

BILL ANALYSIS

C.S.H.B. 5
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In recent years, education policy in Texas has focused on ensuring that students are academically prepared to pursue a postsecondary education. Interested parties contend that such efforts to increase the rigor of the curriculum and testing programs have unintentionally led to limited options during high school for students and an excessive reliance on standardized testing, ultimately leaving many students unprepared for life after high school. C.S.H.B. 5 seeks to improve workforce preparedness by providing flexibility for students to develop their talents and pursue their interests through diploma endorsements, to reduce the emphasis on testing by decreasing the number of end-of-course exams students are required to pass to earn their diplomas, and to institute school ratings that provide a clearer understanding of overall school performance.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 5, to the commissioner of education in SECTIONS 1, 5, 21, 22, 27, 28, 30, 41, 42, 44, and 45 and to the Texas Higher Education Coordinating Board in SECTIONS 41, 42, 44, and 45 of this bill.

ANALYSIS

C.S.H.B. 5 amends the Education Code to replace the minimum, recommended, and advanced high school programs with the foundation high school program, beginning with the 2014-2015 school year. The bill requires the State Board of Education (SBOE) to designate the specific courses required under the new high school program, sets out the specific number of completed credits in various subject areas, including the number of elective credits, that the SBOE by rule must require as part of the foundation high school curriculum, and removes requirements specific to the minimum, recommended, and advanced high school graduation programs. The bill authorizes a school district, under certain conditions, to offer certain locally developed college preparatory or career and technology training courses approved by the board of trustees for local credit in addition to those in the required curriculum without obtaining approval from the SBOE and includes one credit in such a course offered for local credit among the other credits that may be substituted for the otherwise required physical education credit by a student who is unable to participate in physical activity because of disability or illness.

C.S.H.B. 5 removes the pilot program status from a provision authorizing a student to satisfy the fine arts credit requirement by participating in a fine arts program not provided by the school district in which the student is enrolled. The bill requires SBOE rules to provide for a student's compliance with curriculum requirements under the foundation high school program for advanced English and advanced mathematics courses taken after successful completion of other specified English and mathematics courses and for an advanced science course by successfully completing alternative courses in the appropriate content areas that either have been approved as advanced courses by SBOE rule or are offered as advanced courses for local credit without

SBOE approval and requires the SBOE to approve a variety of advanced courses for that purpose. The bill requires the SBOE, in adopting rules designating the number of course credits required under the foundation high school program, to adopt criteria to allow a student to comply with the language credits requirement by substituting an equal number of credits in computer programming languages and to allow a student in a special education program to comply with the language credits requirement by substituting an equal number of credits in English language arts, mathematics, science, or social studies or career and technology or another academic elective credit. The bill prohibits the latter credit from also being used to satisfy a graduation requirement other than completion of the language other than English requirement.

C.S.H.B. 5 removes provisions requiring each school district to adopt a policy that requires a student's performance on an end-of-course test for a college preparatory course in certain subjects to account for 15 percent of the student's final course grade and authorizing such performance to be used on a 0-40 scale in calculating whether the student satisfies high school graduation requirements and instead authorizes a school district to adopt a policy that requires such performance to be considered in determining the student's final course grade. The bill requires such college preparatory courses to be designed for students at the 12th grade level who do not meet college readiness standards on an end-of-course test that is given to a student at the student's option as well as students at that grade level who do not meet that college readiness standard on a required end-of course test.

C.S.H.B. 5 authorizes a student to earn a distinguished level of achievement under the foundation high school program and sets out the curriculum requirements for the achievement. The bill authorizes a student to earn an endorsement on the student's diploma and transcript by successfully completing curriculum requirements for that endorsement adopted by the SBOE by rule, with endorsements available in the following categories: science, technology, engineering, and mathematics (STEM); business and industry; public services; arts and humanities; and multidisciplinary studies. The bill sets out the relevant subject areas for courses satisfying the requirements for an endorsement in each category and requires the SBOE to develop the curriculum requirements for each endorsement with the direct participation of educators and business and industry representatives. The bill also authorizes a student to earn a performance acknowledgement on the student's diploma and transcript by satisfying the requirements for acknowledgement adopted by the SBOE by rule and sets out the criteria for earning such acknowledgement. The bill requires a school district to clearly indicate a distinguished level of achievement, an endorsement, and a performance acknowledgement on the diploma and transcript of a student who satisfies the applicable requirements and requires the SBOE to adopt rules as necessary to administer these requirements. The bill includes the percentage of graduating students who meet the course requirements for the foundation high school program, the distinguished level of achievement, and each diploma endorsement among certain additional performance indicators for parent and educator reporting purposes.

C.S.H.B. 5 adds temporary provisions, set to expire September 1, 2018, to require the commissioner of education by rule to adopt a transition plan to implement and administer the replacement of the minimum, recommended, and advanced high school programs with the foundation high school program, beginning with the 2014-2015 school year, under which plan a student who entered the ninth grade before the 2014-2015 school year must be permitted to complete either the foundation high school program curriculum requirements for graduation, if the student chooses during the 2014-2015 school year to take courses under this program, or the curriculum requirements for graduation under minimum, recommended, or advanced high school programs, as those programs exist before their replacement by the foundation high school program, if the student was participating in one of those programs before the 2014-2015 school year.

C.S.H.B. 5 requires each school counselor to provide counseling regarding postsecondary education, rather than higher education, to a student enrolled at the high school level each year of the student's enrollment, rather than only during the first year of enrollment and again during the

student's senior year, and requires the counseling to convey the advantages of earning a diploma endorsement, performance acknowledgement, and distinguished level of achievement under the foundation high school program set out by the bill.

C.S.H.B. 5 removes the requirement for the Texas Education Agency's (TEA) adoption of end-of-course tests for high school Algebra II, geometry, chemistry, physics, English I, English III, world geography, and world history. The bill replaces a requirement for a school district to adopt a policy that requires a student's performance on an end-of-course test for a high school level course to account for 15 percent of the student's final course grade with a provision authorizing a school district to adopt a policy requiring consideration of such performance in determining the student's final course grade. The bill removes a provision exempting a school district from being required to use a student's performance on a retake of an end-of-course test to determine the student's final course grade.

C.S.H.B. 5 requires TEA to adopt end-of-course tests for high school Algebra II and English III that TEA and the Texas Higher Education Coordinating Board have ensured are capable of measuring college readiness and that are to be administered to a student at the student's option. The bill makes the following provisions applicable to these optional tests: provisions relating to the test dates for statewide standardized tests and end-of-course tests, the inclusion of special purpose questions on an end-of-course test, measures of annual improvement in student achievement on end-of-course tests, and field testing of questions for a statewide standardized test or end-of-course test. The bill requires the optional Algebra II end-of-course test to be administered with the aid of technology and requires a school district to comply with SBOE rules regarding administration of the optional Algebra II and English III end-of-course tests. The bill sets out provisions relating to the testing schedule for the optional tests and removes TEA's authority to adopt end-of-course tests for high school courses not listed in statute.

C.S.H.B. 5, beginning with the 2013-2014 school year, revises end-of-course test score requirements applicable to students in the minimum, recommended, and advanced high school programs before the transition to the foundation high school program by removing the requirement for a certain cumulative end-of-course test score in each subject in the foundation curriculum to require a student to achieve a scale score that indicates satisfactory performance. The bill requires the commissioner, for each required scale score not based on a 100-point scale scoring system, to provide for conversion, in accordance with commissioner rule, to an equivalent score based on a 100-point scale. The bill authorizes, rather than requires, a student who failed to achieve a score requirement on an end-of-course test to retake the test and removes a provision authorizing retakes for any reason. The bill specifies that satisfactory performance on certain alternative tests may be used to fully satisfy high school level end-of-course test performance requirements, rather than be used as a factor in determining whether the requirements are satisfied, and adds the SAT, the ACT, and certain other nationally norm-referenced tests to the alternative tests specified for this purpose. The bill requires, rather than authorizes, the commissioner to determine a method by which a student's satisfactory performance on the PSAT or the ACT-Plan may also be used for this purpose. The bill authorizes retakes of certain of the alternative tests for a student who failed to perform satisfactorily and requires the commissioner to adopt rules as necessary for the administration of provisions relating to alternative tests satisfying high school level end-of-course testing requirements. The bill requires the admission, review, and dismissal committee of a student in a special education program to determine whether the student is required to achieve satisfactory performance on end-of-course tests in order to receive a high school diploma.

Effective September 1, 2014, and beginning with the 2014-2015 school year, C.S.H.B. 5 sets out performance requirements applicable to students in the foundation high school program and requires the same scale score conversion by the commissioner in accordance with commissioner rule as required for the transitional end-of-course requirements under the predecessor high school programs. The bill's provisions relating to the reduced requirement for end-of-course testing under the foundation high school program and its predecessors apply only to students

who have entered or will enter the ninth grade during the 2011-2012 school year or a later school year. The bill authorizes students who have entered the ninth grade during or after the 2011-2012 school year and before the 2014-2015 school year and who choose to complete the curriculum requirements under the minimum high school program to be administered only those end-of-course tests that would have been administered to those students under the applicable provisions as amended by the bill.

C.S.H.B. 5 requires indicators of student achievement adopted by the commissioner to include at least three additional indicators of student achievement to evaluate district and campus performance beyond certain test results, dropout rates, and high school graduation rates.

C.S.H.B. 5 requires the commissioner to adopt rules for evaluating school district and campus performance and assigning each district and campus a performance rating of A, B, C, or F and, in adopting rules for such performance evaluation, to designate A, B, and C letter ratings as reflecting acceptable performance and the F letter rating as reflecting unacceptable performance. The bill requires the performance rating of each district and campus to be made publicly available not later than August 8 of each year, as provided by the adopted rules, rather than requiring that the ratings be assigned by that same date. The bill excludes results of statewide standardized tests and end-of-course tests as a student achievement indicator, to the greatest extent possible, from the commissioner's consideration of campus and open-enrollment charter school performance.

C.S.H.B. 5 requires each school district to evaluate the performance of the district and each campus in the district in community and student engagement and in compliance and to assign the district and each campus a performance rating of A, B, C, or F. The bill requires the district to report each rating to TEA and to make the campus performance ratings publicly available as provided by commissioner rule not later than August 8 of each year. The bill sets out the programs or specific categories of performance at each campus to be evaluated for purposes of rating assignments and the record of the district and each campus regarding compliance with statutory reporting and policy requirements. The bill requires a school district to use criteria developed by the commissioner in conjunction with criteria developed by a local committee to evaluate the performance of a campus and establishes requirements with regard to the development of those state and local criteria.

C.S.H.B. 5 requires the commissioner, beginning with the 2014-2015 school year, to authorize the conduct of special accreditation investigations when excessive numbers of eligible students fail to complete an advanced mathematics or other advanced course, rather than when excessive numbers of eligible students fail to complete Algebra II or another course distinguishing participation in the recommended high school program.

C.S.H.B. 5 requires the financial accountability rating systems developed by the commissioner for school districts and open-enrollment charter schools to include processes for anticipating the future financial solvency of each district and charter school, specifies that the uniform financial indicators adopted by the commissioner are adopted by commissioner rule, and requires the commissioner, in adopting indicators, to assign a point value to each indicator to be used in a scoring matrix developed by the commissioner. The bill requires the commissioner to evaluate the uniform indicators at least once every three years. The bill requires each school district or charter school, as applicable, to be assigned a financial accountability rating of A, B, C, or F under the financial accountability rating system. The bill requires the commissioner, in adopting rules for the implementation of that system and in consultation with the comptroller of public accounts, to determine the criteria for each designated letter performance rating and to designate A, B, and C letter ratings as a passing rating and the F letter rating as a failing rating and requires the district and charter school ratings to be made publicly available not later than August 8 of each year, as provided by rule. The bill sets out criteria for a failing rating, requires the commissioner to assign a preliminary rating before assigning a final rating and sets out procedures for finalizing a rating, and requires the commissioner to adopt rules for the

implementation of the financial accountability rating system. The bill adds a temporary provision, set to expire April 1, 2015, to require the commissioner to adopt initial rules necessary to implement the changes to the system made by the 83rd Legislature, Regular Session, 2013, not later than March 1, 2015.

C.S.H.B. 5 requires a district or open-enrollment charter school assigned a failing rating under the financial accountability rating system to submit to the commissioner a corrective action plan to address the financial weaknesses of the district or charter school that identifies problems and includes strategies for improvement. The bill authorizes the commissioner to impose appropriate accreditation sanctions against a district or charter school failing to submit or implement a plan.

C.S.H.B. 5 removes a provision requiring a school district to provide interim financial reports to TEA in the case of a projected deficit for a district general fund and instead requires TEA, if the commissioner projects a deficit for a school district or open-enrollment charter school general fund within the following three school years based on the adopted financial indicators, to provide the district or charter school interim financial reports, including projected revenues and expenditures, to evaluate the current budget status of the district or charter school. The bill authorizes TEA to require a district or charter school to submit additional information needed to produce an interim financial report and authorizes the commissioner to order a district or charter school to acquire professional services as provided by law if the district or charter school fails to provide requested information or if the commissioner determines that the submitted information is unreliable.

C.S.H.B. 5 specifies that the annual distinction designations awarded by the commissioner are for outstanding performance as provided by the relevant provisions and requires such designations to be referenced directly in connection with and publicized in the same manner as the academic performance ratings. The bill specifies that the academic distinction designation for districts and campuses is for outstanding performance in attainment of postsecondary readiness and revises the criteria for such designation to include factors relating to student performance on end-of-course tests. The bill specifies that the campus distinction designations are for outstanding performance in improving student achievement; closing student achievement differentials; academic achievement in English language arts, mathematics, science, or social studies; or advanced middle or junior high school student achievement.

C.S.H.B. 5 requires TEA, not later than August 31 of each year, to make the various letter performance ratings, financial accountability ratings, and distinction designations assigned or awarded to each district and open-enrollment charter school as set out by the bill available to the public on TEA's Internet website.

C.S.H.B. 5 revises certain eligibility requirements for automatic admission into a general academic teaching institution for students who qualify for such admission under the state's top 10 percent rule to include the successful completion of the curriculum requirements for the distinguished level of achievement under the foundation high school program or its equivalent or completion of that portion or its equivalent that was available to the student. The bill revises the conditions under which a graduating student who does not qualify for automatic admission may apply to any general academic teaching institution. The bill adds temporary provisions, set to expire September 1, 2020, to require the Texas Higher Education Coordinating Board and the commissioner to jointly adopt rules to establish eligibility requirements for automatic admission, for other admissions, and for initial eligibility for a TEXAS grant as to curriculum requirements for graduation for students participating under the transition plan set out by the bill regarding high school curriculum completion. These provisions apply beginning with the 2014-2015 school year.

C.S.H.B. 5 specifies, beginning with the 2014-2015 school year, that the Texas Academy of Mathematics and Science and the Texas Academy of International Studies are to provide academically gifted and highly motivated junior and high school students with a university-level

curriculum that allows students to complete the requirements for the distinguished level of achievement under the foundation high school program and earn diploma endorsements.

C.S.H.B. 5 requires the Texas Higher Education Coordinating Board and the commissioner, beginning with the 2014-2015 school year and to the extent that a person's eligibility to participate in any program under the Student Financial Assistance Act of 1975 is contingent on the person graduating under the recommended or advanced high school program, as those programs exist before their replacement by the foundation high school program, to jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion. Except as otherwise provided, the bill's provisions apply beginning with the 2013-2014 school year.

C.S.H.B. 5 repeals the following provisions of the Education Code, effective September 1, 2013:

- Sections 39.025(a-2) and (a-3)
- Section 39.0822
- Sections 39.0823(b) and (c)

C.S.H.B. 5 repeals the following provisions of the Education Code, effective September 1, 2014:

- Section 28.002(q)
- Sections 28.025(b-6), (b-8), and (g)

EFFECTIVE DATE

Except as otherwise provided, on passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

INTRODUCED

SECTION 1. (a) Section 7.062(e), Education Code, is amended.

SECTION 2. (a) Section 28.002(f), Education Code, is amended to read as follows:

(f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall be flexible in approving a course for credit for high school graduation under this subsection. A district may also offer courses for local credit without obtaining State Board of Education approval if:

(1) the district develops a program under which the district partners with a public or private institution of higher education and local business and community leaders to develop and provide the courses; and
(2) the courses prepare students to enter:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. (a) Section 28.002(f), Education Code, is amended to read as follows:

(f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall be flexible in approving a course for credit for high school graduation under this subsection. A district may also offer courses approved by the board of trustees for local credit without obtaining State Board of Education approval if:
(1) the district develops a program under which the district partners with a public or private institution of higher education and local business and community leaders to develop and provide the courses; and
(2) the courses prepare students to enter:

- (A) a career or technology training program in the district's region of the state; or
(B) an institution of higher education without remediation.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 3. (a) Sections 28.014(a), (c), and (f), Education Code, are amended.

SECTION 4. (a) Section 28.014(b), Education Code, is amended.

SECTION 5. (a) Section 28.025, Education Code, is amended by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections (b-12), (c-1), (c-2), (e-1), (h), and (h-1) to read as follows:

(a) The State Board of Education by rule shall determine curriculum requirements for the foundation [minimum, recommended, and advanced] high school program [programs] that are consistent with the required curriculum under Section 28.002. The [Subject to Subsection (b-1), the] State Board of Education shall designate the specific courses in the foundation curriculum under Section 28.002(a)(1) required under [for a student participating in] the foundation [minimum, recommended, or advanced] high school program. Except as provided by Subsection (b-1), the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the [recommended] program.

(b) A school district shall ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under Subsection (a) for the foundation [recommended or advanced] high school program [unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the minimum high school program and the student:]

[(1) is at least 16 years of age;

- (A) a career or technology training program in the district's region of the state; or
(B) an institution of higher education without remediation.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. (a) Section 28.025, Education Code, is amended by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections (b-12), (b-13), (b-14), (c-1), (c-2), (c-3), (e-1), (h), and (h-1) to read as follows:

(a) The State Board of Education by rule shall determine curriculum requirements for the foundation [minimum, recommended, and advanced] high school program [programs] that are consistent with the required curriculum under Section 28.002. The [Subject to Subsection (b-1), the] State Board of Education shall designate the specific courses in the foundation curriculum under Section 28.002(a)(1) required under [for a student participating in] the foundation [minimum, recommended, or advanced] high school program. Except as provided by this section [Subsection (b-1)], the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the [recommended] program.

(b) A school district shall ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under Subsection (a) for the foundation [recommended or advanced] high school program [unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the minimum high school program and the student:]

[(1) is at least 16 years of age;

[(2) has completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1); or

[(3) has failed to be promoted to the tenth grade one or more times as determined by the school district].

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

[(1) except as provided by Subsection (b-2),] the curriculum requirements for the foundation [recommended and advanced] high school program [programs] under Subsection (a) include a requirement that students successfully complete:

(1) [(A)] four credits in English language arts [each subject of the foundation curriculum] under Section 28.002(a)(1)(A), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);

(2) three credits in mathematics under Section 28.002(a)(1)(B), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);

(3) two credits in science under Section 28.002(a)(1)(C), including one credit in biology and one credit in integrated physics and chemistry or any advanced science course authorized under Subsection (b-2);

(4) three credits in social studies under Section 28.002(a)(1)(D) [28.002(a)(1)], including one credit in world geography, one credit in United States history, and at least one-half credit in government and at least one-half credit in economics [to meet the social studies requirement];

(5) except as provided under Subsection (b-12) [(B) for the recommended high school program], two credits in the same language in a language other than English under Section 28.002(a)(2)(A) [and, for the advanced high school program, three credits in the same language in a language other than English under Section 28.002(a)(2)(A)]; [and]

(6) eight [(C) for the recommended high school program, six] elective credits [and, for the advanced high school program, five

[(2) has completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1); or

[(3) has failed to be promoted to the tenth grade one or more times as determined by the school district].

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

[(1) except as provided by Subsection (b-2),] the curriculum requirements for the foundation [recommended and advanced] high school program [programs] under Subsection (a) include a requirement that students successfully complete:

(1) [(A)] four credits in English language arts [each subject of the foundation curriculum] under Section 28.002(a)(1)(A), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);

(2) three credits in mathematics under Section 28.002(a)(1)(B), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);

(3) three credits in science under Section 28.002(a)(1)(C), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);

(4) three credits in social studies under Section 28.002(a)(1)(D) [28.002(a)(1)], including one credit in United States history, at least one-half credit in government and at least one-half credit in economics, and one credit in world geography or world history [to meet the social studies requirement];

(5) except as provided under Subsections (b-12) and (b-13) [(B) for the recommended high school program], two credits in the same language in a language other than English under Section 28.002(a)(2)(A) [and, for the advanced high school program, three credits in the same language in a language other than English under Section 28.002(a)(2)(A)]; [and]

(6) seven [(C) for the recommended high school program, six] elective credits [and, for the advanced high school program, five

~~elective credits~~];

(7) [~~(2)~~ one or more credits offered in the required curriculum for the recommended and advanced high school programs include a research writing component; and [~~(3)~~ the curriculum requirements for the minimum, recommended, and advanced high school programs under Subsection (a) include a requirement that students successfully complete:

[~~(A)~~] one credit in fine arts under Section 28.002(a)(2)(D); and

(8) [~~(B)~~] except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C).

(b-2) In adopting rules under Subsection (b-1), the State Board of Education shall provide for [~~allow~~] a student to comply with the curriculum requirements for an advanced English course under Subsection (b-1)(1) taken after successful completion of English I, English II, and English III, for an advanced [a] mathematics course under Subsection (b-1)(2) [~~(b-1)(1)~~] taken after the successful completion of Algebra I and geometry, and for an advanced [either after the successful completion of or concurrently with Algebra II or a] science course under Subsection (b-1)(3) [~~(b-1)(1)~~] taken after the successful completion of biology and chemistry and either after the successful completion of or concurrently with physics] by successfully completing a course in the appropriate content area that has been approved as an advanced course by board rule or that is offered as an advanced course for local credit without board approval as provided by Section 28.002(f) [career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content. A student may use the option provided by this subsection for not more than two courses].

(b-3) In adopting rules for purposes of Subsection (b-2) [to provide students with the option described by Subsection (b-1)(1)(A)], the State Board of Education must approve a variety of advanced English, mathematics, and science courses that may be taken [~~after the completion of Algebra II and physics~~] to comply with the foundation high school [recommended] program requirements.

(b-4) A school district may offer the

~~elective credits~~];

(7) [~~(2)~~ one or more credits offered in the required curriculum for the recommended and advanced high school programs include a research writing component; and

[~~(3)~~ the curriculum requirements for the minimum, recommended, and advanced high school programs under Subsection (a) include a requirement that students successfully complete:

[~~(A)~~] one credit in fine arts under Section 28.002(a)(2)(D); and

(8) [~~(B)~~] except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C).

(b-2) In adopting rules under Subsection (b-1), the State Board of Education shall provide for [~~allow~~] a student to comply with the curriculum requirements for an advanced English course under Subsection (b-1)(1) taken after successful completion of English I, English II, and English III, for an advanced [a] mathematics course under Subsection (b-1)(2) [~~(b-1)(1)~~] taken after the successful completion of Algebra I and geometry, and for any advanced [either after the successful completion of or concurrently with Algebra II or a] science course under Subsection (b-1)(3) [~~(b-1)(1)~~] taken after the successful completion of biology and chemistry and either after the successful completion of or concurrently with physics] by successfully completing a course in the appropriate content area that has been approved as an advanced course by board rule or that is offered as an advanced course for local credit without board approval as provided by Section 28.002(f) [career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content. A student may use the option provided by this subsection for not more than two courses].

(b-3) In adopting rules for purposes of Subsection (b-2) [to provide students with the option described by Subsection (b-1)(1)(A)], the State Board of Education must approve a variety of advanced English, mathematics, and science courses that may be taken [~~after the completion of Algebra II and physics~~] to comply with the foundation high school [recommended] program requirements.

(b-4) A school district may offer the

curriculum described in Subsections (b-1)(1) through (4) [Subsection (b-1)(1)(A)] in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered the applicable end-of-course assessment instrument as provided by Sections 39.023(c) and 39.025.

(b-5) A school district may offer a mathematics or science course to be taken by a student after completion of Algebra II and physics [to comply with the recommended program requirements in Subsection (b-1)(1)(A)]. A course approved under this subsection must be endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit.

(b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation [minimum, recommended, or advanced] high school program for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822.

(b-9) 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)(7) [(b-1)(3)(A)] by participating in a fine arts program not provided by the school district in which the student is enrolled. 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.]

(b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education

curriculum described in Subsections (b-1)(1) through (4) [Subsection (b-1)(1)(A)] in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered the applicable end-of-course assessment instrument as provided by Sections 39.023(c) and 39.025.

(b-5) A school district may offer a mathematics or science course to be taken by a student after completion of Algebra II and physics [to comply with the recommended program requirements in Subsection (b-1)(1)(A)]. A course approved under this subsection must be endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit.

(b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation [minimum, recommended, or advanced] high school program for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822.

(b-9) A [The agency shall establish a pilot program allowing a student may [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)(7) [(b-1)(3)(A)] by participating in a fine arts program not provided by the school district in which the student is enrolled. 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.]

(b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education credit required under

credit required under Subsection (b-1)(8) [b-1](3)(B) by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.

(b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the physical education credit required under Subsection (b-1)(8) [b-1](3)(B). A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:

- (1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee;
- (2) if the student does not receive special education services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
- (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.

(b-12) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirements for the two credits in a language other than English required under Subsection (b-1)(5) by substituting two credits in American Sign Language or two credits in computer programming languages.

Subsection (b-1)(8) [b-1](3)(B) by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.

(b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, one credit in a course that is offered for local credit as provided by Section 28.002(f), or one academic elective credit for the physical education credit required under Subsection (b-1)(8) [b-1](3)(B). A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:

- (1) if the student receives special education services under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee;
- (2) if the student does not receive special education services under Subchapter A, Chapter 29, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
- (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.

(b-12) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirements for the two credits in a language other than English required under Subsection (b-1)(5) by substituting two credits in computer programming languages.

(b-13) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student in a special education program under Subchapter A, Chapter 29, to comply with the curriculum requirements for two credits in a language other than English required under Subsection

(b-1)(5) by substituting credits in English language arts, mathematics, science, or social studies or career and technology or another academic elective credit. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the language other than English requirement.

(b-14) A student may earn a distinguished level of achievement under the foundation high school program by successfully completing:

(1) four credits in mathematics, which must include Algebra II and the courses described by Subsection (b-1)(2);

(2) four credits in science, which must include the courses described by Subsection (b-1)(3);

(3) the remaining curriculum requirements under Subsection (b-1); and

(4) the curriculum requirements for at least one endorsement under Subsection (c-1).

(c-1) A student may earn an endorsement on the student's diploma and transcript by successfully completing curriculum requirements for that endorsement adopted by the State Board of Education by rule. An endorsement under this subsection may be earned in any of the following categories:

(1) science, technology, engineering, and mathematics (STEM), which includes courses directly related to science, including environmental science, technology, engineering, and advanced mathematics;

(2) business and industry, which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, and heating, ventilation, and air conditioning;

(3) public services, which includes courses directly related to health sciences and occupations, education and training, law enforcement, culinary arts and hospitality, and agricultural science; and

(4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts.

(1) science, technology, engineering, and mathematics (STEM), which includes courses directly related to science, including environmental science, technology, including computer science, engineering, and advanced mathematics;

(2) business and industry, which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning;

(3) public services, which includes courses directly related to health sciences and occupations, education and training, law enforcement, and culinary arts and hospitality;

(4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts; and

(5) multidisciplinary studies, which allows a

(c-2) A student may earn a distinguished performance acknowledgment on the student's diploma and transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:

(1) for outstanding performance:

(A) in a dual credit course;
(B) on a college advanced placement test or international baccalaureate examination; or
(C) on a Preliminary Scholastic Assessment Test (PSAT), a preliminary American College Test (ACT), the Scholastic Assessment Test (SAT), or the American College Test (ACT); or

(2) for earning a nationally or internationally recognized business or industry certification or license.

(e) Each school district shall report the academic achievement record of students who have completed the foundation [~~a minimum, recommended, or advanced~~] high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly [differentiate between each of the high school programs and] identify whether a student received a diploma or a certificate of coursework completion.

(e-1) A school district shall clearly indicate an endorsement described by Subsection (c-1) and a distinguished performance acknowledgment described by Subsection (c-2) on the diploma and transcript of a student who satisfies the applicable requirements. The State Board of Education shall adopt rules as necessary to administer this subsection.

(h) The commissioner by rule shall adopt a transition plan to implement and administer the amendments made by . B. No. ,

student to select courses from the curriculum of each endorsement area described by Subdivisions (1) through (4).

(c-2) In adopting rules under Subsection (c-1), the State Board of Education shall develop the curriculum requirements for each endorsement with the direct participation of educators and business and industry representatives.

(c-3) A student may earn a performance acknowledgment on the student's diploma and transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:

(1) for outstanding performance:

(A) in a dual credit course;
(B) on a college advanced placement test or international baccalaureate examination; or

(C) on the PSAT, the ACT-Plan, the SAT, or the ACT; or

(2) for earning a nationally or internationally recognized business or industry certification or license.

(e) Each school district shall report the academic achievement record of students who have completed the foundation [~~a minimum, recommended, or advanced~~] high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly [differentiate between each of the high school programs and] identify whether a student received a diploma or a certificate of coursework completion.

(e-1) A school district shall clearly indicate a distinguished level of achievement under the foundation high school program as described by Subsection (b-14), an endorsement described by Subsection (c-1), and a performance acknowledgment described by Subsection (c-3) on the diploma and transcript of a student who satisfies the applicable requirements. The State Board of Education shall adopt rules as necessary to administer this subsection.

(h) The commissioner by rule shall adopt a transition plan to implement and administer the amendments made by . B. No. ,

83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the 2014-2015 school year. Under the transition plan, a student who entered the ninth grade before the 2014-2015 school year must be permitted to complete the curriculum requirements required for high school graduation under:

- (1) the foundation high school program, if the student chooses during the 2014-2015 school year to take courses under this program;
- (2) the minimum high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year;
- (3) the recommended high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year; or
- (4) the advanced high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year.

(h-1) This subsection and Subsection (h) expire September 1, 2018.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 6. (a) Section 28.0253(e), Education Code, is amended.

SECTION 7. (a) Section 28.027(b), Education Code, is amended to read as follows:

(b) The State Board of Education shall establish a process under which an applied STEM course may be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation [recommended] high school program [imposed] under Section 28.025 [28.025(b-1)(1)(A)] through substitution of the applied STEM course for a specific mathematics or science course otherwise authorized [required] under the foundation

83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the 2014-2015 school year. Under the transition plan, a student who entered the ninth grade before the 2014-2015 school year must be permitted to complete the curriculum requirements required for high school graduation under:

- (1) the foundation high school program, if the student chooses during the 2014-2015 school year to take courses under this program;
- (2) the minimum high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year;
- (3) the recommended high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year; or
- (4) the advanced high school program, as that program existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2014-2015 school year.

(h-1) This subsection and Subsection (h) expire September 1, 2018.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 6. Same as introduced version.

SECTION 7. (a) Section 28.027(b), Education Code, is amended to read as follows:

(b) The State Board of Education shall establish a process under which an applied STEM course may be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation [recommended] high school program [imposed] under Section 28.025 [28.025(b-1)(1)(A)] through substitution of the applied STEM course for a specific mathematics or science course otherwise authorized [required] under the foundation [recommended] high school program [and

[recommended] high school program [and completed during the student's fourth year of mathematics or science course work]. The State Board of Education may only approve a course to substitute for a mathematics course taken after successful completion of Algebra I and geometry and after successful completion of or concurrently with Algebra II. The State Board of Education may only approve a course to substitute for a science course taken after successful completion of biology [and chemistry and after successful completion of or concurrently with physics].

(b) This section applies beginning with the 2014-2015 school year.

SECTION 8. (a) Section 29.0821(a), Education Code, is amended.

SECTION 9. (a) Section 29.096(e), Education Code, is amended.

SECTION 10. (a) Section 29.402(b), Education Code, is amended

SECTION 11. (a) Section 29.904(d), Education Code, is amended to read as follows:

(d) A plan developed under this section:
(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;
(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:
(A) are enrolled in a course for which a student may earn college credit, such as an advanced placement or international baccalaureate course or a course offered through concurrent enrollment in high school and at an institution of higher education;
(B) are enrolled in courses that meet the curriculum requirements for the foundation [recommended or advanced] high school

completed during the student's fourth year of mathematics or science course work]. The State Board of Education may only approve a course to substitute for a mathematics course taken after successful completion of Algebra I and geometry [and after successful completion of or concurrently with Algebra II]. The State Board of Education may only approve a course to substitute for a science course taken after successful completion of biology [and chemistry and after successful completion of or concurrently with physics].

(b) This section applies beginning with the 2014-2015 school year.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.

SECTION 10. Same as introduced version.

SECTION 11. (a) Section 29.904(d), Education Code, is amended to read as follows:

(d) A plan developed under this section:
(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;
(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:
(A) are enrolled in a course for which a student may earn college credit, such as an advanced placement or international baccalaureate course or a course offered through concurrent enrollment in high school and at an institution of higher education;
(B) are enrolled in courses that meet the curriculum requirements for the foundation [recommended or advanced] high school

program as determined under Section 28.025;

- (C) have submitted a free application for federal student aid (FAFSA);
 - (D) are exempt under Section 51.3062(p) or (q) from administration of an assessment instrument under Section 51.3062 or have performed successfully on an assessment instrument under Section 51.3062;
 - (E) graduate from high school;
 - (F) graduate from an institution of higher education; and
 - (G) have taken college entrance examinations and the average score of those students on the examinations;
- (3) must cover a period of at least five years; and
- (4) may be directed at district students at any level of primary or secondary education.
- (b) This section applies beginning with the 2014-2015 school year.

SECTION 12. (a) Section 30A.110(b), Education Code, is amended.

No equivalent provision.

SECTION 13. (a) Section 33.007(b), Education Code, is amended to read as follows:

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during **a student's senior year**, a counselor shall provide information about **higher education** to the student and

foundation [recommended or advanced] high school program as determined under Section 28.025;

- (C) have submitted a free application for federal student aid (FAFSA);
 - (D) are exempt under Section 51.3062(p) or (q) from administration of an assessment instrument under Section 51.3062 or have performed successfully on an assessment instrument under Section 51.3062;
 - (E) graduate from high school;
 - (F) graduate from an institution of higher education; and
 - (G) have taken college entrance examinations and the average score of those students on the examinations;
- (3) must cover a period of at least five years; and
- (4) may be directed at district students at any level of primary or secondary education.
- (b) This section applies beginning with the 2014-2015 school year.

SECTION 12. Same as introduced version.

SECTION 13. (a) The heading to Section 33.007, Education Code, is amended to read as follows:

Sec. 33.007. COUNSELING REGARDING **POSTSECONDARY** [HIGHER] EDUCATION.

(b) This section takes effect beginning with the 2014-2015 school year.

SECTION 14. (a) Sections 33.007(a) and (b), Education Code, are amended to read as follows:

(a) Each **school** counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, shall advise students and their parents or guardians regarding the importance of **postsecondary** [higher] education, coursework designed to prepare students for **postsecondary** [higher] education, and financial aid availability and requirements.

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during **each** [**a student's senior**] **year of a student's enrollment in high school or at the high school level**, a **school** counselor

the student's parent or guardian. The information must include information regarding:

- (1) the importance of ~~higher education~~;
 - (2) ~~[the advantages of completing the recommended or advanced high school program adopted under Section 28.025(a);]~~
 - [3] the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;
 - (3) [4] financial aid eligibility;
 - (4) [5] instruction on how to apply for federal financial aid;
 - (5) [6] the center for financial aid information established under Section 61.0776;
 - (6) [7] the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;
 - (7) [8] the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; and
 - (8) [9] the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.
- (b) This section applies beginning with the 2014-2015 school year.

SECTION 14. (a) Section 33.0812(a), Education Code, is amended.

SECTION 15. (a) Sections 39.023(c), (c-2), and (c-3), Education Code, are amended.

SECTION 16. (a) Sections 39.0233(a) and (b), Education Code, are amended to read as follows:

(a) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end-of-course assessment

shall provide information about postsecondary [higher] education to the student and the student's parent or guardian. The information must include information regarding:

- (1) the importance of postsecondary [higher] education;
- (2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation [recommended or advanced] high school program [adopted] under Section 28.025 [28.025(a)];
- (3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;
- (4) financial aid eligibility;
- (5) instruction on how to apply for federal financial aid;
- (6) the center for financial aid information established under Section 61.0776;
- (7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;
- (8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; and
- (9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 15. Same as introduced version.

SECTION 16. Same as introduced version.

SECTION 17. (a) Sections 39.0233(a) and (b), Education Code, are amended to read as follows:

(a) The agency, in coordination with the Texas Higher Education Coordinating Board, shall adopt a series of questions to be included in an end-of-course assessment

instrument administered under Sections [Section] 39.023(c) and (c-2) to be used for purposes of Section 51.3062. The questions adopted under this subsection must be developed in a manner consistent with any college readiness standards adopted under Sections 39.113 and 51.3062.

(b) In addition to the questions adopted under Subsection (a), the agency shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Sections [Section] 39.023(c) and (c-2) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A school district shall notify a student who performs at a high level on the questions adopted under this subsection and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A school district may not require a student to perform at a particular level on the questions adopted under this subsection in order to be eligible to enroll in an advanced high school course.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 17. (a) Section 39.024(b), Education Code, is amended.

SECTION 18. (a) Section 39.0241(a-2), Education Code, is amended.

SECTION 19. (a) Section 39.0242(b), Education Code, is amended

SECTION 20. (a) Section 39.025, Education Code, is amended by amending Subsections (a), (a-1), (b), and (b-2) and adding Subsection (a-4) to read as follows:

(a) The commissioner shall adopt rules requiring a student participating in the recommended or advanced high school program to be administered each end-of-course assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program 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. A student is required to

instrument administered under Sections [Section] 39.023(c) and (c-2) to be used for purposes of Section 51.3062. The questions adopted under this subsection must be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 [39.113] and 51.3062.

(b) In addition to the questions adopted under Subsection (a), the agency shall adopt a series of questions to be included in an end-of-course assessment instrument administered under Sections [Section] 39.023(c) and (c-2) to be used for purposes of identifying students who are likely to succeed in an advanced high school course. A school district shall notify a student who performs at a high level on the questions adopted under this subsection and the student's parent or guardian of the student's performance and potential to succeed in an advanced high school course. A school district may not require a student to perform at a particular level on the questions adopted under this subsection in order to be eligible to enroll in an advanced high school course.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 18. Same as introduced version.

SECTION 19. Same as introduced version.

SECTION 20. Same as introduced version.

SECTION 21. (a) Section 39.025, Education Code, is amended by amending Subsections (a), (a-1), (b), and (b-2) and adding Subsection (a-4) to read as follows:

(a) The commissioner shall adopt rules requiring a student participating in the recommended or advanced high school program to be administered each end-of-course assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program 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. A student is required to

achieve[, in each subject in the foundation curriculum under Section 28.002(a)(1), a cumulative score that is at least equal to the product of the number of end-of-course assessment instruments administered to the student in that subject and] a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c) that is administered to the student as provided by this subsection. For each scale score required under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. [A student must achieve a minimum score as determined by the commissioner to be within a reasonable range of the scale score under Section 39.0241(a) on an end-of-course assessment instrument for the score to count towards the student's cumulative score. For purposes of this subsection, a student's cumulative score is determined using the student's highest score on each end-of-course assessment instrument administered to the student.] A student may not receive a high school diploma until the student has performed satisfactorily on [the] end-of-course assessment instruments in the manner provided under this subsection. This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.

(a-1) The commissioner by rule shall determine a method by which a student's satisfactory performance on an advanced placement test, international baccalaureate examination, an SAT Subject Test, or another assessment instrument determined by the commissioner to be at least as rigorous as an end-of-course assessment instrument adopted under Section 39.023(c) may be used as a factor in determining whether the student satisfies the requirements of Subsection (a)[, including the cumulative score requirement of that subsection].

achieve[, in each subject in the foundation curriculum under Section 28.002(a)(1), a cumulative score that is at least equal to the product of the number of end-of-course assessment instruments administered to the student in that subject and] a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c) that is administered to the student as provided by this subsection. For each scale score required under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. [A student must achieve a minimum score as determined by the commissioner to be within a reasonable range of the scale score under Section 39.0241(a) on an end-of-course assessment instrument for the score to count towards the student's cumulative score. For purposes of this subsection, a student's cumulative score is determined using the student's highest score on each end-of-course assessment instrument administered to the student.] A student may not receive a high school diploma until the student has performed satisfactorily on [the] end-of-course assessment instruments in the manner provided under this subsection. This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.

(a-1) The commissioner by rule shall determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, the SAT, the ACT, or any nationally recognized norm-referenced [another] assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the [determined by the commissioner to be at least as rigorous as an end-of-course] assessment instrument [adopted under Section 39.023(c)] may be used to satisfy [as a factor in determining whether the student satisfies] the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by [or] Subsection (a)[, including the cumulative score requirement of that subsection].

The commissioner by rule may determine a method by which a student's satisfactory performance on a Preliminary Scholastic Assessment Test (PSAT) [assessment] or a preliminary American College Test (ACT) [assessment] may be used as a factor in determining whether the student satisfies the requirements of Subsection (a).

~~including the cumulative score requirement of that subsection]. The commissioner shall [by rule may] determine a method by which a student's satisfactory performance on the PSAT [a Preliminary Scholastic Assessment Test (PSAT) assessment] or the ACT-Plan [a preliminary American College Test (ACT) assessment] may be used to satisfy [as a factor in determining whether the student satisfies] the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by [eof]~~ Subsection (a). A student who fails to perform satisfactorily on a test or other assessment instrument authorized under this subsection, other than the PSAT or the ACT-Plan, may retake that test or other assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument. A student who fails to perform satisfactorily on the PSAT or the ACT-Plan must take the appropriate end-of-course assessment instrument. The commissioner shall adopt rules as necessary for the administration of this subsection.

(a-4) The admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether, to receive a high school diploma, the student is required to achieve satisfactory performance on end-of-course assessment instruments.

(b) Each time an end-of-course assessment instrument adopted under Section 39.023(c) is administered, a student who failed to achieve a minimum score under Subsection (a) may [shall] retake the assessment instrument. A student who fails to perform satisfactorily on an Algebra II or English III end-of-course assessment instrument under the college readiness performance standard, as provided under Section 39.024(b), may retake the assessment instrument. [Any other student may retake an end of course assessment instrument for any reason.] A student is not required to retake a course as a condition of retaking an end-of-course assessment instrument.

(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the [cumulative] score requirement under this section [requirements] for one or more end-of-

(a-4) The admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether, to receive a high school diploma, the student is required to achieve satisfactory performance on end-of-course assessment instruments.

(b) Each time an end-of-course assessment instrument adopted under Section 39.023(c) is administered, a student who failed to achieve a [minimum] score requirement under Subsection (a) may [shall] retake the assessment instrument. A student who fails to perform satisfactorily on an Algebra II or English III end-of-course assessment instrument under the college readiness performance standard, as provided under Section 39.024(b), may retake the assessment instrument. [Any other student may retake an end of course assessment instrument for any reason.] A student is not required to retake a course as a condition of retaking an end-of-course assessment instrument.

(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the [cumulative] score requirement under this section [requirements] for one or more end-of-course assessment

course assessment instruments [subjects] prescribed under [by] Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale as determined by the commissioner ~~[not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a)]~~. A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the ~~[eumulative]~~ score requirement under this section ~~[requirements prescribed by Subseection (a)]~~.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 21. (a) Effective September 1, 2014, Section 39.025(a), Education Code, is amended.

SECTION 22. (a) Sections 39.034(a) and (c), Education Code, are amended.

SECTION 23. (a) Section 39.035(a), Education Code, is amended.

SECTION 24. (a) Section 39.053(c), Education Code, is amended to read as follows:

(c) Indicators of student achievement adopted under this section may include any indicator the commissioner determines reflects the quality of learning and student achievement and must include:

- (1) the results of assessment instruments required under Sections 39.023(a), (c), and (l), including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:
 - (A) for the performance standard determined by the commissioner under Section 39.0241(a):
 - (i) the percentage of students who

instruments [subjects] prescribed under [by] Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale as determined by the commissioner ~~[not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a)]~~. A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the ~~[eumulative]~~ score requirement under this section ~~[requirements prescribed by Subseection (a)]~~.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 22. Same as introduced version.

SECTION 23. Same as introduced version.

SECTION 24. Same as introduced version.

SECTION 25. (a) Section 39.053(c), Education Code, is amended to read as follows:

(c) Indicators of student achievement adopted under this section must include:

- (1) the results of assessment instruments required under Sections 39.023(a), (c), and (l), including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:
 - (A) for the performance standard determined by the commissioner under Section 39.0241(a):
 - (i) the percentage of students who performed

performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area; and

(B) for the college readiness performance standard as determined under Section 39.0241:

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area;

(2) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education; and

(3) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.).

(b) This section applies beginning with the 2013-2014 school year.

SECTION 25. (a) Section 39.053(f), Education Code, is amended.

SECTION 26. (a) Sections 39.054(a) and (b), Education Code, are amended to read as follows:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and[,~~not later than August 8 of each year,~~] assign each district and campus a performance rating of A, B, C, D, or F. In adopting rules under this subsection, the commissioner shall

satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area; and

(B) for the college readiness performance standard as determined under Section 39.0241:

(i) the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by the agency under Section 39.034, on the assessment instruments, aggregated across grade levels by subject area;

(2) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education; [and]

(3) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.); and

(4) at least three additional indicators of student achievement to evaluate district and campus performance.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 26. Same as introduced version.

SECTION 27. (a) Sections 39.054(a) and (b), Education Code, are amended to read as follows:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and[,~~not later than August 8 of each year,~~] assign each district and campus a performance rating of A, B, C, or F. In adopting rules under this subsection, the commissioner shall determine the criteria for

determine the criteria for each designated letter performance rating and designate whether the letter performance rating [that] reflects acceptable performance or unacceptable performance. Not later than August 8 of each year, the performance rating of each district and campus shall be made publicly available as provided by rules adopted under this subsection. If a district or campus received a performance rating of unacceptable performance for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15.

(b) In evaluating performance, the commissioner shall evaluate against state standards and consider the performance of each campus in a school district and each open-enrollment charter school on the basis of the campus's or school's performance on the student achievement indicators adopted under Section 39.053, other than, to the greatest extent possible, the student achievement indicator adopted under Section 39.053(c)(1) [39.053(e)].

(b) This section applies beginning with the 2013-2014 school year.

SECTION 27. (a) Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0545 to read as follows:

Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF CAMPUS PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT.

(a) Each school district shall evaluate the performance of each campus in the district in community and student engagement as provided by this section and assign each campus a performance rating of A, B, C, D, or F. Not later than August 8 of each year, the district shall make the performance rating publicly available as provided by commissioner rule.

(b) For purposes of assigning the performance rating under Subsection (a), a school district must evaluate the following programs or specific categories of performance at each campus:

(1) fine arts;

each designated letter performance rating and designate A, B, and C letter performance ratings as reflecting [that reflects] acceptable performance and the F letter performance rating as reflecting [or] unacceptable performance. Not later than August 8 of each year, the performance rating of each district and campus shall be made publicly available as provided by rules adopted under this subsection. If a district or campus received a performance rating of unacceptable performance for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15.

(b) In evaluating performance, the commissioner shall evaluate against state standards and consider the performance of each campus in a school district and each open-enrollment charter school on the basis of the campus's or school's performance on the student achievement indicators adopted under Section 39.053, other than, to the greatest extent possible, the student achievement indicator adopted under Section 39.053(c)(1) [39.053(e)].

(b) This section applies beginning with the 2013-2014 school year.

SECTION 28. (a) Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0545 to read as follows:

Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT; COMPLIANCE.

(a) Each school district shall evaluate the district's performance and the performance of each campus in the district in community and student engagement and in compliance as provided by this section and assign the district and each campus an acceptable performance rating of A, B, or C, or an unacceptable performance rating of F. Not later than August 8 of each year, the district shall report each performance rating to the agency and make the performance ratings publicly available as provided by commissioner rule.

(b) For purposes of assigning the performance ratings under Subsection (a), a school district must evaluate:

(1) the following programs or specific categories of performance at each campus:

(A) fine arts;

(2) wellness and physical education;
(3) community and parental involvement;
(4) the 21st Century Workforce Development program; and
(5) the second language acquisition program.

(c) A school district shall use criteria developed by the commissioner as described by Subsection (d)(1) in conjunction with criteria developed by a local committee established as provided by Subsection (d)(2) to evaluate the performance of a campus under this section.

(d) The commissioner shall:

(1) in accordance with commissioner rule, establish a separate committee that includes members as described by Sections 39.204(c) and (d) to develop criteria for each program or category of performance under Subsection (b) in the manner provided for developing criteria for a distinction designation under Section 39.204(e); and

(2) by commissioner rule, prescribe requirements for school districts to use to establish a local committee to develop district criteria.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 28. (a) Section 39.057(a), Education Code, is amended.

SECTION 29. (a) Section 39.082, Education Code, is amended by adding Subsections (d) and (e) to read as follows:

(B) wellness and physical education;
(C) community and parental involvement;
(D) the 21st Century Workforce Development program; and
(E) the second language acquisition program;
and

(2) the record of the district and each campus regarding compliance with statutory reporting and policy requirements.

(c) A school district shall use criteria developed by the commissioner as described by Subsection (d)(1) in conjunction with criteria developed by a local committee established as provided by Subsection (d)(2) to evaluate the performance of a campus under Subsection (b)(1).

(d) The commissioner shall:

(1) in accordance with commissioner rule, establish a separate committee that includes members as described by Sections 39.204(c) and (d) to develop criteria for each program or category of performance under Subsection (b)(1) in the manner provided for developing criteria for a distinction designation under Section 39.204(e); and

(2) by commissioner rule, prescribe requirements for school districts to use to establish a local committee to develop district criteria.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 29. Same as introduced version.

SECTION 30. (a) Section 39.082, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (d), (e), (f), (g), (h), (h-1), and (i) to read as follows:

(a) The commissioner shall, in consultation with the comptroller, develop and implement separate financial accountability rating systems for school districts and open-enrollment charter schools in this state that:

(1) distinguish among school districts and distinguish among open-enrollment charter schools, as applicable, based on levels of financial performance; [and]

(2) include procedures to:

(A) provide additional transparency to public education finance; and

(B) enable the commissioner and school district and open-enrollment charter school

- administrators to provide meaningful financial oversight and improvement; and
- (3) include processes for anticipating the future financial solvency of each school district and open-enrollment charter school, including analysis of district and school revenues and expenditures for preceding school years.
- (b) The system must include uniform indicators adopted by [the] commissioner rule by which to measure the financial management performance and future financial solvency of a district or open-enrollment charter school. In adopting indicators under this subsection, the commissioner shall assign a point value to each indicator to be used in a scoring matrix developed by the commissioner.
- (d) The commissioner shall evaluate indicators adopted under Subsection (b) at least once every three years.
- (e) Under the financial accountability rating system developed under this section, each school district or open-enrollment charter school, as applicable, shall be assigned a financial accountability rating of A, B, C, D, or F. In adopting rules under this section, the commissioner, in consultation with the comptroller, shall determine the criteria for each designated letter performance rating.
- (f) A district or open-enrollment charter school shall receive a failing rating under the system if the district or school fails to achieve a satisfactory rating on:
- (1) an indicator adopted under Subsection (b) relating to financial management or solvency that the commissioner determines to be critical; or
- (2) a category of indicators that suggest trends leading to financial distress as determined by the commissioner.
- (g) Before assigning a final rating under the system, the commissioner shall assign each district or open-enrollment charter school a preliminary rating. A district or school may submit additional information to the commissioner relating to any indicator on which performance was considered unsatisfactory. The commissioner shall consider any additional information submitted by a district or school before assigning a final rating. If the commissioner

determines that the additional information negates the concern raised by the indicator on which performance was considered unsatisfactory, the commissioner may not penalize the district or school on the basis of the indicator.

(h) The commissioner shall adopt rules for the implementation of this section.

(h-1) The commissioner shall adopt initial rules necessary to implement the changes to this section made by the 83rd Legislature, Regular Session, 2013, not later than March 1, 2015. This subsection expires April 1, 2015.

(i) Not later than August 8 of each year, the financial accountability rating of each school district and open-enrollment charter school under the financial accountability rating systems developed under this section shall be made publicly available as provided by rules adopted under this section.

(e) Not later than August 8 of each year, the financial accountability rating of each school district and open-enrollment charter school under the financial accountability rating systems developed under this section shall be made publicly available as provided by rules adopted under this section.

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

SECTION 31. (a) Section 39.0823, Education Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) If the commissioner, based on the indicators adopted under Section 39.082 or other relevant information, projects a [review process under Section 39.0822 indicates a projected] deficit for a school district or open-enrollment charter school general fund within the following three school years, the agency [district] shall provide the district or school [agency] interim financial reports, including projected revenues and expenditures [supplemented by staff and student count data, as needed], to evaluate the [district's] current budget status of the district or school.

(d) The agency may require a district or open-enrollment charter school to submit additional information needed to produce a financial report under Subsection (a). If a district or school fails to provide information requested under this subsection or if the commissioner determines that the information submitted by a district or school is unreliable, the commissioner may order the district or school to acquire professional services as provided by Section 39.109.

(b) This section applies beginning with the

2013-2014 school year.

No equivalent provision.

SECTION 32. (a) Subchapter D, Chapter 39, Education Code, is amended by adding Section 39.0824 to read as follows:

Sec. 39.0824. CORRECTIVE ACTION PLAN. (a) A school district or open-enrollment charter school assigned a failing rating under Section 39.082 shall submit to the commissioner a corrective action plan to address the financial weaknesses of the district or school. A corrective action plan must identify problems and include strategies for improvement.

(b) The commissioner may impose appropriate sanctions under Subchapter E against a district or school failing to submit or implement a corrective action plan required under Subsection (a).

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

SECTION 33. (a) Section 39.083(b), Education Code, is amended to read as follows:

(b) The annual financial management report must include:

(1) a description of the district's financial management performance based on a comparison, provided by the agency, of the district's performance on the indicators adopted under Section 39.082(b) to:

(A) state-established standards; and
(B) the district's previous performance on the indicators; and

(2) [a description of the data submitted using the electronic-based program developed under Section 39.0822; and]

[(3)] any descriptive information required by the commissioner.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 30. (a) Section 39.201(a), Education Code, is amended.

SECTION 34. Same as introduced version.

SECTION 31. (a) Section 39.202, Education Code, is amended.

SECTION 35. Same as introduced version.

SECTION 32. (a) Section 39.203, Education Code, is amended.

SECTION 36. Same as introduced version.

SECTION 33. (a) Section 39.301(c), Education Code, is amended to read as follows:

SECTION 37. (a) Section 39.301(c), Education Code, is amended to read as follows:

(c) Indicators for reporting purposes must include:

(1) [the percentage of graduating students who meet the course requirements established by State Board of Education rule for the minimum high school program, the recommended high school program, and the advanced high school program;]

[(2)] the results of the SAT, ACT, articulated postsecondary degree programs described by Section 61.852, and certified workforce training programs described by Chapter 311, Labor Code;

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

(3) [(4) for each campus, the number of students, disaggregated by major student subpopulations, that agree under Section 28.025(b) to take courses under the minimum high school program;]

[(5)] the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the results of assessment instruments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(4) [(6)] the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(5) [(7)] the percentage of students in a special education program under

(c) Indicators for reporting purposes must include:

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

(A) the foundation [minimum] high school program;

(B) [;] the distinguished level of achievement under the foundation [recommended] high school program;[;] and

(C) each endorsement described by Section 28.025 (c-1) [the advanced high school program];

(2) the results of the SAT, ACT, articulated postsecondary degree programs described by Section 61.852, and certified workforce training programs described by Chapter 311, Labor Code;

(3) for students who have failed to perform satisfactorily, under each performance standard under Section 39.0241, on an assessment instrument required under Section 39.023(a) or (c), the performance of those students on subsequent assessment instruments required under those sections, aggregated by grade level and subject area;

(4) [for each campus, the number of students, disaggregated by major student subpopulations, that agree under Section 28.025(b) to take courses under the minimum high school program;]

[(5)] the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the results of assessment instruments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(5) [(6)] the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(6) [(7)] the percentage of students in a special education program under Subchapter

Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);
(6) [8] the percentage of students who satisfy the college readiness measure;
(7) [9] the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;
(8) [10] the percentage of students who are not educationally disadvantaged;
(9) [11] the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and
(10) [12] the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 34. (a) Section 39.305(b), Education Code, is amended to read as follows:

(b) The report card shall include the following information:
(1) where applicable, the student achievement indicators described by Section 39.053(c) and the reporting indicators described by Sections 39.301(c)(1) through (3) [5];
(2) average class size by grade level and subject;
(3) the administrative and instructional costs per student, computed in a manner consistent with Section 44.0071; and
(4) the district's instructional expenditures ratio and instructional employees ratio computed under Section 44.0071, and the statewide average of those ratios, as determined by the commissioner.

(b) This section applies beginning with the 2013-2014 school year.

No equivalent provision.

A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(7) [8] the percentage of students who satisfy the college readiness measure;
(8) [9] the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;
(9) [10] the percentage of students who are not educationally disadvantaged;
(10) [11] the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and
(11) [12] the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 38. (a) Section 39.305(b), Education Code, is amended to read as follows:

(b) The report card shall include the following information:
(1) where applicable, the student achievement indicators described by Section 39.053(c) and the reporting indicators described by Sections 39.301(c)(1) through (4) [5];
(2) average class size by grade level and subject;
(3) the administrative and instructional costs per student, computed in a manner consistent with Section 44.0071; and
(4) the district's instructional expenditures ratio and instructional employees ratio computed under Section 44.0071, and the statewide average of those ratios, as determined by the commissioner.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 39. (a) Subchapter L, Chapter 39, Education Code, is amended by adding Section 39.363 to read as follows:

Sec. 39.363. NOTICE ON AGENCY WEBSITE. Not later than August 31 of each year, the agency shall make the following information available to the public on the agency's Internet website:

(1) the letter performance rating assigned to

each school district and campus under Section 39.054 and each distinction designation awarded to a school district or campus under Subchapter G, Chapter 39;
(2) the letter performance rating assigned to a school district and each campus in the district by the district under Section 39.0545; and
(3) the letter financial accountability rating assigned to each school district and open-enrollment charter school under Section 39.082.

(b) This section applies beginning with the 2013-2014 school year.

SECTION 35. (a) Section 51.3062(q-1), Education Code, is amended.

SECTION 36. (a) Sections 51.803(a) and (d), Education Code, are amended to read as follows:

(a) Subject to Subsection (a-1), each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the foundation [recommended or advanced] high school program; or

(ii) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation [recommended or advanced] high school program; or

(B) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500

SECTION 40. Same as introduced version.

SECTION 41. (a) Section 51.803, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (m) to read as follows:

(a) Subject to Subsection (a-1), each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the distinguished level of achievement under the foundation [recommended or advanced] high school program; or

(ii) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the distinguished level of achievement under the foundation [recommended or advanced] high school program; or

(B) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out

out of 2,400 or the equivalent; and
(3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a Texas resident under Section 54.052 or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

(d) For purposes of Subsection (c)(2), a student's official transcript or diploma must, not later than the end of the student's junior year, indicate[:

[+] whether the student has satisfied or is on schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or (ii), as applicable[; or

~~[2] if Subsection (b) applies to the student, whether the student has completed the portion of the recommended or advanced curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student].~~

(b) This section applies beginning with the

of 2,400 or the equivalent; and
(3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a Texas resident under Section 54.052 or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

(b) An applicant who does not satisfy the curriculum requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is considered to have satisfied those requirements if the student completed the portion of the distinguished level of achievement under the foundation high school program [~~recommended or advanced~~] curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder were unavailable to the student at the appropriate times in the student's high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control.

(d) For purposes of Subsection (c)(2), a student's official transcript or diploma must, not later than the end of the student's junior year, indicate:

(1) whether the student has satisfied or is on schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or (ii), as applicable; or

~~(2) if Subsection (b) applies to the student, whether the student has completed the portion of the distinguished level of achievement under the foundation high school program [~~recommended or advanced~~] curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student.~~

~~(m) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students participating under the transition plan described by Section 28.025(h) regarding high school curriculum completion. This subsection expires September 1, 2020.~~

(b) This section applies beginning with the

2014-2015 school year.

SECTION 37. (a) Section 51.804, Education Code, is amended to read as follows:

Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED INSTITUTIONS. For each academic year, the governing board of each general academic teaching institution shall determine whether to adopt an admissions policy under which an applicant to the institution as a first-time freshman student, other than an applicant eligible for admission under Section 51.803, shall be admitted to the institution if the applicant:

(1) graduated from a public or private high school in this state accredited by a generally recognized accrediting organization with a grade point average in the top 25 percent of the applicant's high school graduating class; and

(2) satisfies the requirements of:

(A) Section 51.803(a)(2)(A) or (B) [~~51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)~~]; and

(B) Sections 51.803(c)(2) and 51.803(d).

(b) This section applies beginning with the 2014-2015 school year.

SECTION 38. (a) Section 51.805(a), Education Code, is amended to read as follows:

(a) A graduating student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student satisfies the requirements of:

(1) Section 51.803(a)(2)(A) or (B) [~~51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)~~]; and

(2) Sections 51.803(c)(2) and 51.803(d).

2014-2015 school year.

No equivalent provision.

SECTION 42. (a) Section 51.805, Education Code, is amended by amending Subsection (a) and adding Subsection (g) to read as follows:

(a) A graduating student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student:

(1) successfully completed [satisfies the requirements of]:
(A) at a public high school, the curriculum requirements established under Section 28.025 for the foundation high school program; or
(B) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation high school program [(1) Section 51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B)]; or [and]
(2) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the

SAT assessment a score of at least 1,500 out of 2,400 or the equivalent [Sections 51.803(e)(2) and 51.803(d)].

(g) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a) for students participating under the transition plan described by Section 28.025(h) regarding high school curriculum completion. This subsection expires September 1, 2020.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 39. (a) Section 51.807(b), Education Code, is amended to read as follows:

(b) The Texas Higher Education Coordinating Board, after consulting with the Texas Education Agency, by rule shall establish standards for determining for purposes of this subchapter:

- (1) whether a private high school is accredited by a generally recognized accrediting organization; and
- (2) whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the foundation [~~recommended or advanced~~] high school program.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 40. (a) Subchapter A, Chapter 56, Education Code, is amended by adding Section 56.009 to read as follows:

Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to participate in any program under this chapter, including Subchapters K, M, Q, and R, is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, the Texas Higher Education Coordinating Board and the commissioner

SECTION 43. (a) Section 51.807(b), Education Code, is amended to read as follows:

(b) The Texas Higher Education Coordinating Board, after consulting with the Texas Education Agency, by rule shall establish standards for determining for purposes of this subchapter:

- (1) whether a private high school is accredited by a generally recognized accrediting organization; and
- (2) whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the foundation [~~recommended or advanced~~] high school program or the distinguished level of achievement under the foundation high school program.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 44. (a) Subchapter A, Chapter 56, Education Code, is amended by adding Section 56.009 to read as follows:

Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to participate in any program under this chapter, including Subchapters K, Q, and R, is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of .B. No. , 83rd Legislature, Regular Session, 2013, the Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to modify,

of education shall jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion.

(b) This section applies beginning with the 2014-2015 school year.

No equivalent provision.

clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 45. (a) Section 56.3041, Education Code, is amended to read as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL ACADEMIC TEACHING INSTITUTION.

(a) Notwithstanding Section 56.304(a), to be eligible initially for a TEXAS grant, a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution must:

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

(2) meet the academic requirements prescribed by Paragraph (A), (B), or (C) as follows:

(A) be a graduate of a public or accredited private high school in this state who completed the foundation [recommended] high school program established under Section 28.025 or its equivalent and have accomplished any two or more of the following:

(i) [graduation under the advanced high school program established under Section 28.025 or its equivalent,] successful completion of the course requirements of the international baccalaureate diploma program[,] or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Sections 28.009(a)(1), (2), and (3);

(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the coordinating board under Section 51.3062(f) on any assessment instrument designated by the coordinating board under Section 51.3062(c) [or (e)] or qualification for an exemption as described by Section 51.3062(p), (q), or (q-1);

(iii) graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point

scale or the equivalent; or
(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course[~~, as permitted by Section 28.025(b-3),~~] or at least one advanced career and technical course[~~, as permitted by Section 28.025(b-2)~~];

(B) have received an associate degree from a public or private institution of higher education; or

(C) if sufficient money is available, meet the eligibility criteria described by Section 56.304(a)(2)(A);

(3) meet financial need requirements established by the coordinating board;

(4) be enrolled in an undergraduate degree or certificate program at the general academic teaching institution;

(5) except as provided under rules adopted under Section 56.304(h), be enrolled as:

(A) an entering undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 16th month after the calendar month in which the person graduated from high school;

(B) an entering undergraduate student who entered military service not later than the first anniversary of the date the person graduated from high school and who enrolled for at least three-fourths of a full course load, as determined by the coordinating board, at the general academic teaching institution not later than 12 months after being honorably discharged from military service; or

(C) a continuing undergraduate student for at least three-fourths of a full course load, as determined by the coordinating board, not later than the 12th month after the calendar month in which the person received an associate degree from a public or private institution of higher education;

(6) have applied for any available financial aid or assistance; and

(7) comply with any additional nonacademic requirements adopted by the coordinating board under this subchapter.

(b) The Texas Higher Education Coordinating Board and the commissioner of education shall jointly adopt rules to establish eligibility requirements for a grant under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students

participating under the transition plan described by Section 28.025(h) regarding high school curriculum completion. This subsection expires September 1, 2020.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 41. (a) Section 61.0517(a), Education Code, is amended.

SECTION 42. (a) Section 61.792(b), Education Code, is amended.

SECTION 43. (a) Section 61.852(a), Education Code, is amended.

SECTION 44. (a) Section 61.855(d), Education Code, is amended.

SECTION 45. (a) Section 61.861(c), Education Code, is amended.

SECTION 46. (a) Section 61.864, Education Code, is amended.

SECTION 47. (a) Section 78.10(b), Education Code, is amended to read as follows:

(b) The Texas Academy of Mathematics and Science is a division of The University of Texas at Brownsville and is under the management and control of the board. The academy serves the following purposes:
(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements[, including requirements adopted] under Section 28.025 for the foundation [advanced] high school program, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world mathematics and science issues and applications and teaches students to apply critical thinking and problem-solving skills to those issues and problems;

(C) includes the study of English, foreign languages, social studies, mathematics, science, and technology; and

SECTION 46. Same as introduced version.

SECTION 47. Same as introduced version.

SECTION 48. Same as introduced version.

SECTION 49. Same as introduced version.

SECTION 50. Same as introduced version.

SECTION 51. Same as introduced version.

SECTION 52. (a) Section 78.10(b), Education Code, is amended to read as follows:

(b) The Texas Academy of Mathematics and Science is a division of The University of Texas at Brownsville and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements[, including requirements adopted under Section 28.025] for the foundation [advanced] high school program and the distinguished level of achievement under the foundation high school program and earn appropriate endorsements as provided by Section 28.025, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world mathematics and science issues and applications and teaches students to apply critical thinking and problem-solving skills to those issues and problems;

(C) includes the study of English, foreign languages, social studies, mathematics, science, and technology; and

(D) offers students learning opportunities related to mathematics and science through in-depth research and field-based studies; (2) to provide students with an awareness of mathematics and science careers and professional development opportunities through seminars, workshops, collaboration with postsecondary and university students including opportunities for summer studies, internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 48. (a) Section 87.505(b), Education Code, is amended to read as follows:

(b) The Texas Academy of International Studies is a division of Texas A&M International University and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements[~~, including requirements adopted~~] under Section 28.025 for the foundation [advanced] high school program, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world international issues and problems and teaches students to apply critical thinking and problem-solving skills to those issues and problems;

(C) includes the study of English, foreign languages, social studies, anthropology, and sociology;

(D) is presented through an interdisciplinary approach that introduces and develops issues, especially issues related to international concerns,

(D) offers students learning opportunities related to mathematics and science through in-depth research and field-based studies; (2) to provide students with an awareness of mathematics and science careers and professional development opportunities through seminars, workshops, collaboration with postsecondary and university students including opportunities for summer studies, internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 53. (a) Section 87.505(b), Education Code, is amended to read as follows:

(b) The Texas Academy of International Studies is a division of Texas A&M International University and is under the management and control of the board. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements[~~, including requirements adopted under Section 28.025~~] for the foundation [advanced] high school program and the distinguished level of achievement under the foundation high school program and earn appropriate endorsements as provided by Section 28.025, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world international issues and problems and teaches students to apply critical thinking and problem-solving skills to those issues and problems;

(C) includes the study of English, foreign languages, social studies, anthropology, and sociology;

(D) is presented through an interdisciplinary approach that introduces and develops issues, especially issues related to international concerns, throughout the curriculum; and

throughout the curriculum; and

(E) offers students learning opportunities related to international issues through in-depth research and field-based studies;

(2) to provide students with an awareness of international career and professional development opportunities through seminars, workshops, collaboration with postsecondary students from other countries, summer academic international studies internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities generally offered by public high schools.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 49. The following provisions of the Education Code are repealed:

(3) Sections 39.025(a-2) and (a-3);

(1) Section 28.002(q);
(2) Sections 28.025(b-6), (b-8), and (g);
(4) Section 51.803(b).

SECTION 50. (a) Except as provided by Subsection (b) of this section, Section 39.025, Education Code, as amended by Sections 20 and 21 of this Act, as related to reducing end-of-course testing requirements, applies only to students who have entered or will enter the ninth grade during the 2011-2012 school year or a later school year.

(b) Students who have entered the ninth grade during or after the 2011-2012 school year and before the 2014-2015 school year and who choose to complete the curriculum requirements under the minimum high school program may be administered only those end-of-course assessment instruments that would have been administered to those students under Section 39.025, Education

(E) offers students learning opportunities related to international issues through in-depth research and field-based studies;

(2) to provide students with an awareness of international career and professional development opportunities through seminars, workshops, collaboration with postsecondary students from other countries, summer academic international studies internships in foreign countries, and similar methods; and

(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities generally offered by public high schools.

(b) This section applies beginning with the 2014-2015 school year.

SECTION 54. (a) Effective September 1, 2013, the following provisions of the Education Code are repealed:

(1) Sections 39.025(a-2) and (a-3);
(2) Section 39.0822; and
(3) Sections 39.0823(b) and (c).

(b) Effective September 1, 2014, the following provisions of the Education Code are repealed:

(1) Section 28.002(q); and
(2) Sections 28.025(b-6), (b-8), and (g).

SECTION 55. (a) Except as provided by Subsection (b) of this section, Section 39.025, Education Code, as amended by Sections 21 and 22 of this Act, as related to reducing end-of-course testing requirements, applies only to students who have entered or will enter the ninth grade during the 2011-2012 school year or a later school year.

(b) Students who have entered the ninth grade during or after the 2011-2012 school year and before the 2014-2015 school year and who choose to complete the curriculum requirements under the minimum high school program may be administered only those end-of-course assessment instruments that would have been administered to those students under Section 39.025, Education

Code, as amended by Section 20 of this Act, and Section 39.025, Education Code, as amended by Section 20 of this Act, is continued in effect for purposes of satisfying those end-of-course testing requirements.

SECTION 51. Except as otherwise provided by this Act, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Code, as amended by Section 21 of this Act, and Section 39.025, Education Code, as amended by Section 21 of this Act, is continued in effect for purposes of satisfying those end-of-course testing requirements.

SECTION 56. Same as introduced version.