

By: Zaffirini

S.B. No. 50

A BILL TO BE ENTITLED

AN ACT

relating to regulatory authority for courses taken by public high school students for both high school and college credit.

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

SECTION 1. Section 28.002, Education Code, is amended by adding Subsection (c-2) to read as follows:

(c-2) Notwithstanding Subsection (c), the State Board of Education may not identify the essential knowledge and skills of a course in a subject of the required curriculum for which a student may be awarded both high school and college credit.

SECTION 2. Section 30A.104, Education Code, is amended to read as follows:

Sec. 30A.104. COURSE ELIGIBILITY IN GENERAL. A course offered through the state virtual school network must:

(1) be in a specific subject that is part of the required curriculum under Section 28.002(a);

(2) be aligned with the essential knowledge and skills identified under Section 28.002(c) for a grade level at or above grade level three, except in the case of a dual credit course for which the essential knowledge and skills are not identified as provided by Section 28.002(c-2); and

(3) be the equivalent in instructional rigor and scope to a course that is provided in a traditional classroom setting during:

1 (A) a semester of 90 instructional days; and

2 (B) a school day that meets the minimum length of
3 a school day required under Section 25.082.

4 SECTION 3. Section 30A.111(c), Education Code, is amended
5 to read as follows:

6 (c) The commissioner of higher education by rule shall
7 establish qualifications and professional development requirements
8 applicable to college instructors providing instruction in dual
9 credit courses through the state virtual school network that allow
10 a student to earn high school credit and college credit or other
11 credit.

12 SECTION 4. Section 39.023, Education Code, is amended by
13 adding Subsection (c-7) and amending Subsection (i) to read as
14 follows:

15 (c-7) Subsection (c) does not apply to a course for which a
16 student may be awarded both high school and college credit.

17 (i) The provisions of this section, except Subsections
18 (c-7) and [Subsection] (d), are subject to modification by rules
19 adopted under Section 39.022. Each assessment instrument adopted
20 under those rules and each assessment instrument required under
21 Subsection (d) must be reliable and valid and must meet any
22 applicable federal requirements for measurement of student
23 progress.

24 SECTION 5. Sections 39.025(a), (a-2), and (a-3), Education
25 Code, are amended to read as follows:

26 (a) The commissioner shall adopt rules requiring a student
27 participating in the recommended or advanced high school program to

1 be administered each end-of-course assessment instrument listed in
2 Section 39.023(c), except as provided by Section 39.023(c-7), and
3 requiring a student participating in the minimum high school
4 program to be administered an end-of-course assessment instrument
5 listed in Section 39.023(c) only for a course in which the student
6 is enrolled and for which an end-of-course assessment instrument is
7 administered. A student is required to achieve, in each subject in
8 the foundation curriculum under Section 28.002(a)(1), a cumulative
9 score that is at least equal to the product of the number of
10 end-of-course assessment instruments administered to the student
11 in that subject and a scale score that indicates satisfactory
12 performance, as determined by the commissioner under Section
13 39.0241(a). A student must achieve a minimum score as determined
14 by the commissioner to be within a reasonable range of the scale
15 score under Section 39.0241(a) on an end-of-course assessment
16 instrument for the score to count towards the student's cumulative
17 score. For purposes of this subsection, a student's cumulative
18 score is determined using the student's highest score on each
19 end-of-course assessment instrument administered to the
20 student. A student may not receive a high school diploma until the
21 student has performed satisfactorily on the end-of-course
22 assessment instruments in the manner provided under this
23 subsection. This subsection does not require a student to
24 demonstrate readiness to enroll in an institution of higher
25 education.

26 (a-2) In addition to the cumulative score requirements
27 under Subsection (a), except to the extent that under Section

1 39.023(c-7) a student is not required to take an end-of-course
2 assessment instrument for a particular course, a student must
3 achieve a score that meets or exceeds:

4 (1) the score determined by the commissioner under
5 Section 39.0241(a) for English III and Algebra II end-of-course
6 assessment instruments, to graduate under the recommended high
7 school program; or

8 (2) [~~←~~
9 ~~[(a-3) In addition to the cumulative score requirements~~
10 ~~under Subsection (a), a student must achieve a score that meets or~~
11 ~~exceeds]~~ the score determined by the commissioner under Section
12 39.0241(a-1) on English III and Algebra II end-of-course assessment
13 instruments, [in order] to graduate under the advanced high school
14 program.

15 SECTION 6. Section 39.023(o), Education Code, is repealed.

16 SECTION 7. This Act applies to a course offered for both
17 high school and college credit beginning with the 2011-2012 school
18 year.

19 SECTION 8. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2011.