

7 (g) The school district board of trustees shall ensure that
8 funds awarded under this section are expended in compliance with
9 Subsection (f). At the end of the school year, a student club that
10 receives a grant must submit a report to the board of trustees
11 summarizing the club's activities and the extent to which the club
12 met the club's goals and achieved the club's intent. The decision
13 of the board of trustees under this subsection relating to
14 compliance with Subsection (f) is final and may not be appealed.

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

19 (b) An early warning data system created under this section
20 must use student performance data and other indicators, including
21 one or more of the at-risk indicators described by Section
22 29.081(d), attendance and truancy patterns for the student, and any
23 other information as determined by the commissioner, to identify at
24 the earliest possible time a student likely to drop out of school so
25 that appropriate intervention services may be provided to the
26 student by the school district or open-enrollment charter school.

27 (c) The commissioner shall provide analytical tools to

1 school districts and open-enrollment charter schools to support
2 detection of and early intervention for students likely to drop out
3 of school.

4 Sec. 29.097. COLLABORATIVE DROPOUT REDUCTION PILOT
5 PROGRAM. (a) Using funds appropriated for that purpose, the
6 commissioner by rule shall establish a pilot program under which a
7 school district or open-enrollment charter school may receive a
8 grant to implement a local collaborative dropout reduction program.

9 (b) In selecting school districts or open-enrollment
10 charter schools to participate and receive a grant under this
11 section, the commissioner:

12 (1) shall consider districts and charter schools that:

13 (A) have a relatively high number, as determined
14 by the commissioner, of students in grades six through 12 who drop
15 out of school;

16 (B) operate programs that serve a significant
17 population, as determined by the commissioner, of students who have
18 dropped out of school; and

19 (C) are affected by local factors, including high
20 rates, as determined by the commissioner, of juvenile delinquency
21 and other criminal activity; and

22 (2) may consider the availability to a school district
23 or charter school of the following factors to support a grant under
24 this section:

25 (A) matching funds or other funds; and

26 (B) coordinated services.

27 (c) The commissioner shall establish application criteria

1 for receiving a grant under this section. The criteria must require
2 a school district or open-enrollment charter school that applies
3 for a grant to collaborate with local businesses, other local
4 governments or law enforcement agencies, nonprofit organizations,
5 faith-based organizations, or institutions of higher education to
6 deliver proven, research-based intervention services. The goal of
7 the program is to coordinate services and programs among local
8 entities to:

9 (1) comprehensively reduce the number of students who
10 drop out of school in that community; and

11 (2) increase the job skills, employment
12 opportunities, and continuing education opportunities of students
13 who might otherwise have dropped out of school.

14 (d) The commissioner shall establish minimum standards for
15 a local collaborative agreement, including a requirement that the
16 agreement must be signed by an authorized school district or
17 open-enrollment charter school officer and an authorized
18 representative of each of the other participating entities that is
19 a partner in the collaboration. The program must:

20 (1) limit participation in the program to students
21 authorized to participate by a parent or other person standing in
22 parental relationship;

23 (2) have as a primary goal graduation from high school
24 under at least the minimum high school program;

25 (3) provide for local businesses or other employers to
26 offer paid employment or internship opportunities and advanced
27 career and vocational training;

1 (4) include an outreach component and a lead
2 educational staff member to identify and involve eligible students
3 and public and private entities in participating in the program;

4 (5) serve a population of students of which at least 50
5 percent are identified as students at risk of dropping out of
6 school, as described by Section 29.081(d);

7 (6) allocate not more than 15 percent of grant funds
8 and matching funds, as determined by the commissioner, to
9 administrative expenses;

10 (7) include matching funds from any of the
11 participating entities; and

12 (8) include any other requirements as determined by
13 the commissioner.

14 (e) A local collaborative agreement under this section may:

15 (1) be coordinated with other services provided to
16 students or their families by public or private entities;

17 (2) provide for local businesses to support the
18 program, including:

19 (A) encouraging employees to engage in mentoring
20 students and other school-related volunteer activities; and

21 (B) using matching funds to provide paid time off
22 for volunteer activities under Paragraph (A) and other activities
23 related to encouraging school involvement of parents of students
24 enrolled in the program;

25 (3) allow grant funds to reimburse reasonable costs of
26 participating entities;

27 (4) provide for electronic course delivery by a school

1 district, open-enrollment charter school, or an institution of
2 higher education; and

3 (5) be hosted or housed by a chamber of commerce, local
4 workforce agency, local employer, or other public or private
5 participating entity.

6 (f) The commissioner may approve innovative instructional
7 techniques for course credit in the enrichment curriculum leading
8 to high school graduation under a collaborative program and shall
9 develop accountability measures appropriate to those programs. The
10 commissioner may fund electronic courses that are part of a
11 collaborative program and that are otherwise eligible for state
12 funds. Funding for an electronic course may not exceed the total
13 amount of state and local funding for a student to which the school
14 district or open-enrollment charter school would otherwise be
15 entitled.

16 (g) Nothing in this section authorizes the award of a high
17 school diploma other than in compliance with Section 28.025.

18 (h) The commissioner shall adopt rules necessary to
19 administer the pilot program under this section.

20 SECTION 8. Subchapter Z, Chapter 29, Education Code, is
21 amended by adding Section 29.918 to read as follows:

22 Sec. 29.918. DROPOUT PREVENTION STRATEGIES. (a)
23 Notwithstanding Section 42.152, a school district or
24 open-enrollment charter school with a high dropout rate, as
25 determined by the commissioner, must submit a plan to the
26 commissioner describing the manner in which the district or charter
27 school intends to use the compensatory education allotment under

1 Section 42.152 for developing and implementing research-based
2 strategies for dropout prevention.

3 (b) A school district or open-enrollment charter school to
4 which this section applies may not spend or obligate more than 25
5 percent of the district's or charter school's compensatory
6 education allotment unless the commissioner approves the plan
7 submitted under Subsection (a).

8 (c) The commissioner shall adopt rules to administer this
9 section. The commissioner may impose sanctions under Section
10 39.131 or 39.1321 if a school district or open-enrollment charter
11 school fails to timely comply with this section.

12 SECTION 9. (a) With funds appropriated for that purpose,
13 the commissioner of education shall conduct studies of:

14 (1) available data and student characteristics for the
15 purpose of developing indicators for students in grades six through
16 12 who are identified as at risk of dropping out of school, as
17 described by Section 29.081(d), Education Code; and

18 (2) analytical tools for identifying and providing
19 intervention strategies for the students described by Subdivision
20 (1) of this subsection.

21 (b) The commissioner of education may contract with one or
22 more centers for education research established under Section
23 1.005, Education Code, to conduct some or all of the studies
24 required by this section.

25 (c) The commissioner of education shall report the results
26 of studies conducted under this section to the legislature not
27 later than September 1, 2008.

1 SECTION 10. (a) Except as provided by Subsection (b) of
2 this section, this Act applies beginning with the 2007-2008 school
3 year.

4 (b) The commissioner of education may delay implementing
5 any part of this Act until the 2008-2009 school year to the extent
6 that the commissioner determines that:

7 (1) a study is required to support implementation;

8 (2) data is not currently available to support
9 implementation; or

10 (3) implementation in the 2007-2008 school year is
11 impracticable.

12 SECTION 11. This Act takes effect immediately if it
13 receives a vote of two-thirds of all the members elected to each
14 house, as provided by Section 39, Article III, Texas Constitution.
15 If this Act does not receive the vote necessary for immediate
16 effect, this Act takes effect September 1, 2007.