

By: Aycok, Deshotel, J. Davis of Harris,
Villarreal, Callegari, et al.

H.B. No. 5

A BILL TO BE ENTITLED

1 AN ACT
2 relating to public school accountability, including assessment,
3 and curriculum requirements.

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

5 SECTION 1. (a) Section 7.010(c), Education Code, is amended
6 to read as follows:

7 (c) The electronic student records system must permit an
8 authorized state or district official or an authorized
9 representative of an institution of higher education to
10 electronically transfer to and from an educational institution in
11 which the student is enrolled and retrieve student transcripts,
12 including information concerning a student's:

- 13 (1) course or grade completion;
- 14 (2) teachers of record;
- 15 (3) assessment instrument results;
- 16 (4) receipt of special education services, including
17 placement in a special education program and the individualized
18 education program developed; and
- 19 (5) personal graduation plan as described by Section
20 28.0212 or 28.02121, as applicable.

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

23 SECTION 2. (a) Section 7.062(e), Education Code, is amended
24 to read as follows:

1 (e) The rules must:

2 (1) limit the amount of assistance provided through a
3 grant to not more than:

4 (A) for a construction project, \$200 per square
5 foot of the science laboratory to be constructed; or

6 (B) for a renovation project, \$100 per square
7 foot of the science laboratory to be renovated;

8 (2) require a school district to demonstrate, as a
9 condition of eligibility for a grant, that the existing district
10 science laboratories are insufficient in number to comply with the
11 curriculum requirements imposed for the distinguished level of
12 achievement under the foundation [~~recommended and advanced~~] high
13 school program [~~programs~~] under Section 28.025 [~~28.025(b-1)(1)~~];
14 and

15 (3) provide for ranking school districts that apply
16 for grants on the basis of wealth per student and giving priority in
17 the award of grants to districts with low wealth per student.

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

20 SECTION 3. Subchapter C, Chapter 7, Education Code, is
21 amended by adding Section 7.064 to read as follows:

22 Sec. 7.064. CAREER AND TECHNOLOGY CONSORTIUM. (a) The
23 commissioner shall investigate available options for the state to
24 join a consortium of states for the purpose of developing sequences
25 of academically rigorous career and technology courses in career
26 areas that are high-demand, high-wage career areas in this state.

27 (b) The curricula for the courses must include the

1 appropriate essential knowledge and skills adopted under
2 Subchapter A, Chapter 28.

3 (c) If the commissioner determines that joining a
4 consortium of states for this purpose would be beneficial for the
5 educational and career success of students in the state, the
6 commissioner may join the consortium on behalf of the state.

7 SECTION 4. (a) Section 12.111(b), Education Code, is
8 amended to read as follows:

9 (b) A charter holder of an open-enrollment charter school
10 shall consider including in the school's charter a requirement that
11 the school develop and administer personal graduation plans under
12 Sections [Section] 28.0212 and 28.02121.

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

15 SECTION 5. (a) Section 25.083, Education Code, is amended
16 to read as follows:

17 Sec. 25.083. SCHOOL DAY INTERRUPTIONS. (a) The board of
18 trustees of each school district shall adopt and strictly enforce a
19 policy limiting interruptions of classes during the school day for
20 nonacademic activities such as announcements and sales promotions.
21 At a minimum, the policy must limit announcements other than
22 emergency announcements to once during the school day.

23 (b) The board of trustees of each school district shall
24 adopt and strictly enforce a policy limiting the removal of
25 students from class for remedial tutoring or test preparation. A
26 district may not remove a student from a regularly scheduled class
27 for remedial tutoring or test preparation if, as a result of the

1 removal, the student would miss more than 10 percent of the school
2 days on which the class is offered, unless the student's parent or
3 another person standing in parental relation to the student
4 provides to the district written consent for removal from class for
5 such purpose.

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

8 SECTION 6. (a) The heading to Section 25.092, Education
9 Code, is amended to read as follows:

10 Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL
11 GRADE.

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

14 SECTION 7. (a) Sections 25.092(a), (a-1), (b), and (d),
15 Education Code, are amended to read as follows:

16 (a) Except as provided by this section, a student in any
17 grade level from kindergarten through grade 12 may not be given
18 credit or a final grade for a class unless the student is in
19 attendance for at least 90 percent of the days the class is offered.

20 (a-1) A student who is in attendance for at least 75 percent
21 but less than 90 percent of the days a class is offered may be given
22 credit or a final grade for the class if the student completes a
23 plan approved by the school's principal that provides for the
24 student to meet the instructional requirements of the class. A
25 student under the jurisdiction of a court in a criminal or juvenile
26 justice proceeding may not receive credit or a final grade under
27 this subsection without the consent of the judge presiding over the

1 student's case.

2 (b) The board of trustees of each school district shall
3 appoint one or more attendance committees to hear petitions for
4 class credit or a final grade by students who are in attendance
5 fewer than the number of days required under Subsection (a) and have
6 not earned class credit or a final grade under Subsection (a-1).
7 Classroom teachers shall comprise a majority of the membership of
8 the committee. A committee may give class credit or a final grade
9 to a student because of extenuating circumstances. Each board of
10 trustees shall establish guidelines to determine what constitutes
11 extenuating circumstances and shall adopt policies establishing
12 alternative ways for students to make up work or regain credit or a
13 final grade lost because of absences. The alternative ways must
14 include at least one option that does not require a student to pay a
15 fee authorized under Section 11.158(a)(15). A certified public
16 school employee may not be assigned additional instructional duties
17 as a result of this section outside of the regular workday unless
18 the employee is compensated for the duties at a reasonable rate of
19 pay.

20 (d) If a student is denied credit or a final grade for a
21 class by an attendance committee, the student may appeal the
22 decision to the board of trustees. The decision of the board may be
23 appealed by trial de novo to the district court of the county in
24 which the school district's central administrative office is
25 located.

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

1 SECTION 8. (a) Section 28.002, Education Code, is amended
2 by amending Subsections (c) and (f) and adding Subsection (f-1) to
3 read as follows:

4 (c) The State Board of Education, with the direct
5 participation of educators, parents, business and industry
6 representatives, and employers shall by rule identify the essential
7 knowledge and skills of each subject of the required curriculum
8 that all students should be able to demonstrate and that will be
9 used in evaluating instructional materials under Chapter 31 and
10 addressed on the assessment instruments required under Subchapter
11 B, Chapter 39. As a condition of accreditation, the board shall
12 require each district to provide instruction in the essential
13 knowledge and skills at appropriate grade levels and to make
14 available to each high school student in the district an Algebra II
15 course.

16 (f) A school district may offer courses for local credit in
17 addition to those in the required curriculum. The State Board of
18 Education shall be flexible in approving a course for credit for
19 high school graduation under this subsection. A district may also
20 offer a course or other activity, including an apprenticeship or
21 training hours needed to obtain an industry-recognized credential
22 or certificate, that is approved by the board of trustees for local
23 credit without obtaining State Board of Education approval if:

24 (1) the district develops a program under which the
25 district partners with a public or private institution of higher
26 education and local business, labor, and community leaders to
27 develop and provide the courses; and

1 (2) the course or other activity allows students to
2 enter:

3 (A) a career or technology training program in
4 the district's region of the state;

5 (B) an institution of higher education without
6 remediation;

7 (C) an apprenticeship training program; or

8 (D) an internship required as part of
9 accreditation toward an industry-recognized credential or
10 certificate for course credit.

11 (f-1) Each school district shall annually report to the
12 agency the names of the courses, programs, institutions of higher
13 education, and internships in which the district's students have
14 enrolled under Subsection (f). The agency shall make available
15 information provided under this subsection to other districts.

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

18 SECTION 9. (a) Subchapter A, Chapter 28, Education Code, is
19 amended by adding Section 28.00222 to read as follows:

20 Sec. 28.00222. INCREASE IN CAREER AND TECHNOLOGY EDUCATION
21 COURSES. (a) Not later than September 1, 2014, the State Board of
22 Education shall ensure that at least six advanced career and
23 technology education courses are approved to satisfy a fourth
24 credit in mathematics.

25 (b) Not later than January 1, 2015, the commissioner shall
26 review and report to the governor, the lieutenant governor, the
27 speaker of the house of representatives, and the presiding officer

1 of each standing committee of the legislature with primary
2 responsibility over public primary and secondary education
3 regarding the progress of increasing the number of courses approved
4 for the career and technology education curriculum. The
5 commissioner shall include in the report a detailed description of
6 any new courses, including instructional materials and required
7 equipment, if any.

8 (c) This section expires September 1, 2015.

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

11 SECTION 10. (a) Section 28.006(j), Education Code, is
12 amended to read as follows:

13 (j) No more than 15 percent of the funds certified by the
14 commissioner under Subsection (i) may be spent on indirect costs.
15 The commissioner shall evaluate the programs that fail to meet the
16 standard of performance under Section 39.301(c)(4) [~~39.301(c)(5)~~]
17 and may implement interventions or sanctions under Subchapter E,
18 Chapter 39. The commissioner may audit the expenditures of funds
19 appropriated for purposes of this section. The use of the funds
20 appropriated for purposes of this section shall be verified as part
21 of the district audit under Section 44.008.

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

24 SECTION 11. (a) Section 28.014, Education Code, is amended
25 to read as follows:

26 Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Each school
27 district shall partner with at least one institution of higher

1 education to develop and provide [~~The commissioner of education and~~
2 ~~the commissioner of higher education shall develop and recommend to~~
3 ~~the State Board of Education for adoption under Section 28.002 the~~
4 ~~essential knowledge and skills of~~] courses in college preparatory
5 mathematics[, ~~science, social studies,~~] and English language
6 arts. The courses must be designed:

7 (1) for students at the 12th grade level whose
8 performance on:

9 (A) [~~who do not meet college readiness standards~~
10 ~~on~~] an end-of-course assessment instrument required under Section
11 39.023(c) or an end-of-course assessment instrument adopted under
12 Section 39.023(c-2) does not meet college readiness standards; or

13 (B) coursework, a college entrance examination,
14 or an assessment instrument designated under Section 51.3062(c)
15 indicates that the student is not ready to perform entry-level
16 college coursework; and

17 (2) to prepare students for success in entry-level
18 college courses.

19 (b) A course developed under this section must be provided:

20 (1) on the campus of the high school offering the
21 course; or

22 (2) through distance learning or as an online course
23 provided through an institution of higher education with which the
24 school district partners as provided by Subsection (a).

25 (c) Appropriate faculty of each high school offering
26 courses under this section and appropriate faculty of each
27 institution of higher education with which the school district

1 partners shall meet regularly as necessary to ensure that each
2 course is aligned with college readiness expectations. The
3 commissioner of education, in coordination with the commissioner of
4 higher education, may adopt rules to administer this subsection.

5 (d) Each school district shall provide a notice to each
6 district student to whom Subsection (a) applies and the student's
7 parent or guardian regarding the benefits of enrolling in a course
8 under this section.

9 (e) A student who successfully completes an English
10 language arts [a] course developed under this section may use the
11 credit earned in the course toward satisfying the advanced English
12 language arts [applicable mathematics or science] curriculum
13 requirement for the foundation [recommended or advanced] high
14 school program under Section 28.025(b-1)(1) [28.025]. A student
15 who successfully completes a mathematics course developed under
16 this section may use the credit earned in the course toward
17 satisfying an advanced mathematics curriculum requirement under
18 Section 28.025 after completion of the mathematics curriculum
19 requirements for the foundation high school program under Section
20 28.025(b-1)(2).

21 (f) A course provided under this section may be offered for
22 dual credit at the discretion of the institution of higher
23 education with which a school district partners under this section.

24 (g) Each school district, in consultation with each
25 institution of higher education with which the district partners,
26 shall develop or purchase [(c) The agency, in consultation with
27 the Texas Higher Education Coordinating Board, shall adopt an

1 ~~end-of-course assessment instrument for each course developed~~
2 ~~under this section to ensure the rigor of the course. A school~~
3 ~~district shall, in accordance with State Board of Education rules,~~
4 ~~administer the end-of-course assessment instrument to a student~~
5 ~~enrolled in a course developed under this section. Each school~~
6 ~~district shall adopt a policy that requires a student's performance~~
7 ~~on the end-of-course assessment instrument to account for 15~~
8 ~~percent of the student's final grade for the course. A student's~~
9 ~~performance on an end-of-course assessment instrument administered~~
10 ~~under this subsection may be used, on a scale of 0-40, in~~
11 ~~calculating whether the student satisfies the graduation~~
12 ~~requirements established under Section 39.025.~~

13 ~~[(d) The agency, in coordination with the Texas Higher~~
14 ~~Education Coordinating Board, shall adopt a series of questions to~~
15 ~~be included in an end-of-course assessment instrument administered~~
16 ~~under Subsection (c) to be used for purposes of Section~~
17 ~~51.3062. The questions must be developed in a manner consistent~~
18 ~~with any college readiness standards adopted under Sections 39.233~~
19 ~~and 51.3062.~~

20 ~~[(e) The State Board of Education shall adopt]~~
21 ~~instructional materials for a course developed under this section~~
22 ~~consistent [in accordance] with Chapter 31. The instructional~~
23 ~~materials must include technology resources that enhance the~~
24 ~~effectiveness of the course and draw on established best practices.~~

25 ~~(h) [(f)] To the extent applicable, a district [the~~
26 ~~commissioner] shall draw from curricula and instructional~~
27 ~~materials developed under Section [Sections] 28.008 [and 61.0763]~~

1 in developing a course and related instructional materials under
2 this section. A ~~[Not later than September 1, 2010, the State Board~~
3 ~~of Education shall adopt essential knowledge and skills for each~~
4 ~~course developed under this section. The State Board of Education~~
5 ~~shall make each]~~ course developed under this section and the
6 related instructional materials shall be made available to students
7 ~~[school districts]~~ not later than the 2014-2015 school year. ~~[As~~
8 ~~required by Subsection (c), a school district shall adopt a policy~~
9 ~~requiring a student's performance on an end-of-course assessment~~
10 ~~instrument administered under that subsection to account for 15~~
11 ~~percent of the student's grade for a course developed under this~~
12 ~~section not later than the 2014-2015 school year.]~~ This subsection
13 expires September 1, 2015.

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

16 SECTION 12. (a) The heading to Section 28.0212, Education
17 Code, is amended to read as follows:

18 Sec. 28.0212. JUNIOR HIGH OR MIDDLE SCHOOL PERSONAL
19 GRADUATION PLAN.

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

22 SECTION 13. (a) Sections 28.0212(a) and (b), Education
23 Code, are amended to read as follows:

24 (a) A principal of a junior high or middle school shall
25 designate a guidance counselor, teacher, or other appropriate
26 individual to develop and administer a personal graduation plan for
27 each student enrolled in the ~~[a]~~ junior high or ~~[r]~~ middle ~~[, or high]~~

1 school who:

2 (1) does not perform satisfactorily on an assessment
3 instrument administered under Subchapter B, Chapter 39; or

4 (2) is not likely to receive a high school diploma
5 before the fifth school year following the student's enrollment in
6 grade level nine, as determined by the district.

7 (b) A personal graduation plan under this section must:

8 (1) identify educational goals for the student;

9 (2) include diagnostic information, appropriate
10 monitoring and intervention, and other evaluation strategies;

11 (3) include an intensive instruction program
12 described by Section 28.0213;

13 (4) address participation of the student's parent or
14 guardian, including consideration of the parent's or guardian's
15 educational expectations for the student; and

16 (5) provide innovative methods to promote the
17 student's advancement, including flexible scheduling, alternative
18 learning environments, on-line instruction, and other
19 interventions that are proven to accelerate the learning process
20 and have been scientifically validated to improve learning and
21 cognitive ability.

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

24 SECTION 14. (a) Subchapter B, Chapter 28, Education Code,
25 is amended by adding Section 28.02121 to read as follows:

26 Sec. 28.02121. HIGH SCHOOL PERSONAL GRADUATION PLAN. (a)

27 The agency, in consultation with the Texas Workforce Commission and

1 the Texas Higher Education Coordinating Board, shall prepare and
2 make available to each school district in English and Spanish
3 information that explains the advantages of the distinguished level
4 of achievement described by Section 28.025(b-14) and each
5 endorsement described by Section 28.025(c-1). The information must
6 contain an explanation:

7 (1) concerning the benefits of choosing a high school
8 personal graduation plan that includes the distinguished level of
9 achievement under the foundation high school program and includes
10 one or more endorsements to enable the student to achieve a class
11 rank in the top 10 percent for students at the campus; and

12 (2) that encourages parents, to the greatest extent
13 practicable, to have the student choose a high school personal
14 graduation plan described by Subdivision (1).

15 (b) A school district shall publish the information
16 provided to the district under Subsection (a) on the Internet
17 website of the district and ensure that the information is
18 available to students in grades nine and above and the parents or
19 legal guardians of those students.

20 (c) A principal of a high school shall designate a guidance
21 counselor or school administrator to review personal graduation
22 plan options with each student entering grade nine together with
23 that student's parent or guardian. The personal graduation plan
24 options reviewed must include the distinguished level of
25 achievement described by Section 28.025(b-14) and the endorsements
26 described by Section 28.025(c-1). Before the conclusion of the
27 school year, the student and the student's parent or guardian must

1 confirm and sign a personal graduation plan for the student.

2 (d) A personal graduation plan under Subsection (c) must
3 identify a course of study that:

4 (1) promotes:

5 (A) college and workforce readiness; and

6 (B) career placement and advancement; and

7 (2) facilitates the student's transition from
8 secondary to postsecondary education.

9 (e) A school district may not prevent a student and the
10 student's parent or guardian from confirming a personal graduation
11 plan that includes pursuit of a distinguished level of achievement
12 or an endorsement.

13 (f) A student may amend the student's personal graduation
14 plan after the initial confirmation of the plan under this section.
15 If a student amends the student's personal graduation plan, the
16 school shall send written notice to the student's parents regarding
17 the change.

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

20 SECTION 15. (a) Section 28.025, Education Code, is amended
21 by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4),
22 (b-5), (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections
23 (b-12), (b-13), (b-14), (b-15), (b-16), (b-17), (b-18), (c-1),
24 (c-2), (c-3), (e-1), (e-2), (e-3), (h), and (h-1) to read as
25 follows:

26 (a) The State Board of Education by rule shall determine
27 curriculum requirements for the foundation [~~minimum, recommended,~~

1 ~~and advanced~~] high school program [~~programs~~] that are consistent
2 with the required curriculum under Section 28.002. The [~~Subject to~~
3 ~~Subsection (b-1), the~~] State Board of Education shall designate the
4 specific courses in the foundation curriculum under Section
5 28.002(a)(1) required under [~~for a student participating in~~] the
6 foundation [~~minimum, recommended, or advanced~~] high school
7 program. Except as provided by this section [~~Subsection (b-1)~~],
8 the State Board of Education may not designate a specific course or
9 a specific number of credits in the enrichment curriculum as
10 requirements for the [~~recommended~~] program.

11 (b) A school district shall ensure that each student enrolls
12 in the courses necessary to complete the curriculum requirements
13 identified by the State Board of Education under Subsection (a) for
14 the foundation [~~recommended or advanced~~] high school program and
15 the courses necessary to complete the curriculum requirements
16 established under Subsection (b-14) for the distinguished level of
17 achievement under the foundation high school program, unless the
18 student and the student's parent or legal guardian:

19 (1) are provided with the information required to be
20 provided under Section 33.007(b) in a language in which the parent
21 or legal guardian is proficient, or the information is conveyed to
22 the parent or legal guardian by a translator provided by the school
23 district who is proficient in the same language in which the parent
24 or legal guardian is proficient, except that the district is
25 required to provide the information according to this subdivision
26 only if the district has enrolled in any one particular grade at
27 least 20 students who primarily speak the language in which the

1 information is to be provided; and
2 (2) agree in writing signed by the student and the
3 student's parent or legal guardian that each party understands that
4 the student should be permitted to successfully complete the
5 foundation high school program without meeting the requirements of
6 the distinguished level of achievement established under
7 Subsection (b-14) [unless the student, the student's parent or
8 other person standing in parental relation to the student, and a
9 school counselor or school administrator agree in writing signed by
10 each party that the student should be permitted to take courses
11 under the minimum high school program and the student:

12 [(1) is at least 16 years of age;
13 [(2) has completed two credits required for graduation
14 in each subject of the foundation curriculum under Section
15 28.002(a)(1); or
16 [(3) has failed to be promoted to the tenth grade one
17 or more times as determined by the school district].

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

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

24 (1) [(A)] four credits in English language arts [each
25 subject of the foundation curriculum] under Section
26 28.002(a)(1)(A), including one credit in English I, one credit in
27 English II, one credit in English III, and one credit in an advanced

1 English course authorized under Subsection (b-2);

2 (2) three credits in mathematics under Section
3 28.002(a)(1)(B), including one credit in Algebra I, one credit in
4 geometry, and one credit in any advanced mathematics course
5 authorized under Subsection (b-2);

6 (3) three credits in science under Section
7 28.002(a)(1)(C), including one credit in biology, one credit in any
8 advanced science course authorized under Subsection (b-2), and one
9 credit in integrated physics and chemistry or in an additional
10 advanced science course authorized under Subsection (b-2);

11 (4) three credits in social studies under Section
12 28.002(a)(1)(D) [~~28.002(a)(1)~~], including one credit in United
13 States history, at least one-half credit in government and at least
14 one-half credit in economics, and one credit in world geography or
15 world history [~~to meet the social studies requirement~~];

16 (5) except as provided under Subsections (b-12) and
17 (b-13) [~~(B) for the recommended high school program~~], two credits
18 in the same language in a language other than English under Section
19 28.002(a)(2)(A) [~~and, for the advanced high school program, three~~
20 credits in the same language in a language other than English under
21 Section 28.002(a)(2)(A)]; [~~and~~]

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

25 (7) [~~(2) one or more credits offered in the required~~
26 curriculum for the recommended and advanced high school programs
27 include a research writing component, and

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

4 ~~[(A)]~~ one credit in fine arts under Section
5 28.002(a)(2)(D); and

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

8 (b-2) In adopting rules under Subsection (b-1), the State
9 Board of Education shall provide for ~~[allow]~~ a student to comply
10 with the curriculum requirements for an advanced English course
11 under Subsection (b-1)(1) taken after successful completion of
12 English I, English II, and English III, for an advanced [a]
13 mathematics course under Subsection (b-1)(2) [(b-1)(1)] taken
14 after the successful completion of Algebra I and geometry, and for
15 any advanced [either after the successful completion of or
16 concurrently with Algebra II or a] science course under Subsection
17 (b-1)(3) [(b-1)(1) taken after the successful completion of biology
18 and chemistry and either after the successful completion of or
19 concurrently with physics] by successfully completing a course in
20 the appropriate content area that has been approved as an advanced
21 course by board rule or that is offered as an advanced course for
22 local credit without board approval as provided by Section
23 28.002(f) [career and technical course designated by the State
24 Board of Education as containing substantively similar and rigorous
25 academic content. A student may use the option provided by this
26 subsection for not more than two courses].

27 (b-3) In adopting rules for purposes of Subsection (b-2) [to

1 ~~provide students with the option described by Subsection~~
2 ~~(b-1)(1)(A)]~~, the State Board of Education must approve a variety
3 of advanced English, mathematics, and science courses that may be
4 taken [~~after the completion of Algebra II and physics~~] to comply
5 with the foundation high school [~~recommended~~] program
6 requirements, provided that each approved course prepares students
7 to enter the workforce successfully or postsecondary education
8 without remediation.

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

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

23 (b-7) The State Board of Education, in coordination with the
24 Texas Higher Education Coordinating Board, shall adopt rules to
25 ensure that a student may comply with the curriculum requirements
26 under the foundation [~~minimum, recommended, or advanced~~] high
27 school program or for an endorsement under Subsection (c-1) [~~for~~

1 ~~each subject of the foundation curriculum under Section~~
2 ~~28.002(a)(1) and for languages other than English under Section~~
3 ~~28.002(a)(2)(A)]~~ by successfully completing appropriate courses in
4 the core curriculum of an institution of higher education under
5 Section 61.822. Notwithstanding Subsection (b-14) or (c) of this
6 section, Section 39.025, or any other provision of this code and
7 notwithstanding any school district policy, a student who has
8 completed the core curriculum of an institution of higher education
9 under Section 61.822, as certified by the institution in accordance
10 with commissioner rule, is considered to have earned a
11 distinguished level of achievement under the foundation high school
12 program and is entitled to receive a high school diploma from the
13 appropriate high school as that high school is determined in
14 accordance with commissioner rule. A student who is considered to
15 have earned a distinguished level of achievement under the
16 foundation high school program under this subsection may apply for
17 admission to an institution of higher education for the first
18 semester or other academic term after the semester or other
19 academic term in which the student completes the core curriculum.

20 (b-9) A school district may allow [~~The agency shall~~
21 ~~establish a pilot program allowing]~~ a student [~~attending school in~~
22 ~~a county with a population of more than one million and in which~~
23 ~~more than 75 percent of the population resides in a single~~
24 ~~municipality]~~ to satisfy the fine arts credit required under
25 Subsection (b-1)(7) [~~(b-1)(3)(A)]~~ by participating in a
26 community-based fine arts program not provided by the school
27 district in which the student is enrolled. The fine arts program

1 may be provided on or off a school campus and outside the regular
2 school day. The fine arts program must provide instruction in the
3 essential knowledge and skills identified for the fine arts
4 curriculum under Section 28.002(c). [~~Not later than December 1,~~
5 ~~2010, the agency shall provide to the legislature a report~~
6 ~~regarding the pilot program, including the feasibility of expanding~~
7 ~~the pilot program statewide.~~]

8 (b-10) A school district, with the approval of the
9 commissioner, may allow a student to comply with the curriculum
10 requirements for the physical education credit required under
11 Subsection (b-1)(8) [~~(b-1)(3)(B)~~] by participating in a private or
12 commercially sponsored physical activity program provided on or off
13 a school campus and outside the regular school day.

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

27 (1) if the student receives special education services

1 under Subchapter A, Chapter 29, the student's admission, review,
2 and dismissal committee;

3 (2) if the student does not receive special education
4 services under Subchapter A, Chapter 29, but is covered by Section
5 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
6 committee established for the student under that Act; or

7 (3) if each of the committees described by
8 Subdivisions (1) and (2) is inapplicable, a committee established
9 by the school district of persons with appropriate knowledge
10 regarding the student.

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

16 (b-13) In adopting rules under Subsection (b-1), the State
17 Board of Education shall adopt criteria to allow a student in a
18 special education program under Subchapter A, Chapter 29, to comply
19 with the curriculum requirements for two credits in a language
20 other than English required under Subsection (b-1)(5) by
21 substituting credits in English language arts, mathematics,
22 science, or social studies or career and technology or another
23 academic elective credit. A credit allowed to be substituted under
24 this subsection may not also be used by the student to satisfy a
25 graduation requirement other than completion of the language other
26 than English requirement.

27 (b-14) A student may earn a distinguished level of

1 achievement under the foundation high school program by
2 successfully completing:

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

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

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

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

11 (b-15) A student may satisfy an elective credit required
12 under Subsection (b-1)(6) with a credit earned to satisfy the
13 additional curriculum requirements for the distinguished level of
14 achievement under the foundation high school program or an
15 endorsement under Subsection (c-1). This subsection may apply to
16 more than one elective credit.

17 (b-16) The State Board of Education shall adopt rules to
18 ensure that a student may comply with the curriculum requirements
19 under Subsection (b-1)(6) by successfully completing an advanced
20 career and technical course, including a course that may lead to an
21 industry-recognized credential or certificate or an associate
22 degree.

23 (b-17) In adopting rules under Subsection (b-1), the State
24 Board of Education shall allow a student to comply with the
25 curriculum requirements under Subsection (b-1) by successfully
26 completing a dual credit course.

27 (b-18) In adopting rules under Subsection (b-1), the State

1 Board of Education shall adopt criteria to allow a student to comply
2 with curriculum requirements for the world geography or world
3 history credit under Subsection (b-1)(4) by successfully
4 completing a combined world history and world geography course
5 developed by the State Board of Education.

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

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

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

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

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

27 (5) multidisciplinary studies, which allows a student

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

3 (c-2) In adopting rules under Subsection (c-1), the State
4 Board of Education shall:

5 (1) require a student in order to earn any endorsement
6 to successfully complete four credits in mathematics, which must
7 include:

8 (A) the courses described by Subsection
9 (b-1)(2); and

10 (B) an additional advanced mathematics course
11 authorized under Subsection (b-2) or an advanced career and
12 technology course designated by the State Board of Education as
13 containing substantively similar and rigorous academic content to
14 such an advanced mathematics course; and

15 (2) develop additional curriculum requirements for
16 each endorsement with the direct participation of educators and
17 business, labor, and industry representatives, and shall require
18 each school district to report to the agency the categories of
19 endorsements under Subsection (c-1) for which the district offers
20 all courses for curriculum requirements, as determined by board
21 rule. Each school district must make available to high school
22 students courses that allow a student to complete the curriculum
23 requirements for at least one endorsement under Subsection (c-1).

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

1 (1) for outstanding performance:

2 (A) in a dual credit course;

3 (B) on a college advanced placement test or
4 international baccalaureate examination; or

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

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

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

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

25 (e-2) At the end of each school year, each school district
26 shall report through the Public Education Information Management
27 System (PEIMS) the number of district students who, during that

1 school year, were:

2 (1) enrolled in the foundation high school program;

3 (2) pursuing the distinguished level of achievement
4 under the foundation high school program as provided by Subsection
5 (b-14); and

6 (3) enrolled in a program to earn an endorsement
7 described by Subsection (c-1).

8 (e-3) Information reported under Subsection (e-2) must be
9 disaggregated by all student groups served by the district,
10 including categories of race, ethnicity, socioeconomic status,
11 sex, and populations served by special programs, including students
12 in special education programs under Subchapter A, Chapter 29.

13 (h) The commissioner by rule shall adopt a transition plan
14 to implement and administer the amendments made by __. B. No. __,
15 83rd Legislature, Regular Session, 2013, replacing the minimum,
16 recommended, and advanced high school programs with the foundation
17 high school program beginning with the 2014-2015 school year.
18 Under the transition plan, a student who entered the ninth grade
19 before the 2014-2015 school year must be permitted to complete the
20 curriculum requirements required for high school graduation under:

21 (1) the foundation high school program, if the student
22 chooses during the 2014-2015 school year to take courses under this
23 program;

24 (2) the minimum high school program, as that program
25 existed before the adoption of __.B. No. __, 83rd Legislature,
26 Regular Session, 2013, if the student was participating in that
27 program before the 2014-2015 school year;

1 (3) the recommended high school program, as that
2 program existed before the adoption of __.B. No. __, 83rd
3 Legislature, Regular Session, 2013, if the student was
4 participating in that program before the 2014-2015 school year; or

5 (4) the advanced high school program, as that program
6 existed before the adoption of __.B. No. __, 83rd Legislature,
7 Regular Session, 2013, if the student was participating in that
8 program before the 2014-2015 school year.

9 (h-1) This subsection and Subsection (h) expire September
10 1, 2018.

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

13 SECTION 16. (a) Section 28.0253(e), Education Code, is
14 amended to read as follows:

15 (e) A student who receives a high school diploma through the
16 pilot program is considered to have earned a distinguished level of
17 achievement under ~~[completed]~~ the foundation ~~[recommended]~~ high
18 school program adopted under Section 28.025 ~~[28.025(a)]~~. The
19 student is not guaranteed admission to any institution of higher
20 education or to any academic program at an institution of higher
21 education solely on the basis of having received the diploma
22 through the program. The student may apply for admission to an
23 institution of higher education for the first semester or other
24 academic term after the semester or other academic term in which the
25 student earns a diploma through the pilot program.

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

1 SECTION 17. (a) Sections 28.027(a) and (b), Education
2 Code, are amended to read as follows:

3 (a) In this section, "applied STEM course" means an applied
4 science, technology, engineering, or mathematics course offered as
5 part of a school district's career and technology education or
6 technology applications curriculum.

7 (b) The State Board of Education shall establish a process
8 under which an applied STEM course may be reviewed and approved for
9 purposes of satisfying the mathematics and science curriculum
10 requirements for the foundation [~~recommended~~] high school program
11 [~~imposed~~] under Section 28.025 [~~28.025(b-1)(1)(A)~~] through
12 substitution of the applied STEM course for a specific mathematics
13 or science course otherwise authorized [~~required~~] under the
14 foundation [~~recommended~~] high school program [~~and completed during~~
15 ~~the student's fourth year of mathematics or science course work~~].
16 The State Board of Education may only approve a course to substitute
17 for a mathematics course taken after successful completion of
18 Algebra I and geometry [~~and after successful completion of or~~
19 ~~concurrently with Algebra II~~]. The State Board of Education may
20 only approve a course to substitute for a science course taken after
21 successful completion of biology [~~and chemistry and after~~
22 ~~successful completion of or concurrently with physics~~].

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

25 SECTION 18. (a) Subchapter B, Chapter 28, Education Code,
26 is amended by adding Section 28.030 to read as follows:

27 Sec. 28.030. HIGH SCHOOL STUDENT SURVEY. (a) The agency

1 shall post on the agency's Internet website a survey to be completed
2 by high school students. The information requested by the survey
3 must include:

4 (1) the student's race, ethnicity, socioeconomic
5 status, and gender;

6 (2) the name of the school district the student
7 attends;

8 (3) whether the student is bilingual;

9 (4) details regarding the student's graduation plan,
10 including whether the student will graduate under the foundation
11 high school program or the distinguished level of achievement under
12 the foundation high school program and the reason the student
13 selected the graduation plan;

14 (5) any endorsement described by Section 28.025(c-1)
15 earned by the student and the reason the student selected the
16 endorsement; and

17 (6) the postgraduation plans of the student, including
18 whether the student will attend a community college, institution of
19 higher education, or trade school and any workforce goals of the
20 student, and the student's reasons for choosing those particular
21 postgraduation plans.

22 (b) A school district shall require each student to complete
23 the survey before the student graduates from high school.

24 (b) This section applies beginning with the 2017-2018
25 school year.

26 SECTION 19. (a) Section 29.0821(a), Education Code, is
27 amended to read as follows:

1 (a) A school district may provide a flexible year program
2 for students who did not or are likely not to perform successfully
3 on an assessment instrument administered under Section 39.023(a),
4 (c), or (1) [39.023] or who would not otherwise be promoted to the
5 next grade level.

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

8 SECTION 20. (a) Section 29.096(e), Education Code, is
9 amended to read as follows:

10 (e) The commissioner shall establish minimum standards for
11 a local collaborative agreement, including a requirement that the
12 agreement must be signed by an authorized school district or
13 open-enrollment charter school officer and an authorized
14 representative of each of the other participating entities that is
15 a partner in the collaboration. The program must:

16 (1) limit participation in the program to students
17 authorized to participate by a parent or other person standing in
18 parental relationship;

19 (2) have as a primary goal graduation from high school
20 ~~[under at least the recommended high school program];~~

21 (3) provide for local businesses or other employers to
22 offer paid employment or internship opportunities and advanced
23 career and vocational training;

24 (4) include an outreach component and a lead
25 educational staff member to identify and involve eligible students
26 and public and private entities in participating in the program;

27 (5) serve a population of students of which at least 50

1 percent are identified as students at risk of dropping out of
2 school, as described by Section 29.081(d);

3 (6) allocate not more than 15 percent of grant funds
4 and matching funds, as determined by the commissioner, to
5 administrative expenses;

6 (7) include matching funds from any of the
7 participating entities; and

8 (8) include any other requirements as determined by
9 the council.

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

12 SECTION 21. Section 29.182(b), Education Code, is amended
13 to read as follows:

14 (b) The state plan must include procedures designed to
15 ensure that:

16 (1) all secondary and postsecondary students have the
17 opportunity to participate in career and technology education
18 programs;

19 (2) the state complies with requirements for
20 supplemental federal career and technology education funding;
21 ~~and~~

22 (3) career and technology education is established as
23 a part of the total education system of this state and constitutes
24 an option for student learning that provides a rigorous course of
25 study consistent with the required curriculum under Section 28.002
26 and under which a student may receive specific education in a career
27 and technology program that:

1 (A) incorporates competencies leading to
2 academic and technical skill attainment;

3 (B) leads to:

4 (i) an industry-recognized license,
5 credential, or certificate; or

6 (ii) at the postsecondary level, an
7 associate or baccalaureate degree;

8 (C) includes opportunities for students to earn
9 college credit for coursework; and

10 (D) includes, as an integral part of the program,
11 participation by students and teachers in activities of career and
12 technical student organizations supported by the agency and the
13 State Board of Education; and

14 (4) a school district provides, to the greatest extent
15 possible, to a student participating in a career and technology
16 education program opportunities to enroll in dual credit courses
17 designed to lead to a degree, license, or certification as part of
18 the program.

19 SECTION 22. The heading to Section 29.190, Education Code,
20 is amended to read as follows:

21 Sec. 29.190. SUBSIDY FOR MANUFACTURING CERTIFICATION
22 EXAMINATION.

23 SECTION 23. (a) Sections 29.190(a) and (c), Education
24 Code, are amended to read as follows:

25 (a) A student is entitled to a subsidy under this section
26 if:

27 (1) the student:

1 (A) successfully completes the career and
2 technology program of a school district in which the student
3 receives training and instruction for employment [~~in a current or~~
4 ~~emerging high-demand, high-wage, high-skill occupation, as~~
5 ~~determined under Subsection (e)] ; or~~

6 (B) is enrolled in a special education program
7 under Subchapter A; and

8 (2) the student passes a certification examination to
9 qualify for a license or certificate for an [~~the~~] occupation in the
10 manufacturing industry [~~, and~~

11 [~~(3) the student submits to the district a written~~
12 ~~application in the form, time, and manner required by the district~~
13 ~~for the district to subsidize the cost of an examination described~~
14 ~~by Subdivision (2)].~~

15 (c) On approval by the commissioner, the agency shall pay
16 each school district an amount equal to the cost paid by the
17 district [~~or student~~] for the certification examination. To
18 obtain reimbursement for a subsidy paid under this section, a
19 district must:

20 (1) pay the fee for the examination [~~or pay the student~~
21 ~~the amount of the fee paid by the student for the examination]~~; and

22 (2) submit to the commissioner a written application
23 on a form prescribed by the commissioner stating the amount of the
24 fee paid under Subdivision (1) for the certification examination.

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

27 SECTION 24. (a) Section 29.402(b), Education Code, is

1 amended to read as follows:

2 (b) A person who is under 26 years of age is eligible to
3 enroll in a dropout recovery program under this subchapter if the
4 person:

5 (1) must complete not more than three course credits
6 to complete the curriculum requirements for the foundation
7 [~~minimum, recommended, or advanced~~] high school program[~~, as~~
8 ~~appropriate,~~] for high school graduation; or

9 (2) has failed to perform satisfactorily on an
10 end-of-course assessment instrument administered under Section
11 39.023(c) or an assessment instrument administered under Section
12 39.023(c) as that section existed before amendment by Chapter 1312
13 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

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

16 SECTION 25. (a) Section 29.904(d), Education Code, is
17 amended to read as follows:

18 (d) A plan developed under this section:

19 (1) must establish clear, achievable goals for
20 increasing the percentage of the school district's graduating
21 seniors, particularly the graduating seniors attending a high
22 school described by Subsection (a), who enroll in an institution of
23 higher education for the academic year following graduation;

24 (2) must establish an accurate method of measuring
25 progress toward the goals established under Subdivision (1) that
26 may include the percentage of district high school students and the
27 percentage of students attending a district high school described

1 by Subsection (a) who:

2 (A) are enrolled in a course for which a student
3 may earn college credit, such as an advanced placement or
4 international baccalaureate course or a course offered through
5 concurrent enrollment in high school and at an institution of
6 higher education;

7 (B) are enrolled in courses that meet the
8 curriculum requirements for the distinguished level of achievement
9 under the foundation [~~recommended or advanced~~] high school program
10 as determined under Section 28.025;

11 (C) have submitted a free application for federal
12 student aid (FAFSA);

13 (D) are exempt under Section 51.3062(p) or (q)
14 from administration of an assessment instrument under Section
15 51.3062 or have performed successfully on an assessment instrument
16 under Section 51.3062;

17 (E) graduate from high school;

18 (F) graduate from an institution of higher
19 education; and

20 (G) have taken college entrance examinations and
21 the average score of those students on the examinations;

22 (3) must cover a period of at least five years; and

23 (4) may be directed at district students at any level
24 of primary or secondary education.

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

27 SECTION 26. (a) Section 30A.110(b), Education Code, is

1 amended to read as follows:

2 (b) Each student enrolled under this chapter in an
3 electronic course offered through the state virtual school network
4 must take any assessment instrument under Section 39.023(a), (b),
5 (c), or (1) [~~39.023~~] that is administered to students who are
6 provided instruction in the course material in the traditional
7 classroom setting. The administration of the assessment instrument
8 to the student enrolled in the electronic course must be supervised
9 by a proctor.

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

12 SECTION 27. (a) Section 31.0211(c), Education Code, is
13 amended to read as follows:

14 (c) Subject to Subsection (d), funds allotted under this
15 section may be used to:

16 (1) purchase:

17 (A) materials on the list adopted by the
18 commissioner, as provided by Section 31.0231;

19 (B) instructional materials, regardless of
20 whether the instructional materials are on the list adopted under
21 Section 31.024;

22 (C) consumable instructional materials,
23 including workbooks;

24 (D) instructional materials for use in bilingual
25 education classes, as provided by Section 31.029;

26 (E) instructional materials for use in college
27 preparatory courses under Section 28.014, as provided by Section

1 31.031;

2 (F) supplemental instructional materials, as
3 provided by Section 31.035;

4 (G) [~~(F)~~] state-developed open-source
5 instructional materials, as provided by Subchapter B-1;

6 (H) [~~(G)~~] instructional materials and
7 technological equipment under any continuing contracts of the
8 district in effect on September 1, 2011; and

9 (I) [~~(H)~~] technological equipment necessary to
10 support the use of materials included on the list adopted by the
11 commissioner under Section 31.0231 or any instructional materials
12 purchased with an allotment under this section; and

13 (2) pay:

14 (A) for training educational personnel directly
15 involved in student learning in the appropriate use of
16 instructional materials and for providing for access to
17 technological equipment for instructional use; and

18 (B) the salary and other expenses of an employee
19 who provides technical support for the use of technological
20 equipment directly involved in student learning.

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

23 SECTION 28. (a) Subchapter B, Chapter 31, Education Code,
24 is amended by adding Section 31.031 to read as follows:

25 Sec. 31.031. COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

26 (a) A school district may purchase with the district's
27 instructional materials allotment or otherwise acquire

1 instructional materials for use in college preparatory courses
2 under Section 28.014.

3 (b) The commissioner shall adopt rules regarding the
4 purchase of instructional materials under this section.

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

7 SECTION 29. (a) The heading to Section 33.007, Education
8 Code, is amended to read as follows:

9 Sec. 33.007. COUNSELING REGARDING POSTSECONDARY [~~HIGHER~~]
10 EDUCATION.

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

13 SECTION 30. (a) Sections 33.007(a) and (b), Education
14 Code, are amended to read as follows:

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

22 (b) During the first school year a student is enrolled in a
23 high school or at the high school level in an open-enrollment
24 charter school, and again during each [~~a student's senior~~] year of a
25 student's enrollment in high school or at the high school level, a
26 school counselor shall provide information about postsecondary
27 [~~higher~~] education to the student and the student's parent or

1 guardian. The information must include information regarding:

2 (1) the importance of postsecondary [~~higher~~]
3 education;

4 (2) the advantages of earning an endorsement and a
5 performance acknowledgment and completing the distinguished level
6 of achievement under the foundation [~~recommended or advanced~~] high
7 school program [~~adopted~~] under Section 28.025 [~~28.025(a)~~];

8 (3) the disadvantages of taking courses to prepare for
9 a high school equivalency examination relative to the benefits of
10 taking courses leading to a high school diploma;

11 (4) financial aid eligibility;

12 (5) instruction on how to apply for federal financial
13 aid;

14 (6) the center for financial aid information
15 established under Section 61.0776;

16 (7) the automatic admission of certain students to
17 general academic teaching institutions as provided by Section
18 51.803;

19 (8) the eligibility and academic performance
20 requirements for the TEXAS Grant as provided by Subchapter M,
21 Chapter 56; and

22 (9) the availability of programs in the district under
23 which a student may earn college credit, including advanced
24 placement programs, dual credit programs, joint high school and
25 college credit programs, and international baccalaureate programs.

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

1 SECTION 31. (a) Section 33.0812(a), Education Code, is
2 amended to read as follows:

3 (a) The State Board of Education by rule shall prohibit
4 participation in a University Interscholastic League area,
5 regional, or state competition:

6 (1) on Monday through Thursday of the school week in
7 which the primary administration of assessment instruments under
8 Section 39.023(a), (c), (c-2), or (l) occurs; or

9 (2) if the primary administration of the assessment
10 instruments is completed before Thursday of the school week,
11 beginning on Monday and ending on the last school day on which the
12 assessment instruments are administered.

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

15 SECTION 32. (a) Section 39.023, Education Code, is amended
16 by amending Subsections (b), (c), (c-2), (c-3), (e), and (h) and
17 adding Subsections (b-1), (e-1), (e-2), and (e-3) to read as
18 follows:

19 (b) The agency shall develop or adopt appropriate
20 criterion-referenced alternative assessment instruments to be
21 administered to each student in a special education program under
22 Subchapter A, Chapter 29, for whom an assessment instrument adopted
23 under Subsection (a), even with allowable accommodations, would not
24 provide an appropriate measure of student achievement, as
25 determined by the student's admission, review, and dismissal
26 committee, including assessment instruments approved by the
27 commissioner that measure growth. The assessment instruments

1 developed or adopted under this subsection, including the
2 assessment instruments approved by the commissioner, must, to the
3 extent allowed under federal law, provide a district with options
4 for the assessment of students under this subsection.

5 (b-1) The agency, in conjunction with appropriate
6 interested persons, shall redevelop assessment instruments adopted
7 or developed under Subsection (b) for administration to
8 significantly cognitively disabled students in a manner consistent
9 with federal law. An assessment instrument under this subsection
10 may not require a teacher to prepare tasks or materials for a
11 student who will be administered such an assessment instrument.
12 Assessment instruments adopted or developed under this subsection
13 shall be administered not later than the 2014-2015 school year.

14 (c) The agency shall also adopt end-of-course assessment
15 instruments for secondary-level courses in Algebra I, [~~Algebra II,~~
16 ~~geometry,~~] biology, [~~chemistry, physics, English I,~~] English II,
17 [~~English III, world geography, world history,~~] and United States
18 history. The Algebra I[, ~~Algebra II, and geometry~~] end-of-course
19 assessment instrument [~~instruments~~] must be administered with the
20 aid of technology. A school district shall comply with State Board
21 of Education rules regarding administration of the assessment
22 instruments listed in this subsection and may [~~shall~~] adopt a
23 policy that requires a student's performance on an end-of-course
24 assessment instrument for a course listed in this subsection in
25 which the student is enrolled to be considered in determining
26 [~~account for 15 percent of~~] the student's final grade for the
27 course. [~~If a student retakes an end-of-course assessment~~

1 ~~instrument for a course listed in this subsection, as provided by~~
2 ~~Section 39.025, a school district is not required to use the~~
3 ~~student's performance on the subsequent administration or~~
4 ~~administrations of the assessment instrument to determine the~~
5 ~~student's final grade for the course.]~~ If a student is in a special
6 education program under Subchapter A, Chapter 29, the student's
7 admission, review, and dismissal committee shall determine whether
8 any allowable modification is necessary in administering to the
9 student an assessment instrument required under this subsection.
10 The State Board of Education shall administer the assessment
11 instruments. The State Board of Education shall adopt a schedule
12 for the administration of end-of-course assessment instruments
13 specified in this subsection and Subsection (c-2) that complies
14 with the requirements of Subsection (c-3).

15 (c-2) The agency shall also adopt end-of-course assessment
16 instruments for secondary-level courses in Algebra II and English
17 III, which shall be administered to a student at the student's
18 option. The Algebra II end-of-course assessment instrument must be
19 administered with the aid of technology. A school district shall
20 comply with State Board of Education rules regarding administration
21 of the Algebra II and English III end-of-course assessment
22 instruments. [~~The agency may adopt end-of-course assessment~~
23 ~~instruments for courses not listed in Subsection (c).~~] A student's
24 performance on an end-of-course assessment instrument adopted
25 under this subsection is not subject to the performance
26 requirements established under Subsection (c) or Section 39.025.

27 (c-3) In adopting a schedule for the administration of

1 assessment instruments under this section, the State Board of
2 Education [~~shall require~~]:

3 (1) shall require assessment instruments administered
4 under Subsection (a) to be administered on a schedule so that the
5 first assessment instrument is administered at least two weeks
6 later than the date on which the first assessment instrument was
7 administered under Subsection (a) during the 2006-2007 school year;
8 [~~and~~]

9 (2) shall require the spring administration of
10 end-of-course assessment instruments under Subsection (c) or the
11 end-of-course assessment instrument in Algebra II under Subsection
12 (c-2) to occur in each school district during the latest
13 practicable [~~not earlier than the first full~~] week as determined by
14 the commissioner, but not earlier than the third full week in May,
15 except that the spring administration of the end-of-course
16 assessment instruments in [~~English I,~~] English II Writing [~~, and~~
17 ~~English III~~] must be permitted to occur at an earlier date; and

18 (3) shall permit the spring administration of the
19 end-of-course assessment instruments in English III Writing under
20 Subsection (c-2) to occur earlier than the third full week in May.

21 (e) Under rules adopted by the State Board of Education,
22 every third year, the agency shall release the questions and answer
23 keys to each assessment instrument administered under Subsection
24 (a), (b), (c), (c-2), (d), or (l), excluding any assessment
25 instrument administered to a student for the purpose of retaking
26 the assessment instrument, after the last time the instrument is
27 administered for that school year. To ensure a valid bank of

1 questions for use each year, the agency is not required to release a
2 question that is being field-tested and was not used to compute the
3 student's score on the instrument. The agency shall also release,
4 under board rule, each question that is no longer being
5 field-tested and that was not used to compute a student's score.
6 During the 2014-2015 and 2015-2016 school years, the agency shall
7 release the questions and answer keys to assessment instruments as
8 described by this subsection each year.

9 (e-1) Under rules adopted by the commissioner, for the
10 2012-2013 school year, the agency each year shall release the
11 questions and answer keys to each assessment instrument
12 administered under Subsection (a), (c), (d), or (l), excluding any
13 assessment instrument administered to a student for the purpose of
14 retaking the assessment instrument, after the last time the
15 instrument is administered for that school year. This subsection
16 expires December 31, 2013.

17 (e-2) Under rules adopted by the commissioner, for the
18 2013-2014 school year, the agency each year shall release the
19 questions and answer keys to each assessment instrument
20 administered under Subsection (b), (c), (c-2), or (l), excluding
21 any assessment instrument administered to a student for the purpose
22 of retaking the assessment instrument and any assessment instrument
23 covering a subject or course for which the questions and answer keys
24 for the 2012-2013 assessment instrument covering that subject or
25 course were released, after the last time the instrument is
26 administered for the 2013-2014 school year. This subsection expires
27 December 31, 2014.

1 (e-3) Under rules adopted by the commissioner, for the
2 2013-2014 school year, the agency each year shall release the
3 questions and answer keys to each assessment instrument
4 administered under Subsection (a), (b), (c), (d), or (l) during the
5 2011-2012 school year after the last time any assessment instrument
6 is administered for the 2013-2014 school year. This subsection
7 expires December 31, 2014.

8 (h) The agency shall notify school districts and campuses of
9 the results of assessment instruments administered under this
10 section [~~at the earliest possible date determined by the State~~
11 ~~Board of Education but~~] not later than the 21st day after the date
12 the assessment instrument is administered [~~beginning of the~~
13 ~~subsequent school year~~]. The school district shall disclose to
14 each district teacher the results of assessment instruments
15 administered to students taught by the teacher in the subject for
16 the school year in which the assessment instrument is administered.

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

19 SECTION 33. (a) Section 39.0232, Education Code, is
20 amended to read as follows:

21 Sec. 39.0232. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS
22 PLACEMENT INSTRUMENT; CERTAIN USES PROHIBITED. (a) To the extent
23 practicable, the agency shall ensure that any high school
24 end-of-course assessment instrument developed by the agency is
25 developed in such a manner that the assessment instrument may be
26 used to determine the appropriate placement of a student in a course
27 of the same subject matter at an institution of higher education.

1 (b) A student's performance on an end-of-course assessment
2 instrument may not be used:

3 (1) in determining the student's class ranking for any
4 purpose, including entitlement to automatic college admission
5 under Section 51.803 or 51.804; or

6 (2) as a sole criterion in the determination of
7 whether to admit the student to a general academic teaching
8 institution in this state.

9 (c) Subsection (b)(2) does not prohibit a general academic
10 teaching institution from implementing an admission policy that
11 takes into consideration a student's performance on an
12 end-of-course assessment instrument in addition to other criteria.

13 (d) In this section, "general academic teaching
14 institution" has the meaning assigned by Section 61.003.

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

17 SECTION 34. (a) Sections 39.0233(a) and (b), Education
18 Code, are amended to read as follows:

19 (a) The agency, in coordination with the Texas Higher
20 Education Coordinating Board, shall adopt a series of questions to
21 be included in an end-of-course assessment instrument administered
22 under Sections [~~Section~~] 39.023(c) and (c-2) to be used for
23 purposes of Section 51.3062. The questions adopted under this
24 subsection must be developed in a manner consistent with any
25 college readiness standards adopted under Sections 39.233 [~~39.113~~]
26 and 51.3062.

27 (b) In addition to the questions adopted under Subsection

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

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

14 SECTION 35. (a) Section 39.024(b), Education Code, is
15 amended to read as follows:

16 (b) The agency and the Texas Higher Education Coordinating
17 Board shall ensure that the Algebra II and English III
18 end-of-course assessment instruments adopted [~~required~~] under
19 Section 39.023(c-2) [~~39.023(c)~~] are developed to be capable of,
20 beginning with the 2011-2012 school year, measuring college
21 readiness.

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

24 SECTION 36. (a) Section 39.0241(a-2), Education Code, is
25 amended to read as follows:

26 (a-2) For the purpose of establishing performance across
27 grade levels, the commissioner shall establish:

1 (1) the performance standards for the Algebra II and
2 English III end-of-course assessment instruments, as provided
3 under Section 39.024(b) and under Subsection (a);

4 (2) the performance standards for the Algebra I and
5 English II end-of-course assessment instruments, as determined
6 based on studies under Section 39.0242 that correlate student
7 performance on the Algebra I and English II end-of-course
8 assessment instruments with student performance on the Algebra II
9 and English III assessment instruments;

10 ~~(3) [the performance standards for the English I~~
11 ~~end-of-course assessment instrument, as determined based on~~
12 ~~studies under Section 39.0242 that correlate student performance on~~
13 ~~the English I end-of-course assessment instrument with student~~
14 ~~performance on the English II assessment instrument,~~

15 ~~(4)~~ the performance standards for the grade eight
16 assessment instruments, as determined based on studies under
17 Section 39.0242 that correlate student performance on the grade
18 eight assessment instruments with student performance on the
19 Algebra I and English II [~~I~~] end-of-course assessment instruments
20 in the same content area; and

21 (4) [~~(5)~~] the performance standards on the assessment
22 instruments in each of grades three through seven, as determined
23 based on studies under Section 39.0242 that correlate student
24 performance in the same content area on the assessment instrument
25 for each grade with student performance on the assessment
26 instrument in the succeeding grade.

27 (b) This section applies beginning with the 2013-2014

1 school year.

2 SECTION 37. (a) Section 39.0242(b), Education Code, is
3 amended to read as follows:

4 (b) Before the beginning of the 2011-2012 school year, the
5 agency shall analyze the data collected under Subsection (a) to
6 substantiate:

7 (1) the correlation between satisfactory student
8 performance for each performance standard under Section 39.0241 on
9 the grade three, four, five, six, or seven assessment instruments
10 with satisfactory performance under the same performance standard
11 on the assessment instruments in the same content area for the next
12 grade level;

13 (2) the correlation between satisfactory student
14 performance for each performance standard under Section 39.0241 on
15 the grade eight assessment instruments with satisfactory
16 performance under the same performance standard on the Algebra I
17 and English II [±] end-of-course assessment instruments in the same
18 content area;

19 ~~(3) [the correlation between satisfactory student~~
20 ~~performance for each performance standard under Section 39.0241 on~~
21 ~~the English I end-of-course assessment instrument with~~
22 ~~satisfactory performance under the same performance standard on the~~
23 ~~English II end-of-course assessment instrument,~~

24 [(4)] the correlation between satisfactory student
25 performance for each performance standard under Section 39.0241 on
26 the English II end-of-course assessment instrument with
27 satisfactory performance under the same performance standard on the

1 English III end-of-course assessment instrument; and

2 (4) [~~5~~] the correlation between satisfactory
3 student performance for each performance standard under Section
4 39.0241 on the Algebra I end-of-course assessment instrument with
5 satisfactory performance under the same performance standard on the
6 Algebra II end-of-course assessment instrument.

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

9 SECTION 38. Subchapter B, Chapter 39, Education Code, is
10 amended by adding Section 39.0243 to read as follows:

11 Sec. 39.0243. COLLEGE READINESS ASSESSMENT STUDY. The
12 agency and the Texas Higher Education Coordinating Board jointly
13 shall conduct a study of the feasibility and costs of:

14 (1) assessing college readiness of public high school
15 students by substituting the instruments designated for use by
16 institutions of higher education in assessing students' readiness
17 to enroll in freshman-level academic coursework under Section
18 51.3062 for the Algebra II and English III end-of-course
19 assessments used to measure college readiness under Section
20 39.024(b); and

21 (2) providing for a school district or open-enrollment
22 charter school, in cooperation with an institution of higher
23 education, to develop a college readiness preparation plan for
24 students who do not demonstrate readiness to enroll in
25 freshman-level academic coursework.

26 SECTION 39. (a) Section 39.025, Education Code, is amended
27 by amending Subsections (a), (a-1), (a-2), (b), and (b-2) and

1 adding Subsection (a-4) to read as follows:

2 (a) The commissioner shall adopt rules requiring a student
3 participating in the recommended or advanced high school program to
4 be administered each end-of-course assessment instrument listed in
5 Section 39.023(c) and requiring a student participating in the
6 minimum high school program to be administered an end-of-course
7 assessment instrument listed in Section 39.023(c) only for a course
8 in which the student is enrolled and for which an end-of-course
9 assessment instrument is administered. A student is required to
10 achieve~~[, in each subject in the foundation curriculum under~~
11 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~
12 ~~the product of the number of end-of-course assessment instruments~~
13 ~~administered to the student in that subject and]~~ a scale score that
14 indicates satisfactory performance, as determined by the
15 commissioner under Section 39.0241(a), on each end-of-course
16 assessment instrument listed under Section 39.023(c) that is
17 administered to the student as provided by this subsection. For
18 each scale score required under this subsection that is not based on
19 a 100-point scale scoring system, the commissioner shall provide
20 for conversion, in accordance with commissioner rule, of the scale
21 score to an equivalent score based on a 100-point scale scoring
22 system. [~~A student must achieve a minimum score as determined by~~
23 ~~the commissioner to be within a reasonable range of the scale score~~
24 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~
25 ~~for the score to count towards the student's cumulative score. For~~
26 ~~purposes of this subsection, a student's cumulative score is~~
27 ~~determined using the student's highest score on each end-of-course~~

1 ~~assessment instrument administered to the student.]~~ A student may
2 not receive a high school diploma until the student has performed
3 satisfactorily on ~~[the]~~ end-of-course assessment instruments in
4 the manner provided under this subsection. This subsection does
5 not require a student to demonstrate readiness to enroll in an
6 institution of higher education.

7 (a-1) A student enrolled in a college preparatory course
8 under Section 28.014 who satisfies the Texas Success Initiative
9 (TSI) college readiness benchmarks prescribed by the Texas Higher
10 Education Coordinating Board under Section 51.3062(f) on an
11 assessment instrument designated by the Texas Higher Education
12 Coordinating Board under Section 51.3062(c) administered at the end
13 of the college preparatory course satisfies the requirements
14 concerning an end-of-course assessment in an equivalent course as
15 prescribed by Subsection (a). The commissioner ~~[by rule]~~ shall
16 determine a method by which a student's satisfactory performance on
17 an advanced placement test, an international baccalaureate
18 examination, an SAT Subject Test, the SAT, the ACT, or any
19 nationally recognized norm-referenced ~~[another]~~ assessment
20 instrument used by institutions of higher education to award course
21 credit based on satisfactory performance on the ~~[determined by the~~
22 ~~commissioner to be at least as rigorous as an end-of-course]~~
23 assessment instrument shall ~~[adopted under Section 39.023(c) may]~~
24 be used to satisfy ~~[as a factor in determining whether the student~~
25 ~~satisfies]~~ the requirements concerning an end-of-course assessment
26 instrument in an equivalent course as prescribed by ~~[of]~~ Subsection
27 (a) ~~[, including the cumulative score requirement of that~~

1 ~~subsection~~]. The commissioner shall [~~by rule may~~] determine a
2 method by which a student's satisfactory performance on the PSAT [~~a~~
3 ~~Preliminary Scholastic Assessment Test (PSAT) assessment~~] or the
4 ACT-Plan shall [~~a preliminary American College Test (ACT)~~
5 ~~assessment may~~] be used to satisfy [~~as a factor in determining~~
6 ~~whether the student satisfies~~] the requirements concerning an
7 end-of-course assessment instrument in an equivalent course as
8 prescribed by [~~of~~] Subsection (a). A student who fails to perform
9 satisfactorily on a test or other assessment instrument authorized
10 under this subsection, other than the PSAT or the ACT-Plan, may
11 retake that test or other assessment instrument for purposes of
12 this subsection or may take the appropriate end-of-course
13 assessment instrument. A student who fails to perform
14 satisfactorily on the PSAT or the ACT-Plan must take the
15 appropriate end-of-course assessment instrument. The commissioner
16 shall adopt rules as necessary for the administration of this
17 subsection.

18 (a-2) This subsection applies only to a student who, before
19 entering the ninth grade in the 2011-2012 or 2012-2013 school year,
20 completed a course before the 2011-2012 school year in a subject for
21 which the student received high school credit and for which an
22 end-of-course assessment instrument under Section 39.023 is
23 required during the 2013-2014 school year or a later school year,
24 such as Algebra I. The commissioner shall determine a method by
25 which a student's satisfactory performance on an end-of-course
26 assessment instrument for a course in the same general subject area
27 in which the student is enrolled during or after the ninth grade,

1 such as geometry, shall be used to satisfy the requirements for the
2 end-of-course assessment instrument for the course completed
3 before entering the ninth grade and before the 2011-2012 school
4 year. The commissioner shall adopt rules as necessary for the
5 administration of this section. This subsection expires September
6 1, 2016 [~~In addition to the cumulative score requirements under~~
7 ~~Subsection (a), a student must achieve a score that meets or exceeds~~
8 ~~the score determined by the commissioner under Section 39.0241(a)~~
9 ~~for English III and Algebra II end-of-course assessment instruments~~
10 ~~to graduate under the recommended high school program].~~

11 (a-4) The admission, review, and dismissal committee of a
12 student in a special education program under Subchapter A, Chapter
13 29, shall determine whether, to receive a high school diploma, the
14 student is required to achieve satisfactory performance on
15 end-of-course assessment instruments.

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

27 (b-2) If a school district determines that a student, on

1 completion of grade 11, is unlikely to achieve the [~~cumulative~~
2 score requirement under this section [~~requirements~~] for one or more
3 end-of-course assessment instruments [~~subjects~~] prescribed under
4 [~~by~~] Subsection (a) for receiving a high school diploma, the
5 district shall require the student to enroll in a corresponding
6 content-area college preparatory course for which an end-of-course
7 assessment instrument has been adopted, if available. A student
8 who enrolls in a college preparatory course described by this
9 subsection shall be administered an end-of-course assessment
10 instrument for the course, with the end-of-course assessment
11 instrument scored on a scale as determined by the commissioner [~~not~~
12 ~~to exceed 20 percent of the cumulative score requirements required~~
13 ~~to graduate as determined under Subsection (a)~~]. A student may use
14 the student's score on the end-of-course assessment instrument for
15 the college preparatory course towards satisfying the [~~cumulative~~
16 score requirement under this section [~~requirements prescribed by~~
17 ~~Subsection (a)~~].

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

20 SECTION 40. (a) Effective September 1, 2014, Section
21 39.025(a), Education Code, is amended to read as follows:

22 (a) The commissioner shall adopt rules requiring a student
23 [~~participating~~] in the foundation [~~recommended or advanced~~] high
24 school program under Section 28.025 to be administered each
25 end-of-course assessment instrument listed in Section 39.023(c)
26 [~~and requiring a student participating in the minimum high school~~
27 ~~program to be administered an end-of-course assessment instrument~~

1 ~~listed in Section 39.023(c) only for a course in which the student~~
2 ~~is enrolled and for which an end-of-course assessment instrument is~~
3 ~~administered]. A student is required to achieve[~~, in each subject~~~~
4 ~~in the foundation curriculum under Section 28.002(a)(1), a~~
5 ~~cumulative score that is at least equal to the product of the number~~
6 ~~of end-of-course assessment instruments administered to the~~
7 ~~student in that subject and] a scale score that indicates~~
8 satisfactory performance, as determined by the commissioner under
9 Section 39.0241(a), on each end-of-course assessment instrument
10 listed under Section 39.023(c). For each scale score required
11 under this subsection that is not based on a 100-point scale scoring
12 system, the commissioner shall provide for conversion, in
13 accordance with commissioner rule, of the scale score to an
14 equivalent score based on a 100-point scale scoring system. [A
15 ~~student must achieve a minimum score as determined by the~~
16 ~~commissioner to be within a reasonable range of the scale score~~
17 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~
18 ~~for the score to count towards the student's cumulative score. For~~
19 ~~purposes of this subsection, a student's cumulative score is~~
20 ~~determined using the student's highest score on each end-of-course~~
21 ~~assessment instrument administered to the student.] A student may
22 not receive a high school diploma until the student has performed
23 satisfactorily on [~~the~~] end-of-course assessment instruments in
24 the manner provided under this subsection. This subsection does
25 not require a student to demonstrate readiness to enroll in an
26 institution of higher education.~~

27 (b) This section applies beginning with the 2014-2015

1 school year.

2 SECTION 41. (a) Subchapter B, Chapter 39, Education Code,
3 is amended by adding Section 39.0263 to read as follows:

4 Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED
5 BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR
6 STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (a) In this section,
7 "benchmark assessment instrument" means a district-required
8 assessment instrument designed to prepare students for a
9 corresponding state-administered assessment instrument.

10 (b) Except as provided by Subsection (c), a school district
11 may not administer to any student more than two benchmark
12 assessment instruments to prepare the student for a corresponding
13 state-administered assessment instrument.

14 (c) The prohibition prescribed by this section does not
15 apply to the administration of a college preparation assessment
16 instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT,
17 an advanced placement test, an international baccalaureate
18 examination, or an independent classroom examination designed or
19 adopted and administered by a classroom teacher.

20 (d) A parent of or person standing in parental relation to a
21 student who has special needs, as determined in accordance with
22 commissioner rule, may request administration to the student of
23 additional benchmark assessment instruments.

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

26 SECTION 42. (a) Section 39.027, Education Code, is amended
27 by adding Subsection (a-2) to read as follows:

1 (a-2) Unless a student is enrolled in a school in the United
2 States for a period of at least 60 consecutive days during a year,
3 the student may not be considered to be enrolled in a school in the
4 United States for that year for the purpose of determining a number
5 of years under Subsection (a)(1), (2), or (3).

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

8 SECTION 43. (a) Sections 39.034(a) and (c), Education
9 Code, are amended to read as follows:

10 (a) The commissioner shall determine a method by which the
11 agency may measure annual improvement in student achievement from
12 one school year to the next on an assessment instrument required
13 under this subchapter or on an end-of-course assessment instrument
14 adopted under Section 39.023(c-2).

15 (c) The agency shall use a student's previous years'
16 performance data on an assessment instrument described by
17 Subsection (a) [~~required under this subchapter~~] to determine the
18 student's expected annual improvement. The agency shall report
19 that expected level of annual improvement and the actual level of
20 annual improvement achieved to the district. The report must state
21 whether the student fell below, met, or exceeded the agency's
22 expectation for improvement.

23 (b) This section takes effect beginning with the 2013-2014
24 school year.

25 SECTION 44. (a) Section 39.035(a), Education Code, is
26 amended to read as follows:

27 (a) Subject to Subsection (b), the agency may conduct field

1 testing of questions for any assessment instrument administered
2 under Section 39.023(a), (b), (c), (c-2), (d), or (l) that is
3 separate from the administration of the assessment instrument not
4 more frequently than every other school year.

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

7 SECTION 45. Subchapter B, Chapter 39, Education Code, is
8 amended by adding Section 39.038 to read as follows:

9 Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY
10 COMMITTEES. The commissioner may not appoint a person to a
11 committee or panel that advises the commissioner or agency
12 regarding state accountability systems under this title or the
13 content or administration of an assessment instrument if the person
14 is reimbursed, retained, or employed by an assessment instrument
15 vendor.

16 SECTION 46. (a) Subchapter B, Chapter 39, Education Code,
17 is amended by adding Section 39.039 to read as follows:

18 Sec. 39.039. PROHIBITION ON POLITICAL CONTRIBUTION OR
19 ACTIVITY BY CERTAIN CONTRACTORS. (a) A person who is an agent of an
20 entity that has been contracted to develop or implement assessment
21 instruments required under Section 39.023 commits an offense if the
22 person makes or authorizes a political contribution to or takes
23 part in, directly or indirectly, the campaign of any person seeking
24 election to or serving on the State Board of Education.

25 (b) A person who is an agent of an entity that has been
26 contracted to develop or implement assessment instruments required
27 under Section 39.023 commits an offense if the person serves as a

1 member of a formal or informal advisory committee established by
2 the commissioner, agency staff, or the State Board of Education to
3 advise the commissioner, agency staff, or the State Board of
4 Education regarding policies or implementation of the requirements
5 of this subchapter.

6 (c) An offense under this section is a Class B misdemeanor.

7 (b) This section applies September 1, 2013.

8 SECTION 47. (a) Section 39.053, Education Code, is amended
9 by amending Subsections (c) and (g-1) and adding Subsections (c-1)
10 and (d-2) to read as follows:

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

13 (1) the results of assessment instruments required
14 under Sections 39.023(a), (c), and (l), including the results of
15 assessment instruments required for graduation retaken by a
16 student, aggregated across grade levels by subject area, including:

17 (A) for the performance standard determined by
18 the commissioner under Section 39.0241(a):

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

22 (ii) for students who did not perform
23 satisfactorily, the percentage of students who met the standard for
24 annual improvement, as determined by the agency under Section
25 39.034, on the assessment instruments, aggregated across grade
26 levels by subject area; and

27 (B) for the college readiness performance

1 standard as determined under Section 39.0241:

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

5 (ii) for students who did not perform
6 satisfactorily, the percentage of students who met the standard for
7 annual improvement, as determined by the agency under Section
8 39.034, on the assessment instruments, aggregated across grade
9 levels by subject area;

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

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

19 (4) the percentage of students who successfully
20 completed the curriculum requirements for the distinguished level
21 of achievement under the foundation high school program;

22 (5) the percentage of students who successfully
23 completed the curriculum requirements for an endorsement under
24 Section 28.025(c-1); and

25 (6) at least three additional indicators of student
26 achievement to evaluate district and campus performance, which must
27 include either:

1 (A) the percentage of students who satisfy the
2 Texas Success Initiative (TSI) college readiness benchmarks
3 prescribed by the Texas Higher Education Coordinating Board under
4 Section 51.3062(f) on an assessment instrument in reading,
5 writing, or mathematics designated by the Texas Higher Education
6 Coordinating Board under Section 51.3062(c); or

7 (B) the number of students who earn:

8 (i) at least 12 hours of postsecondary
9 credit required for the foundation high school program under
10 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

11 (ii) at least 30 hours of postsecondary
12 credit required for the foundation high school program under
13 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

14 (iii) an associate's degree; or

15 (iv) an industry certification.

16 (A) An indicator adopted under this subsection that would
17 measure improvements in student achievement cannot negatively
18 affect the commissioner's review of a school district or campus if
19 that district or campus is already achieving at the highest level
20 for that indicator.

21 (c-1) The commissioner by rule shall determine a method by
22 which a student's performance may be included in determining the
23 performance rating of a school district or campus under Section
24 39.054 if, before the student graduates, the student:

25 (1) satisfies the Texas Success Initiative (TSI)
26 college readiness benchmarks prescribed by the Texas Higher
27 Education Coordinating Board under Section 51.3062(f) on an

1 assessment instrument designated by the Texas Higher Education
2 Coordinating Board under Section 51.3062(c); or

3 (2) performs satisfactorily on an assessment
4 instrument under Section 39.023(c), notwithstanding Subsection
5 (d).

6 (d-2) An end-of-course assessment instrument adopted under
7 Section 39.023(c-2) may not be used as an indicator of student
8 achievement in determining the performance rating of a school
9 district or campus under Section 39.054.

10 (g-1) In computing dropout and completion rates under
11 Subsection (c)(2), the commissioner shall exclude:

12 (1) students who are ordered by a court to attend a
13 high school equivalency certificate program but who have not yet
14 earned a high school equivalency certificate;

15 (2) students who were previously reported to the state
16 as dropouts, including a student who is reported as a dropout,
17 reenrolls, and drops out again, regardless of the number of times of
18 reenrollment and dropping out;

19 (3) students in attendance who are not in membership
20 for purposes of average daily attendance;

21 (4) students whose initial enrollment in a school in
22 the United States in grades 7 through 12 was as unschooled refugees
23 or asylees as defined by Section 39.027(a-1);

24 (5) students who are in the district exclusively as a
25 function of having been detained at a county detention facility but
26 are otherwise not students of the district in which the facility is
27 located; and

1 (6) students who are incarcerated in state jails and
2 federal penitentiaries as adults and as persons certified to stand
3 trial as adults.

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

6 SECTION 48. (a) Section 39.053(f), Education Code, is
7 amended to read as follows:

8 (f) Annually, the commissioner shall define the state
9 standard for the current school year for each student achievement
10 indicator described by Subsection (c) and shall project the state
11 standards for each indicator for the following two school years.
12 The commissioner shall periodically raise the state standards for
13 the student achievement indicator described by Subsection
14 (c)(1)(B)(i) for accreditation as necessary to reach the goals of
15 achieving, by not later than the 2019-2020 school year:

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

19 (2) student performance, [~~including the percentage of~~
20 ~~students graduating under the recommended or advanced high school~~
21 ~~program,~~] with no significant achievement gaps by race, ethnicity,
22 and socioeconomic status.

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

25 SECTION 49. (a) Sections 39.054(a) and (b), Education
26 Code, are amended to read as follows:

27 (a) The commissioner shall adopt rules to evaluate school

1 district and campus performance and~~[, not later than August 8 of~~
2 ~~each year,]~~ assign each district and campus a performance rating of of
3 A, B, C, D, or F. In adopting rules under this subsection, the
4 commissioner shall determine the criteria for each designated
5 letter performance rating and designate A, B, and C letter
6 performance ratings as reflecting ~~[that reflects]~~ acceptable
7 performance and the D and F letter performance ratings as
8 reflecting ~~[or]~~ unacceptable performance. Not later than August 8
9 of each year, the performance rating of each district and campus
10 shall be made publicly available as provided by rules adopted under
11 this subsection. If a district or campus received a performance
12 rating of unacceptable performance for the preceding school year,
13 the commissioner shall notify the district of a subsequent such
14 designation on or before June 15.

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

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

24 SECTION 50. (a) Subchapter C, Chapter 39, Education Code,
25 is amended by adding Section 39.0541 to read as follows:

26 Sec. 39.0541. STANDARDS FOR EVALUATING COMPLETION AND
27 DROPOUT RATES. For purposes of evaluating a school district or

1 campus or an open-enrollment charter school for adequate yearly
2 progress under the No Child Left Behind Act of 2001 (20 U.S.C.
3 Section 6301 et seq.) and, notwithstanding Section 39.053(c)(2),
4 for accountability under this chapter and for performance under an
5 agency performance-based monitoring analysis system:

6 (1) a student who graduates from a school district
7 campus or open-enrollment charter school is considered a high
8 school graduate of the campus or school regardless of whether the
9 student graduates with the student's ninth grade cohort; and

10 (2) consistent with Section 39.053(g-1)(2), a student
11 who was previously reported to the state as a dropout, including a
12 student who is reported as a dropout, reenrolls, and drops out
13 again, regardless of the number of times of reenrollment and
14 dropping out, shall be excluded in computing completion and dropout
15 rates.

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

18 SECTION 51. (a) Subchapter C, Chapter 39, Education Code,
19 is amended by adding Section 39.0545 to read as follows:

20 Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF PERFORMANCE IN
21 COMMUNITY AND STUDENT ENGAGEMENT; COMPLIANCE. (a) Each school
22 district shall evaluate the district's performance and the
23 performance of each campus in the district in community and student
24 engagement and in compliance as provided by this section and assign
25 the district and each campus an acceptable performance rating of A,
26 B, or C, or an unacceptable performance rating of D or F for both
27 overall performance and each individual evaluation factor listed

1 under Subsection (b). Not later than August 8 of each year, the
2 district shall report each performance rating to the agency and
3 make the performance ratings publicly available as provided by
4 commissioner rule.

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

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

9 (A) fine arts;

10 (B) wellness and physical education;

11 (C) community and parental involvement, such as:

12 (i) opportunities for parents to assist
13 students in preparing for assessments under Section 39.023;

14 (ii) tutoring programs that support
15 students taking assessments under Section 39.023; and

16 (iii) opportunities for students to
17 participate in community service projects;

18 (D) the 21st Century Workforce Development
19 program;

20 (E) the second language acquisition program;

21 (F) the digital learning environment;

22 (G) dropout prevention strategies; and

23 (H) educational programs for gifted and talented
24 students; and

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

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

6 (d) The commissioner shall:

7 (1) in accordance with commissioner rule, establish a
8 separate committee that includes members as described by Sections
9 39.204(c) and (d) to develop criteria for each program or category
10 of performance under Subsection (b)(1) in the manner provided for
11 developing criteria for a distinction designation under Section
12 39.204(e); and

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

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

18 SECTION 52. (a) Section 39.056, Education Code, is amended
19 by amending Subsections (d) and (e) and adding Subsection (f) to
20 read as follows:

21 (d) The agency shall give written notice to the
22 superintendent and the board of trustees of a school district of any
23 impending investigation of the district's accreditation.

24 (e) The investigators shall report orally and in writing to
25 the board of trustees of the school district and, as appropriate, to
26 campus administrators and shall make recommendations concerning
27 any necessary improvements or sources of aid such as regional

1 education service centers.

2 (f) A district which takes action with regard to the
3 recommendations provided by the investigators as prescribed by
4 Subsection (e) shall make a reasonable effort to seek assistance
5 from a third party in developing an action plan to improve district
6 performance using improvement techniques that are goal oriented and
7 research based.

8 SECTION 53. (a) Section 39.057(a), Education Code, is
9 amended to read as follows:

10 (a) The commissioner shall authorize special accreditation
11 investigations to be conducted:

12 (1) when excessive numbers of absences of students
13 eligible to be tested on state assessment instruments are
14 determined;

15 (2) when excessive numbers of allowable exemptions
16 from the required state assessment instruments are determined;

17 (3) in response to complaints submitted to the agency
18 with respect to alleged violations of civil rights or other
19 requirements imposed on the state by federal law or court order;

20 (4) in response to established compliance reviews of
21 the district's financial accounting practices and state and federal
22 program requirements;

23 (5) when extraordinary numbers of student placements
24 in disciplinary alternative education programs, other than
25 placements under Sections 37.006 and 37.007, are determined;

26 (6) in response to an allegation involving a conflict
27 between members of the board of trustees or between the board and

1 the district administration if it appears that the conflict
2 involves a violation of a role or duty of the board members or the
3 administration clearly defined by this code;

4 (7) when excessive numbers of students in special
5 education programs under Subchapter A, Chapter 29, are assessed
6 through assessment instruments developed or adopted under Section
7 39.023(b);

8 (8) in response to an allegation regarding or an
9 analysis using a statistical method result indicating a possible
10 violation of an assessment instrument security procedure
11 established under Section 39.0301, including for the purpose of
12 investigating or auditing a school district under that section;

13 (9) when a significant pattern of decreased academic
14 performance has developed as a result of the promotion in the
15 preceding two school years of students who did not perform
16 satisfactorily as determined by the commissioner under Section
17 39.0241(a) on assessment instruments administered under Section
18 39.023(a), (c), or (l);

19 (10) ~~[when excessive numbers of students graduate~~
20 ~~under the minimum high school program,~~

21 [~~(11)~~] when excessive numbers of students eligible to
22 enroll fail to complete an advanced mathematics [~~Algebra II~~] course
23 or any other advanced course determined by the commissioner [~~as~~
24 ~~distinguishing between students participating in the recommended~~
25 ~~high school program from students participating in the minimum high~~
26 ~~school program];~~

27 (11) [~~(12)~~] when resource allocation practices as

1 evaluated under Section 39.0821 indicate a potential for
2 significant improvement in resource allocation; ~~[or]~~

3 (12) when a disproportionate number of students of a
4 particular demographic group is graduating with a particular
5 category of endorsement under Section 28.025(c-1);

6 (13) when an excessive number of students is
7 graduating with a particular category of endorsement under Section
8 28.025(c-1); or

9 (14) [~~(13)~~] as the commissioner otherwise determines
10 necessary.

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

13 SECTION 54. (a) Section 39.082, Education Code, is amended
14 by amending Subsections (a) and (b) and adding Subsections (b-1),
15 (d), (e), (f), (g), (h), (h-1), and (i) to read as follows:

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

20 (1) distinguish among school districts and
21 distinguish among open-enrollment charter schools, as applicable,
22 based on levels of financial performance; ~~and~~

23 (2) include procedures to:

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

26 (B) enable the commissioner and school district
27 and open-enrollment charter school administrators to provide

1 meaningful financial oversight and improvement; and

2 (3) include processes for anticipating the future
3 financial solvency of each school district and open-enrollment
4 charter school, including analysis of district and school revenues
5 and expenditures for preceding school years.

6 (b) The system must include uniform indicators adopted by
7 ~~[the]~~ commissioner rule by which to measure the financial
8 management performance and future financial solvency of a district
9 or open-enrollment charter school. In adopting indicators under
10 this subsection, the commissioner shall assign a point value to
11 each indicator to be used in a scoring matrix developed by the
12 commissioner. Any reference to a teacher in an indicator adopted by
13 the commissioner under this subsection means a classroom teacher.

14 (b-1) In adopting uniform indicators under Subsection (b),
15 the commissioner by rule shall adopt an indicator that recognizes a
16 school district or open-enrollment charter school that publishes
17 the district's or school's check register on the district's or
18 school's Internet website. A district or school achieves the
19 highest level of financial management performance under this
20 indicator by updating its published check register at least
21 monthly. A district or school that updates its register less
22 frequently achieves a lower level of financial management
23 performance as provided by rule.

24 (d) The commissioner shall evaluate indicators adopted
25 under Subsection (b) at least once every three years.

26 (e) Under the financial accountability rating system
27 developed under this section, each school district or

1 open-enrollment charter school, as applicable, shall be assigned a
2 financial accountability rating of A, B, C, D, or F. In adopting
3 rules under this section, the commissioner, in consultation with
4 the comptroller, shall determine the criteria for each designated
5 letter performance rating and designate A, B, and C letter
6 performance ratings as passing ratings and the D and F letter
7 performance ratings as failing ratings.

8 (f) A district or open-enrollment charter school shall
9 receive a failing rating under the system if the district or school
10 fails to achieve a satisfactory rating on:

11 (1) an indicator adopted under Subsection (b) relating
12 to financial management or solvency that the commissioner
13 determines to be critical; or

14 (2) a category of indicators that suggest trends
15 leading to financial distress as determined by the commissioner.

16 (g) Before assigning a final rating under the system, the
17 commissioner shall assign each district or open-enrollment charter
18 school a preliminary rating. A district or school may submit
19 additional information to the commissioner relating to any
20 indicator on which performance was considered unsatisfactory. The
21 commissioner shall consider any additional information submitted
22 by a district or school before assigning a final rating. If the
23 commissioner determines that the additional information negates
24 the concern raised by the indicator on which performance was
25 considered unsatisfactory, the commissioner may not penalize the
26 district or school on the basis of the indicator.

27 (h) The commissioner shall adopt rules for the

1 implementation of this section.

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

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

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

13 SECTION 55. (a) Section 39.0823, Education Code, is
14 amended by amending Subsection (a) and adding Subsection (d) to
15 read as follows:

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

26 (d) The agency may require a district or open-enrollment
27 charter school to submit additional information needed to produce a

1 financial report under Subsection (a). If a district or school
2 fails to provide information requested under this subsection or if
3 the commissioner determines that the information submitted by a
4 district or school is unreliable, the commissioner may order the
5 district or school to acquire professional services as provided by
6 Section 39.109.

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

9 SECTION 56. (a) Subchapter D, Chapter 39, Education Code,
10 is amended by adding Section 39.0824 to read as follows:

11 Sec. 39.0824. CORRECTIVE ACTION PLAN. (a) A school
12 district or open-enrollment charter school assigned a failing
13 rating under Section 39.082 shall submit to the commissioner a
14 corrective action plan to address the financial weaknesses of the
15 district or school. A corrective action plan must identify the
16 specific areas of financial weaknesses, such as financial
17 weaknesses in transportation, curriculum, or teacher development,
18 and include strategies for improvement.

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

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

24 SECTION 57. (a) Section 39.083(b), Education Code, is
25 amended to read as follows:

26 (b) The annual financial management report must include:

27 (1) a description of the district's financial

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

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

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

9 [~~3~~] any descriptive information required by the
10 commissioner.

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

13 SECTION 58. (a) Section 39.201(a), Education Code, is
14 amended to read as follows:

15 (a) Not later than August 8 of each year, the commissioner
16 shall award distinction designations for outstanding performance
17 as provided by [under] this subchapter. A distinction designation
18 awarded to a district or campus under this subchapter shall be
19 referenced directly in connection with the performance rating
20 assigned to the district or campus and made publicly available
21 together with the performance ratings as provided by rules adopted
22 under Section 39.054(a).

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

25 SECTION 59. (a) Section 39.202, Education Code, is amended
26 to read as follows:

27 Sec. 39.202. ACADEMIC [~~EXCELLENCE~~] DISTINCTION DESIGNATION

1 FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall
2 establish [~~a recognized and exemplary rating for awarding districts~~
3 ~~and campuses~~] an academic distinction designation for districts and
4 campuses for outstanding performance in attainment of
5 postsecondary readiness [~~under this subchapter~~]. The [~~In~~
6 ~~establishing the recognized and exemplary ratings, the~~]
7 commissioner shall adopt criteria for the designation under this
8 section [~~ratings~~], including:

9 (1) percentages of students who:

10 (A) performed satisfactorily, as determined
11 under the college readiness performance standard under Section
12 39.0241, on assessment instruments required under Section
13 39.023(a), (b), (c), or (1) or on end-of-course assessment
14 instruments adopted under Section 39.023(c-2), aggregated across
15 grade levels by subject area; or

16 (B) met the standard for annual improvement, as
17 determined by the agency under Section 39.034, on assessment
18 instruments required under Section 39.023(a), (b), (c), or (1) or
19 on end-of-course assessment instruments adopted under Section
20 39.023(c-2), aggregated across grade levels by subject area, for
21 students who did not perform satisfactorily as described by
22 Paragraph (A);

23 (2) percentages of:

24 (A) students who earned a nationally or
25 internationally recognized business or industry certification or
26 license;

27 (B) students who completed a coherent sequence of

1 career and technical courses;

2 (C) students who completed a dual credit course
3 or an articulated postsecondary course provided for local credit;

4 (D) students who achieved applicable College
5 Readiness Benchmarks or the equivalent on the Preliminary
6 Scholastic Assessment Test (PSAT), the Scholastic Assessment Test
7 (SAT), the American College Test (ACT), or the ACT-Plan assessment
8 program; and

9 (E) students who received a score on either an
10 advanced placement test or an international baccalaureate
11 examination to be awarded college credit; and

12 (3) [~~2~~] other factors for determining sufficient
13 student attainment of postsecondary readiness.

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

16 SECTION 60. (a) Section 39.203, Education Code, is amended
17 to read as follows:

18 Sec. 39.203. CAMPUS DISTINCTION DESIGNATIONS. (a) The
19 commissioner shall award a campus a distinction designation for
20 outstanding performance in improvement in student achievement if
21 the campus is ranked in the top 25 percent of campuses in the state
22 in annual improvement in student achievement as determined under
23 Section 39.034.

24 (b) In addition to the distinction designation described by
25 Subsection (a), the commissioner shall award a campus a distinction
26 designation for outstanding performance in closing student
27 achievement differentials if the campus demonstrates an ability to

1 significantly diminish or eliminate performance differentials
2 between student subpopulations and is ranked in the top 25 percent
3 of campuses in this state under the performance criteria described
4 by this subsection. The commissioner shall adopt rules related to
5 the distinction designation under this subsection to ensure that a
6 campus does not artificially diminish or eliminate performance
7 differentials through inhibiting the achievement of the highest
8 achieving student subpopulation.

9 (c) In addition to the distinction designations described
10 by Subsections (a) and (b), a campus that satisfies the criteria
11 developed under Section 39.204 shall be awarded a distinction
12 designation by the commissioner for outstanding performance in [~~for~~
13 ~~the following programs or the following specific categories of~~
14 ~~performance.~~

15 [~~(1)~~] academic achievement in English language arts,
16 mathematics, science, or social studies[~~+~~

17 [~~(2)~~ ~~fine arts,~~

18 [~~(3)~~ ~~physical education,~~

19 [~~(4)~~ ~~21st Century Workforce Development program,~~ and

20 [~~(5)~~ ~~second language acquisition program]~~.

21 (d) In addition to the distinction designations otherwise
22 described by this section, the commissioner may award a distinction
23 designation for outstanding performance in advanced middle or
24 junior high school student achievement to a campus with a
25 significant number of students below grade nine who perform
26 satisfactorily on an end-of-course assessment instrument
27 administered under Section 39.023(c).

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

3 SECTION 61. (a) Section 39.235(b), Education Code, is
4 amended to read as follows:

5 (b) Before awarding a grant under this section, the
6 commissioner may require a campus or school district to:

7 (1) obtain local matching funds; or

8 (2) meet other conditions, including developing a
9 personal graduation plan under Section 28.0212 for each student
10 enrolled at the campus or in a district middle or [7] junior high [7
11 ~~or high~~] school.

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

14 SECTION 62. (a) Section 39.301(c), Education Code, is
15 amended to read as follows:

16 (c) Indicators for reporting purposes must include:

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

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

22 (B) [7] the distinguished level of achievement
23 under the foundation [~~recommended~~] high school program; [7] and

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

26 (2) the results of the SAT, ACT, articulated
27 postsecondary degree programs described by Section 61.852, and

1 certified workforce training programs described by Chapter 311,
2 Labor Code;

3 (3) for students who have failed to perform
4 satisfactorily, under each performance standard under Section
5 39.0241, on an assessment instrument required under Section
6 39.023(a) or (c), the performance of those students on subsequent
7 assessment instruments required under those sections, aggregated
8 by grade level and subject area;

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

13 [~~5~~] the percentage of students, aggregated by grade
14 level, provided accelerated instruction under Section 28.0211(c),
15 the results of assessment instruments administered under that
16 section, the percentage of students promoted through the grade
17 placement committee process under Section 28.0211, the subject of
18 the assessment instrument on which each student failed to perform
19 satisfactorily under each performance standard under Section
20 39.0241, and the performance of those students in the school year
21 following that promotion on the assessment instruments required
22 under Section 39.023;

23 (5) [~~6~~] the percentage of students of limited
24 English proficiency exempted from the administration of an
25 assessment instrument under Sections 39.027(a)(1) and (2);

26 (6) [~~7~~] the percentage of students in a special
27 education program under Subchapter A, Chapter 29, assessed through

1 assessment instruments developed or adopted under Section
2 39.023(b);

3 (7) [~~(8)~~] the percentage of students who satisfy the
4 college readiness measure;

5 (8) [~~(9)~~] the measure of progress toward dual language
6 proficiency under Section 39.034(b), for students of limited
7 English proficiency, as defined by Section 29.052;

8 (9) [~~(10)~~] the percentage of students who are not
9 educationally disadvantaged;

10 (10) [~~(11)~~] the percentage of students who enroll and
11 begin instruction at an institution of higher education in the
12 school year following high school graduation; ~~and~~

13 (11) [~~(12)~~] the percentage of students who
14 successfully complete the first year of instruction at an
15 institution of higher education without needing a developmental
16 education course; and

17 (12) for each campus, the number of students,
18 disaggregated by major student subpopulations, that graduate:

19 (A) under the foundation high school program;

20 (B) under the distinguished level of achievement
21 under the foundation high school program; and

22 (C) with each category of endorsement under
23 Section 28.025(c-1).

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

26 SECTION 63. (a) Section 39.305(b), Education Code, is
27 amended to read as follows:

1 (b) The report card shall include the following
2 information:

3 (1) where applicable, the student achievement
4 indicators described by Section 39.053(c) and the reporting
5 indicators described by Sections 39.301(c)(1) through (4) [~~(5)~~];

6 (2) average class size by grade level and subject;

7 (3) the administrative and instructional costs per
8 student, computed in a manner consistent with Section 44.0071; and

9 (4) the district's instructional expenditures ratio
10 and instructional employees ratio computed under Section 44.0071,
11 and the statewide average of those ratios, as determined by the
12 commissioner.

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

15 SECTION 64. (a) Section 39.332(b), Education Code, is
16 amended by amending Subdivision (23) and adding Subdivision (24) to
17 read as follows:

18 (23) The report must contain an evaluation of the
19 availability of categories of endorsements under Section
20 28.025(c-1), including the following information for each school
21 district:

22 (A) the categories of endorsements under Section
23 28.025(c-1) for which the district offers all courses for
24 curriculum requirements as determined by board rule; and

25 (B) the district's economic, geographic, and
26 demographic information, as determined by the commissioner.

27 (24) The report must contain any additional

1 information considered important by the commissioner or the State
2 Board of Education.

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

5 SECTION 65. (a) Subchapter L, Chapter 39, Education Code,
6 is amended by adding Section 39.363 to read as follows:

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

11 (1) the letter performance rating assigned to each
12 school district and campus under Section 39.054 and each
13 distinction designation awarded to a school district or campus
14 under Subchapter G, Chapter 39;

15 (2) the letter performance rating assigned to a school
16 district and each campus in the district by the district under
17 Section 39.0545; and

18 (3) the letter financial accountability rating
19 assigned to each school district and open-enrollment charter school
20 under Section 39.082.

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

23 SECTION 66. (a) Section 51.3062, Education Code, is
24 amended by adding Subsection (q-3) to read as follows:

25 (q-3) A student who successfully completes a college
26 preparatory course under Section 28.014 is exempt from the
27 requirements of this section with respect to the content area of the

1 course. The commissioner of higher education by rule shall
2 establish the period for which an exemption under this subsection
3 is valid.

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

6 SECTION 67. (a) Section 51.803, Education Code, is amended
7 by amending Subsections (a), (b), and (d) and adding Subsection (m)
8 to read as follows:

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

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

20 (2) the applicant:

21 (A) successfully completed:

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

26 (ii) at a high school to which Section
27 28.025 does not apply, a curriculum that is equivalent in content

1 and rigor to the distinguished level of achievement under the
2 foundation [~~recommended or advanced~~] high school program; or

3 (B) satisfied ACT's College Readiness Benchmarks
4 on the ACT assessment applicable to the applicant or earned on the
5 SAT assessment a score of at least 1,500 out of 2,400 or the
6 equivalent; and

7 (3) if the applicant graduated from a high school
8 operated by the United States Department of Defense, the applicant
9 is a Texas resident under Section 54.052 or is entitled to pay
10 tuition fees at the rate provided for Texas residents under Section
11 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

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

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

27 (1) whether the student has satisfied or is on

1 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
2 (ii), as applicable; or

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

8 (m) The Texas Higher Education Coordinating Board and the
9 commissioner of education shall jointly adopt rules to establish
10 eligibility requirements for admission under this section as to
11 curriculum requirements for high school graduation under
12 Subsection (a)(2)(A) for students participating under the
13 transition plan described by Section 28.025(h) regarding high
14 school curriculum completion. This subsection expires September 1,
15 2020.

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

18 SECTION 68. (a) Section 51.805, Education Code, is amended
19 by amending Subsection (a) and adding Subsection (g) to read as
20 follows:

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

24 (1) successfully completed [~~satisfies the~~
25 ~~requirements of~~]:

26 (A) at a public high school, the curriculum
27 requirements established under Section 28.025 for the foundation

1 high school program; or

2 (B) at a high school to which Section 28.025 does
3 not apply, a curriculum that is equivalent in content and rigor to
4 the foundation high school program [~~(1) Section 51.803(a)(2)(A)~~
5 ~~or 51.803(b), as applicable to the student, or Section~~
6 ~~51.803(a)(2)(B)]; or [~~and~~]~~

7 (2) satisfied ACT's College Readiness Benchmarks on
8 the ACT assessment applicable to the applicant or earned on the SAT
9 assessment a score of at least 1,500 out of 2,400 or the equivalent
10 [Sections 51.803(c)(2) and 51.803(d)].

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

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

20 SECTION 69. (a) Section 51.807(b), Education Code, is
21 amended to read as follows:

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

25 (1) whether a private high school is accredited by a
26 generally recognized accrediting organization; and

27 (2) whether a person completed a high school

1 curriculum that is equivalent in content and rigor to the
2 curriculum requirements established under Section 28.025 for the
3 foundation [~~recommended or advanced~~] high school program or the
4 distinguished level of achievement under the foundation high school
5 program.

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

8 SECTION 70. (a) Subchapter A, Chapter 56, Education Code,
9 is amended by adding Section 56.009 to read as follows:

10 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN
11 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to
12 participate in any program under this chapter, including
13 Subchapters K, Q, and R, is contingent on the person graduating
14 under the recommended or advanced high school program, as those
15 programs existed before the adoption of __.B. No. _____, 83rd
16 Legislature, Regular Session, 2013, the Texas Higher Education
17 Coordinating Board and the commissioner of education shall jointly
18 adopt rules to modify, clarify, or otherwise establish for affected
19 programs appropriate eligibility requirements regarding high
20 school curriculum completion.

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

23 SECTION 71. (a) Section 56.3041, Education Code, is
24 amended to read as follows:

25 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
26 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL
27 ACADEMIC TEACHING INSTITUTION. (a) Notwithstanding Section

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

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

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

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

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

20 (ii) satisfaction of the Texas Success
21 Initiative (TSI) college readiness benchmarks prescribed by the
22 coordinating board under Section 51.3062(f) on any assessment
23 instrument designated by the coordinating board under Section
24 51.3062(c) ~~[or (e)]~~ or qualification for an exemption as described
25 by Section 51.3062(p), (q), or (q-1);

26 (iii) graduation in the top one-third of
27 the person's high school graduating class or graduation from high

1 school with a grade point average of at least 3.0 on a four-point
2 scale or the equivalent; or

3 (iv) completion for high school credit of
4 at least one advanced mathematics course following the successful
5 completion of an Algebra II course[~~, as permitted by Section~~
6 ~~28.025(b-3),~~] or at least one advanced career and technical
7 course[~~, as permitted by Section 28.025(b-2)~~];

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

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

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

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

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

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

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

1 military service; or

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

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

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

12 (b) The Texas Higher Education Coordinating Board and the
13 commissioner of education shall jointly adopt rules to establish
14 eligibility requirements for a grant under this section as to
15 curriculum requirements for high school graduation under
16 Subsection (a)(2)(A) for students participating under the
17 transition plan described by Section 28.025(h) regarding high
18 school curriculum completion. This subsection expires September 1,
19 2020.

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

22 SECTION 72. (a) Section 61.0517(a), Education Code, is
23 amended to read as follows:

24 (a) In this section, "applied STEM course" means an applied
25 science, technology, engineering, or mathematics course offered as
26 part of a school district's career and technology education or
27 technology applications curriculum and approved, as provided by

1 Section 28.027, by the State Board of Education for purposes of
2 satisfying the mathematics and science curriculum requirements for
3 the foundation [~~recommended~~] high school program [~~imposed~~] under
4 Section 28.025 [~~28.025(b-1)(1)(A)~~].

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

7 SECTION 73. (a) Section 61.792(b), Education Code, is
8 amended to read as follows:

9 (b) To qualify for a scholarship under this section, a
10 student must:

11 (1) have graduated with a grade point average in the
12 top 20 percent of the student's high school graduating class;

13 (2) have graduated from high school with a grade point
14 average of at least 3.5 on a four-point scale or the equivalent in
15 mathematics and science courses offered under the foundation
16 [~~recommended or advanced~~] high school program under Section 28.025
17 [~~28.025(a)~~]; and

18 (3) maintain an overall grade point average of at
19 least 3.0 on a four-point scale at the general academic teaching
20 institution or the private or independent institution of higher
21 education in which the student is enrolled.

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

24 SECTION 74. (a) Section 61.852(a), Education Code, is
25 amended to read as follows:

26 (a) A tech-prep program is a program of study that:

27 (1) combines at least two years of secondary education

1 with at least two years of postsecondary education in a
2 nonduplicative, sequential course of study based on the foundation
3 [~~recommended~~] high school program adopted by the State Board of
4 Education under Section 28.025 [~~28.025(a)~~];

5 (2) integrates academic instruction and vocational
6 and technical instruction;

7 (3) uses work-based and worksite learning where
8 available and appropriate;

9 (4) provides technical preparation in a career field
10 such as engineering technology, applied science, a mechanical,
11 industrial, or practical art or trade, agriculture, health
12 occupations, business, or applied economics;

13 (5) builds student competence in mathematics,
14 science, reading, writing, communications, economics, and
15 workplace skills through applied, contextual academics and
16 integrated instruction in a coherent sequence of courses;

17 (6) leads to an associate degree, two-year
18 postsecondary certificate, or postsecondary two-year
19 apprenticeship with provisions, to the extent applicable, for
20 students to continue toward completion of a baccalaureate degree;
21 and

22 (7) leads to placement in appropriate employment or to
23 further education.

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

26 SECTION 75. (a) Section 61.855(d), Education Code, is
27 amended to read as follows:

1 (d) A tech-prep program must:

2 (1) be implemented under an articulation agreement
3 between the participants in the consortium;

4 (2) consist of two to four years of secondary school
5 preceding graduation and:

6 (A) two or more years of higher education; or

7 (B) two or more years of apprenticeship following
8 secondary instruction;

9 (3) have a common core of required proficiency based
10 on the foundation [~~recommended~~] high school program adopted by the
11 State Board of Education under Section 28.025 [~~28.025(a)~~], with
12 proficiencies in mathematics, science, reading, writing,
13 communications, and technologies designed to lead to an associate's
14 degree or postsecondary certificate in a specific career field;

15 (4) include the development of tech-prep program
16 curricula for both secondary and postsecondary participants in the
17 consortium that:

18 (A) meets academic standards developed by the
19 state;

20 (B) links secondary schools and two-year
21 postsecondary institutions, and, if practicable, four-year
22 institutions of higher education through nonduplicative sequences
23 of courses in career fields, including the investigation of
24 opportunities for tech-prep students to enroll concurrently in
25 secondary and postsecondary course work;

26 (C) uses, if appropriate and available,
27 work-based or worksite learning in conjunction with business and

1 all aspects of an industry; and

2 (D) uses educational technology and distance
3 learning, as appropriate, to involve each consortium participant
4 more fully in the development and operation of programs;

5 (5) include in-service training for teachers that:

6 (A) is designed to train vocational and technical
7 teachers to effectively implement tech-prep programs;

8 (B) provides for joint training for teachers in
9 the tech-prep consortium;

10 (C) is designed to ensure that teachers and
11 administrators stay current with the needs, expectations, and
12 methods of business and of all aspects of an industry;

13 (D) focuses on training postsecondary education
14 faculty in the use of contextual and applied curricula and
15 instruction; and

16 (E) provides training in the use and application
17 of technology;

18 (6) include training programs for counselors designed
19 to enable counselors to more effectively:

20 (A) provide information to students regarding
21 tech-prep programs;

22 (B) support student progress in completing
23 tech-prep programs;

24 (C) provide information on related employment
25 opportunities;

26 (D) ensure that tech-prep students are placed in
27 appropriate employment; and

1 (E) stay current with the needs, expectations,
2 and methods of business and of all aspects of an industry;

3 (7) provide equal access to the full range of
4 tech-prep programs for individuals who are members of special
5 populations, including by the development of tech-prep program
6 services appropriate to the needs of special populations; and

7 (8) provide for preparatory services that assist
8 participants in tech-prep programs.

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

11 SECTION 76. (a) Section 61.861(c), Education Code, is
12 amended to read as follows:

13 (c) A course developed for purposes of this section must:

14 (1) provide content that enables a student to develop
15 the relevant and critical skills needed to be prepared for
16 employment or additional training in a high-demand occupation;

17 (2) incorporate college and career readiness skills as
18 part of the curriculum;

19 (3) be offered for dual credit; and

20 (4) satisfy a mathematics or science requirement under
21 the foundation [~~recommended or advanced~~] high school program as
22 determined under Section 28.025.

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

25 SECTION 77. (a) Section 61.864, Education Code, is amended
26 to read as follows:

27 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant

1 is awarded under this subchapter shall be reviewed by the
2 commissioner of higher education and the commissioner of education,
3 in consultation with the comptroller and the Texas Workforce
4 Commission, once every four years to determine whether the course:

5 (1) is being used by public educational institutions
6 in this state;

7 (2) prepares high school students with the skills
8 necessary for employment in the high-demand occupation and further
9 postsecondary study; and

10 (3) satisfies a mathematics or science requirement for
11 the foundation [~~recommended or advanced~~] high school program as
12 determined under Section 28.025.

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

15 SECTION 78. (a) Section 78.10(b), Education Code, is
16 amended to read as follows:

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

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

24 (A) allows students to complete high school
25 graduation requirements [~~, including requirements adopted under~~
26 ~~Section 28.025~~] for the foundation [~~advanced~~] high school program
27 and the distinguished level of achievement under the foundation

1 high school program and earn appropriate endorsements as provided
2 by Section 28.025, while attending for academic credit a public
3 institution of higher education;

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

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

11 (D) offers students learning opportunities
12 related to mathematics and science through in-depth research and
13 field-based studies;

14 (2) to provide students with an awareness of
15 mathematics and science careers and professional development
16 opportunities through seminars, workshops, collaboration with
17 postsecondary and university students including opportunities for
18 summer studies, internships in foreign countries, and similar
19 methods; and

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

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

27 SECTION 79. (a) Section 87.505(b), Education Code, is

1 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

13 SECTION 80. (a) Effective September 1, 2013, the following
14 provisions of the Education Code are repealed:

15 (1) Sections 29.190(b) and (e); and

16 (2) Section 39.025(a-3).

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

19 (1) Section 28.002(q);

20 (2) Sections 28.0212(e) and (g);

21 (3) Sections 28.025(b-6), (b-8), and (g);

22 (4) Section 39.0822; and

23 (5) Sections 39.0823(b) and (c).

24 SECTION 81. (a) Except as provided by Subsection (b) of
25 this section, Section 39.025, Education Code, as amended by
26 Sections 39 and 40 of this Act, as related to reducing end-of-course
27 testing requirements, applies only to students who have entered or

1 will enter the ninth grade during the 2011-2012 school year or a
2 later school year.

3 (b) Students who have entered the ninth grade during or
4 after the 2011-2012 school year and before the 2014-2015 school
5 year and who choose to complete the curriculum requirements under
6 the minimum high school program may be administered only those
7 end-of-course assessment instruments that would have been
8 administered to those students under Section 39.025, Education
9 Code, as amended by Section 39 of this Act, and Section 39.025,
10 Education Code, as amended by Section 39 of this Act, is continued
11 in effect for purposes of satisfying those end-of-course testing
12 requirements.

13 SECTION 82. Not later than October 1, 2013, the
14 commissioner of education shall adopt rules to administer Sections
15 39.025(a-1) and (a-2), Education Code, as amended by this Act.

16 SECTION 83. Section 39.027(a-2), Education Code, as added
17 by this Act, applies to a student regardless of the date on which
18 the student initially enrolled in a school in the United States.

19 SECTION 84. If, on September 1, 2013, a person is serving on
20 a committee or panel that advises the commissioner of education or
21 the Texas Education Agency who would not be eligible for
22 appointment under Section 39.038, Education Code, as added by this
23 Act, the person's position on the committee or panel becomes vacant
24 and shall be filled in accordance with applicable law.

25 SECTION 85. (a) The Texas Education Agency, in
26 collaboration with the Texas Higher Education Coordinating Board
27 and the Texas Workforce Commission, shall, through an external

1 evaluator at a center for education research authorized by Section
2 1.005, Education Code, evaluate the implementation of the changes
3 made by this Act to the curriculum requirements for high school
4 graduation. The evaluation must include an estimation of this
5 Act's effect on high school graduation rates, college readiness,
6 college admissions, college completion, obtainment of workforce
7 certificates, employment rates, and earnings.

8 (b) The commissioner of education shall submit an initial
9 report regarding the review to the governor, lieutenant governor,
10 and members of the legislature not later than December 1, 2015. The
11 commissioner of education shall submit a final report regarding
12 the review to the governor, lieutenant governor, and members of the
13 legislature not later than December 1, 2017.

14 SECTION 86. Except as otherwise provided by this Act, this
15 Act takes effect immediately if it receives a vote of two-thirds of
16 all the members elected to each house, as provided by Section 39,
17 Article III, Texas Constitution. If this Act does not receive the
18 vote necessary for immediate effect, this Act takes effect
19 September 1, 2013.