

1-1 By: Creighton S.B. No. 1888
 1-2 (In the Senate - Filed March 12, 2021; March 26, 2021, read
 1-3 first time and referred to Committee on Higher Education;
 1-4 April 23, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 23, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Creighton	X			
1-9 West			X	
1-10 Birdwell	X			
1-11 Blanco	X			
1-12 Miles	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Taylor	X			
1-16 Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1888 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the establishment of certain programs to facilitate
 1-22 early high school graduation and enrollment at public institutions
 1-23 of higher education and to the repeal of the Early High School
 1-24 Graduation Scholarship program.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 28.0253, Education Code, is amended to
 1-27 read as follows:

1-28 Sec. 28.0253. TEXAS FIRST EARLY HIGH SCHOOL COMPLETION
 1-29 [PILOT] PROGRAM[+ HIGH SCHOOL DIPLOMAS FOR STUDENTS WHO DEMONSTRATE
 1-30 EARLY READINESS FOR COLLEGE]. (a) In this section:

1-31 (1) "Coordinating board" means the Texas Higher
 1-32 Education Coordinating Board.

1-33 (2) "Eligible institution" means an institution of
 1-34 higher education that is designated as a research university or
 1-35 emerging research university under the coordinating board's
 1-36 accountability system.

1-37 (3) "Institution of higher education" has the meaning
 1-38 assigned by Section 61.003.

1-39 (4) "Program" means the Texas First Early High School
 1-40 Completion Program established under this section.

1-41 ~~[(2) "Research university" means an institution of~~
 1-42 ~~higher education that is designated as a research university under~~
 1-43 ~~the Texas Higher Education Coordinating Board's accountability~~
 1-44 ~~system.]~~

1-45 (b) The agency, in coordination with the coordinating
 1-46 board, shall establish the Texas First Early High School Completion
 1-47 Program to allow public high school students who demonstrate early
 1-48 readiness for college to graduate early from high school. The
 1-49 purpose of the program, in conjunction with the Texas First
 1-50 Scholarship Program established under Subchapter K-1, Chapter 56,
 1-51 is to promote efficiency in the state public education system and
 1-52 incentivize the enrollment of high performing students at eligible
 1-53 institutions.

1-54 (c) The coordinating board, in consultation with the agency
 1-55 and eligible institutions, [A research university that chooses to
 1-56 participate in the pilot program] shall by rule establish[+

1-57 ~~[(1) not later than September 1 of each year, make~~
 1-58 ~~available on the university's Internet website detailed] standards~~
 1-59 for use in the program regarding:

1-60 (1) [+A] the specific competencies that demonstrate

2-1 a student's mastery of each subject area for which the coordinating
2-2 board [~~Texas Higher Education Coordinating Board~~] and the
2-3 commissioner have adopted college readiness standards;
2-4 (2) [~~(B)~~] the specific competencies that demonstrate
2-5 a student's mastery of a language other than English; and
2-6 (3) [~~(C)~~] acceptable assessments or other means by
2-7 which a student may demonstrate the student's early readiness for
2-8 college with respect to each subject area and the language
2-9 described by Subdivision (2) [~~this subdivision~~], subject to
2-10 Subsection (d) [~~(e)~~];
2-11 [~~(2) partner with at least 10 school districts that~~
2-12 ~~reflect the geographic diversity of this state and the student~~
2-13 ~~compositions of which reflect the socioeconomic diversity of this~~
2-14 ~~state; and~~
2-15 [~~(3) assist school administrators, school counselors,~~
2-16 ~~and other educators in each of those school districts in designing~~
2-17 ~~the specific requirements of and implementing the program in the~~
2-18 ~~district].~~
2-19 (d) [~~(e)~~] The assessments or other means the coordinating
2-20 board establishes [~~filed by a research university~~] under Subsection
2-21 (c)(3) [~~(b)(1)(C)~~] must be equivalent to the assessments or other
2-22 means eligible institutions commonly use [~~the university uses~~] to
2-23 place students at the institutions [~~university~~] in courses that may
2-24 be credited toward a degree requirement.
2-25 (e) [~~(d)~~] A [~~research university that partners with a~~
2-26 ~~school district or open-enrollment charter school~~] [~~under this~~
2-27 ~~section shall enter into an agreement with the district under which~~
2-28 ~~the university and district agree that the district will assess a~~
2-29 ~~student's mastery of the subject areas described by Subsection~~
2-30 ~~(b)(1) and a language other than English in accordance with the~~
2-31 ~~standards the university filed under Subsection (b)(1). The~~
2-32 ~~district] may issue a high school diploma to a student under the~~
2-33 program if, using the standards established under Subsection (c),
2-34 the student demonstrates mastery of and early readiness for college
2-35 in each of the [~~those~~] subject areas described by that subsection
2-36 and in a language other than English, notwithstanding any other
2-37 local or state requirements.
2-38 (f) [~~(e)~~] A student who earns [~~receives~~] a high school
2-39 diploma through the [~~pilot~~] program is considered to have earned a
2-40 distinguished level of achievement under the foundation high school
2-41 program adopted under Section 28.025. The student is not
2-42 guaranteed admission to any institution of higher education or to
2-43 any academic program at an institution of higher education solely
2-44 on the basis of having received the diploma through the program.
2-45 The student may apply for admission to an institution of higher
2-46 education for the first semester or other academic term after the
2-47 semester or other academic term in which the student earns a diploma
2-48 through the [~~pilot~~] program.
2-49 (g) On a student's initial enrollment in high school in a
2-50 grade level below grade 12 in a school district or open-enrollment
2-51 charter school, the district or school shall provide to the student
2-52 and the student's parent or guardian information regarding:
2-53 (1) the requirements to earn a high school diploma
2-54 under the program; and
2-55 (2) the Texas First Scholarship Program established
2-56 under Subchapter K-1, Chapter 56.
2-57 (h) The agency and the coordinating board shall jointly
2-58 prepare and post on their respective Internet websites a
2-59 publication that includes the information required to be provided
2-60 under Subsection (g) in a form that enables a school district or
2-61 open-enrollment charter school to reproduce the publication for
2-62 distribution under that subsection.
2-63 [~~(f) A research university that participates in the pilot~~
2-64 ~~program shall enter into an agreement with an education research~~
2-65 ~~center established under Section 1.005 to conduct an evaluation of~~
2-66 ~~the program with respect to that university and the school~~
2-67 ~~districts with which the university partners. Not later than~~
2-68 ~~January 1, 2013, the education research center shall provide a~~
2-69 ~~written report of the evaluation to the commissioner and the~~

3-1 ~~commissioner of higher education and make the report available on~~
3-2 ~~the center's Internet website. The report may include an analysis~~
3-3 ~~of the effects of the program on the university's admissions review~~
3-4 ~~process.]~~

3-5 SECTION 2. Subchapter F, Chapter 48, Education Code, is
3-6 amended by adding Section 48.2642 to read as follows:

3-7 Sec. 48.2642. ADJUSTMENTS FOR TEXAS FIRST EARLY HIGH SCHOOL
3-8 COMPLETION PROGRAM GRADUATES. (a) Notwithstanding any other
3-9 provision of this chapter, the commissioner shall count toward a
3-10 school district's or open-enrollment charter school's average daily
3-11 attendance under Section 48.005 each student who graduates early
3-12 from high school in the district or school under the Texas First
3-13 Early High School Completion Program established under Section
3-14 28.0253 for the period in which the student is enrolled at an
3-15 eligible institution using state credit awarded under the Texas
3-16 First Scholarship Program established under Subchapter K-1,
3-17 Chapter 56, based on a 100 percent attendance rate.

3-18 (b) As soon as practicable after receipt of the report under
3-19 Section 56.226, the commissioner shall reduce the amount of a
3-20 school district's or open-enrollment charter school's entitlement
3-21 under this chapter for the school year by an amount equal to the
3-22 total amount of state credit issued during the preceding school
3-23 year to the district's or school's high school graduates under the
3-24 Texas First Scholarship Program established under Subchapter K-1,
3-25 Chapter 56.

3-26 SECTION 3. Chapter 56, Education Code, is amended by adding
3-27 Subchapter K-1 to read as follows:

3-28 SUBCHAPTER K-1. TEXAS FIRST SCHOLARSHIP PROGRAM

3-29 Sec. 56.221. DEFINITIONS. In this subchapter:

3-30 (1) "Coordinating board" means the Texas Higher
3-31 Education Coordinating Board.

3-32 (2) "Eligible institution" means an institution of
3-33 higher education, as that term is defined by Section 61.003, that is
3-34 designated as a research university or emerging research university
3-35 under the coordinating board's accountability system.

3-36 (3) "Program" means the Texas First Scholarship
3-37 Program.

3-38 Sec. 56.222. PURPOSE. The purpose of the program, in
3-39 conjunction with the Texas Early High School Completion Program
3-40 established under Section 28.0253, is to promote efficiency in the
3-41 state public education system and incentivize the enrollment of
3-42 high performing students at eligible institutions.

3-43 Sec. 56.223. ELIGIBILITY. To be eligible for an award under
3-44 the program, a student must:

3-45 (1) be a resident of this state as determined by
3-46 coordinating board rules;

3-47 (2) have graduated early from high school under the
3-48 Texas First Early High School Completion Program established under
3-49 Section 28.0253; and

3-50 (3) comply with Section 28.0256.

3-51 Sec. 56.224. ENTITLEMENT; CALCULATION OF AID; EXPIRATION.
3-52 (a) The coordinating board shall award to each eligible student
3-53 state credit in an amount equal to:

3-54 (1) for a student who graduated from high school two or
3-55 more semesters or the equivalent earlier than the student's high
3-56 school cohort, the maximum annual TEXAS grant award determined by
3-57 the coordinating board for the applicable academic year under
3-58 Section 56.307; or

3-59 (2) for a student who graduated from high school less
3-60 than two semesters or the equivalent earlier than the student's
3-61 high school cohort, half of the amount described by Subdivision
3-62 (1).

3-63 (b) The amount of state credit awarded to a student under
3-64 the program may not be considered in the calculation of any state or
3-65 institutional need-based aid awards or the calculation of the
3-66 student's overall financial need, unless the combination of the
3-67 credit and other federal, state, and institutional financial aid
3-68 for which the student would otherwise be eligible exceeds the
3-69 estimated total cost of attendance at the eligible institution at

4-1 which the student is enrolled.

4-2 (c) The coordinating board shall issue to the student a
4-3 certificate indicating the amount of the state credit awarded under
4-4 this section.

4-5 (d) State credit awarded to a student under this section
4-6 expires at the end of the first academic year following the
4-7 student's graduation from high school.

4-8 Sec. 56.225. APPLICATION OF SCHOLARSHIP. On enrollment of
4-9 an eligible student at an eligible institution, the institution
4-10 shall apply to the student's charges for tuition, mandatory fees,
4-11 and other costs of attendance for the enrollment period an amount
4-12 equal to the lesser of:

4-13 (1) the amount of the state credit awarded to the
4-14 student under Section 56.224; or

4-15 (2) the student's actual tuition, mandatory fees, and
4-16 other costs of attendance at the institution.

4-17 Sec. 56.226. PAYMENT OF STATE CREDIT. (a) At least once
4-18 each year, the coordinating board shall submit to the commissioner
4-19 of education a report on state credit awarded under the program
4-20 during the preceding academic year. The report must include:

4-21 (1) the name of each student who used the state credit
4-22 during that academic year;

4-23 (2) the school district or open-enrollment charter
4-24 school from which each student graduated from high school; and

4-25 (3) the amount of the state credit used by each student
4-26 during that academic year.

4-27 (b) As soon as practicable after receipt of the report under
4-28 Subsection (a), the commissioner of education shall transfer to the
4-29 coordinating board an amount of funds equal to the total amount by
4-30 which school district and open-enrollment charter school
4-31 entitlements are reduced under Section 48.2642(b).

4-32 (c) As soon as practicable after receipt of funds
4-33 transferred under Subsection (b), the coordinating board shall
4-34 distribute to each eligible institution an amount of funds equal to
4-35 the amount of state credit applied by the institution under Section
4-36 56.225 during the preceding academic year.

4-37 Sec. 56.227. RULES. The coordinating board may adopt rules
4-38 necessary to implement this subchapter.

4-39 SECTION 4. Subchapter K, Chapter 56, Education Code, is
4-40 repealed.

4-41 SECTION 5. (a) As soon as practicable after the effective
4-42 date of this Act:

4-43 (1) the Texas Education Agency and the Texas Higher
4-44 Education Coordinating Board shall take all actions necessary to
4-45 implement the Texas First Early High School Completion Program
4-46 established under Section 28.0253, Education Code, as amended by
4-47 this Act; and

4-48 (2) the Texas Higher Education Coordinating Board
4-49 shall adopt rules to administer Subchapter K-1, Chapter 56,
4-50 Education Code, as added by this Act.

4-51 (b) The Texas Higher Education Coordinating Board shall
4-52 begin awarding scholarships under Subchapter K-1, Chapter 56,
4-53 Education Code, as added by this Act, beginning with the 2021-2022
4-54 academic year.

4-55 SECTION 6. The Texas Education Agency and the Texas Higher
4-56 Education Coordinating Board are required to implement this Act
4-57 only if the legislature appropriates money specifically for that
4-58 purpose. If the legislature does not appropriate money
4-59 specifically for that purpose, the agency and the coordinating
4-60 board may, but are not required to, implement this Act using other
4-61 appropriations available for that purpose.

4-62 SECTION 7. This Act takes effect immediately if it receives
4-63 a vote of two-thirds of all the members elected to each house, as
4-64 provided by Section 39, Article III, Texas Constitution. If this
4-65 Act does not receive the vote necessary for immediate effect, this
4-66 Act takes effect September 1, 2021.

4-67 * * * * *