

## CHAPTER 682

H.B. No. 1261

## AN ACT

relating to establishing the Texas partnership and scholarship program.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Title 2, Education Code, is amended by adding Chapter 35 to read as follows:

**CHAPTER 35. TEXAS PARTNERSHIP AND SCHOLARSHIP PROGRAM***Sec. 35.01. DEFINITIONS. In this chapter:**(1) "Advisory council" means the Texas partnership and scholarship program advisory council created under this chapter.**(2) "Board" means the Texas Higher Education Coordinating Board.**(3) "Institution of higher education" has the meaning assigned by Section 61.003 of this code and includes private colleges and universities accredited by a recognized agency under Section 61.003(13) of this code.**Sec. 35.02. PROGRAM NAME AND PURPOSE. (a) The program established under this chapter is known as the Texas partnership and scholarship program.**(b) The purpose of the Texas partnership and scholarship program is to provide financial assistance to institutions of higher education, school districts, and nonprofit organizations that operate partnership programs designed to encourage students who are at risk of dropping out of school to remain in school, graduate, and seek a college education.**(c) The Texas partnership and scholarship program is designed to award a four-year college scholarship for tuition and fees for students who participate in a partnership program during their high school years and who meet the criteria established by this chapter and by board rule.**Sec. 35.03. ADMINISTRATIVE AUTHORITY. (a) The board shall administer the Texas partnership and scholarship program. The advisory council shall assist the board as provided by this chapter.**(b) The board shall provide financial assistance on a competitive basis to eligible entities that operate partnership programs that qualify under this chapter.**Sec. 35.04. ELIGIBLE ENTITY. (a) To be eligible to receive financial assistance under this chapter, an entity must be an institution of higher education or a school district or nonprofit organization that does not incur debt and that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986.**(b) An eligible entity must apply for financial assistance on a form provided by the board and meet any other reasonable requirements established by board rule.**Sec. 35.05. PROGRAM PARTICIPANTS. To be eligible to participate in the partnership program, a student must be enrolled at an elementary or secondary school that meets the selection criteria under Section 35.06 of this code.**Sec. 35.06. AWARD OF FINANCIAL ASSISTANCE; PARTNERSHIP PROGRAM. (a) The board, on a competitive basis, may award financial assistance to an eligible entity that provides support services to students selected as program participants.**(b) The types of services provided to program participants by a partnership program must include a mentoring program and may include skills assessment, tutoring, academic and*

personal counseling, family counseling and home visits, staff development activities for personnel with direct responsibility for program participants, and mentoring programs.

(c) An eligible entity must make application to the board to receive financial assistance under this chapter. An application must demonstrate that the program contains the following elements:

(1) involvement of public school officials, teachers, and counselors in identifying and selecting students in elementary school for participation in the partnership program during the elementary and secondary school grades;

(2) criteria for the selection of program participants that include consideration of:

(A) whether the student has a high risk of dropping out of school as measured by academic performance, attendance, discipline problems, and other factors affecting school performance, including teenage pregnancy or parenting, substance abuse, child abuse or neglect, or limited English proficiency; and

(B) whether the student is a low-income student as defined by board rule;

(3) academic and counseling support services for program participants;

(4) involvement of parents and community volunteers to the extent possible; and

(5) an evaluation component that includes follow-up relating to the academic performance of program participants during secondary school and the program participants' plans concerning college attendance.

(d) If financial assistance is awarded to an eligible entity that is not a school district, the application must include a description of the frequency and manner of involvement of the public schools and school personnel, especially teachers and counselors, with the partnership program.

(e) In awarding financial assistance under this chapter, the board shall give priority to an application that:

(1) provides support services to students enrolled in a public school, including a rural public school, that is in a school district identified by the Central Education Agency as having a higher than average dropout rate;

(2) is from an eligible entity with demonstrated experience in providing support services to students who are at high risk of dropping out of school;

(3) emphasizes cooperation with the public schools in which potential program participants are enrolled, including communication with the at-risk coordinator designated under Section 11.205(c) of this code; and

(4) emphasizes parent involvement and volunteer participation from community members.

(f) Each eligible entity that receives financial assistance under this chapter must submit to the board:

(1) an annual report in the form provided by board rule that includes an evaluation of the partnership program administered by the eligible entity and follow-up information relating to the academic performance and college plans of the program participants; and

(2) a list of the names of program participants who are eligible to receive a certificate of completion under Section 35.07 of this code.

**Sec. 35.07. CERTIFICATE OF COMPLETION.** The board shall issue a certificate of completion to each student who completes participation in a partnership program established under this chapter and who meets all other requirements established by this chapter and by board rule.

**Sec. 35.08. COOPERATION OF CENTRAL EDUCATION AGENCY.** (a) The Central Education Agency and the commissioner of education shall cooperate with the board concerning the board's responsibilities in administering this chapter.

(b) The Central Education Agency shall provide the board with any information concerning the public schools and enrolled students that the board requires to administer this chapter and that is not considered confidential under other law.

*Sec. 35.09. AWARD OF SCHOLARSHIP. (a) The board shall award a scholarship for tuition and compulsory fees, including laboratory and building use fees, as provided by this section to a student:*

*(1) who has received a certificate of completion from the board under Section 35.07 of this code;*

*(2) who, not later than the second anniversary of the date that the student completes high school, enrolls at an institution of higher education in this state, a private institution of higher education in this state, or an out-of-state public or private institution of higher education; and*

*(3) who applies for the scholarship on a form provided by the board.*

*(b) If a student eligible to receive a scholarship under this section enrolls at an institution of higher education in this state, the board shall award the student a scholarship under this section in the amount of tuition and compulsory fees charged at that institution.*

*(c) If a student eligible to receive a scholarship under this section enrolls at a private institution of higher education in this state or an out-of-state public or private institution of higher education, the board shall award the student a scholarship in the amount of the lesser of:*

*(1) the amount of tuition and compulsory fees charged at that institution; or*

*(2) the amount of the average cost of tuition and compulsory fees charged at a public senior college or university, as defined by Section 61.003 of this code.*

*(d) A scholarship under this section may not be used to pay voluntary fees or charges for room and board.*

*(e) If a student who receives a scholarship under this section meets the qualifications under Subsection (g) of this section, the board shall award a scholarship to the student for:*

*(1) four academic years of full-time undergraduate student or the equivalent of part-time study; or*

*(2) five academic years of full-time undergraduate student or the equivalent of part-time study, if the program of study requires five years, as determined by the board.*

*(f) A semester, quarter, or term of enrollment during which a student receives an award for part-time study under this section is counted as one-half of a semester, quarter, or term, as appropriate.*

*(g) To qualify to continue receiving a scholarship as provided by Subsection (e) of this section, a student must:*

*(1) retain good academic standing, as provided by board rule;*

*(2) apply for a scholarship each year on a form and in the manner provided by board rule; and*

*(3) meet any other reasonable requirements established under this subchapter by board rule.*

*Sec. 35.10. ADVISORY COUNCIL. (a) The Texas partnership and scholarship program advisory council consists of:*

*(1) the commissioner of higher education and the commissioner of education, who serve as ex officio members;*

*(2) three members of the public appointed by the governor;*

*(3) two members of the public appointed by the lieutenant governor; and*

*(4) two members of the public appointed by the speaker of the house of representatives.*

*(b) A member of the advisory council serves for a three-year term and may be reappointed for one three-year term, but may not serve more than a total of six years. The term of a member expires on February 1.*

*(c) The advisory council shall elect a presiding officer by a majority vote of its members.*

*(d) A vacancy on the advisory council shall be filled in the same manner in which the position was originally filled. The person who fills the vacancy serves for the remainder of the unexpired term.*

(e) *Members of the advisory council serve without compensation but are entitled to reimbursement for actual and necessary expenses.*

(f) *The advisory council shall:*

(1) *review a summary of each application from an eligible entity for a grant to establish a partnership program and provide its recommendations to the board concerning those applications;*

(2) *assist the board in evaluating each partnership program established under this chapter;*

(3) *advise the board concerning any rules adopted by the board under this chapter; and*

(4) *provide any other assistance to the board that the board considers necessary to administer this chapter.*

(g) *The board shall provide the advisory council with technical and clerical assistance at the request of the council.*

**Sec. 35.11. GIFTS, GRANTS, AND DONATIONS.** *The board may solicit and accept gifts, grants, and donations for the purposes of this chapter. The board may accept a grant on a matching basis for the purposes of this chapter and shall encourage private business and industry to provide matching funds.*

**Sec. 35.12. ADOPTION AND DISTRIBUTION OF RULES.** (a) *The board may adopt reasonable rules, consistent with the purposes of this chapter, to carry out and enforce the requirements expressed by this chapter.*

(b) *The board shall distribute to the Central Education Agency, each public and private institution of higher education, each public school district, and any other appropriate entity copies of all rules adopted under this chapter.*

**Sec. 35.13. FUNDING.** *Financial assistance provided under this chapter is payable solely from funds accepted by the board under Section 35.11 of this code.*

**Sec. 35.14. ANNUAL REPORT.** *Not later than September 1 of each year, the board shall submit to the governor and the legislature a report that includes an evaluation of each partnership program and recommendations concerning the effectiveness of the Texas partnership and scholarship program in motivating students to remain in school and to make plans to attend college.*

**SECTION 2.** (a) *The governor, lieutenant governor, and speaker of the house of representatives shall make their appointments to the Texas partnership and scholarship advisory council not later than January 1, 1994. For the initial members of the advisory council, each appointing authority shall designate one appointee to serve for a three-year term and one appointee to serve for a two-year term, and the governor shall designate the governor's remaining appointee to serve for a one-year term.*

(b) *Not later than January 1, 1994, the Texas Higher Education Coordinating Board shall begin accepting applications for financial assistance under the Texas partnership and scholarship program established under this Act and shall award financial assistance as soon as practicable for the 1994–1995 school year.*

(c) *Not later than September 1, 1995, the board shall submit to the governor and the legislature its first annual report concerning the Texas partnership and scholarship program.*

**SECTION 3.** *The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.*

*Passed by the House on May 12, 1993, by a non-record vote; passed by the Senate on May 29, 1993: Yeas 31, Nays 0.*

*Approved June 15, 1993.*

*Effective Aug. 30, 1993, 90 days after date of adjournment.*