

1-1 By: Patrick, et al. S.B. No. 3
1-2 (In the Senate - Filed February 1, 2013; February 5, 2013,
1-3 read first time and referred to Committee on Education;
1-4 February 25, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0, 2 present not
1-6 voting; February 25, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Patrick	X		
1-10	Lucio	X		
1-11	Campbell	X		
1-12	Duncan	X		
1-13	Paxton	X		
1-14	Seliger	X		
1-15	Taylor	X		
1-16	Van de Putte			X
1-17	West			X

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 3 By: Patrick

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to public high school graduation, including curriculum and
1-22 assessment requirements for graduation and funding in support of
1-23 certain curriculum authorized for graduation.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subsection (e), Section 7.062, Education Code,
1-26 is amended to read as follows:

1-27 (e) The rules must:

1-28 (1) limit the amount of assistance provided through a
1-29 grant to not more than:

1-30 (A) for a construction project, \$200 per square
1-31 foot of the science laboratory to be constructed; or

1-32 (B) for a renovation project, \$100 per square
1-33 foot of the science laboratory to be renovated;

1-34 (2) require a school district to demonstrate, as a
1-35 condition of eligibility for a grant, that the existing district
1-36 science laboratories are insufficient in number to comply with the
1-37 curriculum requirements imposed for the foundation ~~[recommended~~
1-38 ~~and advanced]~~ high school program [programs] under Section 28.025
1-39 [~~28.025(b-1)(1)~~]; and

1-40 (3) provide for ranking school districts that apply
1-41 for grants on the basis of wealth per student and giving priority in
1-42 the award of grants to districts with low wealth per student.

1-43 SECTION 2. Section 28.002, Education Code, is amended by
1-44 amending Subsection (f) and adding Subsection (t) to read as
1-45 follows:

1-46 (f) A school district may offer courses for local credit in
1-47 addition to those in the required curriculum. The State Board of
1-48 Education shall be flexible in approving a course for credit for
1-49 high school graduation under this subsection. A district may also
1-50 offer courses for local credit without obtaining State Board of
1-51 Education approval if:

1-52 (1) the district develops a program under which the
1-53 district partners with a public or private institution of higher
1-54 education and local business and community leaders to develop and
1-55 provide the courses;

1-56 (2) the courses prepare students to enter:

1-57 (A) a career or technology training program in
1-58 the district's region of the state; or

1-59 (B) an institution of higher education without
1-60 remediation; and

2-1 (3) the board of trustees of the district approves the
 2-2 courses.

2-3 (t) The State Board of Education by rule shall require a
 2-4 course of instruction in career explorations for each student
 2-5 during either seventh or eighth grade. The course must include
 2-6 detailed explanations and discussions of:

2-7 (1) the foundation high school program and
 2-8 endorsements under Section 28.025; and

2-9 (2) courses necessary or useful in pursuing higher
 2-10 education or a career.

2-11 SECTION 3. Subsections (b), (c), and (f), Section 28.014,
 2-12 Education Code, are amended to read as follows:

2-13 (b) A student who successfully completes a course developed
 2-14 under this section may use the credit earned in the course toward
 2-15 satisfying the applicable mathematics or science curriculum
 2-16 requirement for the foundation [~~recommended or advanced~~] high
 2-17 school program under Section 28.025.

2-18 (c) The agency, in consultation with the Texas Higher
 2-19 Education Coordinating Board, shall adopt an end-of-course
 2-20 assessment instrument for each course developed under this section
 2-21 to ensure the rigor of the course. A school district shall, in
 2-22 accordance with State Board of Education rules, administer the
 2-23 end-of-course assessment instrument to a student enrolled in a
 2-24 course developed under this section. [~~Each school district shall~~
 2-25 ~~adopt a policy that requires a student's performance on the~~
 2-26 ~~end-of-course assessment instrument to account for 15 percent of~~
 2-27 ~~the student's final grade for the course.] A student's performance
 2-28 on an end-of-course assessment instrument administered under this
 2-29 subsection may be used, on a scale of 0-40, in calculating whether
 2-30 the student satisfies the graduation requirements established
 2-31 under Section 39.025.~~

2-32 (f) To the extent applicable, the commissioner shall draw
 2-33 from curricula and instructional materials developed under Section
 2-34 [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related
 2-35 instructional materials under this section. Not later than
 2-36 September 1, 2010, the State Board of Education shall adopt
 2-37 essential knowledge and skills for each course developed under this
 2-38 section. The State Board of Education shall make each course
 2-39 developed under this section and the related instructional
 2-40 materials available to school districts not later than the
 2-41 2014-2015 school year. [~~As required by Subsection (c), a school~~
 2-42 ~~district shall adopt a policy requiring a student's performance on~~
 2-43 ~~an end-of-course assessment instrument administered under that~~
 2-44 ~~subsection to account for 15 percent of the student's grade for a~~
 2-45 ~~course developed under this section not later than the 2014-2015~~
 2-46 ~~school year.] This subsection expires September 1, 2015.~~

2-47 SECTION 4. Subsections (a), (b), (c), and (e), Section
 2-48 28.0212, Education Code, are amended to read as follows:

2-49 (a) A principal shall designate a guidance counselor,
 2-50 teacher, or other appropriate individual to develop and administer
 2-51 a personal graduation plan for each student enrolled in a junior
 2-52 high, middle, or high school [~~who-~~

2-53 [~~(1) does not perform satisfactorily on an assessment~~
 2-54 ~~instrument administered under Subchapter B, Chapter 39, or~~

2-55 [~~(2) is not likely to receive a high school diploma~~
 2-56 ~~before the fifth school year following the student's enrollment in~~
 2-57 ~~grade level nine, as determined by the district].~~

2-58 (b) Notwithstanding any other provision of this section, a
 2-59 [A] personal graduation plan for a student enrolled in a junior
 2-60 high, middle, or high school who does not perform satisfactorily on
 2-61 an assessment instrument administered under Subchapter B, Chapter
 2-62 39, or who is not likely to receive a high school diploma before the
 2-63 fifth school year following the student's enrollment in grade level
 2-64 nine, as determined by the school district, must at a minimum:

2-65 (1) identify educational goals for the student;

2-66 (2) include diagnostic information, appropriate
 2-67 monitoring and intervention, and other evaluation strategies;

2-68 (3) include an intensive instruction program
 2-69 described by Section 28.0213;

3-1 (4) address participation of the student's parent or
 3-2 guardian, including consideration of the parent's or guardian's
 3-3 educational expectations for the student; and

3-4 (5) provide innovative methods to promote the
 3-5 student's advancement, including flexible scheduling, alternative
 3-6 learning environments, on-line instruction, and other
 3-7 interventions that are proven to accelerate the learning process
 3-8 and have been scientifically validated to improve learning and
 3-9 cognitive ability.

3-10 (c) Notwithstanding any other provision of this section
 3-11 ~~[Subsection (b)]~~, a student's individualized education program
 3-12 developed under Section 29.005 may be used as the student's
 3-13 personal graduation plan under this section.

3-14 (e) A personal graduation plan ~~[Each school district is~~
 3-15 ~~encouraged to establish]~~ for each student entering grade nine must
 3-16 identify ~~[a personal graduation plan that identifies]~~ a course of
 3-17 study that:

3-18 (1) promotes:

3-19 (A) college and workforce readiness; and

3-20 (B) career placement and advancement; and

3-21 (2) facilitates the student's transition from
 3-22 secondary to postsecondary education.

3-23 SECTION 5. Section 28.025, Education Code, is amended by
 3-24 amending Subsections (a), (b), (b-1), (b-4), (b-5), (b-7), (b-9),
 3-25 (b-10), (b-11), and (e) and adding Subsections (b-12), (c-1),
 3-26 (c-2), (c-3), (h), and (h-1) to read as follows:

3-27 (a) The State Board of Education by rule shall determine
 3-28 curriculum requirements for the foundation ~~[minimum, recommended,~~
 3-29 ~~and advanced]~~ high school program ~~[programs]~~ that are consistent
 3-30 with the required curriculum under Section 28.002. ~~The~~ ~~[Subject to~~
 3-31 ~~Subsection (b-1), the]~~ State Board of Education shall designate the
 3-32 specific courses in the foundation curriculum under Section
 3-33 28.002(a)(1) required under ~~[for a student participating in]~~ the
 3-34 foundation ~~[minimum, recommended, or advanced]~~ high school
 3-35 program. Except as otherwise provided by this section ~~[Subsection~~
 3-36 ~~(b-1)]~~, the State Board of Education may not designate a specific
 3-37 course or a specific number of credits in the enrichment curriculum
 3-38 as requirements for the foundation high school ~~[recommended]~~
 3-39 program.

3-40 (b) A school district shall ensure that each student enrolls
 3-41 in the courses necessary to complete the curriculum requirements
 3-42 identified by the State Board of Education under Subsection (a) for
 3-43 the foundation ~~[recommended or advanced]~~ high school program
 3-44 ~~[unless the student, the student's parent or other person standing~~
 3-45 ~~in parental relation to the student, and a school counselor or~~
 3-46 ~~school administrator agree in writing signed by each party that the~~
 3-47 ~~student should be permitted to take courses under the minimum high~~
 3-48 ~~school program and the student:]~~

3-49 ~~[(1) is at least 16 years of age,~~

3-50 ~~[(2) has completed two credits required for graduation~~
 3-51 ~~in each subject of the foundation curriculum under Section~~
 3-52 ~~28.002(a)(1), or~~

3-53 ~~[(3) has failed to be promoted to the tenth grade one~~
 3-54 ~~or more times as determined by the school district].~~

3-55 (b-1) The State Board of Education by rule shall require
 3-56 that~~+~~

3-57 ~~[(1) except as provided by Subsection (b-2),]~~ the
 3-58 curriculum requirements for the foundation ~~[recommended and~~
 3-59 ~~advanced]~~ high school program ~~[programs]~~ under Subsection (a)
 3-60 include a requirement that students successfully complete:

3-61 (1) ~~[(A)]~~ four credits in English language arts ~~[each~~
 3-62 ~~subject of the foundation curriculum]~~ under Section
 3-63 28.002(a)(1)(A);

3-64 (2) three credits in mathematics under Section
 3-65 28.002(a)(1)(B);

3-66 (3) three credits in science under Section
 3-67 28.002(a)(1)(C), one of which may be satisfied by an academic
 3-68 elective credit in science in addition to elective credits under
 3-69 Subdivision (6);

4-1 (4) three credits in social studies under Section
 4-2 28.002(a)(1)(D) [~~28.002(a)(1)~~], including at least one credit in
 4-3 United States history, one-half credit in government, and [~~at~~
 4-4 ~~least~~] one-half credit in economics [~~to meet the social studies~~
 4-5 ~~requirement~~];

4-6 (5) except as provided by Subsection (b-12) [~~(B) for~~
 4-7 ~~the recommended high school program~~], two credits in the same
 4-8 language in a language other than English under Section
 4-9 28.002(a)(2)(A) or, at the option of the student, two credits in
 4-10 computer programming [~~and, for the advanced high school program,~~
 4-11 ~~three credits in the same language in a language other than English~~
 4-12 ~~under Section 28.002(a)(2)(A)~~]; [~~and~~]

4-13 (6) 8-1/2 [~~(C) for the recommended high school~~
 4-14 ~~program, six~~] elective credits, including at least two credits in
 4-15 academic electives [~~and, for the advanced high school program, five~~
 4-16 ~~elective credits~~];

4-17 (7) one-half credit in speech;

4-18 (8) [~~(2) one or more credits offered in the required~~
 4-19 ~~curriculum for the recommended and advanced high school programs~~
 4-20 ~~include a research writing component, and~~

4-21 [~~(3) the curriculum requirements for the minimum,~~
 4-22 ~~recommended, and advanced high school programs under Subsection (a)~~
 4-23 ~~include a requirement that students successfully complete.~~

4-24 [~~(A)~~] one credit in fine arts under Section
 4-25 28.002(a)(2)(D); and

4-26 (9) [~~(B)~~] except as provided by Subsection (b-11), one
 4-27 credit in physical education under Section 28.002(a)(2)(C).

4-28 (b-4) A school district may offer the curriculum described
 4-29 in Subsections (b-1)(1) through (4) [~~Subsection (b-1)(1)(A)~~] in an
 4-30 applied manner. Courses delivered in an applied manner must cover
 4-31 the essential knowledge and skills, and the student shall be
 4-32 administered the applicable end-of-course assessment instrument as
 4-33 provided by Sections 39.023(c) and 39.025.

4-34 (b-5) A school district may offer a mathematics or science
 4-35 course to be taken by a student after completion of Algebra II and
 4-36 physics [~~to comply with the recommended program requirements in~~
 4-37 ~~Subsection (b-1)(1)(A)~~]. A course approved under this subsection
 4-38 must be endorsed by an institution of higher education as a course
 4-39 for which the institution would award course credit or as a
 4-40 prerequisite for a course for which the institution would award
 4-41 course credit.

4-42 (b-7) The State Board of Education, in coordination with the
 4-43 Texas Higher Education Coordinating Board, shall adopt rules to
 4-44 ensure that a student may comply with the curriculum requirements
 4-45 under the foundation [~~minimum, recommended, or advanced~~] high
 4-46 school program for each subject of the foundation curriculum under
 4-47 Section 28.002(a)(1) and for languages other than English to earn
 4-48 an endorsement under Subsection (c-1)(4)(B)(iv) [~~under Section~~
 4-49 ~~28.002(a)(2)(A)~~] by successfully completing appropriate courses in
 4-50 the core curriculum of an institution of higher education under
 4-51 Section 61.822.

4-52 (b-9) The agency shall establish a pilot program allowing a
 4-53 student attending school in a county with a population of more than
 4-54 one million and in which more than 75 percent of the population
 4-55 resides in a single municipality to satisfy the fine arts credit
 4-56 [~~required~~] under Subsection (b-1)(8) [~~(b-1)(3)(A)~~] by
 4-57 participating in a fine arts program not provided by the school
 4-58 district in which the student is enrolled. The fine arts program
 4-59 may be provided on or off a school campus and outside the regular
 4-60 school day. [~~Not later than December 1, 2010, the agency shall~~
 4-61 ~~provide to the legislature a report regarding the pilot program,~~
 4-62 ~~including the feasibility of expanding the pilot program~~
 4-63 ~~statewide.~~]

4-64 (b-10) A school district, with the approval of the
 4-65 commissioner, may allow a student to comply with the curriculum
 4-66 requirements for the physical education credit required under
 4-67 Subsection (b-1)(9) [~~(b-1)(3)(B)~~] by participating in a private or
 4-68 commercially sponsored physical activity program provided on or off
 4-69 a school campus and outside the regular school day.

5-1 (b-11) In adopting rules under Subsection (b-1), the State
 5-2 Board of Education shall allow a student who is unable to
 5-3 participate in physical activity due to disability or illness to
 5-4 substitute one credit in English language arts, mathematics,
 5-5 science, or social studies or one academic elective credit for the
 5-6 physical education credit required under Subsection (b-1)(9)
 5-7 [~~(b-1)(3)(B)~~]. A credit allowed to be substituted under this
 5-8 subsection may not also be used by the student to satisfy a
 5-9 graduation requirement other than completion of the physical
 5-10 education credit. The rules must provide that the determination
 5-11 regarding a student's ability to participate in physical activity
 5-12 will be made by:

5-13 (1) if the student receives special education services
 5-14 under Subchapter A, Chapter 29, the student's admission, review,
 5-15 and dismissal committee;

5-16 (2) if the student does not receive special education
 5-17 services under Subchapter A, Chapter 29, but is covered by Section
 5-18 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
 5-19 committee established for the student under that Act; or

5-20 (3) if each of the committees described by
 5-21 Subdivisions (1) and (2) is inapplicable, a committee established
 5-22 by the school district of persons with appropriate knowledge
 5-23 regarding the student.

5-24 (b-12) In adopting rules under Subsection (b-1), the State
 5-25 Board of Education shall allow a student who, due to disability, is
 5-26 unable to complete two courses in the same language in a language
 5-27 other than English, as provided under Subsection (b-1)(5), to
 5-28 substitute for those credits two credits in English language arts,
 5-29 mathematics, science, or social studies or two credits in career
 5-30 and technology education or other academic electives. A credit
 5-31 allowed to be substituted under this subsection may not also be used
 5-32 by the student to satisfy a graduation credit requirement other
 5-33 than credit for completion of a language other than English. The
 5-34 rules must provide that the determination regarding a student's
 5-35 ability to participate in language-other-than-English courses will
 5-36 be made by:

5-37 (1) if the student receives special education services
 5-38 under Subchapter A, Chapter 29, the student's admission, review,
 5-39 and dismissal committee; or

5-40 (2) if the student does not receive special education
 5-41 services under Subchapter A, Chapter 29, but is covered by Section
 5-42 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
 5-43 committee established for the student under that Act.

5-44 (c-1) A student who successfully completes the curriculum
 5-45 requirements for the foundation high school program under this
 5-46 section may earn any of the following endorsements on the student's
 5-47 diploma and transcript as follows:

5-48 (1) a business and industry endorsement by earning one
 5-49 credit in career and technology education;

5-50 (2) an academic achievement in arts and humanities
 5-51 endorsement by earning:

5-52 (A) one additional credit in social studies; and

5-53 (B) one additional credit in fine arts or one
 5-54 credit in career and technology education;

5-55 (3) an academic achievement in science, technology,
 5-56 engineering, and mathematics (STEM) endorsement by earning:

5-57 (A) one additional credit in mathematics;

5-58 (B) one additional credit in science; and

5-59 (C) one additional credit in fine arts or one
 5-60 credit in career and technology education; and

5-61 (4) a distinguished achievement endorsement by:

5-62 (A) successfully completing English III and
 5-63 Algebra II courses and performing at the distinguished level
 5-64 standard of performance as determined by the commissioner under
 5-65 Section 39.0241(a-3) on the end-of-course assessment instruments
 5-66 under Section 39.023(c) for each of those courses; and

5-67 (B) earning:

5-68 (i) one additional credit in mathematics;

5-69 (ii) one additional credit in science;

6-1 (iii) one additional credit in social
 6-2 studies; and

6-3 (iv) one additional credit in the same
 6-4 language in a language other than English in which the student
 6-5 earned two credits for purposes of Subsection (b-1)(5), or one
 6-6 additional credit in computer programming if the student earned two
 6-7 credits in computer programming for purposes of Subsection
 6-8 (b-1)(5), as applicable.

6-9 (c-2) The State Board of Education shall designate the
 6-10 specific courses required for an endorsement under Subsection (c-1)
 6-11 for courses included in the foundation curriculum under Section
 6-12 28.002(a)(1).

6-13 (c-3) A student's diploma must clearly indicate any
 6-14 endorsement under Subsection (c-1) that a student has earned.

6-15 (e) Each school district shall report the academic
 6-16 achievement record of students who have completed the foundation [a
 6-17 minimum, recommended, or advanced] high school program on
 6-18 transcript forms adopted by the State Board of Education. The
 6-19 transcript forms adopted by the board must be designed to clearly
 6-20 [differentiate between each of the high school programs and]
 6-21 identify whether a student received a diploma or a certificate of
 6-22 coursework completion and to clearly indicate an endorsement under
 6-23 Subsection (c-1) that a student has earned.

6-24 (h) The commissioner by rule shall adopt a transition plan
 6-25 to implement and administer the amendments made by S.B. No. 3, 83rd
 6-26 Legislature, Regular Session, 2013, replacing the minimum,
 6-27 recommended, and advanced high school programs with the foundation
 6-28 high school program beginning with the 2013-2014 school year.
 6-29 Under the transition plan, a student who entered the ninth grade
 6-30 before the 2013-2014 school year must be permitted to complete the
 6-31 curriculum requirements required for high school graduation under:

6-32 (1) the foundation high school program, if the student
 6-33 makes the choice during the 2013-2014 school year to take courses
 6-34 under that program;

6-35 (2) the minimum high school program, as that program
 6-36 existed before the adoption of S.B. No. 3, 83rd Legislature,
 6-37 Regular Session, 2013, if the student was participating in that
 6-38 program before the 2013-2014 school year;

6-39 (3) the recommended high school program, as that
 6-40 program existed before the adoption of S.B. No. 3, 83rd
 6-41 Legislature, Regular Session, 2013, if the student was
 6-42 participating in that program before the 2013-2014 school year; or

6-43 (4) the advanced high school program, as that program
 6-44 existed before the adoption of S.B. No. 3, 83rd Legislature,
 6-45 Regular Session, 2013, if the student was participating in that
 6-46 program before the 2013-2014 school year.

6-47 (h-1) This subsection and Subsection (h) expire September
 6-48 1, 2017.

6-49 SECTION 6. Subsection (e), Section 28.0253, Education Code,
 6-50 is amended to read as follows:

6-51 (e) A student who receives a high school diploma through the
 6-52 pilot program is considered to have completed the foundation
 6-53 [recommended] high school program adopted under Section 28.025
 6-54 [28.025(a)]. The student is not guaranteed admission to any
 6-55 institution of higher education or to any academic program at an
 6-56 institution of higher education solely on the basis of having
 6-57 received the diploma through the program.

6-58 SECTION 7. Subsection (b), Section 28.027, Education Code,
 6-59 is amended to read as follows:

6-60 (b) The State Board of Education shall establish a process
 6-61 under which an applied STEM course may be reviewed and approved for
 6-62 purposes of satisfying the mathematics and science curriculum
 6-63 requirements for the foundation [recommended] high school program
 6-64 [imposed] under Section 28.025 [28.025(b-1)(1)(A)] through
 6-65 substitution of the applied STEM course for a specific mathematics
 6-66 or science course otherwise required under the foundation
 6-67 [recommended] high school program [and completed during the
 6-68 student's fourth year of mathematics or science course work]. [The
 6-69 State Board of Education may only approve a course to substitute for

7-1 ~~a mathematics course taken after successful completion of Algebra I~~
7-2 ~~and geometry and after successful completion of or concurrently~~
7-3 ~~with Algebra II.]~~ The State Board of Education may only approve a
7-4 course to substitute for a science course taken after successful
7-5 completion of biology ~~[and chemistry and after successful~~
7-6 ~~completion of or concurrently with physics].~~

7-7 SECTION 8. Subsection (e), Section 29.096, Education Code,
7-8 is amended to read as follows:

7-9 (e) The commissioner shall establish minimum standards for
7-10 a local collaborative agreement, including a requirement that the
7-11 agreement must be signed by an authorized school district or
7-12 open-enrollment charter school officer and an authorized
7-13 representative of each of the other participating entities that is
7-14 a partner in the collaboration. The program must:

7-15 (1) limit participation in the program to students
7-16 authorized to participate by a parent or other person standing in
7-17 parental relationship;

7-18 (2) have as a primary goal graduation from high school
7-19 ~~[under at least the recommended high school program];~~

7-20 (3) provide for local businesses or other employers to
7-21 offer paid employment or internship opportunities and advanced
7-22 career and vocational training;

7-23 (4) include an outreach component and a lead
7-24 educational staff member to identify and involve eligible students
7-25 and public and private entities in participating in the program;

7-26 (5) serve a population of students of which at least 50
7-27 percent are identified as students at risk of dropping out of
7-28 school, as described by Section 29.081(d);

7-29 (6) allocate not more than 15 percent of grant funds
7-30 and matching funds, as determined by the commissioner, to
7-31 administrative expenses;

7-32 (7) include matching funds from any of the
7-33 participating entities; and

7-34 (8) include any other requirements as determined by
7-35 the council.

7-36 SECTION 9. Subsection (b), Section 29.402, Education Code,
7-37 is amended to read as follows:

7-38 (b) A person who is under 26 years of age is eligible to
7-39 enroll in a dropout recovery program under this subchapter if the
7-40 person:

7-41 (1) must complete not more than three course credits
7-42 to complete the curriculum requirements for the foundation
7-43 ~~[minimum, recommended, or advanced]~~ high school program~~[, as~~
7-44 ~~appropriate,]~~ for high school graduation; or

7-45 (2) has failed to perform satisfactorily on an
7-46 end-of-course assessment instrument administered under Section
7-47 39.023(c) or an assessment instrument administered under Section
7-48 39.023(c) as that section existed before amendment by Chapter 1312
7-49 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

7-50 SECTION 10. Subsection (d), Section 29.904, Education Code,
7-51 is amended to read as follows:

7-52 (d) A plan developed under this section:

7-53 (1) must establish clear, achievable goals for
7-54 increasing the percentage of the school district's graduating
7-55 seniors, particularly the graduating seniors attending a high
7-56 school described by Subsection (a), who enroll in an institution of
7-57 higher education for the academic year following graduation;

7-58 (2) must establish an accurate method of measuring
7-59 progress toward the goals established under Subdivision (1) that
7-60 may include the percentage of district high school students and the
7-61 percentage of students attending a district high school described
7-62 by Subsection (a) who:

7-63 (A) are enrolled in a course for which a student
7-64 may earn college credit, such as an advanced placement or
7-65 international baccalaureate course or a course offered through
7-66 concurrent enrollment in high school and at an institution of
7-67 higher education;

7-68 (B) are enrolled in courses that meet the
7-69 curriculum requirements for the foundation ~~[recommended or~~

8-1 ~~advanced~~] high school program as determined under Section 28.025;
 8-2 (C) have submitted a free application for federal
 8-3 student aid (FAFSA);
 8-4 (D) are exempt under Section 51.3062(p) or (q)
 8-5 from administration of an assessment instrument under Section
 8-6 51.3062 or have performed successfully on an assessment instrument
 8-7 under Section 51.3062;
 8-8 (E) graduate from high school;
 8-9 (F) graduate from an institution of higher
 8-10 education; and
 8-11 (G) have taken college entrance examinations and
 8-12 the average score of those students on the examinations;
 8-13 (3) must cover a period of at least five years; and
 8-14 (4) may be directed at district students at any level
 8-15 of primary or secondary education.

8-16 SECTION 11. Subsection (b), Section 33.007, Education Code,
 8-17 is amended to read as follows:

8-18 (b) During the first school year a student is enrolled in a
 8-19 high school or at the high school level in an open-enrollment
 8-20 charter school, and again during a student's senior year, a
 8-21 counselor shall provide information about higher education to the
 8-22 student and the student's parent or guardian. The information must
 8-23 include information regarding:

8-24 (1) the importance of higher education;
 8-25 (2) ~~[the advantages of completing the recommended or~~
 8-26 ~~advanced high school program adopted under Section 28.025(a),~~
 8-27 ~~[(3)]~~ the disadvantages of taking courses to prepare
 8-28 for a high school equivalency examination relative to the benefits
 8-29 of taking courses leading to a high school diploma;
 8-30 (3) ~~[(4)]~~ financial aid eligibility;
 8-31 ~~[(4)]~~ (4) ~~[(5)]~~ instruction on how to apply for federal
 8-32 financial aid;
 8-33 ~~[(5)]~~ (5) ~~[(6)]~~ the center for financial aid information
 8-34 established ~~under~~ Section 61.0776;
 8-35 ~~[(6)]~~ (6) ~~[(7)]~~ the automatic admission of certain students
 8-36 to general academic teaching institutions as provided by Section
 8-37 51.803;
 8-38 ~~[(7)]~~ (7) ~~[(8)]~~ the eligibility and academic performance
 8-39 requirements for the TEXAS Grant as provided by Subchapter M,
 8-40 Chapter 56; and
 8-41 ~~[(8)]~~ (8) ~~[(9)]~~ the availability of programs in the district
 8-42 under which a student may earn college credit, including advanced
 8-43 placement programs, dual credit programs, joint high school and
 8-44 college credit programs, and international baccalaureate programs.

8-45 SECTION 12. Subsection (c), Section 39.023, Education Code,
 8-46 is amended to read as follows:

8-47 (c) The agency shall also adopt end-of-course assessment
 8-48 instruments for secondary-level courses in Algebra I, Algebra II,
 8-49 geometry, biology, chemistry, physics, English I, English II,
 8-50 English III, world geography, world history, and United States
 8-51 history. The Algebra I, Algebra II, and geometry end-of-course
 8-52 assessment instruments must be administered with the aid of
 8-53 technology. A school district shall comply with State Board of
 8-54 Education rules regarding administration of the assessment
 8-55 instruments listed in this subsection ~~[and shall adopt a policy~~
 8-56 ~~that requires a student's performance on an end-of-course~~
 8-57 ~~assessment instrument for a course listed in this subsection in~~
 8-58 ~~which the student is enrolled to account for 15 percent of the~~
 8-59 ~~student's final grade for the course. If a student retakes an~~
 8-60 ~~end-of-course assessment instrument for a course listed in this~~
 8-61 ~~subsection, as provided by Section 39.025, a school district is not~~
 8-62 ~~required to use the student's performance on the subsequent~~
 8-63 ~~administration or administrations of the assessment instrument to~~
 8-64 ~~determine the student's final grade for the course].~~ If a student
 8-65 is in a special education program under Subchapter A, Chapter 29,
 8-66 the student's admission, review, and dismissal committee shall
 8-67 determine whether any allowable modification is necessary in
 8-68 administering to the student an assessment instrument required
 8-69 under this subsection. The State Board of Education shall

9-1 administer the assessment instruments. The State Board of
 9-2 Education shall adopt a schedule for the administration of
 9-3 end-of-course assessment instruments that complies with the
 9-4 requirements of Subsection (c-3).

9-5 SECTION 13. Section 39.0241, Education Code, is amended by
 9-6 amending Subsection (a-2) and adding Subsection (a-3) to read as
 9-7 follows:

9-8 (a-2) For the purpose of establishing performance across
 9-9 grade levels, the commissioner shall establish:

9-10 (1) the performance standards for the Algebra II and
 9-11 English III end-of-course assessment instruments, as provided
 9-12 under Section 39.024(b) and under Subsections [~~Subsection~~] (a) and
 9-13 (a-3);

9-14 (2) the performance standards for the Algebra I and
 9-15 English II end-of-course assessment instruments, as determined
 9-16 based on studies under Section 39.0242 that correlate student
 9-17 performance on the Algebra I and English II end-of-course
 9-18 assessment instruments with student performance on the Algebra II
 9-19 and English III assessment instruments;

9-20 (3) the performance standards for the English I
 9-21 end-of-course assessment instrument, as determined based on
 9-22 studies under Section 39.0242 that correlate student performance on
 9-23 the English I end-of-course assessment instrument with student
 9-24 performance on the English II assessment instrument;

9-25 (4) the performance standards for the grade eight
 9-26 assessment instruments, as determined based on studies under
 9-27 Section 39.0242 that correlate student performance on the grade
 9-28 eight assessment instruments with student performance on the
 9-29 Algebra I and English I end-of-course assessment instruments in the
 9-30 same content area; and

9-31 (5) the performance standards on the assessment
 9-32 instruments in each of grades three through seven, as determined
 9-33 based on studies under Section 39.0242 that correlate student
 9-34 performance in the same content area on the assessment instrument
 9-35 for each grade with student performance on the assessment
 9-36 instrument in the succeeding grade.

9-37 (a-3) The commissioner shall determine the level of
 9-38 performance considered to be distinguished performance on the
 9-39 assessment instruments. The distinguished level of performance
 9-40 must be a level of performance that is higher than satisfactory
 9-41 performance as determined under Subsection (a).

9-42 SECTION 14. Subsection (e), Section 39.0242, Education
 9-43 Code, is amended to read as follows:

9-44 (e) Based on the data collected and studies performed
 9-45 periodically under Subsection (d), the commissioner shall increase
 9-46 the rigor of the performance standard established under Section
 9-47 39.0241(a) or (a-3) as the commissioner determines necessary.

9-48 SECTION 15. Subsections (a), (a-1), (b), and (b-2), Section
 9-49 39.025, Education Code, are amended to read as follows:

9-50 (a) The commissioner shall adopt rules requiring a student
 9-51 [~~participating~~] in the foundation [~~recommended or advanced~~] high
 9-52 school program under Section 28.025 to be administered [~~each~~
 9-53 ~~end-of-course assessment instrument listed in Section 39.023(c)~~
 9-54 ~~and requiring a student participating in the minimum high school~~
 9-55 ~~program to be administered~~] an end-of-course assessment instrument
 9-56 listed in Section 39.023(c) only for a course in which the student
 9-57 is enrolled and for which an end-of-course assessment instrument is
 9-58 administered. A student is required to achieve[, ~~in each subject~~
 9-59 ~~in the foundation curriculum under Section 28.002(a)(1), a~~
 9-60 ~~cumulative score that is at least equal to the product of the number~~
 9-61 ~~of end-of-course assessment instruments administered to the~~
 9-62 ~~student in that subject and] a scale score that indicates
 9-63 satisfactory performance, as determined by the commissioner under
 9-64 Section 39.0241(a), on each end-of-course assessment instrument
 9-65 listed under Section 39.023 that is administered to the student as
 9-66 provided by this subsection. [~~A student must achieve a minimum~~
 9-67 ~~score as determined by the commissioner to be within a reasonable~~
 9-68 ~~range of the scale score under Section 39.0241(a) on an~~
 9-69 ~~end-of-course assessment instrument for the score to count towards~~~~

10-1 ~~the student's cumulative score. For purposes of this subsection, a~~
 10-2 ~~student's cumulative score is determined using the student's~~
 10-3 ~~highest score on each end-of-course assessment instrument~~
 10-4 ~~administered to the student.] A student may not receive a high~~
 10-5 school diploma until the student has performed satisfactorily on
 10-6 the end-of-course assessment instruments in the manner provided
 10-7 under this subsection. This subsection does not require a student
 10-8 to demonstrate readiness to enroll in an institution of higher
 10-9 education.

10-10 (a-1) The commissioner by rule shall determine a method by
 10-11 which a student's satisfactory performance on an advanced placement
 10-12 test, an international baccalaureate examination, an SAT Subject
 10-13 Test, or another assessment instrument determined by the
 10-14 commissioner to be at least as rigorous as an end-of-course
 10-15 assessment instrument adopted under Section 39.023(c) may be used
 10-16 as a factor in determining whether the student satisfies the
 10-17 requirements of Subsection (a)~~[, including the cumulative score~~
 10-18 ~~requirement of that subsection].~~ The commissioner by rule may
 10-19 determine a method by which a student's satisfactory performance on
 10-20 a Preliminary Scholastic Assessment Test (PSAT) ~~[assessment]~~ or a
 10-21 preliminary American College Test (ACT) ~~[assessment]~~ may be used as
 10-22 a factor in determining whether the student satisfies the
 10-23 requirements of Subsection (a).

10-24 (b) Each time an end-of-course assessment instrument is
 10-25 administered, a student who failed to achieve a ~~[minimum]~~
 10-26 requirement under Subsection (a) shall retake the assessment
 10-27 instrument. A student who fails to perform satisfactorily on an
 10-28 Algebra II or English III end-of-course assessment instrument under
 10-29 the college readiness performance standard, as provided under
 10-30 Section 39.024(b), may retake the assessment instrument. Any other
 10-31 student may retake an end-of-course assessment instrument for any
 10-32 reason. A student is not required to retake a course as a condition
 10-33 of retaking an end-of-course assessment instrument.

10-34 (b-2) If a school district determines that a student, on
 10-35 completion of grade 11, is unlikely to achieve the ~~[cumulative]~~
 10-36 score requirement under Subsection (a) ~~[requirements]~~ for one or
 10-37 more end-of-course assessment instruments administered to the
 10-38 student as provided ~~[subjects prescribed]~~ by Subsection (a) for
 10-39 receiving a high school diploma, the district shall require the
 10-40 student to enroll in a corresponding content-area college
 10-41 preparatory course for which an end-of-course assessment
 10-42 instrument has been adopted, if available. A student who enrolls
 10-43 in a college preparatory course described by this subsection shall
 10-44 be administered an end-of-course assessment instrument for the
 10-45 course, with the end-of-course assessment instrument scored on a
 10-46 scale as determined by the commissioner ~~[not to exceed 20 percent of~~
 10-47 ~~the cumulative score requirements required to graduate as~~
 10-48 ~~determined under Subsection (a)].~~ A student may use the student's
 10-49 score on the end-of-course assessment instrument for the college
 10-50 preparatory course towards satisfying the ~~[cumulative]~~
 10-51 requirement ~~[requirements]~~ prescribed by Subsection (a).

10-52 SECTION 16. Subsections (c), (f), and (i), Section 39.053,
 10-53 Education Code, are amended to read as follows:

10-54 (c) Indicators of student achievement adopted under this
 10-55 section must include:

10-56 (1) the results of assessment instruments required
 10-57 under Sections 39.023(a), (c), and (l), including the results of
 10-58 assessment instruments required for graduation retaken by a
 10-59 student, aggregated across grade levels by subject area, including:

10-60 (A) for the performance standard determined by
 10-61 the commissioner under Section 39.0241(a):

10-62 (i) the percentage of students who
 10-63 performed satisfactorily on the assessment instruments, aggregated
 10-64 across grade levels by subject area; and

10-65 (ii) for students who did not perform
 10-66 satisfactorily, the percentage of students who met the standard for
 10-67 annual improvement, as determined by the agency under Section
 10-68 39.034, on the assessment instruments, aggregated across grade
 10-69 levels by subject area; ~~[and]~~

11-1 (B) for the college readiness performance
11-2 standard as determined under Section 39.0241:

11-3 (i) the percentage of students who
11-4 performed satisfactorily on the assessment instruments, aggregated
11-5 across grade levels by subject area; and

11-6 (ii) for students who did not perform
11-7 satisfactorily, the percentage of students who met the standard for
11-8 annual improvement, as determined by the agency under Section
11-9 39.034, on the assessment instruments, aggregated across grade
11-10 levels by subject area; and

11-11 (C) for the performance standard determined by
11-12 the commissioner under Section 39.0241(a-3):

11-13 (i) the percentage of students who
11-14 performed satisfactorily on the assessment instruments, aggregated
11-15 across grade levels by subject area; and

11-16 (ii) for students who did not perform
11-17 satisfactorily, the percentage of students who met the standard for
11-18 annual improvement, as determined by the agency under Section
11-19 39.034, on the assessment instruments, aggregated across grade
11-20 levels by subject area;

11-21 (2) dropout rates, including dropout rates and
11-22 district completion rates for grade levels 9 through 12, computed
11-23 in accordance with standards and definitions adopted by the
11-24 National Center for Education Statistics of the United States
11-25 Department of Education; and

11-26 (3) high school graduation rates, computed in
11-27 accordance with standards and definitions adopted in compliance
11-28 with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et
11-29 seq.).

11-30 (f) Annually, the commissioner shall define the state
11-31 standard for the current school year for each student achievement
11-32 indicator described by Subsection (c) and shall project the state
11-33 standards for each indicator for the following two school
11-34 years. The commissioner shall periodically raise the state
11-35 standards for the student achievement indicator described by
11-36 Subsection (c)(1)(B)(i) for accreditation as necessary to reach the
11-37 goals of achieving, by not later than the 2019-2020 school year:

11-38 (1) student performance in this state, disaggregated
11-39 by race, ethnicity, and socioeconomic status, that ranks nationally
11-40 in the top 10 states in terms of college readiness; and

11-41 (2) student performance [~~including the percentage of~~
11-42 ~~students graduating under the recommended or advanced high school~~
11-43 ~~program,~~] with no significant achievement gaps by race, ethnicity,
11-44 and socioeconomic status.

11-45 (i) The commissioner by rule shall adopt accountability
11-46 measures to be used in assessing the progress of students who have
11-47 failed to perform satisfactorily as determined by the commissioner
11-48 under any performance standard under Section 39.0241 [~~39.0241(a) or~~
11-49 ~~under the college readiness standard as determined under Section~~
11-50 ~~39.0241] in the preceding school year on an assessment instrument
11-51 required under Section 39.023(a), (c), or (l).~~

11-52 SECTION 17. Subsection (a), Section 39.057, Education Code,
11-53 is amended to read as follows:

11-54 (a) The commissioner shall authorize special accreditation
11-55 investigations to be conducted:

11-56 (1) when excessive numbers of absences of students
11-57 eligible to be tested on state assessment instruments are
11-58 determined;

11-59 (2) when excessive numbers of allowable exemptions
11-60 from the required state assessment instruments are determined;

11-61 (3) in response to complaints submitted to the agency
11-62 with respect to alleged violations of civil rights or other
11-63 requirements imposed on the state by federal law or court order;

11-64 (4) in response to established compliance reviews of
11-65 the district's financial accounting practices and state and federal
11-66 program requirements;

11-67 (5) when extraordinary numbers of student placements
11-68 in disciplinary alternative education programs, other than
11-69 placements under Sections 37.006 and 37.007, are determined;

12-1 (6) in response to an allegation involving a conflict
 12-2 between members of the board of trustees or between the board and
 12-3 the district administration if it appears that the conflict
 12-4 involves a violation of a role or duty of the board members or the
 12-5 administration clearly defined by this code;

12-6 (7) when excessive numbers of students in special
 12-7 education programs under Subchapter A, Chapter 29, are assessed
 12-8 through assessment instruments developed or adopted under Section
 12-9 39.023(b);

12-10 (8) in response to an allegation regarding or an
 12-11 analysis using a statistical method result indicating a possible
 12-12 violation of an assessment instrument security procedure
 12-13 established under Section 39.0301, including for the purpose of
 12-14 investigating or auditing a school district under that section;

12-15 (9) when a significant pattern of decreased academic
 12-16 performance has developed as a result of the promotion in the
 12-17 preceding two school years of students who did not perform
 12-18 satisfactorily as determined by the commissioner under Section
 12-19 39.0241(a) on assessment instruments administered under Section
 12-20 39.023(a), (c), or (1);

12-21 (10) ~~when excessive numbers of students graduate~~
 12-22 ~~under the minimum high school program;~~

12-23 ~~[(11)]~~ when excessive numbers of students eligible to
 12-24 enroll fail to complete an Algebra II course or any other advanced
 12-25 course as determined by the commissioner ~~[as distinguishing between~~
 12-26 ~~students participating in the recommended high school program from~~
 12-27 ~~students participating in the minimum high school program];~~

12-28 (11) ~~[(12)]~~ when resource allocation practices as
 12-29 evaluated under Section 39.0821 indicate a potential for
 12-30 significant improvement in resource allocation; or

12-31 (12) ~~[(13)]~~ as the commissioner otherwise determines
 12-32 necessary.

12-33 SECTION 18. Subsection (c), Section 39.301, Education Code,
 12-34 is amended to read as follows:

12-35 (c) Indicators for reporting purposes must include:

12-36 (1) the percentage of graduating students who meet the
 12-37 course requirements established under Section 28.025(c-1) for
 12-38 endorsements under that section ~~[by State Board of Education rule~~
 12-39 ~~for the minimum high school program, the recommended high school~~
 12-40 ~~program, and the advanced high school program];~~

12-41 (2) the results of the SAT, ACT, articulated
 12-42 postsecondary degree programs described by Section 61.852, and
 12-43 certified workforce training programs described by Chapter 311,
 12-44 Labor Code;

12-45 (3) for students who have failed to perform
 12-46 satisfactorily, under each performance standard under Section
 12-47 39.0241, on an assessment instrument required under Section
 12-48 39.023(a) or (c), the performance of those students on subsequent
 12-49 assessment instruments required under those sections, aggregated
 12-50 by grade level and subject area;

12-51 (4) for each campus, the number of students,
 12-52 disaggregated by major student subpopulations, that ~~[agree under~~
 12-53 ~~Section 28.025(b) to]~~ take courses under the foundation ~~[minimum]~~
 12-54 high school program and take additional courses to earn an
 12-55 endorsement under Section 28.025(c-1), disaggregated by type of
 12-56 endorsement;

12-57 (5) the percentage of students, aggregated by grade
 12-58 level, provided accelerated instruction under Section 28.0211(c),
 12-59 the results of assessment instruments administered under that
 12-60 section, the percentage of students promoted through the grade
 12-61 placement committee process under Section 28.0211, the subject of
 12-62 the assessment instrument on which each student failed to perform
 12-63 satisfactorily under each performance standard under Section
 12-64 39.0241, and the performance of those students in the school year
 12-65 following that promotion on the assessment instruments required
 12-66 under Section 39.023;

12-67 (6) the percentage of students of limited English
 12-68 proficiency exempted from the administration of an assessment
 12-69 instrument under Sections 39.027(a)(1) and (2);

13-1 (7) the percentage of students in a special education
 13-2 program under Subchapter A, Chapter 29, assessed through assessment
 13-3 instruments developed or adopted under Section 39.023(b);

13-4 (8) the percentage of students who satisfy the college
 13-5 readiness measure;

13-6 (9) the measure of progress toward dual language
 13-7 proficiency under Section 39.034(b), for students of limited
 13-8 English proficiency, as defined by Section 29.052;

13-9 (10) the percentage of students who are not
 13-10 educationally disadvantaged;

13-11 (11) the percentage of students who enroll and begin
 13-12 instruction at an institution of higher education in the school
 13-13 year following high school graduation; and

13-14 (12) the percentage of students who successfully
 13-15 complete the first year of instruction at an institution of higher
 13-16 education without needing a developmental education course.

13-17 SECTION 19. Subsection (b), Section 39.303, Education Code,
 13-18 is amended to read as follows:

13-19 (b) For a student who failed to perform satisfactorily as
 13-20 determined under any [~~either~~] performance standard under Section
 13-21 39.0241 on an assessment instrument administered under Section
 13-22 39.023(a), (c), or (l), the school district shall include in the
 13-23 notice specific information relating to access to educational
 13-24 resources at the appropriate assessment instrument content level,
 13-25 including assessment instrument questions and answers released
 13-26 under Section 39.023(e).

13-27 SECTION 20. Subsections (a) and (c), Section 42.154,
 13-28 Education Code, are amended to read as follows:

13-29 (a) For each full-time equivalent student in average daily
 13-30 attendance in an approved career and technology education program
 13-31 in grades eight [~~nine~~] through 12, [~~or~~] in career and technology
 13-32 education programs for students with disabilities in grades seven
 13-33 through 12, or in a course in career explorations in grade seven or
 13-34 eight, a district is entitled to:

13-35 (1) an annual allotment equal to the adjusted basic
 13-36 allotment multiplied by a weight of 1.35; and

13-37 (2) \$50, if the student is in grades nine through 12
 13-38 and enrolled in:

13-39 (A) two or more advanced career and technology
 13-40 education classes for a total of three or more credits; or

13-41 (B) an advanced course as part of a tech-prep
 13-42 program under Subchapter T, Chapter 61.

13-43 (c) Funds allocated under this section, other than an
 13-44 indirect cost allotment established under State Board of Education
 13-45 rule, must be used in providing:

13-46 (1) career and technology education programs in grades
 13-47 eight [~~nine~~] through 12 or career and technology education programs
 13-48 for students with disabilities in grades seven through 12 under
 13-49 Sections 29.182, 29.183, and 29.184; or

13-50 (2) courses in career explorations for students in
 13-51 grade seven or eight.

13-52 SECTION 21. Subsection (q-1), Section 51.3062, Education
 13-53 Code, is amended to read as follows:

13-54 (q-1) A student who has completed the foundation [~~a~~
 13-55 ~~recommended or advanced~~] high school program as determined under
 13-56 Section 28.025 and demonstrated the performance standard for
 13-57 college readiness as provided by Section 39.024 on the Algebra II
 13-58 and English III end-of-course assessment instruments is exempt from
 13-59 the requirements of this section with respect to those content
 13-60 areas. The commissioner of higher education by rule shall
 13-61 establish the period for which an exemption under this subsection
 13-62 is valid.

13-63 SECTION 22. Subsections (a) and (d), Section 51.803,
 13-64 Education Code, are amended to read as follows:

13-65 (a) Subject to Subsection (a-1), each general academic
 13-66 teaching institution shall admit an applicant for admission to the
 13-67 institution as an undergraduate student if the applicant graduated
 13-68 with a grade point average in the top 10 percent of the student's
 13-69 high school graduating class in one of the two school years

14-1 preceding the academic year for which the applicant is applying for
14-2 admission and:

14-3 (1) the applicant graduated from a public or private
14-4 high school in this state accredited by a generally recognized
14-5 accrediting organization or from a high school operated by the
14-6 United States Department of Defense;

14-7 (2) the applicant:

14-8 (A) successfully completed:

14-9 (i) at a public high school, the curriculum
14-10 requirements established under Section 28.025 for the foundation
14-11 [~~recommended or advanced~~] high school program; or

14-12 (ii) at a high school to which Section
14-13 28.025 does not apply, a curriculum that is equivalent in content
14-14 and rigor to the foundation [~~recommended or advanced~~] high school
14-15 program; or

14-16 (B) satisfied ACT's College Readiness Benchmarks
14-17 on the ACT assessment applicable to the applicant or earned on the
14-18 SAT assessment a score of at least 1,500 out of 2,400 or the
14-19 equivalent; and

14-20 (3) if the applicant graduated from a high school
14-21 operated by the United States Department of Defense, the applicant
14-22 is a Texas resident under Section 54.052 or is entitled to pay
14-23 tuition fees at the rate provided for Texas residents under Section
14-24 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

14-25 (d) For purposes of Subsection (c)(2), a student's official
14-26 transcript or diploma must, not later than the end of the student's
14-27 junior year, indicate[+]

14-28 [~~(1)~~] whether the student has satisfied or is on
14-29 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
14-30 (ii), as applicable[+, or

14-31 [~~(2)~~] if Subsection (b) applies to the student, whether
14-32 the student has completed the portion of the recommended or
14-33 advanced curriculum or of the curriculum equivalent in content and
14-34 rigor, as applicable, that was available to the student].

14-35 SECTION 23. Section 51.804, Education Code, is amended to
14-36 read as follows:

14-37 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
14-38 INSTITUTIONS. For each academic year, the governing board of each
14-39 general academic teaching institution shall determine whether to
14-40 adopt an admissions policy under which an applicant to the
14-41 institution as a first-time freshman student, other than an
14-42 applicant eligible for admission under Section 51.803, shall be
14-43 admitted to the institution if the applicant:

14-44 (1) graduated from a public or private high school in
14-45 this state accredited by a generally recognized accrediting
14-46 organization with a grade point average in the top 25 percent of the
14-47 applicant's high school graduating class; and

14-48 (2) satisfies the requirements of:

14-49 (A) Section 51.803(a)(2)(A) or (B) [~~51.803(b)~~,
14-50 as applicable to the student, or Section 51.803(a)(2)(B)]; and

14-51 (B) Sections 51.803(c)(2) and 51.803(d).

14-52 SECTION 24. Subsection (a), Section 51.805, Education Code,
14-53 is amended to read as follows:

14-54 (a) A graduating student who does not qualify for admission
14-55 under Section 51.803 or 51.804 may apply to any general academic
14-56 teaching institution if the student satisfies the requirements of:

14-57 (1) Section 51.803(a)(2)(A) or (B) [~~51.803(b)~~, as
14-58 applicable to the student, or Section 51.803(a)(2)(B)]; and

14-59 (2) Sections 51.803(c)(2) and 51.803(d).

14-60 SECTION 25. Subsection (b), Section 51.807, Education Code,
14-61 is amended to read as follows:

14-62 (b) The Texas Higher Education Coordinating Board, after
14-63 consulting with the Texas Education Agency, by rule shall establish
14-64 standards for determining for purposes of this subchapter:

14-65 (1) whether a private high school is accredited by a
14-66 generally recognized accrediting organization; and

14-67 (2) whether a person completed a high school
14-68 curriculum that is equivalent in content and rigor to the
14-69 curriculum requirements established under Section 28.025 for the

15-1 foundation [~~recommended or advanced~~] high school program.

15-2 SECTION 26. Subchapter A, Chapter 56, Education Code, is
15-3 amended by adding Section 56.009 to read as follows:

15-4 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN
15-5 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to
15-6 participate in any program under this chapter, including
15-7 Subchapters K, M, Q, and R, is contingent on the person graduating
15-8 under the recommended or advanced high school program, as those
15-9 programs existed before the adoption of S.B. No. 3, 83rd
15-10 Legislature, Regular Session, 2013, the Texas Higher Education
15-11 Coordinating Board and the commissioner of education shall jointly
15-12 adopt rules to modify, clarify, or otherwise establish for affected
15-13 programs appropriate eligibility requirements regarding high
15-14 school curriculum completion.

15-15 SECTION 27. Section 56.3041, Education Code, is amended to
15-16 read as follows:

15-17 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
15-18 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL
15-19 ACADEMIC TEACHING INSTITUTION. Notwithstanding Section 56.304(a),
15-20 to be eligible initially for a TEXAS grant, a person graduating from
15-21 high school on or after May 1, 2013, and enrolling in a general
15-22 academic teaching institution must:

15-23 (1) be a resident of this state as determined by
15-24 coordinating board rules;

15-25 (2) meet the academic requirements prescribed by
15-26 Paragraph (A), (B), or (C) as follows:

15-27 (A) be a graduate of a public or accredited
15-28 private high school in this state who completed the foundation
15-29 [~~recommended~~] high school program established under Section 28.025
15-30 or its equivalent and have accomplished any two or more of the
15-31 following:

15-32 (i) [~~graduation under the advanced high~~
15-33 ~~school program established under Section 28.025 or its equivalent,~~]
15-34 successful completion of the course requirements of the
15-35 international baccalaureate diploma program~~[r]~~ or earning of the
15-36 equivalent of at least 12 semester credit hours of college credit in
15-37 high school through courses described in Sections 28.009(a)(1),
15-38 (2), and (3);

15-39 (ii) satisfaction of the Texas Success
15-40 Initiative (TSI) college readiness benchmarks prescribed by the
15-41 coordinating board under Section 51.3062(f) on any assessment
15-42 instrument designated by the coordinating board under Section
15-43 51.3062(c) [~~or (e)~~] or qualification for an exemption as described
15-44 by Section 51.3062(p), (q), or (q-1);

15-45 (iii) graduation in the top one-third of
15-46 the person's high school graduating class or graduation from high
15-47 school with a grade point average of at least 3.0 on a four-point
15-48 scale or the equivalent; or

15-49 (iv) completion for high school credit of
15-50 at least one advanced mathematics course following the successful
15-51 completion of an Algebra II course, as designated by the
15-52 coordinating board by rule in consultation with the State Board of
15-53 Education, [permitted by Section 28.025(b-3),] or at least one
15-54 advanced career and technical course, as designated by the
15-55 coordinating board by rule in consultation with the State Board of
15-56 Education [permitted by Section 28.025(b-2)];

15-57 (B) have received an associate degree from a
15-58 public or private institution of higher education; or

15-59 (C) if sufficient money is available, meet the
15-60 eligibility criteria described by Section 56.304(a)(2)(A);

15-61 (3) meet financial need requirements established by
15-62 the coordinating board;

15-63 (4) be enrolled in an undergraduate degree or
15-64 certificate program at the general academic teaching institution;

15-65 (5) except as provided under rules adopted under
15-66 Section 56.304(h), be enrolled as:

15-67 (A) an entering undergraduate student for at
15-68 least three-fourths of a full course load, as determined by the
15-69 coordinating board, not later than the 16th month after the

16-1 calendar month in which the person graduated from high school;
 16-2 (B) an entering undergraduate student who
 16-3 entered military service not later than the first anniversary of
 16-4 the date the person graduated from high school and who enrolled for
 16-5 at least three-fourths of a full course load, as determined by the
 16-6 coordinating board, at the general academic teaching institution
 16-7 not later than 12 months after being honorably discharged from
 16-8 military service; or

16-9 (C) a continuing undergraduate student for at
 16-10 least three-fourths of a full course load, as determined by the
 16-11 coordinating board, not later than the 12th month after the
 16-12 calendar month in which the person received an associate degree
 16-13 from a public or private institution of higher education;

16-14 (6) have applied for any available financial aid or
 16-15 assistance; and

16-16 (7) comply with any additional nonacademic
 16-17 requirements adopted by the coordinating board under this
 16-18 subchapter.

16-19 SECTION 28. Subsection (a), Section 61.0517, Education
 16-20 Code, is amended to read as follows:

16-21 (a) In this section, "applied STEM course" means an applied
 16-22 science, technology, engineering, or mathematics course offered as
 16-23 part of a school district's career and technology education
 16-24 curriculum and approved, as provided by Section 28.027, by the
 16-25 State Board of Education for purposes of satisfying the mathematics
 16-26 and science curriculum requirements for the foundation
 16-27 ~~[recommended]~~ high school program ~~[imposed]~~ under Section 28.025
 16-28 ~~[28.025(b-1)(1)(A)]~~.

16-29 SECTION 29. Subsection (b), Section 61.792, Education Code,
 16-30 is amended to read as follows:

16-31 (b) To qualify for a scholarship under this section, a
 16-32 student must:

16-33 (1) have graduated with a grade point average in the
 16-34 top 20 percent of the student's high school graduating class;

16-35 (2) have graduated from high school with a grade point
 16-36 average of at least 3.5 on a four-point scale or the equivalent in
 16-37 mathematics and science courses offered under the foundation
 16-38 ~~[recommended or advanced]~~ high school program under Section 28.025
 16-39 ~~[28.025(a)]~~; and

16-40 (3) maintain an overall grade point average of at
 16-41 least 3.0 on a four-point scale at the general academic teaching
 16-42 institution or the private or independent institution of higher
 16-43 education in which the student is enrolled.

16-44 SECTION 30. Subsection (a), Section 61.852, Education Code,
 16-45 is amended to read as follows:

16-46 (a) A tech-prep program is a program of study that:

16-47 (1) combines at least two years of secondary education
 16-48 with at least two years of postsecondary education in a
 16-49 nonduplicative, sequential course of study based on the foundation
 16-50 ~~[recommended]~~ high school program adopted by the State Board of
 16-51 Education under Section 28.025 ~~[28.025(a)]~~;

16-52 (2) integrates academic instruction and vocational
 16-53 and technical instruction;

16-54 (3) uses work-based and worksite learning where
 16-55 available and appropriate;

16-56 (4) provides technical preparation in a career field
 16-57 such as engineering technology, applied science, a mechanical,
 16-58 industrial, or practical art or trade, agriculture, health
 16-59 occupations, business, or applied economics;

16-60 (5) builds student competence in mathematics,
 16-61 science, reading, writing, communications, economics, and
 16-62 workplace skills through applied, contextual academics and
 16-63 integrated instruction in a coherent sequence of courses;

16-64 (6) leads to an associate degree, two-year
 16-65 postsecondary certificate, or postsecondary two-year
 16-66 apprenticeship with provisions, to the extent applicable, for
 16-67 students to continue toward completion of a baccalaureate degree;
 16-68 and

16-69 (7) leads to placement in appropriate employment or to

17-1 further education.

17-2 SECTION 31. Subsection (d), Section 61.855, Education Code,
17-3 is amended to read as follows:

17-4 (d) A tech-prep program must:

17-5 (1) be implemented under an articulation agreement
17-6 between the participants in the consortium;

17-7 (2) consist of two to four years of secondary school
17-8 preceding graduation and:

17-9 (A) two or more years of higher education; or

17-10 (B) two or more years of apprenticeship following
17-11 secondary instruction;

17-12 (3) have a common core of required proficiency based
17-13 on the foundation [~~recommended~~] high school program adopted by the
17-14 State Board of Education under Section 28.025 [~~28.025(a)~~], with
17-15 proficiencies in mathematics, science, reading, writing,
17-16 communications, and technologies designed to lead to an associate's
17-17 degree or postsecondary certificate in a specific career field;

17-18 (4) include the development of tech-prep program
17-19 curricula for both secondary and postsecondary participants in the
17-20 consortium that:

17-21 (A) meets academic standards developed by the
17-22 state;

17-23 (B) links secondary schools and two-year
17-24 postsecondary institutions, and, if practicable, four-year
17-25 institutions of higher education through nonduplicative sequences
17-26 of courses in career fields, including the investigation of
17-27 opportunities for tech-prep students to enroll concurrently in
17-28 secondary and postsecondary course work;

17-29 (C) uses, if appropriate and available,
17-30 work-based or worksite learning in conjunction with business and
17-31 all aspects of an industry; and

17-32 (D) uses educational technology and distance
17-33 learning, as appropriate, to involve each consortium participant
17-34 more fully in the development and operation of programs;

17-35 (5) include in-service training for teachers that:

17-36 (A) is designed to train vocational and technical
17-37 teachers to effectively implement tech-prep programs;

17-38 (B) provides for joint training for teachers in
17-39 the tech-prep consortium;

17-40 (C) is designed to ensure that teachers and
17-41 administrators stay current with the needs, expectations, and
17-42 methods of business and of all aspects of an industry;

17-43 (D) focuses on training postsecondary education
17-44 faculty in the use of contextual and applied curricula and
17-45 instruction; and

17-46 (E) provides training in the use and application
17-47 of technology;

17-48 (6) include training programs for counselors designed
17-49 to enable counselors to more effectively:

17-50 (A) provide information to students regarding
17-51 tech-prep programs;

17-52 (B) support student progress in completing
17-53 tech-prep programs;

17-54 (C) provide information on related employment
17-55 opportunities;

17-56 (D) ensure that tech-prep students are placed in
17-57 appropriate employment; and

17-58 (E) stay current with the needs, expectations,
17-59 and methods of business and of all aspects of an industry;

17-60 (7) provide equal access to the full range of
17-61 tech-prep programs for individuals who are members of special
17-62 populations, including by the development of tech-prep program
17-63 services appropriate to the needs of special populations; and

17-64 (8) provide for preparatory services that assist
17-65 participants in tech-prep programs.

17-66 SECTION 32. Subsection (c), Section 61.861, Education Code,
17-67 is amended to read as follows:

17-68 (c) A course developed for purposes of this section must:

17-69 (1) provide content that enables a student to develop

18-1 the relevant and critical skills needed to be prepared for
18-2 employment or additional training in a high-demand occupation;

18-3 (2) incorporate college and career readiness skills as
18-4 part of the curriculum;

18-5 (3) be offered for dual credit; and

18-6 (4) satisfy a mathematics or science requirement under
18-7 the foundation [~~recommended or advanced~~] high school program as
18-8 determined under Section 28.025.

18-9 SECTION 33. Section 61.864, Education Code, is amended to
18-10 read as follows:

18-11 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant
18-12 is awarded under this subchapter shall be reviewed by the
18-13 commissioner of higher education and the commissioner of education,
18-14 in consultation with the comptroller and the Texas Workforce
18-15 Commission, once every four years to determine whether the course:

18-16 (1) is being used by public educational institutions
18-17 in this state;

18-18 (2) prepares high school students with the skills
18-19 necessary for employment in the high-demand occupation and further
18-20 postsecondary study; and

18-21 (3) satisfies a mathematics or science requirement for
18-22 the foundation [~~recommended or advanced~~] high school program as
18-23 determined under Section 28.025.

18-24 SECTION 34. Subsection (b), Section 78.10, Education Code,
18-25 is amended to read as follows:

18-26 (b) The Texas Academy of Mathematics and Science is a
18-27 division of The University of Texas at Brownsville and is under the
18-28 management and control of the board. The academy serves the
18-29 following purposes:

18-30 (1) to provide academically gifted and highly
18-31 motivated junior and senior high school students with a challenging
18-32 university-level curriculum that:

18-33 (A) allows students to complete high school
18-34 graduation requirements [~~, including requirements adopted~~] under
18-35 Section 28.025 for the foundation [~~advanced~~] high school program,
18-36 while attending for academic credit a public institution of higher
18-37 education;

18-38 (B) fosters students' knowledge of real-world
18-39 mathematics and science issues and applications and teaches
18-40 students to apply critical thinking and problem-solving skills to
18-41 those issues and problems;

18-42 (C) includes the study of English, foreign
18-43 languages, social studies, mathematics, science, and technology;
18-44 and

18-45 (D) offers students learning opportunities
18-46 related to mathematics and science through in-depth research and
18-47 field-based studies;

18-48 (2) to provide students with an awareness of
18-49 mathematics and science careers and professional development
18-50 opportunities through seminars, workshops, collaboration with
18-51 postsecondary and university students including opportunities for
18-52 summer studies, internships in foreign countries, and similar
18-53 methods; and

18-54 (3) to provide students with social development
18-55 activities that enrich the academic curriculum and student life,
18-56 including, as determined appropriate by the academy, University
18-57 Interscholastic League activities and other extracurricular
18-58 activities.

18-59 SECTION 35. Subsection (b), Section 87.505, Education Code,
18-60 is amended to read as follows:

18-61 (b) The Texas Academy of International Studies is a division
18-62 of Texas A&M International University and is under the management
18-63 and control of the board. The academy serves the following
18-64 purposes:

18-65 (1) to provide academically gifted and highly
18-66 motivated junior and senior high school students with a challenging
18-67 university-level curriculum that:

18-68 (A) allows students to complete high school
18-69 graduation requirements [~~, including requirements adopted~~] under

19-1 Section 28.025 for the foundation [~~advanced~~] high school program,
19-2 while attending for academic credit a public institution of higher
19-3 education;

19-4 (B) fosters students' knowledge of real-world
19-5 international issues and problems and teaches students to apply
19-6 critical thinking and problem-solving skills to those issues and
19-7 problems;

19-8 (C) includes the study of English, foreign
19-9 languages, social studies, anthropology, and sociology;

19-10 (D) is presented through an interdisciplinary
19-11 approach that introduces and develops issues, especially issues
19-12 related to international concerns, throughout the curriculum; and

19-13 (E) offers students learning opportunities
19-14 related to international issues through in-depth research and
19-15 field-based studies;

19-16 (2) to provide students with an awareness of
19-17 international career and professional development opportunities
19-18 through seminars, workshops, collaboration with postsecondary
19-19 students from other countries, summer academic international
19-20 studies internships in foreign countries, and similar methods; and

19-21 (3) to provide students with social development
19-22 activities that enrich the academic curriculum and student life,
19-23 including, as determined appropriate by the academy, University
19-24 Interscholastic League activities and other extracurricular
19-25 activities generally offered by public high schools.

19-26 SECTION 36. The following provisions of the Education Code
19-27 are repealed:

19-28 (1) Subsection (q), Section 28.002;

19-29 (2) Subsection (g), Section 28.0212;

19-30 (3) Subsections (b-2), (b-3), (b-6), (b-8), and (g),
19-31 Section 28.025;

19-32 (4) Subsections (a-2) and (a-3), Section 39.025; and

19-33 (5) Subsection (b), Section 51.803.

19-34 SECTION 37. Section 39.025, Education Code, as amended by
19-35 this Act, applies only to students who have entered or will enter
19-36 the ninth grade during the 2011-2012 school year or a later school
19-37 year.

19-38 SECTION 38. The Texas Higher Education Coordinating Board
19-39 shall adopt rules in accordance with Subparagraph (iv), Paragraph
19-40 (A), Subdivision (2), Section 56.3041, Education Code, as amended
19-41 by this Act, as soon as practicable after the date this Act takes
19-42 effect. For that purpose, the board may adopt the initial rules in
19-43 the manner provided by law for adoption of emergency rules.

19-44 SECTION 39. This Act applies beginning with the 2013-2014
19-45 school year.

19-46 SECTION 40. This Act takes effect immediately if it
19-47 receives a vote of two-thirds of all the members elected to each
19-48 house, as provided by Section 39, Article III, Texas Constitution.
19-49 If this Act does not receive the vote necessary for immediate
19-50 effect, this Act takes effect September 1, 2013.

19-51 * * * * *