

By: Murphy

H.B. No. 2431

A BILL TO BE ENTITLED

AN ACT

relating to public high school graduation, including curriculum requirements for graduation.

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

SECTION 1. Section 7.062(e), Education Code, is amended to read as follows:

(e) The rules must:

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

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

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

(2) require a school district to demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for the recommended and advanced high school programs under Section 28.025 [~~28.025(b-1)(1)~~]; and

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

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

(n) The State Board of Education may by rule develop and

1 implement a plan designed to incorporate career and technology  
2 education [~~foundation~~] curriculum requirements into the foundation  
3 [~~career and technology education~~] curriculum under Subsections  
4 [~~Subsection~~] (a)(1)(B) and (C) [~~(a)(2)(E)~~].

5 SECTION 3. Sections 28.0022(a), (d), (e), and (f),  
6 Education Code, are amended to read as follows:

7 (a) Not later than November 1, 2013 [~~2007~~], the agency shall  
8 establish a panel under this section to[+]

9 [~~(1) review and~~] recommend [~~revisions to the~~] career  
10 and technical education requirements [~~curriculum~~] under Section  
11 28.025(b-4) [~~28.002(a)(2)(E)~~]; and

12 [~~(2) review and recommend revisions for the program in~~  
13 ~~which high schools and articulated postsecondary institutions~~  
14 ~~allow high school students to take advanced technical credit~~  
15 ~~courses~~].

16 (d) Not later than December 31, 2013 [~~November 1, 2008~~], the  
17 panel shall:

18 (1) make the recommendations [~~complete the review as~~]  
19 required by this section regarding [~~of~~+

20 [~~(A)~~] the career and technical education  
21 curriculum requirements under Section 28.025(b-4) [~~+~~ and

22 [~~(B) the program under which high schools and~~  
23 ~~articulated postsecondary institutions allow high school students~~  
24 ~~to take advanced technical credit courses~~]; and

25 (2) make recommendations to the State Board of  
26 Education as necessary to:

27 (A) maintain [~~increase~~] the academic rigor of the

1 career and technical education curriculum under Section  
2 28.002(a)(2)(E); and

3 (B) [~~improve and~~] increase participation in the  
4 program under which high schools and articulated postsecondary  
5 institutions allow high school students to take advanced technical  
6 credit courses.

7 (e) [~~Not later than September 1, 2009, the State Board of~~  
8 ~~Education by rule shall revise the essential knowledge and skills~~  
9 ~~of the career and technical education curriculum as provided by~~  
10 ~~Section 28.002(c) based on the recommendations of the panel under~~  
11 ~~Subsection (d).~~] The State Board of Education shall require school  
12 districts to provide instruction in the career and technical  
13 education curriculum, based on recommendations made [~~as revised~~]  
14 under this section [~~subsection~~], beginning with the 2014-2015  
15 [~~2010-2011~~] school year.

16 (f) This section expires September 1, 2016 [~~2014~~].

17 SECTION 4. Section 28.003(b), Education Code, is amended to  
18 read as follows:

19 (b) In this section, "educational program" means a course or  
20 series of courses in the required curriculum under Section 28.002[~~r~~  
21 ~~other than a fine arts course under Section 28.002(a)(2)(D) or a~~  
22 ~~career and technology course under Section 28.002(a)(2)(E)].~~

23 SECTION 5. The heading to Section 28.014, Education Code,  
24 is amended to read as follows:

25 Sec. 28.014. COLLEGE AND WORKFORCE PREPARATORY COURSES.

26 SECTION 6. Sections 28.014(a) and (b), Education Code, are  
27 amended to read as follows:

1 (a) The commissioner of education, ~~and~~ the commissioner  
2 of higher education, and the chairman of the Texas Workforce  
3 Commission shall ~~develop and~~ recommend to the State Board of  
4 Education for adoption under Section 28.002 the essential knowledge  
5 and skills of courses in college and career preparatory  
6 mathematics, science, social studies, and English language arts.  
7 The courses must be designed:

8 (1) for students ~~[at the 12th grade level]~~ who do not  
9 meet college readiness standards on an end-of-course assessment  
10 instrument required under Section 39.023(c); and

11 (2) to prepare students for success:

12 (A) at an institution of higher education that  
13 offers a two-year or four-year undergraduate program; or

14 (B) in a postsecondary technical program ~~[in~~  
15 ~~entry-level college courses]~~.

16 (b) A student who successfully completes a course developed  
17 under this section may use the credit earned in the course toward  
18 satisfying the applicable mathematics or science curriculum  
19 requirement for graduation from ~~[the recommended or advanced]~~ high  
20 school ~~[program]~~ under Section 28.025.

21 SECTION 7. Section 28.025, Education Code, is amended by  
22 amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5),  
23 (b-6), (b-7), (b-8), (b-9), (b-10), (e), and (g) and adding  
24 Subsections (b-12), (b-13), and (b-14) to read as follows:

25 (a) The State Board of Education by rule shall determine  
26 curriculum requirements for the minimum high school program, the  
27 recommended high school programs, and the advanced high school

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

9 (b) A school district shall ensure that each student enrolls  
10 in the courses necessary to complete the curriculum requirements  
11 identified by the State Board of Education under Subsection (a) for  
12 a [~~the~~] recommended high school program or the advanced high school  
13 program unless:

14 (1) the district has complied with Subsection (b-7);  
15 (2) the student, the student's parent or other person  
16 standing in parental relation to the student, and a school  
17 counselor or school administrator agree in writing signed by each  
18 party that the student should be permitted to take courses under the  
19 minimum high school program; and

20 (3) the student:  
21 (A) [~~(1)~~] is at least 16 years of age;  
22 (B) [~~(2)~~] has completed two credits required for  
23 graduation in each subject of the foundation curriculum under  
24 Section 28.002(a)(1); or  
25 (C) [~~(3)~~] has failed to be promoted to the tenth  
26 grade one or more times as determined by the school district.

27 (b-1) The State Board of Education by rule shall require

1 that:

2 (1) except as provided by Subsection (b-2), the  
3 curriculum requirements for the recommended and advanced high  
4 school programs under Subsection (a) include a requirement that  
5 students successfully complete at least 26 credits, including:

6 (A) [~~four credits in each subject of the~~  
7 ~~foundation curriculum under Section 28.002(a)(1), including~~] at  
8 least one-half credit in government and at least one-half credit in  
9 economics [~~to meet the social studies requirement~~];

10 (B) for the recommended high school programs  
11 [~~program~~], two credits in the same language in a language other than  
12 English under Section 28.002(a)(2)(A) and, for the advanced high  
13 school program, three credits in the same language in a language  
14 other than English under Section 28.002(a)(2)(A); and

15 (C) for the recommended high school programs  
16 [~~program~~], at least six elective credits and, for the advanced high  
17 school program, five elective credits;

18 (2) one or more credits offered in the required  
19 curriculum for the recommended and advanced high school programs  
20 include a research or technical writing component; and

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

25 (A) one credit in fine arts under Section  
26 28.002(a)(2)(D); and

27 (B) except as provided by Subsection (b-11), one

1 credit in physical education under Section 28.002(a)(2)(C).

2 (b-2) In adopting rules under this section [~~Subsection~~  
3 ~~(b-1)~~], the State Board of Education shall allow a student to comply  
4 with [~~the~~] curriculum requirements for a mathematics or science  
5 course [~~under Subsection (b-1)(1) taken after the successful~~  
6 ~~completion of Algebra I and geometry and either after the~~  
7 ~~successful completion of or concurrently with Algebra II or a~~  
8 ~~science course under Subsection (b-1)(1) taken after the successful~~  
9 ~~completion of biology and chemistry and either after the successful~~  
10 ~~completion of or concurrently with physics] by successfully  
11 completing a [~~an advanced~~] career and technical course designated  
12 by the State Board of Education as containing sufficiently  
13 [~~substantively similar and~~] rigorous academic content or offered  
14 under Section 130.008. [~~A student may use the option provided by~~  
15 ~~this subsection for not more than two courses.~~]~~

16 (b-3) In adopting rules to provide students with high school  
17 program options under this section [~~the option described by~~  
18 ~~Subsection (b-1)(1)(A)]], the State Board of Education must approve  
19 a [~~variety of mathematics and science courses that may be taken~~  
20 ~~after the completion of Algebra II and physics to comply with the~~]  
21 recommended high school program option that requires four credits  
22 in each subject of the foundation curriculum under Section  
23 28.002(a)(1) [~~requirements~~].~~

24 (b-4) In adopting rules to provide students with high school  
25 program options under this section, the State Board of Education  
26 must approve a second recommended high school program option that  
27 requires three credits in each subject of the foundation curriculum

1 under Section 28.002(a)(1), emphasizes postsecondary workforce  
2 readiness, and requires applied career and technology education  
3 courses covering the essential knowledge and skills for career and  
4 technology education identified under Section 28.002. Under the  
5 recommended high school program option approved under this  
6 subsection, the board shall require that a student earn credit in at  
7 least two courses that qualify for postsecondary education credit  
8 under Section 130.008, subject to Subsection (b-14) [A school  
9 district may offer the curriculum described in Subsection  
10 (b-1)(1)(A) in an applied manner. Courses delivered in an applied  
11 manner must cover the essential knowledge and skills, and the  
12 student shall be administered the applicable end-of-course  
13 assessment instrument as provided by Sections 39.023(c) and  
14 39.025].

15 (b-5) In adopting rules to provide students with high school  
16 program options under this section, the State Board of Education  
17 must approve a third recommended high school program option that  
18 requires three credits in each subject of the foundation curriculum  
19 under Section 28.002(a)(1) and also emphasizes fine arts. Under the  
20 recommended high school program option approved under this  
21 subsection, the board shall require that a student earn credit in at  
22 least two courses that qualify for postsecondary education credit  
23 in fine arts under Section 130.008, subject to Subsection (b-14) [A  
24 school district may offer a mathematics or science course to be  
25 taken by a student after completion of Algebra II and physics to  
26 comply with the recommended program requirements in Subsection  
27 (b-1)(1)(A). A course approved under this subsection must be



1 ~~endorsed by an institution of higher education as a course for which~~  
2 ~~the institution would award course credit or as a prerequisite for a~~  
3 ~~course for which the institution would award course credit].~~

4 (b-6) In adopting rules to provide students with the high  
5 school program options under this section, the State Board of  
6 Education must approve a fourth recommended high school program  
7 option that allows a student, in accordance with any eligibility  
8 requirements the board adopts under this subsection, to change from  
9 an earlier selected high school program and combine earned credits  
10 under the recommended high school programs approved under  
11 Subsections (b-3), (b-4), and (b-5). Under the recommended high  
12 school program option approved under this subsection, the board  
13 shall require that a student earn credit in at least two courses  
14 that qualify for postsecondary education credit under Section  
15 130.008, subject to Subsection (b-14).

16 (b-7) Before a student's parent or other person standing in  
17 parental relation to the student may agree that the student be  
18 permitted to take courses under the minimum high school program as  
19 provided by Subsection (b), a school district must provide written  
20 notice to the parent or person standing in parental relation  
21 explaining the benefits of the recommended high school  
22 program. The notice shall be developed by the agency and must [+]

23 [~~1~~] be printed in English and Spanish[+] and

24 [~~2~~] require that the student's parent or person  
25 standing in parental relation to the student sign a confirmation of  
26 receipt and return the confirmation to the student's campus. A  
27 student agreeing to take courses under the minimum high school

1 program as provided by Subsection (b) may, on request, resume  
2 taking courses under a recommended high school program.

3 (b-8) [~~(b-7)~~] The State Board of Education, in coordination  
4 with the Texas Higher Education Coordinating Board, shall adopt  
5 rules to ensure that a student may comply with the curriculum  
6 requirements under the minimum, recommended, or advanced high  
7 school programs [~~program~~] for each subject of the foundation  
8 curriculum under Section 28.002(a)(1) and for languages other than  
9 English under Section 28.002(a)(2)(A) by successfully completing  
10 appropriate courses in the core curriculum of an institution of  
11 higher education under Section 61.822.

12 [~~(b-8) A student agreeing to take courses under the minimum~~  
13 ~~high school program as provided by Subsection (b) may, upon~~  
14 ~~request, resume taking courses under the recommended high school~~  
15 ~~program.]~~

16 (b-9) A [~~The agency shall establish a pilot program allowing~~  
17 ~~a student attending school in a county with a population of more~~  
18 ~~than one million and in which more than 75 percent of the population~~  
19 ~~resides in a single municipality to satisfy the]~~ fine arts credit  
20 required under Subsection (b-1)(3)(A) or (b-5) may be satisfied by  
21 a student's participation [~~participating~~] in a fine arts program  
22 not provided by the school district in which the student is  
23 enrolled. The fine arts program may be provided on or off a school  
24 campus and outside the regular school day. [~~Not later than December~~  
25 ~~1, 2010, the agency shall provide to the legislature a report~~  
26 ~~regarding the pilot program, including the feasibility of expanding~~  
27 ~~the pilot program statewide.]~~

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

7 (b-12) The agency shall provide school counselors with  
8 information necessary to support students and parents in choosing a  
9 high school program under Section 28.025. The information must  
10 identify postsecondary education and career opportunities,  
11 including information on the benefits provided by two-year and  
12 four-year higher education programs, postsecondary career and  
13 technical education programs, career-education programs, and  
14 skilled workforce careers. The agency shall collaborate with the  
15 Texas Workforce Commission and the Texas Higher Education  
16 Coordinating Board in identifying existing information that may be  
17 used for purposes of this subsection or, as necessary, developing  
18 new material.

19 (b-13) In adopting rules under this section, the State Board  
20 of Education shall allow a student to participate, through distance  
21 learning, in courses that qualify for postsecondary education  
22 credit.

23 (b-14) The commissioner may waive the postsecondary  
24 education requirements under Subsection (b-4), (b-5), or (b-6) if  
25 the commissioner determines that sufficient courses are not  
26 available to students participating in the recommended high school  
27 programs under that subsection.

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

9           (g) If a student, other than a student permitted to take  
10 courses under the minimum high school program as provided by  
11 Subsection (b), is unable to complete one of the recommended high  
12 school programs or the advanced high school program solely because  
13 necessary courses were unavailable to the student at the  
14 appropriate times in the student's high school career as a result of  
15 course scheduling, lack of enrollment capacity, or another cause  
16 not within the student's control, the school district shall  
17 indicate that fact on the student's transcript form described by  
18 Subsection (e).

19           SECTION 8. Section 28.0253(e), Education Code, is amended  
20 to read as follows:

21           (e) A student who receives a high school diploma through the  
22 pilot program is considered to have completed a [~~the~~] recommended  
23 high school program adopted under Section 28.025 [~~28.025(a)~~]. The  
24 student is not guaranteed admission to any institution of higher  
25 education or to any academic program at an institution of higher  
26 education solely on the basis of having received the diploma  
27 through the program.

1 SECTION 9. Section 29.096(e), Education Code, is amended to  
2 read as follows:

3 (e) The commissioner shall establish minimum standards for  
4 a local collaborative agreement, including a requirement that the  
5 agreement must be signed by an authorized school district or  
6 open-enrollment charter school officer and an authorized  
7 representative of each of the other participating entities that is  
8 a partner in the collaboration. The program must:

9 (1) limit participation in the program to students  
10 authorized to participate by a parent or other person standing in  
11 parental relationship;

12 (2) have as a primary goal graduation from high school  
13 under at least one of the recommended high school programs  
14 [~~program~~];

15 (3) provide for local businesses or other employers to  
16 offer paid employment or internship opportunities and advanced  
17 career and vocational training;

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

21 (5) serve a population of students of which at least 50  
22 percent are identified as students at risk of dropping out of  
23 school, as described by Section 29.081(d);

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

27 (7) include matching funds from any of the

1 participating entities; and

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

4 SECTION 10. Section 29.182(b), Education Code, is amended  
5 to read as follows:

6 (b) The state plan must include procedures designed to  
7 ensure that:

8 (1) all secondary and postsecondary students have the  
9 opportunity to participate in career and technology education  
10 programs;

11 (2) the state complies with requirements for  
12 supplemental federal career and technology education funding;  
13 ~~and~~

14 (3) career and technology education is established as  
15 a part of the total education system of this state and constitutes  
16 an option for student learning that provides a rigorous course of  
17 study consistent with the required curriculum under Section 28.002  
18 and under which a student may receive specific education in a career  
19 and technology program that:

20 (A) incorporates competencies leading to  
21 academic and technical skill attainment;

22 (B) leads to:

23 (i) an industry-recognized license,  
24 credential, or certificate; or

25 (ii) at the postsecondary level, an  
26 associate or baccalaureate degree;

27 (C) includes opportunities for students to earn

1 college credit for coursework; and

2 (D) includes, as an integral part of the program,  
3 participation by students and teachers in activities of career and  
4 technical student organizations supported by the agency and the  
5 State Board of Education; and

6 (4) all secondary students have the opportunity to  
7 participate in the recommended high school program option under  
8 Section 28.025(b-4).

9 SECTION 11. Section 29.187(b), Education Code, is amended  
10 to read as follows:

11 (b) An award granted under this section is not in lieu of a  
12 diploma [~~or certificate of coursework completion~~] issued under  
13 Section 28.025.

14 SECTION 12. Section 29.402(b), Education Code, is amended  
15 to read as follows:

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

19 (1) must complete not more than three course credits  
20 to complete the curriculum requirements for the minimum high school  
21 program, one of the recommended high school programs, or the  
22 advanced high school program, as appropriate, for high school  
23 graduation; or

24 (2) has failed to perform satisfactorily on an  
25 end-of-course assessment instrument administered under Section  
26 39.023(c) or an assessment instrument administered under Section  
27 39.023(c) as that section existed before amendment by Chapter 1312

1 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

2 SECTION 13. Section 29.904(d), Education Code, is amended  
3 to read as follows:

4 (d) A plan developed under this section:

5 (1) must establish clear, achievable goals for  
6 increasing the percentage of the school district's graduating  
7 seniors, particularly the graduating seniors attending a high  
8 school described by Subsection (a), who enroll in an institution of  
9 higher education for the academic year following graduation;

10 (2) must establish an accurate method of measuring  
11 progress toward the goals established under Subdivision (1) that  
12 may include the percentage of district high school students and the  
13 percentage of students attending a district high school described  
14 by Subsection (a) who:

15 (A) are enrolled in a course for which a student  
16 may earn college credit, such as an advanced placement or  
17 international baccalaureate course or a course offered through  
18 concurrent enrollment in high school and at an institution of  
19 higher education;

20 (B) are enrolled in courses that meet the  
21 curriculum requirements for one of the recommended high school  
22 programs or the advanced high school program as determined under  
23 Section 28.025;

24 (C) have submitted a free application for federal  
25 student aid (FAFSA);

26 (D) are exempt under Section 51.3062(p) or (q)  
27 from administration of an assessment instrument under Section



1 51.3062 or have performed successfully on an assessment instrument  
2 under Section 51.3062;

3 (E) graduate from high school;

4 (F) graduate from an institution of higher  
5 education; and

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

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

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

11 SECTION 14. Section 31.022(a), Education Code, is amended  
12 to read as follows:

13 (a) The State Board of Education shall adopt a review and  
14 adoption cycle for instructional materials for elementary grade  
15 levels, including prekindergarten, and secondary grade levels, for  
16 each subject in the required curriculum under Section 28.002. In  
17 adopting the cycle, the board:

18 (1) is not required to review and adopt instructional  
19 materials for all grade levels in a single year; and

20 (2) shall give priority to instructional materials in  
21 the following subjects:

22 (A) foundation curriculum subjects for which the  
23 essential knowledge and skills have been substantially revised and  
24 for which assessment instruments are required under Subchapter B,  
25 Chapter 39[~~, including career and technology courses that satisfy~~  
26 ~~foundation curriculum requirements as provided by Section~~  
27 ~~28.002(n)~~];

1 (B) foundation curriculum subjects for which the  
2 essential knowledge and skills have been substantially revised[~~7~~  
3 ~~including career and technology courses that satisfy foundation~~  
4 ~~curriculum requirements as provided by Section 28.002(n)];~~

5 (C) foundation curriculum subjects not described  
6 by Paragraph (A) or (B)[~~7 including career and technology courses~~  
7 ~~that satisfy foundation curriculum requirements as provided by~~  
8 ~~Section 28.002(n)];~~

9 (D) enrichment curriculum subjects.

10 SECTION 15. Section 33.007(b), Education Code, is amended  
11 to read as follows:

12 (b) During the first school year a student is enrolled in a  
13 high school or at the high school level in an open-enrollment  
14 charter school, and again during a student's senior year, a  
15 counselor shall provide information about higher education to the  
16 student and the student's parent or guardian. The information must  
17 include information regarding:

18 (1) the importance of higher education;

19 (2) the advantages of completing a the recommended  
20 high school program or the advanced high school program adopted  
21 under Section 28.025 [~~28.025(a)~~];

22 (3) the disadvantages of taking courses to prepare for  
23 a high school equivalency examination relative to the benefits of  
24 taking courses leading to a high school diploma;

25 (4) financial aid eligibility;

26 (5) instruction on how to apply for federal financial  
27 aid;

1           (6) the center for financial aid information  
2 established under Section 61.0776;

3           (7) the automatic admission of certain students to  
4 general academic teaching institutions as provided by Section  
5 51.803;

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

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

13           SECTION 16. Section 39.025(a), Education Code, is amended  
14 to read as follows:

15           (a) The commissioner shall adopt rules requiring a student  
16 participating in one of the recommended high school programs or the  
17 advanced high school program under Section 28.025 to be  
18 administered each end-of-course assessment instrument listed in  
19 Section 39.023(c) and requiring a student participating in the  
20 minimum high school program to be administered an end-of-course  
21 assessment instrument listed in Section 39.023(c) only for a course  
22 in which the student is enrolled and for which an end-of-course  
23 assessment instrument is administered. A student is required to  
24 achieve, in each subject in the foundation curriculum under Section  
25 28.002(a)(1), a cumulative score that is at least equal to the  
26 product of the number of end-of-course assessment instruments  
27 administered to the student in that subject and a scale score that

1 indicates satisfactory performance, as determined by the  
2 commissioner under Section 39.0241(a). A student must achieve a  
3 minimum score as determined by the commissioner to be within a  
4 reasonable range of the scale score under Section 39.0241(a) on an  
5 end-of-course assessment instrument for the score to count towards  
6 the student's cumulative score. For purposes of this subsection, a  
7 student's cumulative score is determined using the student's  
8 highest score on each end-of-course assessment instrument  
9 administered to the student. A student may not receive a high  
10 school diploma until the student has performed satisfactorily on  
11 the end-of-course assessment instruments in the manner provided  
12 under this subsection. This subsection does not require a student  
13 to demonstrate readiness to enroll in an institution of higher  
14 education.

15 SECTION 17. Section 39.057(a), Education Code, is amended  
16 to read as follows:

17 (a) The commissioner shall authorize special accreditation  
18 investigations to be conducted:

19 (1) when excessive numbers of absences of students  
20 eligible to be tested on state assessment instruments are  
21 determined;

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

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

27 (4) in response to established compliance reviews of

1 the district's financial accounting practices and state and federal  
2 program requirements;

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

6 (6) in response to an allegation involving a conflict  
7 between members of the board of trustees or between the board and  
8 the district administration if it appears that the conflict  
9 involves a violation of a role or duty of the board members or the  
10 administration clearly defined by this code;

11 (7) when excessive numbers of students in special  
12 education programs under Subchapter A, Chapter 29, are assessed  
13 through assessment instruments developed or adopted under Section  
14 39.023(b);

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

20 (9) when a significant pattern of decreased academic  
21 performance has developed as a result of the promotion in the  
22 preceding two school years of students who did not perform  
23 satisfactorily as determined by the commissioner under Section  
24 39.0241(a) on assessment instruments administered under Section  
25 39.023(a), (c), or (l);

26 (10) when excessive numbers of students graduate under  
27 the minimum high school program;

1           (11) when excessive numbers of students eligible to  
2 enroll fail to complete [~~an Algebra II course or~~] any [~~other~~] course  
3 determined by the commissioner as distinguishing between students  
4 participating in one of the recommended high school programs  
5 [~~program~~] from students participating in the minimum high school  
6 program;

7           (12) when resource allocation practices as evaluated  
8 under Section 39.0821 indicate a potential for significant  
9 improvement in resource allocation; or

10           (13) as the commissioner otherwise determines  
11 necessary.

12           SECTION 18. Section 39.234(a), Education Code, is amended  
13 to read as follows:

14           (a) Except as provided by Subsection (b), a school district  
15 or campus must use funds allocated under Section 42.160 to:

16           (1) implement or administer a college and workforce  
17 readiness program that provides academic support and instruction to  
18 prepare underachieving students for entrance into:

19                   (A) an institution of higher education that  
20 offers a two-year undergraduate program or a four-year  
21 undergraduate program; or

22                   (B) a postsecondary technical program;

23           (2) implement or administer a program that encourages  
24 students to pursue advanced academic opportunities, including  
25 rigorous career and technology education programs, early college  
26 high school programs and dual credit, advanced placement, and  
27 international baccalaureate courses;

1           (3) implement or administer a program that provides  
2 opportunities for students to take academically rigorous course  
3 work, including four years of mathematics and four years of science  
4 at the high school level;

5           (4) implement or administer a program, including  
6 online course support and professional development, that aligns the  
7 curriculum for grades six through 12 with postsecondary curriculum  
8 and expectations; or

9           (5) implement or administer science, technology,  
10 engineering, and mathematics (STEM) initiatives and other high  
11 school completion and success initiatives in grades six through 12  
12 approved by the commissioner.

13           SECTION 19. Section 51.3062(q-1), Education Code, is  
14 amended to read as follows:

15           (q-1) A student who has completed one of the ~~[a]~~ recommended  
16 high school programs or the advanced high school program as  
17 determined under Section 28.025 and demonstrated the performance  
18 standard for college readiness as provided by Section 39.024 on the  
19 Algebra II and English III end-of-course assessment instruments is  
20 exempt from the requirements of this section with respect to those  
21 content areas. The commissioner of higher education by rule shall  
22 establish the period for which an exemption under this subsection  
23 is valid.

24           SECTION 20. Sections 51.803(a) and (d), Education Code, are  
25 amended to read as follows:

26           (a) Subject to Subsection (a-1), each general academic  
27 teaching institution shall admit an applicant for admission to the

1 institution as an undergraduate student if the applicant graduated  
2 with a grade point average in the top 10 percent of the student's  
3 high school graduating class in one of the two school years  
4 preceding the academic year for which the applicant is applying for  
5 admission and:

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

10 (2) the applicant:

11 (A) successfully completed:

12 (i) at a public high school, the curriculum  
13 requirements established under Section 28.025 for one of the  
14 recommended high school programs or the advanced high school  
15 program; or

16 (ii) at a high school to which Section  
17 28.025 does not apply, a curriculum that is equivalent in content  
18 and rigor to one of the recommended high school programs or the  
19 advanced high school program; or

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

24 (3) if the applicant graduated from a high school  
25 operated by the United States Department of Defense, the applicant  
26 is a Texas resident under Section 54.052 or is entitled to pay  
27 tuition fees at the rate provided for Texas residents under Section



1 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

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

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

8 (2) if Subsection (b) applies to the student, whether  
9 the student has completed the portion of one of the recommended high  
10 school program curricula or the advanced curriculum, or of the  
11 curriculum equivalent in content and rigor, as applicable, that was  
12 available to the student.

13 SECTION 21. Section 51.807(b), Education Code, is amended  
14 to read as follows:

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

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

20 (2) whether a person completed a high school  
21 curriculum that is equivalent in content and rigor to the  
22 curriculum requirements established under Section 28.025 for one of  
23 the recommended high school programs or the advanced high school  
24 program.

25 SECTION 22. Section 56.3041, Education Code, is amended to  
26 read as follows:

27 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM

1 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL  
2 ACADEMIC TEACHING INSTITUTION. Notwithstanding Section 56.304(a),  
3 to be eligible initially for a TEXAS grant, a person graduating from  
4 high school on or after May 1, 2013, and enrolling in a general  
5 academic teaching institution must:

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

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

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

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

22 (ii) satisfaction of the Texas Success  
23 Initiative (TSI) college readiness benchmarks prescribed by the  
24 coordinating board under Section 51.3062(f) on any assessment  
25 instrument designated by the coordinating board under Section  
26 51.3062(c) [~~or (e)~~] or qualification for an exemption as described  
27 by Section 51.3062(p), (q), or (q-1);

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

5 (iv) completion for high school credit of  
6 at least one advanced mathematics course following the successful  
7 completion of an Algebra II course [~~as permitted by Section~~  
8 ~~28.025(b-3)~~], or at least one [advanced] career and technical  
9 course, as permitted by Section 28.025(b-2);

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

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

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

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

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

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

24 (B) an entering undergraduate student who  
25 entered military service not later than the first anniversary of  
26 the date the person graduated from high school and who enrolled for  
27 at least three-fourths of a full course load, as determined by the

1 coordinating board, at the general academic teaching institution  
2 not later than 12 months after being honorably discharged from  
3 military service; or

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

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

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

14 SECTION 23. Subchapter A, Chapter 56, Education Code, is  
15 amended by adding Section 56.010 to read as follows:

16 Sec. 56.010. REFERENCE TO RECOMMENDED HIGH SCHOOL PROGRAM.  
17 A reference in this chapter to the recommended high school program  
18 means any of the recommended high school programs under Section  
19 28.025.

20 SECTION 24. Section 61.792(b), Education Code, is amended  
21 to read as follows:

22 (b) To qualify for a scholarship under this section, a  
23 student must:

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

26 (2) have graduated from high school with a grade point  
27 average of at least 3.5 on a four-point scale or the equivalent in

1 mathematics and science courses offered under one of the  
2 recommended high school programs or the advanced high school  
3 program under Section 28.025 [~~28.025(a)~~]; and

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

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

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

11 (1) combines at least two years of secondary education  
12 with at least two years of postsecondary education in a  
13 nonduplicative, sequential course of study based on the recommended  
14 high school program adopted by the State Board of Education under  
15 Section 28.025(b-4) [~~28.025(a)~~];

16 (2) integrates academic instruction and vocational  
17 and technical instruction;

18 (3) uses work-based and worksite learning where  
19 available and appropriate;

20 (4) provides technical preparation in a career field  
21 such as engineering technology, applied science, a mechanical,  
22 industrial, or practical art or trade, agriculture, health  
23 occupations, business, or applied economics;

24 (5) builds student competence in mathematics,  
25 science, reading, writing, communications, economics, and  
26 workplace skills through applied, contextual academics and  
27 integrated instruction in a coherent sequence of courses;

1           (6) leads to an associate degree, two-year  
2 postsecondary certificate, or postsecondary two-year  
3 apprenticeship with provisions, to the extent applicable, for  
4 students to continue toward completion of a baccalaureate degree;  
5 and

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

8           SECTION 26. Section 61.855(d), Education Code, is amended  
9 to read as follows:

10          (d) A tech-prep program must:

11           (1) be implemented under an articulation agreement  
12 between the participants in the consortium;

13           (2) consist of two to four years of secondary school  
14 preceding graduation and:

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

16                   (B) two or more years of apprenticeship following  
17 secondary instruction;

18           (3) have a common core of required proficiency based  
19 on the recommended high school program adopted by the State Board of  
20 Education under Section 28.025(b-4) [~~28.025(a)~~], with  
21 proficiencies in mathematics, science, reading, writing,  
22 communications, and technologies designed to lead to an associate's  
23 degree or postsecondary certificate in a specific career field;

24           (4) include the development of tech-prep program  
25 curricula for both secondary and postsecondary participants in the  
26 consortium that:

27                   (A) meets academic standards developed by the

1 state;

2 (B) links secondary schools and two-year  
3 postsecondary institutions, and, if practicable, four-year  
4 institutions of higher education through nonduplicative sequences  
5 of courses in career fields, including the investigation of  
6 opportunities for tech-prep students to enroll concurrently in  
7 secondary and postsecondary course work;

8 (C) uses, if appropriate and available,  
9 work-based or worksite learning in conjunction with business and  
10 all aspects of an industry; and

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

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

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

17 (B) provides for joint training for teachers in  
18 the tech-prep consortium;

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

22 (D) focuses on training postsecondary education  
23 faculty in the use of contextual and applied curricula and  
24 instruction; and

25 (E) provides training in the use and application  
26 of technology;

27 (6) include training programs for counselors designed

1 to enable counselors to more effectively:

2 (A) provide information to students regarding  
3 tech-prep programs;

4 (B) support student progress in completing  
5 tech-prep programs;

6 (C) provide information on related employment  
7 opportunities;

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

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

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

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

18 SECTION 27. Section 61.861(c), Education Code, is amended  
19 to read as follows:

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

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

24 (2) incorporate college and career readiness skills as  
25 part of the curriculum;

26 (3) be offered for dual credit; and

27 (4) satisfy a mathematics or science requirement under



1 one of the recommended high school programs or the advanced high  
2 school program as determined under Section 28.025.

3 SECTION 28. Section 61.864, Education Code, is amended to  
4 read as follows:

5 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant  
6 is awarded under this subchapter shall be reviewed by the  
7 commissioner of higher education and the commissioner of education,  
8 in consultation with the comptroller and the Texas Workforce  
9 Commission, once every four years to determine whether the course:

10 (1) is being used by public educational institutions  
11 in this state;

12 (2) prepares high school students with the skills  
13 necessary for employment in the high-demand occupation and further  
14 postsecondary study; and

15 (3) satisfies a mathematics or science requirement for  
16 one of the recommended high school programs or the advanced high  
17 school program as determined under Section 28.025.

18 SECTION 29. (a) Section 21.044(b), Education Code, as added  
19 by Chapter 926 (S.B. 1620), Acts of the 82nd Legislature, Regular  
20 Session, 2011, is repealed.

21 (b) The following provisions of the Education Code are  
22 repealed:

23 (1) Section 28.002(q);

24 (2) Sections 28.014(c), (d), and (f);

25 (3) Section 28.025(d);

26 (4) Section 28.027;

27 (5) Section 42.154(d); and

1           (6) Section 61.0517.

2           SECTION 30. This Act applies beginning with the 2013-2014  
3 school year.

4           SECTION 31. This Act takes effect immediately if it  
5 receives a vote of two-thirds of all the members elected to each  
6 house, as provided by Section 39, Article III, Texas Constitution.  
7 If this Act does not receive the vote necessary for immediate  
8 effect, this Act takes effect September 1, 2013.