

By: Rosenthal

H.B. No. 4691

A BILL TO BE ENTITLED

AN ACT

relating to public school accountability, including performance standards and sanctions and public high school graduation requirements.

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

SECTION 1. Chapter 39 of the Education Code is amended by repealing existing Section 39.025 and adding a new Section 39.025 to read as follows:

Sec. 39.025. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT.

The commissioner shall adopt rules requiring a student in the foundation high school program under Section 28.025 to be administered an end-of-course assessment instrument listed in Section 39.023(c) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. Each student's performance on an end-of-course assessment instrument shall be evaluated to determine whether the student achieved a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a). The results of the administration of an end-of-course assessment instrument required under this subsection may not be used as criteria for graduation. The results may be used only for the purpose of diagnosing the academic strengths and deficiencies of a student and guiding specific instruction to the student.

SECTION 2. Section 39.053, Education Code, is amended by

1 adding Subsection (b-1) and amending subsection (c) to read as
2 follows:

3 (b-1) For purposes of assigning a domain performance rating
4 under Subsection (a), the commissioner shall attribute:

5 (1) for the student achievement domain under
6 Subsection 39.053(c)(1), not more than 50 percent of the domain
7 performance rating may be attributed to the indicators under
8 Subsections 39.053 (c)(1)(A)(i) and (ii);

9 (2) for the closing the gaps domain under Section
10 39.053 (c)(3), not more than 50 percent of the domain performance
11 rating may be attributed to the Academic Achievement Component
12 under Sections 39.053 (c)(1)(A)(i) and (ii).

13 (c) School districts and campuses must be evaluated based on
14 three domains of indicators of achievement adopted under this
15 section that include:

16 (1) in the student achievement domain, indicators of
17 student achievement that must include:

18 (A) for evaluating the performance of districts
19 and campuses generally:

20 (i) an indicator that accounts for the
21 results of assessment instruments required under Sections
22 39.023(a), (c), and (l), as applicable for the district and campus,
23 ~~[including the results of assessment instruments required for~~
24 ~~graduation retaken by a student,]~~ aggregated across grade levels by
25 subject area, including:

26 (a) for the performance standard
27 determined by the commissioner under Section 39.0241(a), the

1 percentage of students who performed satisfactorily on the
2 assessment instruments, aggregated across grade levels by subject
3 area; and

4 (b) for the college readiness
5 performance standard as determined under Section 39.0241, the
6 percentage of students who performed satisfactorily on the
7 assessment instruments, aggregated across grade levels by subject
8 area; and

9 (ii) an indicator that accounts for the
10 results of assessment instruments required under Section
11 39.023(b), as applicable for the district and campus, including the
12 percentage of students who performed satisfactorily on the
13 assessment instruments, as determined by the performance standard
14 adopted by the agency, aggregated across grade levels by subject
15 area; ~~and~~

16 (iii) an indicator that accounts for the
17 number of students who participate in and successfully complete
18 courses in the enrichment curriculum under Section 28.002(a)(2);

19 (iv) an indicator that accounts for
20 students who participate in school-sponsored extracurricular and
21 cocurricular activities, taking into consideration the duration,
22 intensity, and levels of engagement in the activities;

23 (v) an indicator that accounts for the
24 results from the state-developed school and student safety survey
25 of districts and campuses administered under Section 39.0531;

26 (vi) an indicator that accounts for the
27 efforts by districts and campuses relating to providing teacher

1 mentoring programs and professional development opportunities that
2 meet standards established by State Board for Educator
3 Certification rule; and

4 (vi) an indicator that accounts for
5 students who are not in attendance fewer than 15 days during the
6 current school year; and

7 (B) for evaluating the performance of high school
8 campuses and districts that include high school campuses,
9 indicators that account for:

10 (i) students who satisfy the Texas Success
11 Initiative (TSI) college readiness benchmarks prescribed by the
12 Texas Higher Education Coordinating Board under Section 51.334 on
13 an assessment instrument in reading or mathematics designated by
14 the coordinating board under that section;

15 (ii) students who satisfy relevant
16 performance standards on advanced placement tests or similar
17 assessments;

18 (iii) students who earn dual course credits
19 in the dual credit courses;

20 (iv) students who enlist in the armed
21 forces of the United States or the Texas National Guard;

22 (v) students who earn industry
23 certifications;

24 (vi) students admitted into postsecondary
25 industry certification programs that require as a prerequisite for
26 entrance successful performance at the secondary level;

27 (vii) students whose successful completion

1 of a course or courses under Section 28.014 indicates the student's
2 preparation to enroll and succeed, without remediation, in an
3 entry-level general education course for a baccalaureate degree or
4 associate degree;

5 (viii) students who successfully met
6 standards on a composite of indicators that through research
7 indicates the student's preparation to enroll and succeed, without
8 remediation, in an entry-level general education course for a
9 baccalaureate degree or associate degree;

10 (ix) high school graduation rates, computed
11 in accordance with standards and definitions adopted in compliance
12 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
13 subject to the exclusions provided by Subsections (g), (g-1),
14 (g-2), (g-3), and (g-4);

15 (x) students who successfully completed an
16 OnRamps dual enrollment course;

17 (xi) students who successfully completed a
18 practicum or internship approved by the State Board of Education;

19 (xii) students who are awarded an associate
20 degree; ~~and~~

21 (xiii) students who successfully completed
22 a program of study in career and technical education; and

23 (xiv) students who successfully complete at
24 least one endorsement under Section 28.025(c-1);

25 (xv) students who earn micro-credentials or
26 credentials of value as defined by the State Board of Education; and

27 (xvi) ninth-grade students who at the end

1 of ninth grade have completed enough courses to be academically
2 on-track to graduate with their ninth-grade cohort; and

3 (2) in the school progress domain, indicators for
4 effectiveness in promoting student learning, which must include:

5 (A) for assessment instruments, including
6 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
7 percentage of students who met the standard for improvement, as
8 determined by the commissioner; and

9 (B) for evaluating relative performance, the
10 performance of districts and campuses compared to similar districts
11 or campuses; and

12 (3) in the closing the gaps domain, the use of
13 disaggregated data to demonstrate the differentials among students
14 from different racial and ethnic groups, socioeconomic
15 backgrounds, and other factors, including:

16 (A) students formerly receiving special
17 education services;

18 (B) students continuously enrolled; and

19 (C) students who are mobile.

20 SECTION 3. Chapter 39, Education Code, is amended by adding
21 Section 39.0531 to read as follows:

22 Sec. 39.0531. SCHOOL AND STUDENT SAFETY AND CLIMATE SURVEY.

23 (a) The commissioner shall incorporate a school and student safety
24 and climate survey as an indicator for the student achievement
25 domain under Subsection 39.053(c)(1) and the closing the gaps
26 domain under Subsection 39.053(c)(4). A school and student safety
27 and climate survey shall be administered to administrators and

1 teachers employed by school districts, students enrolled in school
2 districts, and parents of those students.

3 (b) The commissioner shall adopt rules to implement this
4 section, including rules to:

5 (1) determine the format of the survey;

6 (2) determine the questions that the survey must
7 include;

8 (3) establish a period during a school year in which
9 the survey must be conducted;

10 (4) establish requirements for administering and
11 reporting the results of the survey; and

12 (5) authorize the manner in which the survey may be
13 administered, including the local administration of the survey.

14 (c) Notwithstanding any other provision of this code,
15 including Section 21.355, school and student safety and climate
16 survey information must be reported to the agency in accordance
17 with rules adopted by the commissioner.

18 (d) The commissioner may contract with a third party to
19 provide any service necessary under this section.

20 SECTION 4. Section 39.054, Education Code, is amended by
21 repealing subsections (a-1) and (a-2) and amending subsections (a),
22 (a-4), (a-5), and (b) to read as follows:

23 (a) Except as provided by Subsection (a-4), [~~the~~
24 ~~commissioner shall adopt rules to evaluate school district and~~
25 ~~campus performance and assign each district and campus an overall~~
26 ~~performance rating of A, B, C, D, or F. In addition to the overall~~
27 ~~performance rating,~~] the commissioner shall assign each district

1 and campus a separate domain performance rating of A, B, C, D, or F
2 for each domain under Section 39.053(c). A [~~An overall or~~] domain
3 performance rating of A reflects exemplary performance. A [~~An
4 overall or~~] domain performance rating of B reflects recognized
5 performance. A [~~An overall or~~] domain performance rating of C
6 reflects acceptable performance. A [~~An overall or~~] domain
7 performance rating of D reflects performance that needs
8 improvement. A [~~An overall or~~] domain performance rating of F
9 reflects unacceptable performance. A district may not receive a
10 [~~an overall or~~] domain performance rating of A if the district
11 includes any campus with a corresponding [~~overall or~~] domain
12 performance rating of D or F. If a school district has been
13 approved under Section 39.0544 to assign campus performance ratings
14 and the commissioner has not assigned a campus a domain [~~an overall~~]
15 performance rating of D or F, the commissioner shall assign the
16 campus a domain [~~an overall~~] performance rating based on the school
17 district assigned performance rating under Section 39.0544.

18 (a-4) Notwithstanding any other law, the commissioner may
19 assign a school district or campus a domain [~~an overall~~]
20 performance rating of "Not Rated" if the commissioner determines
21 that the assignment of a performance rating of A, B, C, D, or F would
22 be inappropriate because:

23 (1) the district or campus is located in an area that
24 is subject to a declaration of a state of disaster under Chapter
25 418, Government Code, and due to the disaster, performance
26 indicators for the district or campus are difficult to measure or
27 evaluate and would not accurately reflect quality of learning and

1 achievement for the district or campus;

2 (2) the district or campus has experienced breaches or
3 other failures in data integrity to the extent that accurate
4 analysis of data regarding performance indicators is not possible;

5 (3) the number of students enrolled in the district or
6 campus is insufficient to accurately evaluate the performance of
7 the district or campus; or

8 (4) for other reasons outside the control of the
9 district or campus, the performance indicators would not accurately
10 reflect quality of learning and achievement for the district or
11 campus.

12 (a-5) Notwithstanding any other law, a domain [~~an overall~~]
13 performance rating of "Not Rated" is not included in calculating
14 consecutive school years of unacceptable performance ratings and is
15 not considered a break in consecutive school years of unacceptable
16 performance ratings for purposes of any provision of this code.

17 SECTION 5. Section 39.0543(a), Education Code, is amended
18 to read as follows:

19 Sec. 39.0543. PERFORMANCE RATING REQUIRING INTERVENTION OR
20 OTHER ACTION. (a) A reference in law to an acceptable performance
21 rating or acceptable performance includes a [~~an overall or~~] domain
22 performance rating of A, B, or C or performance that is exemplary,
23 recognized, or acceptable. A reference in law to an unacceptable
24 performance rating or unacceptable performance includes a closing
25 the gaps [~~an overall or~~] domain performance rating of F. For the
26 purposes of public reporting requirements, a [~~an overall or~~] domain
27 performance rating of D shall be referred to as performance that

1 needs improvement.

2 SECTION 6. Section 12.258(a), Education Code, is amended to
3 read as follows:

4 Sec. 12.258. STUDENT ELIGIBILITY; ADMISSION. (a) A person
5 who is at least 18 years of age and not more than 50 years of age is
6 eligible to enroll in an adult education program operated under a
7 charter granted under this subchapter if the person:

8 (1) has failed to complete the curriculum requirements
9 for high school graduation; or

10 (2) has failed to perform satisfactorily on an
11 assessment instrument that, before the 2022-2023 school year, was
12 required for high school graduation.

13 SECTION 7. Section 18.005(c), Education Code, is amended to
14 read as follows:

15 (c) A Job Corps diploma program shall:

16 (1) develop educational programs specifically
17 designed for persons eligible for enrollment in a Job Corps
18 training program established by the United States Department of
19 Labor;

20 (2) coordinate educational programs and services in
21 the diploma program with programs and services provided by the
22 United States Department of Labor and other federal and state
23 agencies and local political subdivisions and by persons who
24 provide programs and services under contract with the United States
25 Department of Labor;

26 (3) provide a course of instruction that includes the
27 required curriculum under Subchapter A, Chapter 28; and

1 ~~[(4) require that students enrolled in the diploma~~
2 ~~program satisfy the requirements of Section 39.025 before receiving~~
3 ~~a diploma under this chapter, and]~~

4 (5) comply with a requirement imposed under this title
5 or a rule adopted under this title relating to the Public Education
6 Information Management System (PEIMS) to the extent necessary to
7 determine compliance with this chapter, as determined by the
8 commissioner.

9 SECTION 8. Section 19.0043(b), Education Code, is amended
10 to read as follows:

11 (b) A student may graduate and receive a diploma from a
12 Windham School District educational program if:

13 (1) the student successfully completes the curriculum
14 requirements identified by the State Board of Education under
15 Section 28.025(a) ~~[and complies with Section 39.025]~~; or

16 (2) the student successfully completes the curriculum
17 requirements under Section 28.025(a) as modified by an
18 individualized education program developed under Section 29.005.

19 SECTION 9. Section 25.005(b), Education Code, is amended to
20 read as follows:

21 (b) A reciprocity agreement must:

22 (1) address procedures for:

23 (A) transferring student records; and

24 (B) awarding credit for completed course work;

25 and

26 ~~[(C) permitting a student to satisfy the~~
27 ~~requirements of Section 39.025 through successful performance on~~

1 ~~comparable end-of-course or other exit-level assessment~~
2 ~~instruments administered in another state; and]~~

3 (2) include appropriate criteria developed by the
4 agency.

5 SECTION 10. Section 28.025, Education Code, is amended by
6 repealing subsection (d) and amending subsections (b-7) and (c) to
7 read as follows:

8 (b-7) The State Board of Education, in coordination with the
9 Texas Higher Education Coordinating Board, shall adopt rules to
10 ensure that a student may comply with the curriculum requirements
11 under the foundation high school program or for an endorsement
12 under Subsection (c-1) by successfully completing appropriate
13 courses in the core curriculum of an institution of higher
14 education under Section 61.822. Notwithstanding Subsection (b-15)
15 or (c) of this section[~~, Section 39.025,~~] or any other provision of
16 this code and notwithstanding any school district policy, a student
17 who has completed the core curriculum of an institution of higher
18 education under Section 61.822, as certified by the institution in
19 accordance with commissioner rule, is considered to have earned a
20 distinguished level of achievement under the foundation high school
21 program and is entitled to receive a high school diploma from the
22 appropriate high school as that high school is determined in
23 accordance with commissioner rule. A student who is considered to
24 have earned a distinguished level of achievement under the
25 foundation high school program under this subsection may apply for
26 admission to an institution of higher education for the first
27 semester or other academic term after the semester or other

1 academic term in which the student completes the core curriculum.

2 (c) A person may receive a diploma if the person is eligible
3 for a diploma under Section 28.0251. In other cases, a student may
4 graduate and receive a diploma only if:

5 (1) the student successfully completes the curriculum
6 requirements identified by the State Board of Education under
7 Subsection (a) and complies with Section [~~Sections~~] 28.0256 [~~and~~
8 ~~39.025~~]; or

9 (2) the student successfully completes an
10 individualized education program developed under Section 29.005.

11 SECTION 11. Section 29.081(b), Education Code, is amended
12 to read as follows:

13 (b) Each district shall provide accelerated instruction to
14 a student enrolled in the district [~~who has taken an end-of-course~~
15 ~~assessment instrument administered under Section 39.023(c) and has~~
16 ~~not performed satisfactorily on the assessment instrument or~~] who
17 is at risk of dropping out of school.

18 SECTION 12. Section 29.402, Education Code, is amended by
19 amending subsections (b) and (c) to read as follows:

20 (b) A person who is under 26 years of age is eligible to
21 enroll in a dropout recovery program under this subchapter if the
22 person[+]

23 (1) must complete not more than three course credits
24 to complete the curriculum requirements for the foundation high
25 school program for high school graduation; or

26 (2) has failed to perform satisfactorily on an
27 end-of-course assessment instrument administered under Section

1 39.023(c) as that section existed before amendment by Chapter _____
2 (S.B. _____), Acts of the 88th Legislature, Regular Session, 2022,
3 or an assessment instrument administered under Section 39.023(c) as
4 that section existed before amendment by Chapter 1312 (S.B. 1031),
5 Acts of the 80th Legislature, Regular Session, 2007.

6 (c) A public junior college under this section shall:

7 (1) design a dropout recovery curriculum that includes
8 career and technology education courses that lead to industry or
9 career certification;

10 (2) integrate into the dropout recovery curriculum
11 research-based strategies to assist students in becoming able
12 academically to pursue postsecondary education, including:

13 (A) high quality, college readiness instruction
14 with strong academic and social supports;

15 (B) secondary to postsecondary bridging that
16 builds college readiness skills, provides a plan for college
17 completion, and ensures transition counseling; and

18 (C) information concerning appropriate supports
19 available in the first year of postsecondary enrollment to ensure
20 postsecondary persistence and success, to the extent funds are
21 available for the purpose;

22 (3) offer advanced academic and transition
23 opportunities, including dual credit courses and college
24 preparatory courses, such as advanced placement courses; and

25 (4) coordinate with each partnering school district to
26 provide in the articulation agreement that the district retains
27 accountability for student attendance and~~[and]~~ student completion of

1 high school course requirements[~~, and student performance on~~
2 ~~assessment instruments as necessary for the student to receive a~~
3 ~~diploma from a high school of the partnering school district]~~.

4 SECTION 13. Section 30.021(e), Education Code, is amended
5 to read as follows:

6 (e) The school shall cooperate with public and private
7 agencies and organizations serving students and other persons with
8 visual impairments in the planning, development, and
9 implementation of effective educational and rehabilitative service
10 delivery systems associated with educating students with visual
11 impairments. To maximize and make efficient use of state
12 facilities, funding, and resources, the services provided in this
13 area may include conducting a cooperative program with other
14 agencies to serve students who have graduated from high school by
15 completing all academic requirements applicable to students in
16 regular education[~~, excluding satisfactory performance under~~
17 ~~Section 39.025,~~] who are younger than 22 years of age on September 1
18 of the school year and who have identified needs related to
19 vocational training, independent living skills, orientation and
20 mobility, social and leisure skills, compensatory skills, or
21 remedial academic skills.

22 SECTION 14. Section 30.104(b), Education Code, is amended
23 to read as follows:

24 (b) A student may graduate and receive a diploma from a
25 department educational program if:

26 (1) the student successfully completes the curriculum
27 requirements identified by the State Board of Education under

1 Section 28.025(a) [~~and complies with Section 39.025~~]; or

2 (2) the student successfully completes the curriculum
3 requirements under Section 28.025(a) as modified by an
4 individualized education program developed under Section 29.005.

5 SECTION 15. Section 32.258(b), Education Code, is amended
6 to read as follows:

7 (b) The system established under Subsection (a) shall
8 provide a means for a student or the student's parent or other
9 person standing in parental relationship to track the student's
10 progress on end-of-course assessment instruments administered
11 under Section 39.023(c) [~~instrument requirements for graduation~~].

12 SECTION 16. Section 39.003(a), Education Code, is amended
13 to read as follows:

14 Sec. 39.003. SPECIAL INVESTIGATIONS. (a) The commissioner
15 may authorize special investigations to be conducted:

16 (1) when excessive numbers of absences of students
17 eligible to be tested on state assessment instruments are
18 determined;

19 (2) when excessive numbers of allowable exemptions
20 from the required state assessment instruments are determined;

21 (3) in response to complaints submitted to the agency
22 with respect to alleged violations of civil rights or other
23 requirements imposed on the state by federal law or court order;

24 (4) in response to established compliance reviews of
25 the district's financial accounting practices and state and federal
26 program requirements;

27 (5) when extraordinary numbers of student placements

1 in disciplinary alternative education programs, other than
2 placements under Sections 37.006 and 37.007, are determined;

3 (6) in response to an allegation involving a conflict
4 between members of the board of trustees or between the board and
5 the district administration if it appears that the conflict
6 involves a violation of a role or duty of the board members or the
7 administration clearly defined by this code;

8 (7) when excessive numbers of students in special
9 education programs under Subchapter A, Chapter 29, are assessed
10 through assessment instruments developed or adopted under Section
11 39.023(b);

12 (8) in response to an allegation regarding or an
13 analysis using a statistical method result indicating a possible
14 violation of an assessment instrument security procedure
15 established under Section 39.0301, including for the purpose of
16 investigating or auditing a school district under that section;

17 (9) when a significant pattern of decreased academic
18 performance has developed as a result of the promotion in the
19 preceding two school years of students who did not perform
20 satisfactorily as determined by the commissioner under Section
21 39.0241(a) on assessment instruments administered under Section
22 39.023(a), (c), or (l);

23 (10) when excessive numbers of students eligible to
24 enroll fail to complete an Algebra II course or any other advanced
25 course as determined by the commissioner;

26 (11) when resource allocation practices as evaluated
27 under Section 39.0821 indicate a potential for significant

1 improvement in resource allocation;

2 (12) when a disproportionate number of students of a
3 particular demographic group is graduating with a particular
4 endorsement under Section 28.025(c-1);

5 (13) when an excessive number of students is
6 graduating with a particular endorsement under Section
7 28.025(c-1);

8 (14) in response to a complaint submitted to the
9 agency with respect to alleged inaccurate data that is reported
10 through the Public Education Information Management System (PEIMS)
11 or through other reports required by state or federal law or rule or
12 court order and that is used by the agency to make a determination
13 relating to public school accountability, including accreditation,
14 under this chapter;

15 ~~[(15) when 10 percent or more of the students
16 graduating in a particular school year from a particular high
17 school campus are awarded a diploma based on the determination of an
18 individual graduation committee under Section 28.0258.]~~

19 (16) when a school district for any reason fails to
20 produce, at the request of the agency, evidence or an investigation
21 report relating to an educator who is under investigation by the
22 State Board for Educator Certification; or

23 (17) as the commissioner otherwise determines
24 necessary.

25 SECTION 17. Section 39.034(d), Education Code, is amended
26 to read as follows:

27 (d) The agency shall determine the necessary annual

1 improvement required each year for a student to be prepared to
2 perform satisfactorily on, as applicable:

- 3 (1) the grade five assessment instruments;
- 4 (2) the grade eight assessment instruments; and
- 5 (3) the end-of-course assessment instruments
6 ~~[required under this subchapter for graduation].~~

7 SECTION 18. Section 39.0544, Education Code, is amended by
8 amending subsections (a) and (e) and adding subsections (f) and (g)
9 to read as follows:

10 Sec. 39.0544. LOCAL ACCOUNTABILITY SYSTEM. (a) The
11 commissioner shall adopt rules regarding the assignment of campus
12 performance ratings by school districts and open-enrollment
13 charter schools. The rules:

14 (1) must require a district or school~~[, in assigning~~
15 ~~an overall performance rating for a campus,~~] to incorporate:

16 (A) domain performance ratings assigned by the
17 commissioner under Section 39.054; and

18 (B) performance ratings based on locally
19 developed domains or sets of accountability measures;

20 (2) may permit a district or school to assign weights
21 to each domain or set of accountability measures described in
22 Subdivision (1), as determined by the district or school, provided
23 that the domains specified in Subdivision (1)(A) must in the
24 aggregate account for at least 50 percent of the overall
25 performance rating;

26 (3) must require that each locally developed domain or
27 set of accountability measures:

1 (A) contains levels of performance that allow for
2 differentiation, with assigned standards for achieving the
3 differentiated levels;

4 (B) provides for the assignment of a letter grade
5 of A, B, C, D, or F; and

6 (C) meets standards for reliability and
7 validity;

8 (4) must require that calculations for ~~overall~~
9 ~~performance ratings and~~ each locally developed domain or set of
10 accountability measures be capable of being audited by a third
11 party;

12 (5) must require that a district or school produce a
13 campus score card that may be displayed on the agency's website; and

14 (6) must require that a district or school develop and
15 make available to the public an explanation of the methodology used
16 to assign performance ratings under this section.

17 (e) A school district or open-enrollment charter school
18 authorized under this section to assign campus performance ratings
19 shall evaluate the performance of each campus as provided by this
20 section and assign each campus a performance rating of A, B, C, D,
21 or F ~~[for overall performance and]~~ for each locally developed
22 domain or set of accountability measures. Not later than a date
23 established by the commissioner, the district or school shall:

24 (1) report the performance ratings to the agency; and

25 (2) make the performance ratings available to the
26 public as provided by commissioner rule.

27 SECTION 19. Section 39.301(c), Education Code, is amended

1 to read as follows:

2 (c) Indicators for reporting purposes must include:

3 (1) the percentage of graduating students who meet the
4 course requirements established by State Board of Education rule
5 for:

6 (A) the foundation high school program;

7 (B) the distinguished level of achievement under
8 the foundation high school program; and

9 (C) each endorsement described by Section
10 28.025(c-1);

11 (2) the results of the SAT, ACT, and certified
12 workforce training programs described by Chapter 311, Labor Code;

13 (3) for students who have failed to perform
14 satisfactorily, under each performance standard under Section
15 39.0241, on an assessment instrument required under Section
16 39.023(a) [~~or (c)~~], the performance of those students on subsequent
17 assessment instruments required under that section [~~those~~
18 ~~sections~~], aggregated by grade level and subject area;

19 (4) for each campus, the number of students,
20 disaggregated by major student subpopulations, that take courses
21 under the foundation high school program and take additional
22 courses to earn an endorsement under Section 28.025(c-1),
23 disaggregated by type of endorsement;

24 (5) the percentage of students, aggregated by grade
25 level, provided accelerated instruction under Section 28.0211, the
26 results of assessment instruments administered under that section,
27 the subject of the assessment instrument on which each student

1 failed to perform satisfactorily under each performance standard
2 under Section 39.0241, and the performance of those students in the
3 subsequent school year on the assessment instruments required under
4 Section 39.023;

5 (6) the percentage of emergent bilingual students
6 exempted from the administration of an assessment instrument under
7 Sections 39.027(a)(1) and (2);

8 (7) the percentage of students in a special education
9 program under Subchapter A, Chapter 29, assessed through assessment
10 instruments developed or adopted under Section 39.023(b);

11 (8) the percentage of students who satisfy the college
12 readiness measure;

13 (9) the measure of progress toward dual language
14 proficiency under Section 39.034(b), for emergent bilingual
15 students, as defined by Section 29.052;

16 (10) the percentage of students who are not
17 educationally disadvantaged;

18 (11) the percentage of students who enroll and begin
19 instruction at an institution of higher education in the school
20 year following high school graduation; and

21 (12) the percentage of students who successfully
22 complete the first year of instruction at an institution of higher
23 education without needing a developmental education course.

24 SECTION 20. Sections 12.104(b-2), 12.260, 19.0043(c),
25 28.0217, 28.0255(g), 28.0255(h), 28.0258, 28.0259, 28.02591,
26 29.081(b-1), 29.081(b-2), 29.081(b-3), 30.104(c), 39.0543(b),
27 39.0543(b-1), 39.0543(b-2), 39.0543(b-3), 39.0543(c), 39.0543(d),

1 Education Code, are repealed.

2 SECTION 21. This act applies beginning with the 2023-2024
3 school year.

4 SECTION 22. This Act takes effect immediately if it
5 receives a vote of two-thirds of all the members elected to each
6 house, as provided by Section 39, Article III, Texas Constitution.
7 If this Act does not receive the vote necessary for immediate
8 effect, this Act takes effect September 1, 2023.