

RELATIONS WITH SCHOOLS AND DISTRICTS

GH  
(LEGAL)

**Facilities**

Dual Usage  
Educational  
Complex

The board of trustees of a junior college district may establish and operate a dual usage educational complex to provide a shared facility for the educational activities of the district and other participating entities.

The board of trustees may enter into a cooperative agreement governing the operation and use of the complex with the governing bodies of one or more of the following entities: a county, municipality, or school district located in whole or in part in the service area of the junior college district; or another institution of higher education with a campus or other educational facility located in the same state uniform service region as adopted by the Coordinating Board.

The junior college district shall coordinate and supervise the operation of the complex. The use and the costs associated with the establishment and operation of the complex shall be shared by the district and the other participating entities under the terms of the cooperative agreement.

*Education Code 130.0103*

Design or  
Construction of an  
Instructional or  
Athletic Facility

An independent school district and an institution of higher education, including a college district, located wholly or partially in the boundaries of the county in which the district is located, may contract for the district to contribute district resources to pay a portion of the costs of the design or construction of an instructional facility or a stadium or other athletic facilities owned by or under the control of the institution of higher education. A district may contribute district resources only if the district and the institution of higher education enter into a written agreement authorizing the district to use that facility.

One or more independent school districts and an institution of higher education may contract for the district to contribute district resources to pay a portion of the costs of the design, improvement, or construction of an instructional facility owned by or under the control of the institution of higher education. A district may contribute district resources only if the district and the institution of higher education enter into a written agreement authorizing the district to use that facility, including authorizing the enrollment of the district's students in courses offered at that facility.

*Education Code 45.109(a-1)–(a-2)*

Use of Athletic  
Facilities

Any independent school district, acting by and through its board of trustees, may contract with any institution of higher education located wholly or partially within its boundaries, for the use of any stadium and other athletic facilities owned by or under the control of the institution of higher education. The contract may be for any

period not exceeding 75 years and may contain terms agreed on by the parties. *Education Code 45.109(a)*

College Courses in  
School District  
Facilities

The trustees of an independent school district located in a county contiguous to, but not a part of, a community college district and the governing board of the community college district may enter into a contract providing for the community college to hold college courses in the school district's facilities. The contract must be approved by resolution of the governing boards of the community college district and the school district.

For purposes of state funding, a course held in the school district facilities is considered to be a course held in the community college district if the course:

1. Has been approved by a regional higher education council recognized by rule of the Coordinating Board and in which the district has been designated a member by the Coordinating Board; and
2. Is approved by the Coordinating Board as an out-of-district course for the community college district.

Any statutory or regulatory requirement of local support of a community college program is satisfied by the school district providing its facilities without charge to the community college if the total community college enrollment in the school district does not exceed 1,000 full-time students, or the equivalent.

Either party may terminate a contract under this section by giving the other party at least one year's written notice.

*Education Code 130.006*

School District  
Courses on College  
District Campus

The board of trustees of a school district may operate a school or program or hold a class on the campus of an institution of higher education in this state, including a college district, if the board obtains written consent from the president or other chief executive officer of the institution.

The president or other chief executive officer of an institution of higher education may provide written consent to a board of trustees of a school district regardless of whether the institution is located within the boundaries of the school district.

*Education Code 11.166*

**Reports of Academic  
Achievement**

Each public two-year college shall report student performance as prescribed below to the high school or public two-year college last attended during the first year a student is enrolled after graduation from high school.

A student performance report includes initial assessment student test scores, as prescribed under 19 Administrative Code Chapter 4, Subchapter C (relating to the Texas Success Initiative (TSI)), descriptions of developmental education courses required, and individual student grade point averages.

Appropriate safeguards shall be implemented to ensure student privacy in these reports.

*Education Code 51.403(e); 19 TAC 9.23*

**College Credit Program**

Each school district shall implement a program under which students may earn the equivalent of at least 12 semester credit hours of college credit in high school. On request, a public institution of higher education in this state, including a college district, shall assist the school district in developing and implementing a program. The college credit may be earned through:

1. International baccalaureate, advanced placement, or dual credit courses;
2. Articulated postsecondary courses provided for local credit or articulated postsecondary advanced technical credit courses provided for state credit; or
3. Any combination of the courses described above.

A program implemented under the college credit program may provide a student the opportunity to earn credit for a course or activity, including an apprenticeship or training hours:

1. That satisfies a requirement necessary to obtain an industry-recognized credential or certificate or an associate degree; and is approved by the Coordinating Board; and
2. For which a student may earn credit concurrently toward both the student's high school diploma and postsecondary academic requirements.

*Education Code 28.009(a)–(a-1)*

**Dual Credit Course Limitations**

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.

This requirement does not apply to a dual credit course offered as part of the early college education program established under Education Code 29.908 or any other early college program that assists

a student in earning a certificate or an associate degree while in high school.

*Education Code 28.009(a-4)–(a-5)*

Payment of Costs

A school district is not required to pay a student's tuition or other associated costs for taking a course under this section. *Education Code 28.009(a-2)*

**Instructional  
Partnerships with  
Public Secondary  
Schools**

Types of instructional partnerships between a public two-year college and a school district include:

1. Partnerships for award of high school credit only [see High School Credit-Only Courses, below].
2. Partnerships for award of concurrent course credit [see Dual Credit Programs, below].
3. Partnerships for tech-prep programs [see Tech-Prep Programs, below].
4. Partnerships for remedial or development instruction for high school graduates [see Remedial Programs, below].
5. Partnerships to develop and provide college preparatory courses for high school students [see College Prep Courses, below].

*19 TAC 9.143*

Agreements  
Required

*Generally*

For any instructional partnership between a secondary school and a public two-year college, an agreement must be approved by the governing boards of both the public school district or private secondary school and the public two-year college prior to the offering of courses. Any partnership agreement must address the following elements:

1. Student eligibility requirements;
2. Faculty qualifications;
3. Location and student composition of classes;
4. Provision of student learning and support services;
5. Eligible courses;
6. Grading criteria;
7. Transcribing of credit; and
8. Funding provisions.

*19 TAC 9.144*

*Dual Credit  
Agreements*

For any dual credit partnership between a secondary school and a public college, an agreement must be approved by the governing boards or designated authorities (e.g., principal and chief academic officer) of both the public school district or private secondary school and the public college prior to the offering of such courses.

Any agreement, including a memorandum of understanding or articulation agreement, between a school district and public institution of higher education to provide a dual credit program described by Education Code 28.009(b-1) must:

1. Include specific program goals aligned with the statewide goals developed under Section 28.009(b-1);
2. Establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including by developing a course equivalency crosswalk or other method for equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;
3. Describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;
4. Establish the district's and the institution's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program;
5. State the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program; and
6. Be posted each year on the district's and the institution's respective internet websites.

The dual credit partnership must address the following elements:

1. Eligible courses;
2. Student eligibility;
3. Location of class;
4. Student composition of class;
5. Faculty selection, supervision, and evaluation;
6. Course curriculum, instruction, and grading;
7. Academic policies and student support services;
8. Transcribing of credit;

9. Funding; and
10. Defined sequences of courses, where applicable.

*Education Code 28.009(b-2); 19 TAC 4.84*

High School Credit-  
Only Courses

Public two-year colleges may contract to provide instruction for public secondary schools. An agreement between the public two-year college and the public secondary school must be approved by both governing boards.

Provision of instruction for public secondary schools by public two-year colleges must be in accordance with rules and guidelines established by the State Board of Education. Instruction provided under a contractual agreement may include only coursework necessary for students to complete high school. It does not apply to early admission programs for high school students entering college.

*19 TAC 9.125(a), (b)(2), .143(a)*

*Instructors*

Instructors in contract programs with public secondary schools must meet qualifications required by the public two-year college as well as the minimum guidelines approved by the State Board of Education. *19 TAC 9.125(b)(1)*

*Funding*

Funding for this type of instruction must flow to the public secondary school as the contracting agency. An agreed cost for instruction must be negotiated between the public two-year college and the public secondary school. *19 TAC 9.125(b)(3)*

Dual Credit  
Programs

Under an agreement with a school district or, in the case of a private high school, with the organization or other person that operates the high school, a public junior college may offer a course in which a student attending a high school operated in this state by the school district, organization, or other person may enroll and for which the student may simultaneously receive both:

1. Course credit toward the student's high school academic requirements; and
2. Course credit as a student of the junior college, if the student has been admitted to the college district or becomes eligible to enroll in and is subsequently admitted to the junior college.

A public junior college may enter into an agreement with a school district, organization, or other person that operates a high school to offer a course as provided by this section regardless of whether the high school is located within the service area of the junior college district. A public junior college with a service area located wholly or partly in a county with a population of more than three million shall enter into an agreement with each school district located wholly or

partly in a county with a population of more than three million to offer one or more courses as provided by Education Code 130.008. A student enrolled in a school district to which this provision applies may enroll in a course at any junior college that has entered into an agreement with the district to offer the course under this provision.

*Education Code 130.008(a), (d), (g-1)*

*Student Eligibility  
Requirements*

In admitting or enrolling high school students in a course offered for joint high school and junior college credit, a public junior college must apply the same criteria and conditions to each student wishing to enroll in the course without regard to whether the student attends a public school or a private or parochial school, including a home school. For purposes of this section, a student who attends a school that is not formally organized as a high school and is at least 16 years of age is considered to be attending a high school. *Education Code 130.008(e); 19 TAC 4.85(b)(5)*

To be eligible for enrollment in a dual credit course offered by a public college, students must meet all the college's regular prerequisite requirements designated for that course (e.g., minimum score on a specified placement test, minimum grade in a specified previous course, etc.). *19 TAC 4.85(b)(6)*

A high school student is eligible to enroll in academic dual credit courses if the student:

1. Demonstrates college readiness by achieving the minimum passing standards under the provisions of the TSI [see EI] on relevant section(s) of an assessment instrument approved by the Coordinating Board; or
2. Demonstrates that he or she is exempt under the provisions of the TSI.

*19 TAC 4.85(b)(1)*

A high school student is also eligible to enroll in academic dual credit courses that require demonstration of TSI college readiness in reading, writing, and/or mathematics under any of the following conditions:

1. Courses that require demonstration of TSI college readiness in reading and/or writing:
  - a. If the student achieves a Level 2 final recommended score, as defined by the Texas Education Agency (TEA), on the English II State of Texas Assessment of Academic Readiness End of Course (STAAR EOC); or

- b. If the student achieves one of the following scores on the PSAT/NMSQT (mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015, and the PSAT/NMSQT administered on or after October 15, 2015, is not allowable):
    - (1) A combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or
    - (2) A score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or
  - c. If the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT-Aspire.
2. Courses that require demonstration of TSI college readiness in mathematics:
- a. If the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra I STAAR EOC and passing grade in the Algebra II course; or
  - b. If the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra II STAAR EOC; or
  - c. If the student achieves one of the following scores on the PSAT/NMSQT (mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015, and the PSAT/NMSQT administered on or after October 15, 2015, is not allowable):
    - (1) A combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or
    - (2) A score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or
  - d. If the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT-Aspire.

*19 TAC 4.85(b)(2)*



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Workforce Education Level 1 Certificate Program or Less	A high school student is eligible to enroll in workforce education dual credit courses contained in a Level 1 certificate program, or a program leading to a credential of less than a Level 1 certificate, at a public junior college or public technical institute and shall not be required to provide demonstration of college readiness or dual credit enrollment eligibility. <i>19 TAC 4.85(b)(3)</i>
Workforce Education Level 2 Certificate or Applied Associate Degree Program	<p>A high school student is eligible to enroll in workforce education dual credit courses contained in a Level 2 certificate or applied associate degree program under the following conditions:</p> <ol style="list-style-type: none"><li>1. Courses that require demonstration of TSI college readiness in reading and/or writing:<ol style="list-style-type: none"><li>a. If the student achieves a Level 2 final recommended score, as defined by TEA, on the English II STAAR EOC; or</li><li>b. If the student achieves one of the following scores on the PSAT/NMSQT (mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015, and the PSAT/NMSQT administered on or after October 15, 2015, is not allowable):<ol style="list-style-type: none"><li>(1) A combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or</li><li>(2) A score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or</li></ol></li><li>c. If the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT-Aspire.</li></ol></li><li>2. Courses that require demonstration of TSI college readiness in mathematics:<ol style="list-style-type: none"><li>a. If the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra I STAAR EOC and passing grade in the Algebra II course; or</li><li>b. If the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra II STAAR EOC; or</li><li>c. If the student achieves one of the following scores on the PSAT/NMSQT (mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015,</li></ol></li></ol>

and the PSAT/NMSQT administered on or after October 15, 2015, is not allowable):

- (1) A combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or
  - (2) A score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or
- d. If the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT-Aspire.

A student who is exempt from taking STAAR EOC assessments may be otherwise evaluated by an institution to determine eligibility for enrolling in workforce education dual credit courses.

*19 TAC 4.85(b)(4)*

Additional  
Eligibility  
Requirements

An institution may impose additional requirements for enrollment in courses for dual credit that do not conflict with 19 Administrative Code 4.85. *19 TAC 4.85(b)(7)*

*Faculty  
Qualifications*

The college shall select instructors of dual credit courses. A course offered for joint high school and junior college credit under this section must be taught by a qualified instructor approved or selected by the public junior college. An instructor is qualified if the instructor holds:

1. A doctoral or master's degree in the discipline that is the subject of the course;
2. A master's degree in another discipline with a concentration that required completion of a minimum of 18 graduate semester hours in the discipline that is the subject of the course; or
3. For a course that is offered in an associate degree program and that is not designed for transfer to a baccalaureate degree program:
  - a. A degree described by item 1 or 2 above;
  - b. A baccalaureate degree in the discipline that is the subject of the course; or
  - c. An associate degree and demonstrated competencies in the discipline that is the subject of the course, as determined by the Coordinating Board.

These instructors must meet the same standards, including minimal requirements of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), and approval procedures used by the college to select faculty responsible for teaching the same courses at the main campus of the college.

*Education Code 130.008(g); 19 TAC 4.85(e)(1)*

Application  
Approval

Not later than the 60th day after receipt, a public junior college shall approve or reject an application for approval to teach a course at a high school that is submitted by an instructor employed by the school district, organization, or other person that operates the high school with which the junior college entered into an agreement under this section to offer the course. *Education Code 130.008(h)*

*Supervision and  
Evaluation of  
Faculty*

The college shall supervise and evaluate instructors of dual credit courses using the same or comparable procedures used for faculty at the main campus of the college. *19 TAC 4.85(e)(2)*

*Location and  
Course  
Composition*

Dual credit courses may be taught on the college campus or on the high school campus. For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught electronically, public colleges shall comply with applicable rules and procedures for offering courses at a distance in 19 Administrative Code Chapter 4, Subchapters P and Q of this chapter (relating to Approval of Distance Education Courses and Programs for Public Institutions and Approval of Off-Campus and Self-Supporting Courses and Programs for Public Institutions). In addition, dual credit courses taught electronically shall comply with the board's adopted Principles of Good Practice for Courses Offered Electronically. [See EBA and EBB] *19 TAC 4.85(c); 19 TAC 4.255-.264, .270-.279*

Dual credit courses may be composed of dual credit students only or of dual and college credit students. Notwithstanding the requirements of 19 Administrative Code 4.85(e), exceptions for a mixed class, which would also include high school credit-only students, may be allowed only under one of the following conditions:

1. If the course involved is required for completion under the State Board of Education high school program graduation requirements, and the high school involved is otherwise unable to offer such a course;
2. If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students; or

3. If the course is a career and technical/college workforce education course and the high school credit-only students are eligible to earn articulated college credit. "Articulated College Credit" is credit earned through a high school-level course that fulfills specific requirements of an identified college-level course and provides a pathway for high school students to earn credit toward a technical certificate or technical degree at a partnering institution of higher education.

*19 TAC 4.83(1), .85(d)*

*Student Services* Students in dual credit courses must be eligible to utilize the same or comparable support services that are afforded college students on the main campus. The college is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling), to learning materials (e.g., library resources), and to other benefits for which the student may be eligible. *19 TAC 4.85(g)(2)*

*Eligible Courses* A college course offered for dual credit must be:

1. In the core curriculum of the public institution of higher education providing the credit;
2. A career and technical education course; or
3. A foreign language course.

This provision does not apply to a college course for dual credit offered as part of an approved early college education program established under Education Code 29.908 or an early college program as defined in 19 Administrative Code Chapter 4, Subchapter D. Any college course for dual credit offered as part of an early college program must be a core curriculum course of the public institution of higher education providing the credit, a career and technical education course, a foreign language course, or a course that satisfies specific degree plan requirements leading to the completion of a board-approved certificate, AA, AS, AAS degree program, or FOSC.

Courses offered for dual credit by public two-year associate degree granting institutions must be identified as college-level academic courses in the current edition of the Lower Division Academic Course Guide Manual adopted by the Coordinating Board or as college-level workforce education courses in the current edition of the Workforce Education Course Manual adopted by the Coordinating Board.

Public colleges may not offer remedial and developmental courses for dual credit.

The college shall ensure that a dual credit course and the corresponding course offered at the main campus of the college are equivalent with respect to the curriculum, materials, instruction, and method/rigor of student evaluation. These standards must be upheld regardless of the student composition of the class.

*Education Code 130.008(a-1)-(a-2); 19 TAC 4.85(a)(1), (3)-(4), (f)*

*Academic  
Policies and  
Transcripts*

Regular academic policies applicable to courses taught at the college's main campus must also apply to dual credit courses. These policies could include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, etc. *19 TAC 4.85(g)(1)*

For dual credit courses, high school as well as college credit should be transcribed immediately upon a student's completion of the performance required in the course. *19 TAC 4.85(h)*

*Tuition and State  
Funding*

The junior college may waive all or part of the tuition and fees for a high school student enrolled in a course for which the student may receive joint credit.

The contact hours attributable to the enrollment of a high school student in a course offered for joint high school and junior college credit, excluding a course for which the student attending high school may receive course credit toward the physical education curriculum requirement under Education Code 28.002(a)(2)(C), shall be included in the contact hours used to determine the junior college's proportionate share of the state money appropriated and distributed to public junior colleges under Education Code 130.003 and 130.0031, even if the junior college waives all or part of the tuition or fees for the student. The college may only claim funding for students getting college credit in core curriculum, career and technical education, and foreign language dual credit courses.

The funding provisions of 19 Administrative Code 4.85(i) do not apply to students enrolled in approved early college high school programs under Education Code 29.908.

*Education Code 130.008(b)-(c); 19 TAC 4.85(i)*

*No Requirement*

An institution is not required, under the provisions of 19 Administrative Code 4.85, to offer dual credit courses for high school students. *19 TAC 4.85(b)(8)*

*Tech-Prep  
Programs*

Public two-year colleges may partner with school districts to allow for the articulation of high school technical courses taught by the high school to high school students for immediate high school credit and later college credit to be awarded upon enrollment of the

students in the two-year college in an associate degree or certificate program. *19 TAC 9.143(c)*

**Remedial Programs** As outlined in 19 Administrative Code 9.125 [see High School Credit-Only Courses, above], the governing board of a junior college district may contract with the governing board of an independent school district in the junior college district's service area for the junior college to provide remedial programs for students enrolled in secondary schools in the independent school district in preparation for graduation from secondary school and entrance into college. The governing board of a junior college district located wholly or partly in a county with a population of more than three million may contract to provide remedial programs described above with the governing board of any independent school district located wholly or partly in a county with a population of more than three million.

High school students who have passed all sections of the STAAR EOC assessments with the high school graduation standard may be permitted to enroll in state-funded developmental courses offered by a college at the college discretion if a need for such coursework is indicated by student performance on an assessment instrument approved by the Coordinating Board.

Remedial and developmental courses may not be offered for dual credit.

*Education Code 130.090(a)-(a-1); 19 TAC 9.143(d), .146(a)-(c)*

**Tuition and  
Funding**

The governing board of a junior college district may exempt from tuition a student enrolled in a remedial program.

Remedial courses provided for students enrolled in public secondary schools in preparation for graduation from high school are not eligible for state appropriations.

*Education Code 130.090(b)-(d); 19 TAC 9.146(d)*

**College Prep  
Courses**

Each school district shall partner with at least one institution of higher education to develop and provide courses in college preparatory mathematics and English language arts. The courses must be designed:

1. For students at the 12th grade level whose performance on:
  - a. An end-of-course assessment instrument required under Section 39.023(c) does not meet college readiness standards; or
  - b. Coursework, a college entrance examination, or an assessment instrument designated under Section 51.3062(c) indicates that the student is not ready to perform entry-level college coursework; and

2. To prepare students for success in entry-level college courses.

College preparatory courses are not developmental education courses contained in the Lower Division Academic Course Guide Manual (ACGM). College preparatory courses are locally developed through a memorandum of understanding created between school districts and public two-year colleges.

*Education Code 28.014(a); 19 TAC 9.147(a)–(b)*

*Course Location* A course developed under this section must be provided on the campus of the high school offering the course or through distance learning or as an online course provided through an institution of higher education with which the school district partners. *Education Code 28.014(b)*

*Course Development* Appropriate faculty of each high school offering courses under this section and appropriate faculty of each institution of higher education with which the school district partners shall meet regularly as necessary to ensure that each course is aligned with college readiness expectations.

Each school district, in consultation with each institution of higher education with which the district partners, shall develop or purchase instructional materials for a course developed under this section consistent with Education Code Chapter 31. The instructional materials must include technology resources that enhance the effectiveness of the course and draw on established best practices.

*Education Code 28.014(c), (g)*

*Credit May Be Awarded* A course provided under this section may be offered for dual credit at the discretion of the institution of higher education with which a school district partners. *Education Code 28.014(f)*

*Funding* College preparatory courses are not eligible for state appropriations through two-year college formula funding. *19 TAC 9.147(c)*

**Workforce  
Continuing  
Education**

A public junior college may offer, or may enter into an agreement with a school district, organization, or other person that operates a high school to offer, workforce continuing education courses other than learning framework courses, basic employability courses, and basic learning skills courses to a person who:

1. Is enrolled in high school on the completion of the person's sophomore year;
2. Is enrolled in a school that is not formally organized as a high school and is at least 16 years of age; or

3. Is attending high school while incarcerated, is at least 16 years of age, and is not eligible for release from incarceration before the person's 18th birthday.

This section does not prohibit a public junior college from offering community interest continuing education courses using local funds.

*Education Code 130.303; 19 TAC 9.114(c)* [See EFAB for general workforce continuing education]

Funding

Notwithstanding Education Code 130.003 or any other law, contact hours attributable to the enrollment of a student in a workforce continuing education course offered by a public junior college shall be included in the contact hours used to determine the college's proportionate share of state money appropriated and distributed to public junior colleges under Education Code 130.003 and 130.0031, regardless of whether the college waives all or part of the tuition or fees for the course under Education Code 130.304. *Education Code 130.302*

Waiver of Tuition and Fees

A public junior college may waive all or part of the tuition or fees charged to a student for a workforce continuing education course only if:

1. The student:
  - a. Is enrolled in high school or in a school that is not formally organized as a high school;
  - b. Is 16 years of age or older, who has had the disabilities of minority removed, and is not enrolled in secondary education; or
  - c. Is under the age of 18 and is incarcerated; or
2. The institution:
  - a. Determines all or a significant portion of the college's costs for facilities, instructor salaries, equipment, and other expenses for the course are covered by business, industry, or other local public or private entities; or
  - b. Offers the course in a federal correctional facility and the facilities, equipment, supplies, and other expenses for the course are funded by the federal government.

*Education Code 130.304; 19 TAC 9.116*

Definitions

"Adult"

"Adult" means a person who:

1. Has completed the person's sophomore year of high school;



2. Is 17 years of age and has been awarded a high school diploma or its equivalent; or
3. Is 18 years of age or older, regardless of the person's previous educational experience.

*Education Code 130.301(1); 19 TAC 9.113(1)*

*"Avocational Course"*

"Avocational course" means a course of study in a subject or activity that is usually engaged in by a person in addition to the person's regular work or profession for recreation or in relation to a hobby. The term includes a community interest course. *Education Code 130.301(2); 19 TAC 9.113(2)*

*"Workforce Continuing Education"*

"Workforce continuing education" means a program of instruction that is designed primarily for adults and is intended, on completion by a participant, to prepare the participant to qualify to apply for and accept an employment offer or a job upgrade within a specific occupational category or to bring the participant's knowledge or skills up to date on new developments in a particular occupation or profession. *Education Code 130.301(4); 19 TAC 9.113(8)*

*"Workforce Continuing Education Course"*

"Workforce continuing education course" means a course of instruction in workforce continuing education that is approved by the Coordinating Board. The term does not include an avocational course. *Education Code 130.301(1); 19 TAC 9.113(9)*

**Dropout Recovery Partnership Programs**

A public junior college may enter into an articulation agreement to partner with one or more school districts located in the public junior college district to provide on the campus of the public junior college a dropout recovery program for eligible students to successfully complete and receive a diploma from a high school of the appropriate partnering school district in accordance with Education Code 29.402. A public junior college with a service area located wholly or partly in a county with a population of more than three million may enter into an articulation agreement described by Section 29.402(a) with any school district located wholly or partly in a county with a population of more than three million.

A public junior college under this section may partner with a public technical institute, as defined by Education Code 61.003, to provide, as part of the dropout recovery program curriculum, career and technology education courses that lead to industry or career certification.

*Education Code 29.402(a)-(a-1), (c-1)*

Financing

A public junior college may receive from each partnering school district for each student from that school district enrolled in a drop-

out recovery program under this section an amount negotiated between the junior college and that partnering district not to exceed the total average per student funding amount in that school district during the preceding school year for maintenance and operations, including state and local funding, but excluding money from the available school fund.

A public technical institute may receive from a partnering public junior college for each student enrolled in a career and technology education course as provided by Education Code 29.402(c-1), above, an amount negotiated between the public technical institute and the partnering public junior college.

To the extent consistent with the General Appropriations Act, a public junior college is eligible to receive dropout prevention and intervention program funds appropriated to the agency.

A public junior college may receive gifts, grants, and donations to use for the purposes of this section.

*Education Code 29.403, .404*

**Higher Education  
Assistance Plans**

The institution of higher education, including a college district, in closest geographic proximity to a public high school in this state identified by the Coordinating Board for purposes of this section as substantially below the state average in the number of graduates who enroll in higher education institutions shall enter into an agreement with that high school to develop a plan to increase the number of students from that high school enrolling in higher education institutions. Under the plan, the institution shall:

1. Collaborate with the high school to:
  - a. Provide to prospective students information related to enrollment in an institution of higher education or a private or independent institution of higher education, including admissions, testing, and financial aid information;
  - b. Assist those prospective students in completing applications and testing related to enrollment in those institutions, including admissions and financial aid applications, and fulfilling testing requirements; and
  - c. Target efforts to increase the number of Hispanic students and African-American male students enrolled in higher education institutions; and

2. Actively engage with local school districts to provide access to rigorous, high-quality dual credit opportunities for qualified high school students as needed.

An institution of higher education must include a plan developed by the institution under this section and the results of that plan in its annual report to the Coordinating Board under Education Code 51.4032.

*Education Code 51.810(b)–(c)*

**Plan to Increase Enrollment**

Required Agreement

Not later than August 1 of the year in which a school district receives notice from the Texas Education Agency that Education Code 29.904 applies, the district shall enter into an agreement with the public institution of higher education in this state, including a college district, in closest geographic proximity to the district to develop a plan in accordance with Section 29.904 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 unless that institution or the district recruits another public institution of higher education in this state to enter into the 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. *Education Code 29.904(c)*

Notice

Not later than May 1 of each year, the Coordinating Board shall notify each institution of public education in closest geographic proximity to a district to which this section applies of the applicability of Education Code 29.904 to the district unless the district is operating under a plan required by this section. *Education Code 29.904(b)*

Affected School Districts

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 ten percent of high schools in this state in the percentage of students graduating and enrolling for the following academic year in an institution of higher education.

*Education Code 29.904(a)*

**Early College High Schools**

Texas public colleges and universities (C/U) are eligible to enter into agreements with Texas public schools to create Early College High Schools (ECHS) to be administered in accordance with 19 Administrative Code Chapter 4, Subchapter G. Any C/U that participates in the creation of an ECHS shall notify the Coordinating Board in accordance with provisions and schedules determined by the commissioner. *19 TAC 4.154*

**P-TECH Programs**

The commissioner of education shall establish and administer, in accordance with Education Code Chapter 29, Subchapter N, a Pathways in Technology Early College High School (P-TECH) program for students who wish to participate in a work-based education program. The P-TECH program must:

1. Be open enrollment;
2. Provide for a course of study that enables a participating student in grade levels 9 through 12 to combine high school courses and postsecondary courses;
3. Allow a participating student to complete high school and, on or before the sixth anniversary of the date of the student's first day of high school receive a high school diploma and an associate degree, a two-year postsecondary certificate, or industry certification; and complete work-based training through an internship, apprenticeship, or other job training program;
4. Include:
  - a. Articulation agreements with institutions of higher education in this state to provide a participating student access to postsecondary educational and training opportunities at an institution of higher education; and
  - b. Memoranda of understanding with regional industry or business partners in this state to provide a participating student access to work-based training and education; and
5. Provide a participating student flexibility in class scheduling and academic mentoring.

*Education Code 29.553(a)–(b); 19 TAC 102.1095*