AN ACT

relating to limitations on courses that may be offered for dual
credit by school districts and public institutions of higher
education.

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

SECTION 1. Section 28.009, Education Code, is amended by
adding Subsections (a-4), (a-5), and (b-1) to read as follows:
(a-4) A dual credit course offered under this section must
be:
(1) in the core curriculum of the public institution
of higher education providing college credit;
(2) a career and technical education course; or
(3) a foreign language course.
(a-5) Subsection (a-4) does not apply to a dual credit
course offered as part of the early college education program
established under Section 29.908 or any other early college program
that assists a student in earning a certificate or an associate
degree while in high school.
(b-1) The agency and the Texas Higher Education
Coordinating Board shall coordinate as necessary to adopt rules for
the implementation of Subsections (a-4) and (a-5). In adopting
those rules, the agency and the coordinating board shall use the
negotiated rulemaking procedures under Chapter 2008, Government
Code, and consult with relevant stakeholders.
S.B. No. 1091

SECTION 2. Section 51.968, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (d-1), and (d-2) to read as follows:

(b) Each institution of higher education that offers freshman-level courses shall adopt and implement a policy to grant undergraduate course credit to entering freshman students who have:

(1) successfully completed the International Baccalaureate Diploma Program;

(2) [who have] achieved required scores on one or more examinations in the Advanced Placement Program or the College-Level Examination Program; or

(3) [who have] successfully completed one or more dual credit courses [offered through concurrent enrollment in high school and at an institution of higher education].

(c) In the policy, the institution shall:

(1) establish the institution's conditions for granting course credit, including the minimum required scores on CLEP examinations, Advanced Placement examinations, and examinations for courses constituting the International Baccalaureate Diploma Program; and

(2) based on the correlations identified under Subsection (f), identify the specific course credit or other academic requirements of the institution, including the number of semester credit hours or other course credit, that the institution will grant to a student who:

(A) successfully completes the diploma program;

(B) achieves required scores on CLEP
examinations or Advanced Placement examinations; or

(C) [who] successfully completes a dual credit
course [through concurrent enrollment, or who achieves required
scores on CLEP examinations or Advanced Placement examinations].

(d) The policy adopted by an institution of higher education
under Subsection (b) must provide that the institution may grant
undergraduate course credit for a dual credit course only if the
course is:

(1) in the core curriculum of the institution of
higher education that offered the course;

(2) a career and technical education course; or

(3) a foreign language course.

(d-1) Subsection (d) does not apply to a dual credit course
completed by a student as part of the early college education
program established under Section 29.908 or any other early college
program that assists a student in earning a certificate or an
associate degree while in high school.

(d-2) The coordinating board, in coordination with the
Texas Education Agency, shall adopt rules to implement Subsections
(d) and (d-1). In adopting those rules, the coordinating board
shall use the negotiated rulemaking procedures under Chapter 2008,
Government Code, and consult with relevant stakeholders.

SECTION 3. Section 130.008, Education Code, is amended by
adding Subsections (a-1), (a-2), and (a-3) to read as follows:

(a-1) A course offered for joint high school and junior
college credit under this section must be:

(1) in the core curriculum of the public junior
subsection (a-1) does not apply to a course offered for joint high school and junior college credit to a student as part of the early college education program established under section 29.908 or any other early college program that assists a student in earning a certificate or an associate degree while in high school.

(a-3) The Texas Higher Education Coordinating Board, in coordination with the Texas Education Agency, shall adopt rules to implement subsections (a-1) and (a-2). In adopting those rules, the coordinating board shall use the negotiated rulemaking procedures under chapter 2008, Government Code, and consult with relevant stakeholders.

section 4. The changes in law made by this Act apply beginning with dual credit courses offered for the 2018 spring semester.

section 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by section 39, article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.
S.B. No. 1091

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1091 passed the Senate on April 3, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 27, 2017, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1091 passed the House, with amendments, on May 24, 2017, by the following vote: Yeas 135, Nays 11, one present not voting.

Chief Clerk of the House

Approved:

6-9-2017

Date

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017
Secretary of State
TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1091 by Seliger (Relating to limitations on courses that may be offered for dual credit by school districts and public institutions of higher education.), As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend the Education Code to restrict dual credit course offerings in the state to only those courses which are: 1) in the core curriculum of the public institution of higher education or public junior college providing the college credit; 2) a career and technical education course; or 3) a foreign language course. These limitations would not apply to Early College High School programs offered under Education Code Sec. 29 908 or other early college high school programs that would assist students in earning an associate degree while in high school. The bill also would require institutions to adopt and implement credit granting policies for students who have achieved required scores on certain examinations.

The bill would require the Texas Education Agency (TEA) and Texas Higher Education Coordinating Board (THECB) to coordinate and adopt necessary rules for implementation of the bill's provisions.

Statute and administrative rules limit the types of courses that may be reported for state formula funds to courses in the core curriculum, career and technical education courses, and foreign language courses. As a result, the bill's limitations on course type are not anticipated to have a fiscal impact to the state. It is also assumed that costs to TEA and THECB to coordinate and develop rules as necessary would not be significant and could be absorbed within existing resources.

The bill would take immediate effect if it receives a two-thirds vote of each house of the Legislature. Otherwise, the bill would take effect September 1, 2017. Changes made by the bill would apply beginning with dual credit courses offered for the spring 2018 semester.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. According to the Texas Education Agency, there may be a small administrative cost to school districts to ensure dual credit courses align with the provisions of the bill.

Source Agencies: 701 Texas Education Agency, 710 Texas A&M University System
LBB Staff: UP, THo, JJ, AKU
TO: Honorable J. M. Lozano, Chair, House Committee on Higher Education
FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1091 by Seliger (Relating to limitations on courses that may be offered for dual credit by school districts and public institutions of higher education.), Committee Report 2nd House, Substituted

No fiscal implication to the State is anticipated.

The bill would amend the Education Code to restrict dual credit course offerings in the state to only those courses which are: 1) in the core curriculum of the public institution of higher education or public junior college providing the college credit; 2) a career and technical education course; or 3) a foreign language course. These limitations would not apply to Early College High School programs offered under Education Code Sec. 29.908 or other early college high school programs that would assist students in earning an associate degree while in high school. The bill also would require institutions to adopt and implement credit granting policies for students who have achieved required scores on certain examinations.

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Source Agencies: 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

LBB Staff: UP, THo, JJ, AKU
TO: Honorable Kel Seliger, Chair, Senate Committee on Higher Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1091 by Seliger (Relating to limitations on courses that may be offered for dual credit by school districts and public institutions of higher education.), As Introduced

No fiscal implication to the State is anticipated.

The bill would amend the Education Code to restrict dual credit course offerings in the state to only those courses which are: 1) in the core curriculum of the public institution of higher education or public junior college providing the college credit; 2) a career and technical education course; or 3) a foreign language course. These limitations would not apply to Early College High School programs offered under Education Code Sec. 29.908. The bill also would require institutions to adopt and implement credit granting policies for students who have achieved required scores on certain examinations.

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