

Amend **CSHB 5** (senate committee printing) in SECTION 12 of the bill by striking amended Section 28.025(b-9), Education Code (page 8, lines 23-34), and substituting the following:

(b-9) A school district, with the approval of the commissioner, may allow [~~The agency shall establish a pilot program allowing~~] a student [~~attending school in a county with a population of more than one million and in which more than 75 percent of the population resides in a single municipality~~] to satisfy the fine arts credit required under Subsection (b-1)(8) [~~(b-1)(3)(A)~~] by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the essential knowledge and skills identified for fine arts by the State Board of Education under Section 28.002(c). The fine arts program may be provided on or off a school campus and outside the regular school day. [~~Not later than December 1, 2010, the agency shall provide to the legislature a report regarding the pilot program, including the feasibility of expanding the pilot program statewide.~~]