

AN ACT

relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program.

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

SECTION 1. Section 28.0253, Education Code, is amended to read as follows:

Sec. 28.0253. TEXAS FIRST EARLY HIGH SCHOOL COMPLETION [~~PILOT~~] PROGRAM [~~FOR HIGH SCHOOL DIPLOMAS FOR STUDENTS WHO DEMONSTRATE EARLY READINESS FOR COLLEGE~~]. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Eligible institution" means an institution of higher education that is designated as a research university or emerging research university under the coordinating board's accountability system.

(3) "Institution of higher education" has the meaning assigned by Section 61.003.

(4) "Program" means the Texas First Early High School Completion Program established under this section.

~~[(2) "Research university" means an institution of higher education that is designated as a research university under the Texas Higher Education Coordinating Board's accountability~~

1 ~~system.]~~

2       (b) The agency, in coordination with the coordinating  
3 board, shall establish the Texas First Early High School Completion  
4 Program to allow public high school students who demonstrate early  
5 readiness for college to graduate early from high school. The  
6 purpose of the program, in conjunction with the Texas First  
7 Scholarship Program established under Subchapter K-1, Chapter 56,  
8 is to promote efficiency in the state public education system and  
9 incentivize the enrollment of high performing students at eligible  
10 institutions.

11       (c) The coordinating board, in consultation with the agency  
12 and eligible institutions, [A research university that chooses to  
13 participate in the pilot program] shall by rule establish[+

14               ~~[(1) not later than September 1 of each year, make~~  
15 ~~available on the university's Internet website detailed]~~ standards  
16 for use in the program regarding:

17               (1) ~~[(A)]~~ the specific competencies that demonstrate  
18 a student's mastery of each subject area for which the coordinating  
19 board ~~[Texas Higher Education Coordinating Board]~~ and the  
20 commissioner have adopted college readiness standards;

21               (2) ~~[(B)]~~ the specific competencies that demonstrate  
22 a student's mastery of a language other than English; and

23               (3) ~~[(C)]~~ acceptable assessments or other means by  
24 which a student may demonstrate the student's early readiness for  
25 college with respect to each subject area and the language  
26 described by Subdivision (2) ~~[this subdivision]~~, subject to  
27 Subsection (d) ~~[(c)]~~,

1           ~~[(2) partner with at least 10 school districts that~~  
2 ~~reflect the geographic diversity of this state and the student~~  
3 ~~compositions of which reflect the socioeconomic diversity of this~~  
4 ~~state, and~~

5           ~~[(3) assist school administrators, school counselors,~~  
6 ~~and other educators in each of those school districts in designing~~  
7 ~~the specific requirements of and implementing the program in the~~  
8 ~~district].~~

9           (d) ~~[(c)]~~ The assessments or other means the coordinating  
10 board establishes ~~[filed by a research university]~~ under Subsection  
11 (c)(3) ~~[(b)(1)(C)]~~ must be equivalent to the assessments or other  
12 means eligible institutions commonly use ~~[the university uses]~~ to  
13 place students at the institutions ~~[university]~~ in courses that may  
14 be credited toward a degree requirement.

15           (e) ~~[(d)]~~ A ~~[research university that partners with a]~~  
16 school district or open-enrollment charter school ~~[under this~~  
17 ~~section shall enter into an agreement with the district under which~~  
18 ~~the university and district agree that the district will assess a~~  
19 ~~student's mastery of the subject areas described by Subsection~~  
20 ~~(b)(1) and a language other than English in accordance with the~~  
21 ~~standards the university filed under Subsection (b)(1). The~~  
22 ~~district]~~ may issue a high school diploma to a student under the  
23 program if, using the standards established under Subsection (c),  
24 the student demonstrates mastery of and early readiness for college  
25 in each of the ~~[those]~~ subject areas described by that subsection  
26 and in a language other than English, notwithstanding any other  
27 local or state requirements.

1        (f) [~~(e)~~] A student who earns [~~receives~~] a high school  
2 diploma through the [~~pilot~~] program is considered to have earned a  
3 distinguished level of achievement under the foundation high school  
4 program adopted under Section 28.025. The student is not  
5 guaranteed admission to any institution of higher education or to  
6 any academic program at an institution of higher education solely  
7 on the basis of having received the diploma through the program.  
8 The student may apply for admission to an institution of higher  
9 education for the first semester or other academic term after the  
10 semester or other academic term in which the student earns a diploma  
11 through the [~~pilot~~] program.

12        (g) On a student's initial enrollment in high school in a  
13 grade level below grade 12 in a school district or open-enrollment  
14 charter school, the district or school shall provide to the student  
15 and the student's parent or guardian information regarding:

16                (1) the requirements to earn a high school diploma  
17 under the program; and

18                (2) the Texas First Scholarship Program established  
19 under Subchapter K-1, Chapter 56.

20        (h) The agency and the coordinating board shall jointly  
21 prepare and post on their respective Internet websites a  
22 publication that includes the information required to be provided  
23 under Subsection (g) in a form that enables a school district or  
24 open-enrollment charter school to reproduce the publication for  
25 distribution under that subsection.

26        [~~(f) A research university that participates in the pilot~~  
27 ~~program shall enter into an agreement with an education research~~

~~1 center established under Section 1.005 to conduct an evaluation of  
2 the program with respect to that university and the school  
3 districts with which the university partners. Not later than  
4 January 1, 2013, the education research center shall provide a  
5 written report of the evaluation to the commissioner and the  
6 commissioner of higher education and make the report available on  
7 the center's Internet website. The report may include an analysis  
8 of the effects of the program on the university's admissions review  
9 process.]~~

10 SECTION 2. Subchapter F, Chapter 48, Education Code, is  
11 amended by adding Section 48.2642 to read as follows:

12 Sec. 48.2642. ADJUSTMENTS FOR TEXAS FIRST EARLY HIGH SCHOOL  
13 COMPLETION PROGRAM GRADUATES. (a) Notwithstanding any other  
14 provision of this chapter, the commissioner shall count toward a  
15 school district's or open-enrollment charter school's average daily  
16 attendance under Section 48.005 each student who graduates early  
17 from high school in the district or school under the Texas First  
18 Early High School Completion Program established under Section  
19 28.0253 for the period in which the student is enrolled at an  
20 eligible institution using state credit awarded under the Texas  
21 First Scholarship Program established under Subchapter K-1,  
22 Chapter 56, based on a 100 percent attendance rate.

23 (b) As soon as practicable after receipt of the report under  
24 Section 56.226, the commissioner shall reduce the amount of a  
25 school district's or open-enrollment charter school's entitlement  
26 under this chapter for the school year by an amount equal to the  
27 total amount of state credit issued during the preceding school

1 year to the district's or school's high school graduates under the  
2 Texas First Scholarship Program established under Subchapter K-1,  
3 Chapter 56.

4 SECTION 3. Chapter 56, Education Code, is amended by adding  
5 Subchapter K-1 to read as follows:

6 SUBCHAPTER K-1. TEXAS FIRST SCHOLARSHIP PROGRAM

7 Sec. 56.221. DEFINITIONS. In this subchapter:

8 (1) "Coordinating board" means the Texas Higher  
9 Education Coordinating Board.

10 (2) "Eligible institution" means an institution of  
11 higher education, as that term is defined by Section 61.003, that is  
12 designated as a research university or emerging research university  
13 under the coordinating board's accountability system.

14 (3) "Program" means the Texas First Scholarship  
15 Program.

16 Sec. 56.222. PURPOSE. The purpose of the program, in  
17 conjunction with the Texas Early High School Completion Program  
18 established under Section 28.0253, is to promote efficiency in the  
19 state public education system and incentivize the enrollment of  
20 high performing students at eligible institutions.

21 Sec. 56.223. ELIGIBILITY. To be eligible for an award under  
22 the program, a student must:

23 (1) be a resident of this state as determined by  
24 coordinating board rules;

25 (2) have graduated early from high school under the  
26 Texas First Early High School Completion Program established under  
27 Section 28.0253; and

1           (3) comply with Section 28.0256.

2           Sec. 56.224. ENTITLEMENT; CALCULATION OF AID; EXPIRATION.

3           (a) The coordinating board shall award to each eligible student  
4 state credit in an amount equal to:

5           (1) for a student who graduated from high school two or  
6 more semesters or the equivalent earlier than the student's high  
7 school cohort, the maximum annual TEXAS grant award determined by  
8 the coordinating board for the applicable academic year under  
9 Section 56.307; or

10           (2) for a student who graduated from high school less  
11 than two semesters or the equivalent earlier than the student's  
12 high school cohort, half of the amount described by Subdivision  
13 (1).

14           (b) The amount of state credit awarded to a student under  
15 the program may not be considered in the calculation of any state or  
16 institutional need-based aid awards or the calculation of the  
17 student's overall financial need, unless the combination of the  
18 credit and other federal, state, and institutional financial aid  
19 for which the student would otherwise be eligible exceeds the  
20 estimated total cost of attendance at the eligible institution at  
21 which the student is enrolled.

22           (c) The coordinating board shall issue to the student a  
23 certificate indicating the amount of the state credit awarded under  
24 this section.

25           (d) State credit awarded to a student under this section  
26 expires at the end of the first academic year following the  
27 student's graduation from high school.

1       Sec. 56.225. APPLICATION OF SCHOLARSHIP. On enrollment of  
2 an eligible student at an eligible institution, the institution  
3 shall apply to the student's charges for tuition, mandatory fees,  
4 and other costs of attendance for the enrollment period an amount  
5 equal to the lesser of:

6           (1) the amount of the state credit awarded to the  
7 student under Section 56.224; or

8           (2) the student's actual tuition, mandatory fees, and  
9 other costs of attendance at the institution.

10       Sec. 56.226. PAYMENT OF STATE CREDIT. (a) At least once  
11 each year, the coordinating board shall submit to the commissioner  
12 of education a report on state credit awarded under the program  
13 during the preceding academic year. The report must include:

14           (1) the name of each student who used the state credit  
15 during that academic year;

16           (2) the school district or open-enrollment charter  
17 school from which each student graduated from high school; and

18           (3) the amount of the state credit used by each student  
19 during that academic year.

20       (b) As soon as practicable after receipt of the report under  
21 Subsection (a), the commissioner of education shall transfer to the  
22 coordinating board an amount of funds equal to the total amount by  
23 which school district and open-enrollment charter school  
24 entitlements are reduced under Section 48.2642(b).

25       (c) As soon as practicable after receipt of funds  
26 transferred under Subsection (b), the coordinating board shall  
27 distribute to each eligible institution an amount of funds equal to



1 the amount of state credit applied by the institution under Section  
2 56.225 during the preceding academic year.

3 Sec. 56.227. RULES. The coordinating board may adopt rules  
4 necessary to implement this subchapter.

5 SECTION 4. Subchapter K, Chapter 56, Education Code, is  
6 repealed.

7 SECTION 5. (a) As soon as practicable after the effective  
8 date of this Act:

9 (1) the Texas Education Agency and the Texas Higher  
10 Education Coordinating Board shall take all actions necessary to  
11 implement the Texas First Early High School Completion Program  
12 established under Section 28.0253, Education Code, as amended by  
13 this Act; and

14 (2) the Texas Higher Education Coordinating Board  
15 shall adopt rules to administer Subchapter K-1, Chapter 56,  
16 Education Code, as added by this Act.

17 (b) The Texas Higher Education Coordinating Board shall  
18 begin awarding scholarships under Subchapter K-1, Chapter 56,  
19 Education Code, as added by this Act, beginning with the 2021-2022  
20 academic year.

21 SECTION 6. The Texas Education Agency and the Texas Higher  
22 Education Coordinating Board are required to implement this Act  
23 only if the legislature appropriates money specifically for that  
24 purpose. If the legislature does not appropriate money  
25 specifically for that purpose, the agency and the coordinating  
26 board may, but are not required to, implement this Act using other  
27 appropriations available for that purpose.

1 SECTION 7. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2021.

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

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

I hereby certify that S.B. No. 1888 passed the Senate on April 29, 2021, by the following vote: Yeas 30, Nays 1.

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

I hereby certify that S.B. No. 1888 passed the House on May 26, 2021, by the following vote: Yeas 140, Nays 3, two present not voting.

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

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor