

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 2258

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Education

4/23/2009

Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Legislation is needed to solidify the Texas Higher Education Coordinating Board's (THECB) role as administrator of intensive summer programs (ISPs) for college students. ISPs are collaborations among school districts and institutions of higher education, and are created to provide intensive academic instruction to promote college and workforce readiness for middle school, high school, and college students identified as being at risk of dropping out of school. The statutory authority to carry out ISPs currently resides in Title 2 of the Education Code, which relates to public education.

Students participating in public education and students participating in higher education are different audiences. Intermingling the duties of the Texas Education Agency, which administers public education ISPs, and THECB, which provides ISPs to college students, is confusing. Clarification is needed to define the separate roles of these two entities.

This bill allows THECB to have greater flexibility and, accordingly, the ability to increase student interest by providing less restrictive eligibility criteria for ISPs.

C.S.S.B. 2258 changes existing law relating to intensive summer programs for public school students and to college readiness programs at public institutions of higher education.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 2 (Section 61.0762, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of higher education and the commissioner of education is rescinded in SECTION 1 (Section 29.098, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 29.098, Education Code, as follows:

Sec. 29.098. INTENSIVE SUMMER PROGRAMS. (a) Requires the commissioner of education (commissioner) to award grants to participating campuses to provide intensive academic instruction during the period in which school is recessed for the summer to promote college and workforce readiness to students identified as being at risk of dropping out of school, as defined by Section 29.081 (Compensatory, Intensive, and Accelerated Instruction). Authorizes a grant awarded under this section to be used to fund any certain categories of programs. Deletes existing definition of "pilot program." Deletes existing Subsection (b), requiring the commissioner of education and the commissioner of higher education by rule to establish a pilot program from funds appropriated for that purpose 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. Deletes existing text authorizing a grant awarded under this section to be used to fund a program administered by an institution of higher education to provide intensive academic instruction in English language arts, mathematic, and science to facilitate the student's transition from high school to a postsecondary institution. Makes nonsubstantive changes.

(b) Redesignates Subsection (c) as Subsection (b). Makes a nonsubstantive change.

(c) Redesignates Subsection (g) as Subsection (c). Makes no changes to this subsection. Deletes existing Subsection (d), authorizing a grant to be awarded to an institution of higher education for a program administered under Subsection (b)(1) (relating to a program administered by an institution of higher education to facilitate the student's transition from high school to postsecondary studies) only if at least 50 percent of the students served in the program meet certain qualifications. Deletes existing Subsection (e), requiring a program supported by a grant to provide intensive summer instruction under this section to provide rigorous academic instruction, provide at least four weeks of instruction, and for a program described by Subsection (b)(2) (relating to a program administered by a school district in partnership with an institution of higher education providing instruction to promote high school completion and college readiness) or (3) (relating to a program administered by a school district in partnership with an institution of higher education to provide intensive academic instruction to students in grades six through eight to promote high school completion and college readiness), be designed and implemented in partnership with an institution of higher education. Deletes existing Subsection (f), requiring an institution of higher education, to the extent practicable, to create work-study opportunities for students enrolled in teacher preparation programs to assist in providing instruction in programs described by this section.

(d) Redesignates Subsection (h) as Subsection (d). Provides that for purposes of Subsection (c)(2) (relating to a grant awarded be matched by not less than \$250 for each participating student in other federal, state, or local funds, including private donations), rather than Subsection (g)(2), a school district is encouraged to use funds allocated under Section 42.2516(b)(3) (relating to certain state revenue to which a school district is entitled).

(e) Redesignates Subsection (i) as Subsection (e). Makes no changes to this subsection.

(f) Redesignates Subsection (j) as Subsection (f). Makes a nonsubstantive change.

(g) Redesignates Subsection (k) as Subsection (g). Requires that instructional materials adopted by the State Board of Education (SBOE) be used for instruction in a program under this section, rather than Subsection (b)(2) or (3). Authorizes SBOE to adopt any additional instructional materials as necessary for a program under this section, rather than Subsection (b)(2) or (3). Deletes existing text authorizing the Texas Higher Education Coordinating Board (THECB) to adopt instructional materials as necessary for students enrolled in a program under Subsection (b)(1).

(h) Redesignates Subsection (l) as Subsection (h). Requires SBOE, rather than THECB, to include information technology instructional resources that incorporate established best practices for instruction among approved instructional materials for intensive summer programs under this section to enhance the effectiveness of the programs.

**SECTION 2. Amends Section 61.0762, Education Code, as follows:**

**Sec. 61.0762. PROGRAMS TO ENHANCE STUDENT SUCCESS.** (a) Creates this subsection from existing text. Requires THECB by rule, to implement the college readiness and success strategic action plan adopted under Section 61.0761 (P-16 College Readiness and Success Strategic Action Plan) and to enhance the success of students at institutions of higher education, rather than by rule to develop, to:

- (1) develop higher education bridge programs, rather than develop summer higher education bridge programs, in the subject areas of mathematics, science, social science, or English language arts, rather than in the subject areas of mathematics, science, social science, and English language arts, to increase student success by reducing the need for developmental education;
- (2) develop incentive programs for institutions of higher education that implement research-based, innovative developmental education initiatives;
- (3) award grants to institutions of higher education for intensive programs designed to address the needs of students at risk of dropping out of college, rather than financial assistance programs for educationally disadvantaged students, as defined by Section 5.001 (Definitions), who take college entrance and college readiness assessment instruments;
- (4) develop professional development programs for faculty of institutions of higher education on college readiness standards and the implications of such standards on instruction; and
- (5) develop other programs as determined by THECB that support the participation and success goals in "Closing the Gaps," the state's master plan for higher education.

(b) Authorizes THECB to award a grant under Subsection (a)(3) to an institution of higher education only if at least 50 percent of the students served in the program have a score on the Scholastic Assessment Test (SAT) or American College Test (ACT) that is less than the national mean score for that test; have been awarded a grant under the federal Pell grant program; are at least 20 years of age on the date the student enrolls as a first-time freshman in the institution of higher education; have enrolled or will initially enroll as a part-time student; or meet any other requirements established by THECB.

SECTION 3. Amends Section 39.363, Education Code, as follows:

Sec. 39.363. FUNDING FOR CERTAIN PROGRAMS. (a) Requires THECB, from funds appropriated, to allocate \$8.75 million each year to establish mathematics, science, and technology teacher preparation academies under Section 21.462 (Mathematics, Science, and Technology Teacher Preparation Academies), provide funding to the commissioner of education to implement and administer the program under Section 29.098, and award grants under Section 61.0762(a)(3), rather than establish mathematics, science, and technology teacher preparation academies under Section 21.462, and implement and administer the program under Section 29.098.

(b) Requires THECB to establish mathematics, science, and technology teacher preparation academies under Section 21.462, provide funding to the commissioner of education to implement and administer the program under Section 29.098, and award grants under Section 61.0762(a)(3) in a manner consistent with the goals of this subchapter and the goals in "Closing the Gaps," the state's master plan for higher education, rather than establish mathematics, science, and technology teacher preparation academies under Section 21.462 and implement and administer the program under Section 29.098 in a manner consistent with the goals of this subchapter and the goals in "Closing the Gaps," the state's master plan for higher education.

SECTION 4. Effective date: upon passage or September 1, 2009.