

By: Hinojosa

S.B. No. 1344

A BILL TO BE ENTITLED

AN ACT

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

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

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

(e) The rules must:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 Sec. 28.014. COLLEGE AND WORKFORCE PREPARATORY COURSES.

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

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

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

11 (2) to prepare students for success:

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

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

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

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

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

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

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

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

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

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

1 that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (7) include matching funds from any of the

1 participating entities; and

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

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

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

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

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

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

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

22 (B) leads to:

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

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

27 (C) includes opportunities for students to earn

1 college credit for coursework; and

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

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

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

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

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

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

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

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

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

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

4 (d) A plan developed under this section:

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

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

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

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

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

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

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

3 (E) graduate from high school;

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

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

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

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

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

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

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

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

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

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

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

9 (D) enrichment curriculum subjects.

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

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

18 (1) the importance of higher education;

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

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

25 (4) financial aid eligibility;

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (4) in response to established compliance reviews of

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (B) a postsecondary technical program;

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

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

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

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

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

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

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

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

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

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

10 (2) the applicant:

11 (A) successfully completed:

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

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

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

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

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

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

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

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

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

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

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

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

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

27 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (d) A tech-prep program must:

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

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

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

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

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

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

27 (A) meets academic standards developed by the

1 state;

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

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

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

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

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

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

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

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

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

27 (6) include training programs for counselors designed

1 to enable counselors to more effectively:

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

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

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

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

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

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

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

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

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

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

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

26 (3) be offered for dual credit; and

27 (4) satisfy a mathematics or science requirement under

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

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

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

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

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

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

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

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

23 (1) Section 28.002(q);

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

25 (3) Section 28.025(d);

26 (4) Section 28.027;

27 (5) Section 42.154(d); and

1 (6) Section 61.0517.

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

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