

## **BILL ANALYSIS**

Senate Research Center  
83R11179 CAS-D

C.S.S.B. 3  
By: Patrick et al.  
Education  
2/21/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law provides for three public high school graduation plans: minimum, recommended, and distinguished. All students are required to satisfy four credits each in English language arts, mathematics, science, and social studies. To opt out of this default program, students and their parents must sign a permission form. As a result, most students have very limited options to pursue other rigorous applied programs in career and technology courses.

C.S.S.B. 3 transforms the current structure by creating a single diploma, the foundation program, with endorsements in business and industry, academic achievement in arts and humanities or STEM, and distinguished. Each endorsement enables students to focus on their own academic goals and prepares them for higher education and the workforce.

C.S.S.B. 3 also provides for weighted career and technology education funding in the eighth grade, in order to provide students with a course in career explorations. This one-semester course will provide students with an overview of the different endorsement options and the possible career paths available to them. All students will begin an individual graduation plan to help prepare them and their parents for high school.

C.S.S.B. 3 amends current law relating to public high school graduation, including curriculum and assessment requirements for graduation and funding in support of certain curriculum authorized for graduation.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the commissioner of education (commissioner) is modified in SECTION 1 (Section 7.062, Education Code), SECTION 15 (Section 39.025, Education Code), SECTION 16 (Section 39.053, Education Code), and SECTION 21 (Section 51.3062, Education Code) of this bill.

Rulemaking authority is expressly granted to the State Board of Education (SBOE) in SECTION 2 (Section 28.002, Education Code) of this bill.

Rulemaking authority previously granted to SBOE is modified in SECTION 5 (Section 28.025, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner in SECTION 5 (Sec. 28.025, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of higher education is modified in SECTION 21 (Section 51.3062, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board (THECB) is modified in SECTION 25 (Section 51.807, Education Code) of this bill.

Rulemaking authority is expressly granted jointly to THECB and the commissioner in SECTION 26 (Section 56.009, Education Code) of this bill.

Rulemaking authority is expressly granted to THECB in SECTION 27 (Section 56.3041, Education Code) and SECTION 38 of this bill.

Rulemaking authority previously granted to SBOE is rescinded in SECTION 36 (Section 28.025, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7.062(e), Education Code, to require the rules required to be adopted by the commissioner of education (commissioner) to implement the Science Laboratory Grant Program require, among certain criteria, that a school district demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for the foundation high school program under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record), rather than the recommended and advanced high school programs under Section 28.025(b-1)(1) (relating to rulemaking requirements of the State Board of Education (SBOE) regarding certain curricular requirements of the minimum, recommended, and advanced high school programs).

SECTION 2. Amends Section 28.002, Education Code, by amending Subsection (f) and adding Subsection (t), as follows:

(f) Authorizes a district to offer certain courses for local credit without obtaining SBOE 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;

(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; and

(3) the board of trustees of the district approves the courses.

(t) Requires SBOE by rule to require a course of instruction in career explorations for each student during either seventh or eighth grade. Requires the course to include detailed explanations and discussions of:

(1) the foundation high school program and endorsements under Section 28.025; and

(2) courses necessary or useful in pursuing higher education or a career.

SECTION 3. Amends Sections 28.014(b), (c), and (f), Education Code, as follows:

(b) Authorizes a student who successfully completes a course developed under Section 28.014 (College Preparatory Courses) to use the credit earned in the course toward satisfying the applicable mathematics or science curriculum requirement for the foundation, rather than the recommended or advanced, high school program under Section 28.025.

(c) Deletes existing text requiring each school district to adopt a policy that requires a student's performance on the end-of-course assessment instrument to account for 15 percent of the student's final grade for the course.

(f) Requires the commissioner, to the extent possible, to draw from curricula and instruction materials developed under Section 28.008, rather than Sections 28.008 and

61.0763 [expired], in developing a course and related instructional materials under this section. Deletes existing text requiring a school district, as required by Subsection (c), to adopt a policy requiring a student's performance on an end-of-course (EOC) assessment instrument administered under that subsection to account for 15 percent of the student's grade for a course developed under this section not later than the 2014-2015 school year.

SECTION 4. Amends Sections 28.0212(a), (b), (c), and (e), Education Code, as follows:

(a) Deletes existing text providing that the requirements of this subsection relating to the development and administration of a personal graduation plan for each student enrolled in a junior high, middle, or high school who does not perform satisfactorily on an assessment instrument administered under Subchapter B (Assessment of Academic Skills), Chapter 39 (Public School System Accountability), or is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the district.

(b) Requires that a personal graduation plan for a student enrolled in a junior high, middle, or high school who does not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39, or who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the school district, include, at a minimum, certain content, notwithstanding any other provision of this section.

(c) Authorizes a student's individualized education program developed under Section 29.005 (Individualized Education Program) to be used as the student's personal graduation plan under this section, notwithstanding any other provision of this section, rather than notwithstanding Subsection (b).

(e) Requires that a personal graduation plan for each student entering grade nine identify a course of study that meets certain requirements, rather than encouraging each school district to establish for each student entering grade nine a personal graduation plan that identifies a course of study that meets certain requirements.

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

(a) Requires SBOE by rule to determine curriculum requirements for the foundation high school program, rather than for the minimum, recommended, and advanced high school programs, that are consistent with the required curriculum under Section 28.002 (Required Curriculum). Requires SBOE to designate the specific courses in the foundation curriculum under Section 28.002(a)(1) (relating to foundation curriculum requirements) required under the foundation high school program, rather than requiring SBOE to designate the specific courses in the foundation curriculum required for a student participating in the minimum, recommended, or advanced high school program. Prohibits SBOE, except as otherwise provided by this section, rather than except as provided by Subsection (b-1), from designating a specific course or a specific number of credits in the enrichment curriculum as requirements for the foundation high school program, rather than for the recommended program.

(b) Requires a school district to ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by SBOE under Subsection (a) for the foundation, rather than the recommended or advanced, high school program and deletes existing text providing circumstances under which a student is authorized to take courses under the minimum high school program. Deletes existing text relating to the requirement that a school district ensure that each student enrolls in courses necessary to complete the curriculum requirements for the recommended or advanced high school program, except in certain circumstances in which a student is permitted to take courses under the minimum high school program.

(b-1) Requires SBOE by rule to require that the curriculum requirements for the foundation high school program under Subsection (a) include a requirement that students successfully complete:

- (1) four credits in English language arts under Section 28.002(a)(1)(A) (relating to curriculum requirements in English language arts);
- (2) three credits in mathematics under Section 28.002(a)(1)(B) (relating to curriculum requirements in mathematics);
- (3) three credits in science under Section 28.002(a)(1)(C) (relating to curriculum requirements in science), one of which may be satisfied by an academic elective credit in science in addition to elective credits under Subdivision (6);
- (4) three credits in social studies under Section 28.002(a)(1)(D) (relating to curriculum requirements in social studies), including at least one credit in United States history, one-half credit in government, and one half-credit in economics;
- (5) except as provided by Subsection (b-12), two credits in the same language in a language other than English under Section 28.002(a)(2)(A) (relating to the enrichment curriculum that includes, to the extent possible, languages other than English) or, at the option of the student, two credits in computer programming;
- (6) 8-1/2 elective credits, including at least two credits in academic electives;
- (7) one-half credit in speech;
- (8) one credit in fine arts under Section 28.002(a)(2)(D) (relating to enrichment curriculum requirements in fine arts); and
- (9) except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C) (relating to enrichment curriculum requirements in physical education).

Deletes existing text regarding curriculum requirements, as required by SBOE by rule, for the minimum, recommended, and advanced high school programs. Makes conforming and nonsubstantive changes.

(b-4) Authorizes a school district to offer the curriculum described in Subsections (b-1)(1) through (4), rather than in Subsection (b-1)(1)(A) (relating to certain foundation curriculum requirements), in an applied manner.

(b-5) Authorizes a school district to offer a mathematics or science course to be taken by a student after completion of Algebra II and physics. Deletes existing text relating to compliance with the recommended program requirements in Subsection (b-1)(1)(A).

(b-7) Requires SBOE, in coordination with the Texas Higher Education Coordinating Board (THECB), to adopt rules to ensure that a student may comply with the curriculum requirements under the foundation high school program for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English to earn an endorsement under Subsection (c-1)(4)(B)(iv), rather than ensuring that a student may comply with the curriculum requirements under the 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) (related to enrichment curriculum in languages other than English), by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822 (Core Curriculum).

(b-9) Requires the Texas Education Agency (TEA) to establish a pilot program allowing a student attending school in a certain county to satisfy the fine arts credit under

Subsection (b-1)(8), rather than the fine arts credit required under Subsection (b-1)(3)(A) (relating to a fine arts credit requirement), by participating in a fine arts program not provided by the school district in which the student is enrolled. Deletes existing text requiring TEA, not later than December 1, 2010, to provide to the legislature a report regarding the pilot program.

(b-10) Makes a conforming change.

(b-11) Makes a conforming change.

(b-12) Requires SBOE, in adopting rules under Subsection (b-1), to allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English as provided under Subsection (b-1)(5) to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in a career and technology education or other academic electives. Prohibits a credit allowed to be substituted under this subsection from also being used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. Requires that the rules provide that the determination regarding a student's ability to participate in language other than English courses will be made by:

(1) if the student receives special education services under Subchapter A (Special Education Program), Chapter 29 (Educational Programs), the student's admission, review, and dismissal committee; or

(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.

(c-1) Authorizes a student who successfully completes the curriculum requirements for the foundation high school program under this section to earn any of the following endorsements on the student's diploma and transcript as follows:

(1) a business and industry endorsement by earning one credit in career and technology education;

(2) an academic achievement in arts and humanities endorsement by earning:

(A) one additional credit in social studies; and

(B) one additional credit in fine arts or one credit in career and technology education;

(3) an academic achievement in science, technology, engineering, and mathematics (STEM) endorsement by earning:

(A) one additional credit in mathematics;

(B) one additional credit in science; and

(C) one additional credit in fine arts or one credit in career and technology education; and

(4) a distinguished achievement endorsement by:

(A) successfully completing English III and Algebra II courses and performing at the distinguished level standard of performance as determined by the commissioner under Section 39.0241(a-3) on the end-of-course assessment instruments under Section 39.023(c) for each of those courses; and

(B) earning:

(i) one additional credit in mathematics;

(ii) one additional credit in science;

(iii) one additional credit in social studies; and

(iv) one additional credit in the same language in a language other than English in which the student earned two credits for purposes of Subsection (b-1)(5) or one additional credit in computer programming if the student earned two credits in computer programming for purposes of Subsection (b-1)(5), as applicable.

(c-2) Requires SBOE to designate the specific courses required for an endorsement under Subsection (c-1) for courses included in the foundation curriculum under Section 28.002(a)(1).

(c-3) Requires that a student's diploma clearly indicate any endorsement under Subsection (c-1) that a student has earned.

(e) Requires each school district to report the academic achievement record of students who have completed the foundation high school program, rather than a minimum, recommended, or advanced high school program, on transcript forms adopted by SBOE. Requires that the transcript forms adopted by SBOE be designed to clearly identify whether a student received a diploma or a certificate of coursework completion and to clearly indicate an endorsement under Subsection (c-1) that a student has earned, rather than to clearly differentiate between each of the high school programs and identify whether a student received a diploma or a certificate of coursework completion.

(h) Requires the commissioner by rule to adopt a transition plan to implement and administer the amendments made by S.B. No. 3, 83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the 2013-2014 school year. Requires a student under the transition plan who entered the ninth grade before the 2013-2014 school year to be permitted to complete the curriculum requirements required for high school graduation under:

(1) the foundation high school program, if the student makes the choice during the 2013-2014 school year to take courses under that program;

(2) the minimum high school program, as that program existed before the adoption of S.B. No. 3, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year;

(3) the recommended high school program, as that program existed before the adoption of S.B. No. 3, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year; or

(4) the advanced high school program, as that program existed before the adoption of S.B. No. 3, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year.

(h-1) Provides that this subsection and Subsection (h) expire September 1, 2017.

SECTION 6. Amends Section 28.0253(e), Education Code, to provide that a student who receives a high school diploma through the pilot program awarding high school diplomas to certain students who demonstrate early college readiness is considered to have completed the foundation high school program adopted under Section 28.025, rather than the recommended high school program adopted under Section 28.025(a).

SECTION 7. Amends Section 28.027(b), Education Code, as follows:

(b) Requires SBOE to 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 high school program under Section 28.025, rather than the recommended high school program imposed under Section 28.025(b-1)(1)(A), through substitution of the applied STEM course for a specific mathematics or science course otherwise required under the foundation high school program, rather than under the recommended high school program and completed during the student's fourth year of mathematics or science course work. Authorizes SBOE to only approve a course to substitute for a science course taken after successful completion of biology, rather than after successful completion of biology and chemistry and after successful completion of or concurrently with physics. Deletes existing text authorizing SBOE to 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.

SECTION 8. Amends Section 29.096(e), Education Code, to require that a program under Section 29.096 (Collaborative Dropout Reduction Pilot Program), among other requirements, have as a primary goal graduation from high school, rather than graduation from high school under at least the recommended high school program.

SECTION 9. Amends Section 29.402(b), Education Code, to make conforming changes.

SECTION 10. Amends Section 29.904(d), Education Code, to make a conforming change.

SECTION 11. Amends Section 33.007(b), Education Code, to delete existing text requiring a counselor to provide information to a student and the student's parent or guardian relating to the advantages of completing the recommended or advanced high school program adopted under Section 28.025(a), and to make nonsubstantive changes.

SECTION 12. Amends Section 39.023(c), Education Code, as follows:

(c) Deletes existing text requiring school districts to adopt a policy that requires a student's performance on an end-of-course assessment instrument for a course listed in this subsection in which the student is enrolled to account for 15 percent of the student's final grade for the course, and deletes existing text providing that if a student retakes an EOC assessment instrument for a course listed in this subsection, as provided by Section 39.025, a school district is not required to use the student's performance on the subsequent administration or administrations of the assessment instrument to determine the student's final grade for the course.

SECTION 13. Amends Section 39.0241, Education Code, by amending Subsection (a-2) and adding Subsection (a-3), as follows:

(a-2) Requires the commissioner, for the purpose of establishing performance across grade levels, to establish certain performance standards including the performance standards for the Algebra II and English III EOC assessment instruments, as provided under Section 39.024(b) (relating to requirements of certain EOC assessment instruments) and under Subsections (a) (relating to requiring the commissioner to determine the level of satisfactory performance on assessment instruments) and (a-3), rather than under Section 39.024(b) and under Subsection (a).

(a-3) Requires the commissioner to determine the level of performance considered to be distinguished performance on the assessment instruments. Requires that the distinguished level of performance be a level of performance that is higher than satisfactory performance as determined under Subsection (a).

SECTION 14. Amends Section 39.0242(e), Education Code, to require the commissioner to increase the rigor of the performance standard established under Section 39.0241(a) (relating to the requirement of the commissioner to determine the level of performance considered to be satisfactory on the assessment instruments) or (a-3), based on the data collected and studies performed periodically under Subsection (d) (relating to continued data collection and study performance and revision of performance standards, as applicable), as the commissioner determines necessary.

SECTION 15. Amends Sections 39.025(a), (a-1), (b), and (b-2), Education Code, as follows:

(a) Requires the commissioner to adopt rules requiring a student in the foundation high school program under Section 28.025 to be administered an EOC assessment instrument listed in Section 39.023(c) (relating to the adoption of certain EOC assessment instruments) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered, rather than rules requiring a student participating in the recommended or advanced high school program to be administered each EOC assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program, to be administered an EOC assessment instrument listed in Section 39.023(c) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered. Requires a student to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each EOC assessment instrument listed under Section 39.023 (Adoption and Administration of Instruments) that is administered to the student as provided by this subsection, rather than requiring a student to achieve a cumulative score that is at least equal to the product of the number of EOC assessment instruments administered to the student in that subject and in each subject in the foundation curriculum under Section 28.002(a)(1), on each EOC assessment instrument listed under Section 39.023 (Adoption and Administration of Instruments) that is administered to the student as provided by this subsection. Deletes existing text requiring a student to 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 EOC assessment instrument for the score to count towards the student's cumulative score, and, providing that for purposes of this subsection, a student's cumulative score is determined using the student's highest score on each EOC assessment instrument administered to the student.

(a-1) Requires the commissioner by rule to determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, or another assessment instrument determined by the commissioner to be at least as rigorous as an EOC assessment instrument adopted under Section 39.023(c) is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a), rather than require the commissioner by rule to determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, or another assessment instrument determined by the commissioner to be at least as rigorous as an EOC assessment instrument adopted under Section 39.023(c) is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a), including the cumulative score requirement of Subsection (a) to be used as a factor in determining whether the student satisfies the requirements of that subsection. Authorizes the commissioner to determine a method by which a student's satisfactory performance on a Preliminary Scholastic Assessment Test (PSAT), rather than a PSAT assessment, or a preliminary American College Test (ACT), rather than a preliminary ACT assessment, is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a).

(b) Requires a student who failed to achieve a score requirement under Subsection (a), rather than a minimum score under Subsection (a), each time an EOC assessment instrument is administered, to retake the assessment instrument.

(b-2) Requires a school district, if the district determines that a student, on completion of grade 11, is unlikely to achieve the score requirement under Subsection (a) for one or

more EOC assessment instruments administered to the student as provided by Subsection (a) for receiving a high school diploma, rather than if the district determines that a student, on completion of grade 11, is unlikely to achieve the cumulative score requirements for one or more subjects prescribed by Subsection (a) for receiving a high school diploma, to require the student to enroll in a corresponding content-area college preparatory course for which an EOC assessment instrument has been adopted, if available. Requires a student who enrolls in a college preparatory course described by this subsection to be administered an EOC assessment instrument for the course, with the EOC assessment instrument scored on a scale as determined by the commissioner, rather than as determined by the commissioner and not to exceed 20 percent of the cumulative score requirements required to graduate as determined under Subsection (a). Makes conforming changes.

SECTION 16. Amends Sections 39.053(c), (f), and (i), Education Code, as follows:

(c) Adds to the list of required student achievement indicators adopted under Section 39.053 (Performance Indicators: Student Achievement), the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area and, for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by TEA under Section 39.034 (Measure of Annual Improvement in Student Achievement), on the assessment instruments, aggregated across grade levels by subject area, for the performance standard determined by the commissioner under Section 39.0241(a-3).

(f) Requires the commissioner to periodically raise the state standards for a certain student achievement indicator for accreditation as necessary to reach the goals of achieving, by not later than the 2019-2020 school year:

(1) student performance in this state, disaggregated by race, ethnicity, and socioeconomic status, that ranks nationally in the top 10 states in terms of college readiness; and

(2) student performance, rather than student performance, including the percentage of students graduating under the recommended or advanced high school program, with no significant achievement gaps by race, ethnicity, and socioeconomic status.

(i) Requires the commissioner by rule to adopt accountability measures to be used in assessing the progress of students who have failed to perform satisfactorily as determined by the commissioner under any performance standard under Section 39.0241 (Performance Standards), rather than under Section 39.0241(a) or under the college readiness standard as determined under Section 39.0241, in the preceding school year on a certain required assessment instrument.

SECTION 17. Amends Section 39.057(a), Education Code, as follows:

(a) Deletes existing text of Subdivision (10) requiring the commissioner to authorize a special accreditation investigation to be conducted when excessive numbers of students graduate under the minimum high school program; and redesignates and amends existing text of Subdivision (11) requiring an investigation when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner, rather than an Algebra II course or any other course determined by the commissioner as distinguishing between students participating in the recommended high school program from students participating in the minimum high school program. Makes nonsubstantive changes.

SECTION 18. Amends Section 39.301(c), Education Code, as follows:

(c) Requires that indicators for reporting purposes include:

(1) the percentage of graduating students who meet the course requirements established under Section 28.025(c-1) for endorsements under that section, rather than the percentage of graduating students who meet the course requirements established by SBOE rule for the minimum high school program, the recommended high school program, and the advanced high school program;

(2)-(3) Make no changes to these subdivisions;

(4) for each campus, the number of students, disaggregated by major student subpopulations, that take courses under the foundation high school program and take additional courses to earn an endorsement under Section 28.025(c-1), disaggregated by type of endorsement, rather than the number of students, disaggregated by major student subpopulations, that agree under Section 28.025(b) (relating to certain student enrollment requirements) to take courses under the minimum high school program; and

(5)-(12) Make no changes to these subdivisions.

SECTION 19. Amends Section 39.303(b), Education Code, to require a school district to include in the notice to parents specific information relating to access to certain educational resources for a student who failed to perform satisfactorily as determined under any, rather than under either, performance standard under Section 39.0241 on a certain assessment instrument.

SECTION 20. Amends Section 42.154(a) and (c) Education Code, as follows:

(a) Provides that for each full-time equivalent student in average daily attendance in an approved career and technology education program in grades eight through 12, rather than nine through 12, in career and technology education programs for students with disabilities in grades seven through 12, or in a course in career explorations in grade seven or eight, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and \$50, if the student is in grades nine through 12 and enrolled in two or more advanced career and technology education classes for a total of three or more credits or an advanced course as part of a tech-prep program under Subchapter T (Tech-Prep Program), Chapter 61 (Texas Higher Education Coordinating Board).

(c) Requires that funds allocated under this section, other than an indirect cost allotment established under SBOE rule, be used in providing:

(1) career and technology education programs in grades eight through 12, rather than nine, or career and technology education programs for certain students with disabilities; or

(2) courses in career explorations for students in grade seven or eight.

SECTION 21. Amends Section 51.3062(q-1), Education Code, to provide that a student who has completed the foundation, rather than a recommended or advanced, high school program as determined under Section 28.025 and demonstrated a certain performance standard on the Algebra II and English III EOC assessment instruments is exempt from the requirements of Section 51.3062 (Success Initiative) with respect to those content areas.

SECTION 22. Amends Sections 51.803(a) and (d), Education Code, as follows:

(a) Requires each general academic teaching institution, subject to Subsection (a-1) (relating to an automatic admissions policy exemption for The University of Texas at Austin), to 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, rather than the 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, rather than the recommended or advanced, high school program; or

(B) Makes no changes to this paragraph; and

(3) Makes a conforming change.

(d) Deletes existing text requiring that a student's official transcript or diploma, for purposes of Subsection (c)(2) (relating to providing a certain transcript or diploma), not later than the end of the student's junior year, indicate 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 if Subsection (b) (relating to requirements considered satisfactorily completed under certain circumstances) applies to the student. Makes nonsubstantive changes.

SECTION 23. Amends Section 51.804, Education Code, to require the governing board of each general academic teaching institution, for each academic year, to 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, is required to be admitted to the institution if the applicant, among other requirements, satisfies the requirements of Section 51.803(a)(2)(A) (relating to an applicant's successful completion of certain high school curriculum) or (B) (relating to certain performance on certain assessment instruments), rather than Section 51.803(a)(2)(A) or Section 51.803(b) (relating to completion considered successful in certain circumstances), as applicable to the student, or Section 51.803(a)(2)(B), and Sections 51.803(c)(2) and 51.803(d).

SECTION 24. Amends Section 51.805(a), Education Code, to authorize a graduating student who does not qualify for admission under Section 51.803 (Automatic Admission: All Institutions) or Section 51.804 to apply to any general academic teaching institution if the student satisfies the requirements of Section 51.803(a)(2)(A) or (B), rather than Section 51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B), and Sections 51.803(c)(2) and 51.803(d).

SECTION 25. Amends Section 51.807(b), Education Code, to require THECB, after consulting with TEA, to by rule establish for purposes of this subchapter, standards for determining whether a private high school is accredited by a generally recognized accrediting organization and 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, rather than the recommended or advanced, high school program.

SECTION 26. Amends Subchapter A, Chapter 56, Education Code, by adding Section 56.009, as follows:

Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. Requires THECB and the commissioner to jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion to the extent that a person's

eligibility to participate in any program under Chapter 56 (Student Financial Assistance), including Subchapters K (Early High School Graduation Scholarship Program), M (Toward Excellence, Access, & Success (TEXAS) Grant Program), Q (Texas B-On-Time Loan Program), and R (Scholarships for Students Graduating in Top 10 Percent of High School Class), is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of S.B. No. 3, 83rd Legislature, Regular Session, 2013.

SECTION 27. Amends Section 56.3041, Education Code, 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. Requires a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution, to be eligible initially for a TEXAS grant, notwithstanding Section 56.304(a) (relating to conditions of TEXAS grant eligibility), to:

(1) Makes no changes to this subdivision;

(2) meet certain academic requirements as follows:

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

(i) 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 certain courses, rather than 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 certain courses;

(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks on any assessment instrument designated by THECB under Section 51.3062(c) (relating to higher education assessment instruments), rather than under Section 51.3062(c) or (e) (relating to additional assessment instruments [repealed]), or qualification for a certain exemption;

(iii) Makes no changes to this subparagraph;

(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, as designated by THECB by rule in consultation with SBOE, rather than as permitted by Section 28.025(b-3) (relating to the approval of certain mathematics and science courses in the adoption of rules), or at least one advanced career and technical course, as designated by THECB by rule in consultation with SBOE, rather than as permitted by Section 28.025(b-2) (relating to allowing a substitution in curriculum requirements in adopting rules); or

(B)-(C) Makes no changes to these paragraphs; and

(3)-(7) Makes no changes to these subdivisions.

SECTION 28. Amends Section 61.0517(a), Education Code, to redefine "applied STEM course."

SECTION 29. Amends Section 61.792(b), Education Code, to require a student, in order to qualify for a scholarship under Section 61.792 (Engineering Scholarship Program), to, among certain requirements, have graduated from high school with a grade point average of at least 3.5 on a four-point scale or the equivalent in mathematics and science courses offered under the foundation high school program under Section 28.025, rather than under the recommended or advanced high school program under 28.025(a).

SECTION 30. Amends Section 61.852(a), Education Code, to provide that a test-prep program is a program of study that meets certain criteria, including that it combines at least two years of secondary education with at least two years of postsecondary education in a nonduplicative, sequential course of study based on the foundation high school program adopted by SBOE under Section 28.025, rather than the recommended high school program adopted by SBOE under 28.025(a).

SECTION 31. Amends Section 61.855(d), Education Code, to require among certain requirements that a tech-prep program have a common core of required proficiency based on the foundation high school program adopted by SBOE under Section 28.025, rather than the recommended high school program adopted by SBOE under Section 28.025(a), with certain proficiencies designed to lead to an associate's degree or postsecondary certificate in a specific career field.

SECTION 32. Amends Section 61.861(c), Education Code, to make a conforming change.

SECTION 33. Amends Section 61.864, Education Code, to make a conforming change.

SECTION 34. Amends Section 78.10(b), Education Code, as follows:

(b) Provides that the Texas Academy of Mathematics and Science serves, among other purposes, to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that allows students to complete high school graduation requirements under Section 28.025 for the foundation high school program, while attending for academic credit a public institution of higher education. Deletes existing text allowing students to complete high school graduation requirements, including requirements adopted under Section 28.025 for the advanced high school program.

SECTION 35. Amends Section 87.505(b), Education Code, to make a conforming change.

SECTION 36. Repealer: Section 28.002(q) (relating to the prohibition against variation of required curriculum), Education Code.

Repealer: Section 28.0212(g) (relating to the establishment of a personal graduation plan), Education Code.

Repealers: Sections 28.025(b-2) (relating to a certain authorized curricular substitution), (b-3) (relating to the required approval of certain mathematics and science courses), (b-6) (relating to a required notice to a parent or person standing in parental relation to a student), (b-8) (relating to the resumption of courses under the recommended program), and (g) (relating to a certain indication on certain student transcripts), Education Code.

Repealers: Sections 39.025(a-2) (relating to graduation requirements under the recommended high school program) and (a-3) (relating to graduation requirements under the advanced high school program), Education Code.

Repealer: Section 51.803(b) (relating to completion considered successful in certain circumstances), Education Code.

SECTION 37. Provides that Section 39.025, Education Code, as amended by this Act, applies only to students who have entered or will enter the ninth grade during the 2011-2012 school year or a later school year.

SECTION 38. Requires THECB to adopt rules in accordance with Section 56.3041(2)(A)(iv), Education Code, as amended by this Act, as soon as practicable after the date this Act takes effect. Authorizes THECB to adopt the initial rules for that purpose in the manner provided by law for adoption of emergency rules.

SECTION 39. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 40. Effective date: upon passage or September 1, 2013.