

## AN ACT

relating to assisting prospective students in enrolling in institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.903 to read as follows:

Sec. 29.903. PLAN TO INCREASE ENROLLMENT IN INSTITUTIONS OF HIGHER EDUCATION. (a) This section applies only to a school district with one or more high schools that:

(1) during the preceding five years, have had an average of at least 26 students in the high school graduating class; and

(2) for any two consecutive years during the preceding five years, have been among the lowest 10 percent of high schools in this state in the percentage of students graduating from the high school and enrolling for the following academic year in an institution of higher education.

(b) The agency and the Texas Higher Education Coordinating Board shall collaborate in identifying each school district to which this section applies. Not later than May 1 of each year:

(1) the agency shall notify a district to which this section applies of the applicability of this section to the district unless the district is operating under a plan required by this section; and

(2) the coordinating board shall notify each public institution of higher education in this state in closest geographic proximity to a district to which this section applies of the applicability of this section to the district unless the district is operating under a plan required by this section.

(c) Except as otherwise provided by this subsection, not later than August 1 of the year in which a school district receives notice under Subsection (b), the district shall enter into an agreement with the public institution of higher education in this state in closest geographic proximity to the district to develop a plan to increase the percentage of the district's graduating seniors who enroll in an institution of higher education for the academic year following graduation. The public institution of higher education in this state in closest geographic proximity to the district shall enter into an agreement under this subsection unless that institution of higher education or the district recruits another public institution of higher education in this state to enter into that agreement. A district and the public institution of higher education entering into the agreement with the district may also enter into an agreement with one or more other public institutions of higher education in this state to participate in developing the plan.

(d) A plan developed under this section:

(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;

(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described

3-6 by Subsection (a) who:

3-7 (A) are enrolled in a course for which a student  
 3-8 may earn college credit, such as an advanced placement or  
 3-9 international baccalaureate course or a course offered through  
 3-10 concurrent enrollment in high school and at an institution of  
 3-11 higher education;

3-12 (B) are enrolled in courses that meet the  
 3-13 curriculum requirements for the recommended or advanced high school  
 3-14 program as determined under Section 28.025;

3-15 (C) have submitted a free application for  
 3-16 federal student aid (FAFSA);

3-17 (D) are exempt under Section 51.306(1) or (m)  
 3-18 from administration of a test instrument under Section 51.306 or  
 3-19 have performed successfully on a test instrument under Section  
 3-20 51.306;

3-21 (E) graduate from high school;

3-22 (F) graduate from an institution of higher  
 3-23 education; and

3-24 (G) have taken college entrance examinations and  
 3-25 the average score of those students on the examinations;

3-26 (3) must cover a period of at least five years; and

3-27 (4) may be directed at district students at any level  
 4-1 of primary or secondary education.

4-2 (e) A school district shall file the plan with the  
 4-3 commissioner of education and the commissioner of higher education.

4-4 (f) A school district must implement the plan at the  
 4-5 beginning of the school year following the year during which the  
 4-6 district receives notice under Subsection (b).

4-7 (g) A school district may revise the plan as necessary in  
 4-8 response to achieving or failing to achieve goals under the plan.

4-9 SECTION 2. Subchapter C, Chapter 61, Education Code, is  
 4-10 amended by adding Section 61.088 to read as follows:

4-11 Sec. 61.088. HIGHER EDUCATION ASSISTANCE PILOT PROGRAM. (a)  
 4-12 The board shall administer and coordinate the Higher Education  
 4-13 Assistance Pilot Program to:

4-14 (1) provide to prospective students in three areas of  
 4-15 this state with the highest number of students who do not attend  
 4-16 institutions of higher education, as determined by the board,  
 4-17 information related to enrollment in public or private or  
 4-18 independent institutions of higher education, including admissions  
 4-19 and financial aid information; and

4-20 (2) assist those prospective students in completing  
 4-21 applications related to enrollment in those institutions, including  
 4-22 admissions and financial aid applications.

4-23 (b) The board shall provide the information and assistance  
 4-24 required by this section at least twice each year at one or more  
 4-25 appropriate locations in each area served by the pilot program.

4-26 (c) The board may coordinate with an institution of higher  
 4-27 education or other entity to provide the information and assistance  
 5-1 required by this section in each area served by the pilot program.

5-2 (d) Not later than August 31, 2003, the board shall submit  
 5-3 to the legislature a report on the effectiveness of the pilot  
 5-4 program, including recommendations on whether to implement the  
 5-5 program on a statewide basis.

5-6 (e) The pilot program ends and this section expires August  
 5-7 31, 2003.

5-8 SECTION 3. The Texas Higher Education Coordinating Board is

5-9 required to implement Section 61.088, Education Code, as added by  
 5-10 this Act only if the legislature appropriates money specifically  
 5-11 for that purpose. If the legislature does not appropriate money  
 5-12 specifically for that purpose, the board may implement Section  
 5-13 61.088 using other appropriations available for the purpose.

5-14 SECTION 4. Notwithstanding Section 29.903, Education Code,  
 5-15 as added by this Act, the Texas Education Agency and the Texas  
 5-16 Higher Education Coordinating Board shall identify initial school  
 5-17 districts to which that section applies and provide notice to the  
 5-18 districts or public institutions of higher education, as  
 5-19 applicable, as prescribed by Subsection (b), Section 29.903,  
 5-20 Education Code, as added by this Act, as soon as practicable after  
 5-21 the effective date of this Act but not later than September 30,  
 5-22 2001. Each initial school district identified shall enter into an  
 5-23 agreement with a public institution of higher education in this  
 5-24 state, as prescribed by Subsection (c), Section 29.903, Education  
 5-25 Code, as added by this Act, as soon as practicable after receiving  
 5-26 notice in accordance with this section but not later than December  
 5-27 31, 2001. Each initial school district shall implement a plan to  
 6-1 increase enrollment of public school students in institutions of  
 6-2 higher education, as prescribed by Section 29.903, Education Code,  
 6-3 as added by this Act, beginning with the 2002-2003 school year.

6-4 SECTION 5. This Act takes effect immediately if it receives  
 6-5 a vote of two-thirds of all the members elected to each house, as  
 6-6 provided by Section 39, Article III, Texas Constitution. If this  
 6-7 Act does not receive the vote necessary for immediate effect, this  
 6-8 Act takes effect September 1, 2001.

\_\_\_\_\_  
 President of the Senate

\_\_\_\_\_  
 Speaker of the House

I certify that H.B. No. 400 was passed by the House on April 24, 2001, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 400 on May 24, 2001, by a non-record vote.

\_\_\_\_\_  
 Chief Clerk of the House

I certify that H.B. No. 400 was passed by the Senate, with amendments, on May 22, 2001, by the following vote: Yeas 30, Nays 0, 1 present, not voting.

\_\_\_\_\_  
 Secretary of the Senate

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Governor