

1-1 By: Farias (Senate Sponsor - Van de Putte) H.B. No. 692  
1-2 (In the Senate - Received from the House April 26, 2011;  
1-3 April 29, 2011, read first time and referred to Committee on  
1-4 Education; May 19, 2011, reported favorably by the following vote:  
1-5 Yeas 7, Nays 0; May 19, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to high school graduation requirements for a student who  
1-9 is unable to participate in physical activity due to disability or  
1-10 illness.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 28.025, Education Code, is amended by  
1-13 amending Subsection (b-1) and adding Subsection (b-11) to read as  
1-14 follows:

1-15 (b-1) The State Board of Education by rule shall require  
1-16 that:

1-17 (1) except as provided by Subsection (b-2), the  
1-18 curriculum requirements for the recommended and advanced high  
1-19 school programs under Subsection (a) include a requirement that  
1-20 students successfully complete:

1-21 (A) four credits in each subject of the  
1-22 foundation curriculum under Section 28.002(a)(1), including at  
1-23 least one-half credit in government and at least one-half credit in  
1-24 economics to meet the social studies requirement;

1-25 (B) for the recommended high school program, two  
1-26 credits in the same language in a language other than English under  
1-27 Section 28.002(a)(2)(A) and, for the advanced high school program,  
1-28 three credits in the same language in a language other than English  
1-29 under Section 28.002(a)(2)(A); and

1-30 (C) for the recommended high school program, six  
1-31 elective credits and, for the advanced high school program, five  
1-32 elective credits;

1-33 (2) one or more credits offered in the required  
1-34 curriculum for the recommended and advanced high school programs  
1-35 include a research writing component; and

1-36 (3) the curriculum requirements for the minimum,  
1-37 recommended, and advanced high school programs under Subsection (a)  
1-38 include a requirement that students successfully complete:

1-39 (A) one credit in fine arts under Section  
1-40 28.002(a)(2)(D); and

1-41 (B) except as provided by Subsection (b-11), one  
1-42 credit in physical education under Section 28.002(a)(2)(C).

1-43 (b-11) In adopting rules under Subsection (b-1), the State  
1-44 Board of Education shall allow a student who is unable to  
1-45 participate in physical activity due to disability or illness to  
1-46 substitute one credit in English language arts, mathematics,  
1-47 science, or social studies or one academic elective credit for the  
1-48 physical education credit required under Subsection (b-1)(3)(B). A  
1-49 credit allowed to be substituted under this subsection may not also  
1-50 be used by the student to satisfy a graduation requirement other  
1-51 than completion of the physical education credit. The rules must  
1-52 provide that the determination regarding a student's ability to  
1-53 participate in physical activity will be made by:

1-54 (1) if the student receives special education services  
1-55 under Subchapter A, Chapter 29, the student's admission, review,  
1-56 and dismissal committee;

1-57 (2) if the student does not receive special education  
1-58 services under Subchapter A, Chapter 29, but is covered by Section  
1-59 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the  
1-60 committee established for the student under that Act; or

1-61 (3) if each of the committees described by  
1-62 Subdivisions (1) and (2) is inapplicable, a committee established  
1-63 by the school district of persons with appropriate knowledge  
1-64 regarding the student.

2-1 SECTION 2. This Act takes effect immediately if it receives  
2-2 a vote of two-thirds of all the members elected to each house, as  
2-3 provided by Section 39, Article III, Texas Constitution. If this  
2-4 Act does not receive the vote necessary for immediate effect, this  
2-5 Act takes effect September 1, 2011.

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