

By: Seliger

S.B. No. 225

A BILL TO BE ENTITLED

AN ACT

relating to curriculum and end-of-course assessment requirements for high school 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 foundation [~~recommended and advanced~~] high school program [~~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 28.014(b), Education Code, is amended to read as follows:

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

6 SECTION 3. (a) Sections 28.014(c) and (f), Education Code,
7 are amended to read as follows:

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

22 (f) To the extent applicable, the commissioner shall draw
23 from curricula and instructional materials developed under Section
24 [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related
25 instructional materials under this section. Not later than
26 September 1, 2010, the State Board of Education shall adopt
27 essential knowledge and skills for each course developed under this

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

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

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

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

27 (b) A school district shall ensure that each student enrolls

1 in the courses necessary to complete the curriculum requirements
2 identified by the State Board of Education under Subsection (a) for
3 the foundation [~~recommended or advanced~~] high school program
4 [~~unless the student, the student's parent or other person standing~~
5 ~~in parental relation to the student, and a school counselor or~~
6 ~~school administrator agree in writing signed by each party that the~~
7 ~~student should be permitted to take courses under the minimum high~~
8 ~~school program and the student:~~

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

10 ~~[(2) has completed two credits required for graduation~~
11 ~~in each subject of the foundation curriculum under Section~~
12 ~~28.002(a)(1); or~~

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

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

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

21 (1) [(A)] four credits in English language arts [each
22 subject of the foundation curriculum] under Section
23 28.002(a)(1)(A), including one credit in English I, one credit in
24 English II, one credit in English III, and one credit in English IV
25 or an advanced English course authorized under Subsection (b-2);

26 (2) three credits in mathematics under Section
27 28.002(a)(1)(B), including one credit in Algebra I, one credit in

1 geometry, and one credit in Algebra II or an advanced mathematics
2 course authorized under Subsection (b-2);

3 (3) two credits in science under Section
4 28.002(a)(1)(C), including one credit in biology and one credit in
5 integrated physics and chemistry or an advanced science course
6 authorized under Subsection (b-2);

7 (4) three credits in social studies under Section
8 28.002(a)(1)(D) [~~28.002(a)(1)~~], including one credit in world
9 history, world geography, or an advanced social studies course
10 authorized under Subsection (b-2), one credit in United States
11 history, and at least one-half credit in government and at least
12 one-half credit in economics [~~to meet the social studies~~
13 requirement];

14 (5) [~~(B) for the recommended high school program,~~
15 two credits in the same language in a language other than English
16 under Section 28.002(a)(2)(A) [~~and, for the advanced high school~~
17 program, three credits in the same language in a language other than
18 English under Section 28.002(a)(2)(A)]; [~~and~~

19 (6) 10 [~~(C) for the recommended high school program,~~
20 six] elective credits [~~and, for the advanced high school program,~~
21 five elective credits];

22 (7) [~~(2) one or more credits offered in the required~~
23 curriculum for the recommended and advanced high school programs
24 include a research writing component, and

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

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

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

5 (b-2) In adopting rules under Subsection (b-1), the
6 State Board of Education shall provide for [~~allow~~] a student to
7 comply with the curriculum requirements for an advanced
8 English course under Subsection (b-1)(1) taken after
9 successful completion of English I, English II, and English
10 III, for an advanced [~~a~~] mathematics course under Subsection
11 (b-1)(2) [~~(b-1)(1)~~] taken after the successful completion of
12 Algebra I and geometry, for an advanced [~~and either after the~~
13 ~~successful completion of or concurrently with Algebra II or a~~
14 science course under Subsection (b-1)(3) [~~(b-1)(1)~~] taken
15 after the successful completion of biology, and for an advanced
16 social studies course under Subsection (b-1)(4) [~~and chemistry~~
17 ~~and either after the successful completion of or concurrently~~
18 ~~with physics] by successfully completing a course in the
19 appropriate content area that has been approved as an advanced
20 course [~~career and technical course designated by the State~~
21 ~~Board of Education as containing substantively similar and~~
22 ~~rigorous academic content. A student may use the option~~
23 ~~provided by this subsection for not more than two courses].~~~~

24 (b-3) In adopting rules for purposes of Subsection (b-2) [~~to~~
25 ~~provide students with the option described by Subsection~~
26 ~~(b-1)(1)(A)], the State Board of Education must approve a variety
27 of advanced English, mathematics, [and] science, and social studies~~

1 courses that may be taken [~~after the completion of Algebra II and~~
2 ~~physics~~] to comply with the foundation high school [~~recommended~~]
3 program requirements.

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

10 (b-5) A school district may offer a mathematics or science
11 course to be taken by a student after completion of Algebra II and
12 integrated physics and chemistry or another advanced science course
13 authorized under Subsection (b-2) [~~to comply with the recommended~~
14 ~~program requirements in Subsection (b-1)(1)(A)~~]. A course
15 approved under this subsection must be endorsed by an institution
16 of higher education as a course for which the institution would
17 award course credit or as a prerequisite for a course for which the
18 institution would award course credit.

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

1 (b-9) The agency shall establish a pilot program allowing a
2 student attending school in a county with a population of more than
3 one million and in which more than 75 percent of the population
4 resides in a single municipality to satisfy the fine arts credit
5 required under Subsection (b-1)(7) [~~(b-1)(3)(A)~~] by participating
6 in a fine arts program not provided by the school district in which
7 the student is enrolled. The fine arts program may be provided on
8 or off a school campus and outside the regular school day. [~~Not~~
9 ~~later than December 1, 2010, the agency shall provide to the~~
10 ~~legislature a report regarding the pilot program, including the~~
11 ~~feasibility of expanding the pilot program statewide.~~]

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

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

1 regarding a student's ability to participate in physical activity
2 will be made by:

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

6 (2) if the student does not receive special education
7 services under Subchapter A, Chapter 29, but is covered by Section
8 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
9 committee established for the student under that Act; or

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

14 (b-13) The commissioner may adopt courses in English
15 language arts, mathematics, science, and social studies under
16 Subsection (b-2) as advanced courses that satisfy the requirements
17 of the foundation high school program.

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

24 (1) science, technology, engineering, and
25 mathematics, which includes courses directly related to
26 technology, advanced mathematics and sciences, engineering, and
27 environmental systems;

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

6 (3) human services, which includes courses directly
7 related to health sciences and occupations, education, law,
8 culinary arts, hospitality, and agricultural science;

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

12 (5) general studies, which includes five credits to be
13 taken from a combination of other endorsements, listed under this
14 subsection.

15 (c-3) The commissioner may adopt additional areas of study
16 to be added to a category of endorsement under Subsection (c-1) and
17 courses that may be taken to satisfy a category of endorsement.

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

26 (e-1) A school district shall clearly indicate an
27 endorsement described by Subsection (c-1) on the diploma and

1 transcript of a student who satisfies the applicable requirements.
2 The State Board of Education shall adopt rules as necessary to
3 administer this subsection.

4 (h) The commissioner by rule shall adopt a transition plan
5 to implement and administer the amendments made by __.B. No. __,
6 83rd Legislature, Regular Session, 2013, replacing the minimum,
7 recommended, and advanced high school programs with the foundation
8 high school program beginning with the 2014-2015 school year.
9 Under the transition plan, a student who entered the ninth grade
10 before the 2014-2015 school year must be permitted to complete the
11 curriculum requirements required for high school graduation under:

12 (1) the foundation high school program, if the student
13 chooses during the 2014-2015 school year to take courses under that
14 program;

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

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

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

27 (h-1) This subsection and Subsection (h) expire September

1 1, 2018.

2 SECTION 5. Section 28.0253(e), Education Code, is amended
3 to read as follows:

4 (e) A student who receives a high school diploma through the
5 pilot program is considered to have completed the foundation
6 ~~[recommended]~~ high school program adopted under Section 28.025
7 ~~[28.025(a)]~~. The student is not guaranteed admission to any
8 institution of higher education or to any academic program at an
9 institution of higher education solely on the basis of having
10 received the diploma through the program.

11 SECTION 6. Section 28.027(b), Education Code, is amended to
12 read as follows:

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

1 ~~successful completion of or concurrently with physics]~~.

2 SECTION 7. Section 29.096(e), Education Code, is amended to
3 read as follows:

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

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

13 (2) have as a primary goal graduation from high school
14 ~~[under at least the recommended high school 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 8. Section 29.402(b), Education Code, is amended to
5 read as follows:

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

9 (1) must complete not more than three course credits
10 to complete the curriculum requirements [~~for the minimum,~~
11 ~~recommended, or advanced high school program, as appropriate,~~] for
12 high school graduation; or

13 (2) has failed to perform satisfactorily on an
14 end-of-course assessment instrument administered under Section
15 39.023(c) or an assessment instrument administered under Section
16 39.023(c) as that section existed before amendment by Chapter 1312
17 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

18 SECTION 9. Section 29.904(d), Education Code, is amended to
19 read as follows:

20 (d) A plan developed under this section:

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

26 (2) must establish an accurate method of measuring
27 progress toward the goals established under Subdivision (1) that

1 may include the percentage of district high school students and the
2 percentage of students attending a district high school described
3 by Subsection (a) who:

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

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

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

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

18 (E) graduate from high school;

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

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

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

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

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

1 (b) During the first school year a student is enrolled in a
2 high school or at the high school level in an open-enrollment
3 charter school, and again during a student's senior year, a
4 counselor shall provide information about higher education to the
5 student and the student's parent or guardian. The information must
6 include information regarding:

7 (1) the importance of higher education;

8 (2) ~~the advantages of completing the recommended or~~
9 ~~advanced high school program adopted under Section 28.025(a);~~

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

13 (3) ~~(4)~~ financial aid eligibility;

14 (4) ~~(5)~~ instruction on how to apply for federal
15 financial aid;

16 (5) ~~(6)~~ the center for financial aid information
17 established under Section 61.0776;

18 (6) ~~(7)~~ the automatic admission of certain students
19 to general academic teaching institutions as provided by Section
20 51.803;

21 (7) ~~(8)~~ the eligibility and academic performance
22 requirements for the TEXAS Grant as provided by Subchapter M,
23 Chapter 56; and

24 (8) ~~(9)~~ the availability of programs in the district
25 under which a student may earn college credit, including advanced
26 placement programs, dual credit programs, joint high school and
27 college credit programs, and international baccalaureate programs.

1 SECTION 11. (a) Section 39.023(c), Education Code, is
2 amended to read as follows:

3 (c) The agency shall also adopt end-of-course assessment
4 instruments for secondary-level courses in Algebra I, Algebra II,
5 geometry, biology, chemistry, physics, English I, English II,
6 English III, world geography, world history, and United States
7 history. The Algebra I, Algebra II, and geometry end-of-course
8 assessment instruments must be administered with the aid of
9 technology. A school district shall comply with State Board of
10 Education rules regarding administration of the assessment
11 instruments listed in this subsection [~~and shall adopt a policy~~
12 ~~that requires a student's performance on an end-of-course~~
13 ~~assessment instrument for a course listed in this subsection in~~
14 ~~which the student is enrolled to account for 15 percent of the~~
15 ~~student's final grade for the course. If a student retakes an~~
16 ~~end-of-course assessment instrument for a course listed in this~~
17 ~~subsection, as provided by Section 39.025, a school district is not~~
18 ~~required to use the student's performance on the subsequent~~
19 ~~administration or administrations of the assessment instrument to~~
20 ~~determine the student's final grade for the course)]. If a student
21 is in a special education program under Subchapter A, Chapter 29,
22 the student's admission, review, and dismissal committee shall
23 determine whether any allowable modification is necessary in
24 administering to the student an assessment instrument required
25 under this subsection. The State Board of Education shall
26 administer the assessment instruments. The State Board of
27 Education shall adopt a schedule for the administration of~~

1 end-of-course assessment instruments that complies with the
2 requirements of Subsection (c-3).

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

5 SECTION 12. (a) Sections 39.025(a), (a-1), and (b-2),
6 Education Code, are amended to read as follows:

7 (a) The commissioner shall adopt rules requiring a student
8 participating in the recommended or advanced high school program to
9 be administered each end-of-course assessment instrument listed in
10 Section 39.023(c) and requiring a student participating in the
11 minimum high school program to be administered an end-of-course
12 assessment instrument listed in Section 39.023(c) only for a course
13 in which the student is enrolled and for which an end-of-course
14 assessment instrument is administered. A student is required to
15 achieve[~~, in each subject in the foundation curriculum under~~
16 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~
17 ~~the product of the number of end-of-course assessment instruments~~
18 ~~administered to the student in that subject and]~~ a scale score that
19 indicates satisfactory performance, as determined by the
20 commissioner under Section 39.0241(a), on the Algebra I, English
21 III, biology, and United States history end-of-course assessment
22 instruments administered under Section 39.023(c). [~~A student must~~
23 ~~achieve a minimum score as determined by the commissioner to be~~
24 ~~within a reasonable range of the scale score under Section~~
25 ~~39.0241(a) on an end-of-course assessment instrument for the score~~
26 ~~to count towards the student's cumulative score. For purposes of~~
27 ~~this subsection, a student's cumulative score is determined using~~

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

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

22 (b-2) If a school district determines that a student, on
23 completion of grade 11, is unlikely to achieve the [~~cumulative~~
24 score requirement under this section] [~~requirements~~] for one or more
25 end-of-course assessment instruments [~~subjects~~] prescribed under
26 [~~by~~] Subsection (a) for receiving a high school diploma, the
27 district shall require the student to enroll in a corresponding

1 content-area college preparatory course for which an end-of-course
 2 assessment instrument has been adopted, if available. A student
 3 who enrolls in a college preparatory course described by this
 4 subsection shall be administered an end-of-course assessment
 5 instrument for the course, with the end-of-course assessment
 6 instrument scored on a scale as determined by the commissioner [~~not~~
 7 ~~to exceed 20 percent of the cumulative score requirements required~~
 8 ~~to graduate as determined under Subsection (a)~~]. A student may use
 9 the student's score on the end-of-course assessment instrument for
 10 the college preparatory course towards satisfying the [~~cumulative~~
 11 score requirement under this section [~~requirements prescribed by~~
 12 ~~Subsection (a)~~].

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

15 SECTION 13. Effective September 1, 2014, Section 39.025(a),
 16 Education Code, is amended to read as follows:

17 (a) The commissioner shall adopt rules requiring a student
 18 [~~participating~~] in the foundation [~~recommended or advanced~~] high
 19 school program under Section 28.025 to be administered [~~each~~
 20 ~~end-of-course assessment instrument listed in Section 39.023(c)~~
 21 ~~and requiring a student participating in the minimum high school~~
 22 ~~program to be administered~~] an end-of-course assessment instrument
 23 listed in Section 39.023(c) only for a course in which the student
 24 is enrolled and for which an end-of-course assessment instrument is
 25 administered. A student is required to achieve [~~7, in each subject in~~
 26 ~~the foundation curriculum under Section 28.002(a)(1), a cumulative~~
 27 ~~score that is at least equal to the product of the number of~~

1 ~~end-of-course assessment instruments administered to the student~~
2 ~~in that subject and]~~ a scale score that indicates satisfactory
3 performance, as determined by the commissioner under Section
4 39.0241(a), on the Algebra I, English III, biology, and United
5 States history end-of-course assessment instruments administered
6 under Section 39.023(c). [~~A student must achieve a minimum score~~
7 ~~as determined by the commissioner to be within a reasonable range of~~
8 ~~the scale score under Section 39.0241(a) on an end-of-course~~
9 ~~assessment instrument for the score to count towards the student's~~
10 ~~cumulative score. For purposes of this subsection, a student's~~
11 ~~cumulative score is determined using the student's highest score on~~
12 ~~each end-of-course assessment instrument administered to the~~
13 ~~student.] A student may not receive a high school diploma until
14 the student has performed satisfactorily on [~~the~~] end-of-course
15 assessment instruments in the manner provided under this
16 subsection. This subsection does not require a student to
17 demonstrate readiness to enroll in an institution of higher
18 education.~~

19 SECTION 14. Section 39.053(f), Education Code, is amended
20 to read as follows:

21 (f) Annually, the commissioner shall define the state
22 standard for the current school year for each student achievement
23 indicator described by Subsection (c) and shall project the state
24 standards for each indicator for the following two school years.
25 The commissioner shall periodically raise the state standards for
26 the student achievement indicator described by Subsection
27 (c)(1)(B)(i) for accreditation as necessary to reach the goals of

1 achieving, by not later than the 2019-2020 school year:

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

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

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

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

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

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

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

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

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

27 (6) in response to an allegation involving a conflict

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

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

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

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

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

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

1 (11) [~~(12)~~] when resource allocation practices as
2 evaluated under Section 39.0821 indicate a potential for
3 significant improvement in resource allocation; or

4 (12) [~~(13)~~] as the commissioner otherwise determines
5 necessary.

6 SECTION 16. Section 39.301(c), Education Code, is amended
7 to read as follows:

8 (c) Indicators for reporting purposes must include:

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

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

17 (2) [~~(3)~~] for students who have failed to perform
18 satisfactorily, under each performance standard under Section
19 39.0241, on an assessment instrument required under Section
20 39.023(a) or (c), the performance of those students on subsequent
21 assessment instruments required under those sections, aggregated
22 by grade level and subject area;

23 (3) [~~(4)~~ ~~for each campus, the number of students,~~
24 ~~disaggregated by major student subpopulations, that agree under~~
25 ~~Section 28.025(b) to take courses under the minimum high school~~
26 ~~program,~~

27 [~~(5)~~] the percentage of students, aggregated by grade

1 level, provided accelerated instruction under Section 28.0211(c),
2 the results of assessment instruments administered under that
3 section, the percentage of students promoted through the grade
4 placement committee process under Section 28.0211, the subject of
5 the assessment instrument on which each student failed to perform
6 satisfactorily under each performance standard under Section
7 39.0241, and the performance of those students in the school year
8 following that promotion on the assessment instruments required
9 under Section 39.023;

10 (4) [~~(6)~~] the percentage of students of limited
11 English proficiency exempted from the administration of an
12 assessment instrument under Sections 39.027(a)(1) and (2);

13 (5) [~~(7)~~] the percentage of students in a special
14 education program under Subchapter A, Chapter 29, assessed through
15 assessment instruments developed or adopted under Section
16 39.023(b);

17 (6) [~~(8)~~] the percentage of students who satisfy the
18 college readiness measure;

19 (7) [~~(9)~~] the measure of progress toward dual language
20 proficiency under Section 39.034(b), for students of limited
21 English proficiency, as defined by Section 29.052;

22 (8) [~~(10)~~] the percentage of students who are not
23 educationally disadvantaged;

24 (9) [~~(11)~~] the percentage of students who enroll and
25 begin instruction at an institution of higher education in the
26 school year following high school graduation; and

27 (10) [~~(12)~~] the percentage of students who

1 successfully complete the first year of instruction at an
2 institution of higher education without needing a developmental
3 education course.

4 SECTION 17. Section 39.305(b), Education Code, is amended
5 to read as follows:

6 (b) The report card shall include the following
7 information:

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

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

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

14 (4) the district's instructional expenditures ratio
15 and instructional employees ratio computed under Section 44.0071,
16 and the statewide average of those ratios, as determined by the
17 commissioner.

18 SECTION 18. Section 51.3062(q-1), Education Code, is
19 amended to read as follows:

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

1 is valid.

2 SECTION 19. Sections 51.803(a) and (d), Education Code, are
3 amended to read as follows:

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

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

15 (2) the applicant:

16 (A) successfully completed:

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

20 (ii) at a high school to which Section
21 28.025 does not apply, a curriculum that is equivalent in content
22 and rigor to the foundation [~~recommended or advanced~~] high school
23 program; or

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

1 (3) if the applicant graduated from a high school
2 operated by the United States Department of Defense, the applicant
3 is a Texas resident under Section 54.052 or is entitled to pay
4 tuition fees at the rate provided for Texas residents under Section
5 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

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

9 [~~(1)~~] whether the student has satisfied or is on
10 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
11 (ii), as applicable[~~, or~~

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

16 SECTION 20. Section 51.804, Education Code, is amended to
17 read as follows:

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

25 (1) graduated from a public or private high school in
26 this state accredited by a generally recognized accrediting
27 organization with a grade point average in the top 25 percent of the

1 applicant's high school graduating class; and

2 (2) satisfies the requirements of:

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

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

6 SECTION 21. Section 51.805(a), Education Code, is amended
7 to read as follows:

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

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

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

14 SECTION 22. Section 51.807(b), Education Code, is amended
15 to read as follows:

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

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

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

25 SECTION 23. Subchapter A, Chapter 56, Education Code, is
26 amended by adding Section 56.009 to read as follows:

27 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN

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

11 SECTION 24. Section 61.0517(a), Education Code, is amended
12 to read as follows:

13 (a) In this section, "applied STEM course" means an applied
14 science, technology, engineering, or mathematics course offered as
15 part of a school district's career and technology education
16 curriculum and approved, as provided by Section 28.027, by the
17 State Board of Education for purposes of satisfying the mathematics
18 and science curriculum requirements for the foundation
19 ~~[recommended]~~ high school program ~~[imposed]~~ under Section 28.025
20 ~~[28.025(b-1)(1)(A)]~~.

21 SECTION 25. Section 61.792(b), Education Code, is amended
22 to read as follows:

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

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

27 (2) have graduated from high school with a grade point

1 average of at least 3.5 on a four-point scale or the equivalent in
2 mathematics and science courses offered under the foundation
3 [~~recommended or advanced~~] high school program under Section 28.025
4 [~~28.025(a)~~]; and

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

9 SECTION 26. Section 61.852(a), Education Code, is amended
10 to read as follows:

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

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

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

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

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

25 (5) builds student competence in mathematics,
26 science, reading, writing, communications, economics, and
27 workplace skills through applied, contextual academics and

1 integrated instruction in a coherent sequence of courses;

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

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

9 SECTION 27. Section 61.855(d), Education Code, is amended
10 to read as follows:

11 (d) A tech-prep program must:

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

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

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

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

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

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

1 (A) meets academic standards developed by the
2 state;

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

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

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

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

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

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

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

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

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

1 (6) include training programs for counselors designed
2 to enable counselors to more effectively:

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

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

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

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

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

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

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

19 SECTION 28. Section 61.861(c), Education Code, is amended
20 to read as follows:

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

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

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

27 (3) be offered for dual credit; and

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

4 SECTION 29. Section 61.864, Education Code, is amended to
5 read as follows:

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

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

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

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

19 SECTION 30. Section 78.10(b), Education Code, is amended to
20 read as follows:

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

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

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

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

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

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

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

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

27 SECTION 31. Section 87.505(b), Education Code, is amended

1 to read as follows:

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

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

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

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

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

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

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

26 (2) to provide students with an awareness of
27 international career and professional development opportunities

1 through seminars, workshops, collaboration with postsecondary
2 students from other countries, summer academic international
3 studies internships in foreign countries, and similar methods; and

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

9 SECTION 32. The following provisions of the Education Code
10 are repealed:

- 11 (1) Section 28.002(q);
- 12 (2) Sections 28.025(b-6), (b-8), and (g);
- 13 (3) Sections 39.025(a-2) and (a-3); and
- 14 (4) Section 51.803(b).

15 SECTION 33. Section 39.025, Education Code, as amended by
16 Sections 12 and 13 of this Act, as related to reducing end-of-course
17 testing requirements applies only to students who have entered or
18 will enter the ninth grade during the 2011-2012 school year or a
19 later school year.

20 SECTION 34. Except as otherwise provided by this Act, this
21 Act applies beginning with the 2014-2015 school year.

22 SECTION 35. Except as otherwise provided by this Act:

23 (1) this Act takes effect immediately if it receives a
24 vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution; and

26 (2) if this Act does not receive the vote necessary for
27 immediate effect, this Act takes effect September 1, 2013.