

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1108  
By: Shapiro  
Education  
3/27/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, Texas needs to focus on academic achievement in high schools. According to the *Closing the Gaps* report, Texas must increase the number of students completing bachelor's degrees from 57,000 to 104,000 by 2015 to place Texas above the national average. C.S.S.B. 1108 establishes a statewide standard for high-quality teachers; requires personal graduation plans for students at risk of not receiving a diploma; permits students who have performed poorly on statewide assessments to receive credit for additional core courses in lieu of an elective enrichment course; requires the development of an on-line diagnostic and assistance program in each TAKS subject area to help students prepare for the 11th grade exit-level test administration; and allows participation in an innovative redesign project as one of the options to improve low-performing schools.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 21.005, Education Code) of this bill.

Rulemaking authority is expressly granted to the State Board of Education in SECTION 2 (Section 28.002(d-1), Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 21A, Education Code, by adding Section 21.005, as follows:

Sec. 21.005. HIGH-QUALITY TEACHERS. Authorizes the commissioner of education (commissioner) by rule to establish a statewide standard to be used to certify each school district that is preparing, training, and recruiting high-quality teachers in a manner consistent with the No Child Left Behind Act of 2001 (Pub. L. No. 107-110).

SECTION 2. Amends Section 28.002, Education Code, by adding Subsection (d-1), as follows:

(d-1) Authorizes the State Board of Education by rule to allow a high school student to substitute a foundation curriculum, if the student is at risk of dropping out of school because of poor performance on an assessment instrument administered under Section 39.023(a), (c) or (1), in addition to any foundation curriculum courses otherwise required for high school graduation, for an elective enrichment curriculum course otherwise required for high school graduation as necessary to improve the student's performance on the assessment instrument. Provides that a student enrolled in a foundation curriculum course under this subsection is entitled to receive credit for purposes of high school graduation requirements as if the student were enrolled in an enrichment curriculum course.

SECTION 3. Amends Chapter 28B, Education Code, by adding Sections 28.0212 and 28.0213, as follows:

Sec. 28.0212. PERSONAL GRADUATION PLAN. (a) Requires a principal to designate a guidance counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan for each student enrolled in a junior, middle, or

high school who fails to meet certain standards.

(b) Requires a personal graduation plan to meet certain requirements.

(c) Authorizes a student's individualized education program developed under Section 29.005 to be used as the student's personal graduation plan under this section, notwithstanding Subsection (b).

Sec. 28.0213. INTENSIVE INSTRUCTION PROGRAM. (a) Requires a school district to offer an intensive instruction program for each student who does not perform satisfactorily on an assessment instrument administered under Chapter 39B.

(b) Requires the school district, for a student who does not perform satisfactorily on an assessment instrument administered under Section 39.023(a), (c), or (1), to design a program that enables the student to meet certain standards and, if applicable, carries out the purposes of Section 28.0211.

(c) Requires the student's admission, review, and dismissal committee to design for a student in a special education program under Chapter 29A, who does not perform satisfactorily on an assessment instrument administered under Section 39.023(a), (b), or (c), a program that enables the student to attain a standard of annual growth on the basis of the student's individualized education program and, if applicable, carries out the purposes of Section 28.0211.

SECTION 4. Amends Chapter 29Z, Education Code, by adding Section 29.908, as follows:

Sec. 29.908. PROGRAMS OF MUTUAL BENEFIT. (a) Requires the commissioner, in coordination with appropriate representatives of institutions of higher education and school districts to develop a diagnostic and assistance program for each subject assessed by an assessment instrument under Section 39.023(c) and other academic programs of mutual benefit to school districts and institutions of higher education.

(b) Requires the commissioner to make available on the Internet each diagnostic and assistance program developed under Subsection (a)(1).

SECTION 5. Amends Section 39.131(b), Education Code, to authorize the commissioner to permit a low-performing campus to participate in an innovative redesign of the campus to improve campus performance or to take certain actions, listed in order of severity, to the extent the commissioner determines necessary.

SECTION 6. Amends Section 42.152(e), Education Code, to authorize the commissioner to retain a portion of the total amount allotted under Subsection (a) that the commissioner considers appropriate to finance intensive instruction programs under Section 28.0213 and study guides provided under Section 39.024(c), rather than Sections 39.024(b) and (c).

SECTION 7. Repealer: Section 39.024(b), Education Code, (regarding intensive programs of instruction for certain students).

SECTION 8. Provides that this Act applies beginning with the 2003-2004 school year, except that the commissioner of education shall make available by the beginning of the 2004-2005 school year the programs developed under Section 29.908(a)(1), Education Code, as added by this Act.

SECTION 9. Effective date: upon passage or September 1, 2003.

#### **SUMMARY OF COMMITTEE CHANGES**

SECTION 3. Differs from the original bill in proposed Section 28.0212(a) by replacing the phrase "A school district shall adopt and administer" with "A principle shall designate a

guidance counselor, teacher, or other appropriate individual to develop and administer.”

Differs from the original bill in proposed Section 28.0212 by adding a new Subsection (c).

Differs from the original bill in proposed Section 28.0213(c) by adding the phrase “For a student in a special education program under Chapter 29A” to the subsection.

Differs from the original bill in proposed Section 28.0213(c) by adding a reference to Subsection (a) or (c) regarding the assessment administered under Section 39.023.