

By: West

S.B. No. 1618

A BILL TO BE ENTITLED

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

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

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

7 (e) The rules must:

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

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

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

14 (2) require a school district to demonstrate, as a  
15 condition of eligibility for a grant, that the existing district  
16 science laboratories are insufficient in number to comply with the  
17 curriculum requirements imposed for the foundation [~~recommended~~  
18 ~~and advanced~~] high school program [~~programs~~] under Section 28.025  
19 [~~28.025(b-1)(1)~~]; and

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

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

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

3 (f) A school district may offer courses for local credit in  
4 addition to those in the required curriculum. The State Board of  
5 Education shall be flexible in approving a course for credit for  
6 high school graduation under this subsection. A district may also  
7 offer courses for local credit without obtaining State Board of  
8 Education approval if:

9 (1) the district develops a program under which the  
10 district partners with a public or private institution of higher  
11 education and local business and community leaders to develop and  
12 provide the courses; and

13 (2) the courses prepare students to enter:

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

16 (B) an institution of higher education without  
17 remediation.

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

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

22 (a) The commissioner of education and the commissioner of  
23 higher education shall develop and recommend to the State Board of  
24 Education for adoption under Section 28.002 the essential knowledge  
25 and skills of courses in college preparatory mathematics, science,  
26 social studies, and English language arts. The courses must be  
27 designed:

1           (1) for students at the 12th grade level who do not  
2 meet college readiness standards on an end-of-course assessment  
3 instrument required under Section 39.023(c) or an end-of-course  
4 assessment instrument adopted under Section 39.023(c-2); and

5           (2) to prepare students for success in entry-level  
6 college courses.

7           (c) The agency, in consultation with the Texas Higher  
8 Education Coordinating Board, shall adopt an end-of-course  
9 assessment instrument for each course developed under this section  
10 to ensure the rigor of the course. A school district shall, in  
11 accordance with State Board of Education rules, administer the  
12 end-of-course assessment instrument to a student enrolled in a  
13 course developed under this section. A [Each] school district may  
14 [shall] adopt a policy that requires a student's performance on the  
15 end-of-course assessment instrument to be considered in  
16 determining [account for 15 percent of] the student's final grade  
17 for the course. [A student's performance on an end-of-course  
18 assessment instrument administered under this subsection may be  
19 used, on a scale of 0-40, in calculating whether the student  
20 satisfies the graduation requirements established under Section  
21 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. (a) Section 28.014(b), Education Code, is  
13 amended to read as follows:

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

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

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

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

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

10 (b) A school district shall ensure that each student enrolls  
11 in the courses necessary to complete the curriculum requirements  
12 identified by the State Board of Education under Subsection (a) for  
13 the foundation [~~recommended or advanced~~] high school program  
14 [~~unless the student, the student's parent or other person standing~~  
15 ~~in parental relation to the student, and a school counselor or~~  
16 ~~school administrator agree in writing signed by each party that the~~  
17 ~~student should be permitted to take courses under the minimum high~~  
18 ~~school program and the student:~~

19 [(1) ~~is at least 16 years of age,~~

20 [(2) ~~has completed two credits required for graduation~~  
21 ~~in each subject of the foundation curriculum under Section~~  
22 ~~28.002(a)(1), or~~

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

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

27 [(1) ~~except as provided by Subsection (b-2),~~] the

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

4 (1) [(A)] four credits in English language arts [each  
5 ~~subject of the foundation curriculum]~~ under Section  
6 28.002(a)(1)(A), including one credit in English I, one credit in  
7 English II, one credit in English III, and one credit in an advanced  
8 English course authorized under Subsection (b-2);

9 (2) three credits in mathematics under Section  
10 28.002(a)(1)(B), including one credit in Algebra I, one credit in  
11 geometry, and one credit in any advanced mathematics course  
12 authorized under Subsection (b-2);

13 (3) two credits in science under Section  
14 28.002(a)(1)(C), including one credit in biology and one credit in  
15 integrated physics and chemistry or any advanced science course  
16 authorized under Subsection (b-2);

17 (4) three credits in social studies under Section  
18 28.002(a)(1)(D) [28.002(a)(1)], including one credit in world  
19 geography, one credit in United States history, and at least  
20 one-half credit in government and at least one-half credit in  
21 economics [~~to meet the social studies requirement~~];

22 (5) except as provided under Subsection (b-12)  
23 [(B) for the recommended high school program], two credits in the  
24 same language in a language other than English under Section  
25 28.002(a)(2)(A) [~~and, for the advanced high school program, three~~  
26 ~~credits in the same language in a language other than English under~~  
27 ~~Section 28.002(a)(2)(A)]~~; [and]

1           (6) eight [~~(C) for the recommended high school~~  
2 ~~program, six]~~ elective credits [~~and, for the advanced high school~~  
3 ~~program, five elective credits]~~;

4           (7) [~~(2) one or more credits offered in the required~~  
5 ~~curriculum for the recommended and advanced high school programs~~  
6 ~~include a research writing component, and~~

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

10           [~~(A)]~~ one credit in fine arts under Section  
11 28.002(a)(2)(D); and

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

14           (b-2) In adopting rules under Subsection (b-1), the State  
15 Board of Education shall provide for [~~allow~~] a student to comply  
16 with the curriculum requirements for an advanced English course  
17 under Subsection (b-1)(1) taken after successful completion of  
18 English I, English II, and English III, for an advanced [~~a~~]  
19 mathematics course under Subsection (b-1)(2) [~~(b-1)(1)]~~ taken  
20 after the successful completion of Algebra I and geometry, and for  
21 an advanced [~~either after the successful completion of or~~  
22 ~~concurrently with Algebra II or a]~~ science course under Subsection  
23 (b-1)(3) [~~(b-1)(1) taken after the successful completion of biology~~  
24 ~~and chemistry and either after the successful completion of or~~  
25 ~~concurrently with physics]~~ by successfully completing a course in  
26 the appropriate content area that has been approved as an advanced  
27 course by board rule or that is offered as an advanced course for

1 local credit without board approval as provided by Section  
2 28.002(f) [~~career and technical course designated by the State~~  
3 ~~Board of Education as containing substantively similar and rigorous~~  
4 ~~academic content. A student may use the option provided by this~~  
5 ~~subsection for not more than two courses~~].

6 (b-3) In adopting rules for purposes of Subsection (b-2) [~~to~~  
7 ~~provide students with the option described by Subsection~~  
8 ~~(b-1)(1)(A)~~], the State Board of Education must approve a variety  
9 of advanced English, mathematics, and science courses that may be  
10 taken [~~after the completion of Algebra II and physics~~] to comply  
11 with the foundation high school [~~recommended~~] program  
12 requirements.

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

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

27 (b-7) The State Board of Education, in coordination with the



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

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

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

26 (b-11) In adopting rules under Subsection (b-1), the State  
27 Board of Education shall allow a student who is unable to

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

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

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

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

22 (b-12) In adopting rules under Subsection (b-1), the State  
23 Board of Education shall adopt criteria to allow a student to comply  
24 with the curriculum requirements for the two credits in a language  
25 other than English required under Subsection (b-1)(5) by  
26 substituting two credits in American Sign Language or two credits  
27 in computer programming languages.

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

6           (1) science, technology, engineering, and mathematics  
7 (STEM), which includes courses directly related to science,  
8 including environmental science, technology, engineering, and  
9 advanced mathematics;

10          (2) business and industry, which includes courses  
11 directly related to database management, information technology,  
12 communications, accounting, finance, marketing, graphic design,  
13 architecture, construction, welding, logistics, automotive  
14 technology, and heating, ventilation, and air conditioning;

15          (3) public services, which includes courses directly  
16 related to health sciences and occupations, education and training,  
17 law enforcement, culinary arts and hospitality, and agricultural  
18 science; and

19          (4) arts and humanities, which includes courses  
20 directly related to political science, world languages, cultural  
21 studies, English literature, history, and fine arts.

22       (c-2) A student may earn a distinguished performance  
23 acknowledgment on the student's diploma and transcript by  
24 satisfying the requirements for that acknowledgment adopted by the  
25 State Board of Education by rule. An acknowledgment under this  
26 subsection may be earned:

27           (1) for outstanding performance:

1                   (A) in a dual credit course;

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

4                   (C) on a Preliminary Scholastic Assessment Test  
5 (PSAT), a preliminary American College Test (ACT), the Scholastic  
6 Assessment Test (SAT), or the American College Test (ACT); or

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

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

17           (e-1) A school district shall clearly indicate an  
18 endorsement described by Subsection (c-1) and a distinguished  
19 performance acknowledgment described by Subsection (c-2) on the  
20 diploma and transcript of a student who satisfies the applicable  
21 requirements. The State Board of Education shall adopt rules as  
22 necessary to administer this subsection.

23           (h) The commissioner by rule shall adopt a transition plan  
24 to implement and administer the amendments made by \_\_. B. No. \_\_,  
25 83rd Legislature, Regular Session, 2013, replacing the minimum,  
26 recommended, and advanced high school programs with the foundation  
27 high school program beginning with the 2014-2015 school year.

1 Under the transition plan, a student who entered the ninth grade  
2 before the 2014-2015 school year must be permitted to complete the  
3 curriculum requirements required for high school graduation under:

4 (1) the foundation high school program, if the student  
5 chooses during the 2014-2015 school year to take courses under this  
6 program;

7 (2) the minimum high school program, as that program  
8 existed before the adoption of \_\_\_B. No. \_\_\_, 83rd Legislature,  
9 Regular Session, 2013, if the student was participating in that  
10 program before the 2014-2015 school year;

11 (3) the recommended high school program, as that  
12 program existed before the adoption of \_\_\_B. No. \_\_\_, 83rd  
13 Legislature, Regular Session, 2013, if the student was  
14 participating in that program before the 2014-2015 school year; or

15 (4) the advanced 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 (h-1) This subsection and Subsection (h) expire September  
20 1, 2018.

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

23 SECTION 6. (a) Section 28.0253(e), Education Code, is  
24 amended to read as follows:

25 (e) A student who receives a high school diploma through the  
26 pilot program is considered to have completed the foundation  
27 ~~[recommended]~~ high school program adopted under Section 28.025

1 ~~[28.025(a)]~~. The student is not guaranteed admission to any  
2 institution of higher education or to any academic program at an  
3 institution of higher education solely on the basis of having  
4 received the diploma through the program.

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

7 SECTION 7. (a) Section 28.027(b), Education Code, is  
8 amended to read as follows:

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

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

27 SECTION 8. (a) Section 29.0821(a), Education Code, is

1 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

13           SECTION 10. (a) Section 29.402(b), Education Code, is  
14 amended to read as follows:

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

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

22           (2) has failed to perform satisfactorily on an  
23 end-of-course assessment instrument administered under Section  
24 39.023(c) or an assessment instrument administered under Section  
25 39.023(c) as that section existed before amendment by Chapter 1312  
26 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

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



1 school year.

2 SECTION 11. (a) Section 29.904(d), Education Code, is  
3 amended 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 the foundation [~~recommended or~~  
22 ~~advanced~~] high school program as determined under Section 28.025;

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

25 (D) are exempt under Section 51.3062(p) or (q)  
26 from administration of an assessment instrument under Section  
27 51.3062 or have performed successfully on an assessment instrument

1 under Section 51.3062;

2 (E) graduate from high school;

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

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

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

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

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

12 SECTION 12. (a) Section 30A.110(b), Education Code, is  
13 amended to read as follows:

14 (b) Each student enrolled under this chapter in an  
15 electronic course offered through the state virtual school network  
16 must take any assessment instrument under Section 39.023(a), (b),  
17 (c), or (1) [~~39.023~~] that is administered to students who are  
18 provided instruction in the course material in the traditional  
19 classroom setting. The administration of the assessment  
20 instrument to the student enrolled in the electronic course must be  
21 supervised by a proctor.

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

24 SECTION 13. (a) Section 33.007(b), Education Code, is  
25 amended to read as follows:

26 (b) During the first school year a student is enrolled in a  
27 high school or at the high school level in an open-enrollment

1 charter school, and again during a student's senior year, a  
2 counselor shall provide information about higher education to the  
3 student and the student's parent or guardian. The information must  
4 include information regarding:

5 (1) the importance of higher education;

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

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

11 (3) ~~(4)~~ financial aid eligibility;

12 (4) ~~(5)~~ instruction on how to apply for federal  
13 financial aid;

14 (5) ~~(6)~~ the center for financial aid information  
15 established under Section 61.0776;

16 (6) ~~(7)~~ the automatic admission of certain students  
17 to general academic teaching institutions as provided by Section  
18 51.803;

19 (7) ~~(8)~~ the eligibility and academic performance  
20 requirements for the TEXAS Grant as provided by Subchapter M,  
21 Chapter 56; and

22 (8) ~~(9)~~ the availability of programs in the district  
23 under which a student may earn college credit, including advanced  
24 placement programs, dual credit programs, joint high school and  
25 college credit programs, and international baccalaureate programs.

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

1 SECTION 14. (a) Section 33.0812(a), Education Code, is  
2 amended to read as follows:

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

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

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

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

15 SECTION 15. (a) Section 39.023, Education Code, is amended  
16 by amending Subsections (a), (a-1), (c), (c-2), and (c-3) and  
17 adding Subsections (a-3), (a-4), (a-5), (a-6), (a-7), (a-8), and  
18 (c-7) to read as follows:

19 (a) The agency shall adopt or develop appropriate  
20 criterion-referenced assessment instruments designed to assess  
21 essential knowledge and skills in reading, writing, mathematics,  
22 [~~social studies,~~] and science. Except as provided by Subsection  
23 (a-2), all students, other than students assessed under Subsection  
24 (b) or (l) or exempted under Section 39.027, shall be assessed in:

25 (1) mathematics[~~, annually~~] in grades three and five  
26 [~~through seven~~] without the aid of technology and in grade eight  
27 with the aid of technology on any assessment instrument that

1 includes algebra;

2 (2) reading[, ~~annually~~] in grades three, five, and  
3 ~~[through]~~ eight;

4 (3) writing, including spelling and grammar, in grades  
5 four and seven;

6 (4) ~~[social studies, in grade eight,~~

7 ~~[(5)]~~ science, in grade ~~[grades five and]~~ eight; and

8 (5) ~~[(6)]~~ any other subject and grade required by  
9 federal law.

10 (a-1) The agency shall develop assessment instruments  
11 required under Subsections ~~[Subsection]~~ (a), (a-3), (a-4), (a-5),  
12 and (a-6) in a manner that allows, to the extent practicable:

13 (1) the score a student receives to provide reliable  
14 information relating to a student's satisfactory performance for  
15 each performance standard under Section 39.0241; and

16 (2) an appropriate range of performances to serve as a  
17 valid indication of growth in student achievement.

18 (a-3) A student shall be assessed in grade four in a subject  
19 for which an assessment instrument is administered under Subsection  
20 (a) in grade three if, on the final assessment instrument in that  
21 subject administered under Subsection (a) to the student in grade  
22 three during the preceding school year, the student did not achieve  
23 a scale score equal to or greater than the scale score that  
24 indicates satisfactory performance on that assessment instrument,  
25 as determined by the commissioner under Section 39.0241(a).

26 (a-4) A student shall be assessed in grade five in a subject  
27 for which an assessment instrument is administered under Subsection

1 (a) in grade four if, on the final assessment instrument in that  
2 subject administered under Subsection (a) to the student in grade  
3 four during the preceding school year, the student did not achieve a  
4 scale score equal to or greater than the scale score that indicates  
5 satisfactory performance on that assessment instrument, as  
6 determined by the commissioner under Section 39.0241(a).

7 (a-5) A student shall be assessed in grade six in a subject  
8 for which an assessment instrument is administered under Subsection  
9 (a) in grade five if, on the final assessment instrument in that  
10 subject administered under Subsection (a) to the student in grade  
11 five during the preceding school year, the student did not achieve a  
12 scale score equal to or greater than the scale score that indicates  
13 satisfactory performance on that assessment instrument, as  
14 determined by the commissioner under Section 39.0241(a).

15 (a-6) A student shall be assessed in grade eight in a  
16 subject for which an assessment instrument is administered under  
17 Subsection (a) in grade seven if, on the final assessment  
18 instrument in that subject administered under Subsection (a) to the  
19 student in grade seven during the preceding school year, the  
20 student did not achieve a scale score equal to or greater than the  
21 scale score that indicates satisfactory performance on that  
22 assessment instrument, as determined by the commissioner under  
23 Section 39.0241(a).

24 (a-7) The results of an assessment instrument administered  
25 under Subsection (a-3), (a-4), (a-5), or (a-6) may not be included  
26 as a student achievement indicator under Section 39.053 or any  
27 other provision of this code.

1        (a-8) If there is a conflict between this section and  
2 federal law as a result of forgoing under this section certain  
3 administration of assessment instruments to students who have  
4 recently performed successfully on assessment instruments  
5 assessing the same subject, the commissioner shall seek a waiver  
6 from the application of conflicting federal law.

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

1 any allowable modification is necessary in administering to the  
2 student an assessment instrument required under this subsection.  
3 The State Board of Education shall administer the assessment  
4 instruments. The State Board of Education shall adopt a schedule  
5 for the administration of end-of-course assessment instruments  
6 specified in this subsection and Subsection (c-2) that complies  
7 with the requirements of Subsection (c-3).

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

20 (c-3) In adopting a schedule for the administration of  
21 assessment instruments under this section, the State Board of  
22 Education [~~shall require~~]:

23 (1) shall require assessment instruments administered  
24 under Subsection (a) to be administered on a schedule so that the  
25 first assessment instrument is administered at least two weeks  
26 later than the date on which the first assessment instrument was  
27 administered under Subsection (a) during the 2006-2007 school year;



1 ~~and~~

2 (2) shall require the spring administration of  
3 end-of-course assessment instruments under Subsection (c) or the  
4 end-of-course assessment instrument in Algebra II under Subsection  
5 (c-2) to occur in each school district not earlier than the first  
6 full week in May, except that the spring administration of the  
7 end-of-course assessment instruments in [~~English I,~~] English II[~~,~~  
8 ~~and English III~~] must be permitted to occur at an earlier date; and

9 (3) shall permit the spring administration of the  
10 end-of-course assessment instruments in English III under  
11 Subsection (c-2) to occur earlier than the first full week in May.

12 (c-7) An end-of-course assessment instrument adopted under  
13 Subsection (c) must, consistent with Section 39.027, be capable of  
14 administration with linguistic accommodations. An optional  
15 end-of-course assessment instrument adopted under Subsection (c-2)  
16 also must be capable of administration with linguistic  
17 accommodations.

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

20 SECTION 16. (a) Sections 39.0233(a) and (b), Education  
21 Code, are amended to read as follows:

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

1 college readiness standards adopted under Sections 39.113 and  
2 51.3062.

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

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

17 SECTION 17. (a) Section 39.024(b), Education Code, is  
18 amended to read as follows:

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

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

27 SECTION 18. (a) Section 39.0241(a-2), Education Code, is

1 amended to read as follows:

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

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

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

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

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

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

1 for each grade with student performance on the assessment  
2 instrument in the succeeding grade.

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

5 SECTION 19. (a) Section 39.0242(b), Education Code, is  
6 amended to read as follows:

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

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

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

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

27 [~~4~~] the correlation between satisfactory student

1 performance for each performance standard under Section 39.0241 on  
2 the English II end-of-course assessment instrument with  
3 satisfactory performance under the same performance standard on the  
4 English III end-of-course assessment instrument; and

5 (4) [~~(5)~~] the correlation between satisfactory  
6 student performance for each performance standard under Section  
7 39.0241 on the Algebra I end-of-course assessment instrument with  
8 satisfactory performance under the same performance standard on the  
9 Algebra II end-of-course assessment instrument.

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

12 SECTION 20. (a) Section 39.025, Education Code, is amended  
13 by amending Subsections (a), (a-1), (b), and (b-2) and adding  
14 Subsection (a-4) to read as follows:

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

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

20 (a-1) The commissioner by rule shall determine a method by  
21 which a student's satisfactory performance on an advanced placement  
22 test, international baccalaureate examination, an SAT Subject  
23 Test, or another assessment instrument determined by the  
24 commissioner to be at least as rigorous as an end-of-course  
25 assessment instrument adopted under Section 39.023(c) may be used  
26 as a factor in determining whether the student satisfies the  
27 requirements of Subsection (a) [~~, including the cumulative score~~

1 ~~requirement of that subsection~~]. The commissioner by rule may  
 2 determine a method by which a student's satisfactory performance on  
 3 a Preliminary Scholastic Assessment Test (PSAT) [~~assessment~~] or a  
 4 preliminary American College Test (ACT) [~~assessment~~] may be used as  
 5 a factor in determining whether the student satisfies the  
 6 requirements of Subsection (a).

7 (a-4) The admission, review, and dismissal committee of a  
 8 student in a special education program under Subchapter A, Chapter  
 9 29, shall determine whether, to receive a high school diploma, the  
 10 student is required to achieve satisfactory performance on  
 11 end-of-course assessment instruments.

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

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

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

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

16 SECTION 21. (a) Effective September 1, 2014, Section  
17 39.025(a), Education Code, is amended to read as follows:

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



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

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

25 SECTION 22. (a) Sections 39.034(a) and (c), Education  
26 Code, are amended to read as follows:

27 (a) The commissioner shall determine a method by which the

1 agency may measure annual improvement in student achievement from  
2 one school year to the next on an assessment instrument required  
3 under this subchapter or on an end-of-course assessment instrument  
4 adopted under Section 39.023(c-2).

5 (c) The agency shall use a student's previous years'  
6 performance data on an assessment instrument described by  
7 Subsection (a) [~~required under this subchapter~~] to determine the  
8 student's expected annual improvement. The agency shall report  
9 that expected level of annual improvement and the actual level of  
10 annual improvement achieved to the district. The report must state  
11 whether the student fell below, met, or exceeded the agency's  
12 expectation for improvement.

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

15 SECTION 23. (a) Section 39.035(a), Education Code, is  
16 amended to read as follows:

17 (a) Subject to Subsection (b), the agency may conduct field  
18 testing of questions for any assessment instrument administered  
19 under Section 39.023(a), (b), (c), (c-2), (d), or (l) that is  
20 separate from the administration of the assessment instrument not  
21 more frequently than every other school year.

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

24 SECTION 24. (a) Section 39.053(c), Education Code, is  
25 amended to read as follows:

26 (c) Indicators of student achievement adopted under this  
27 section may include any indicator the commissioner determines

1 reflects the quality of learning and student achievement, excluding  
2 the results of assessment instruments administered under Section  
3 39.023(a-3), (a-4), (a-5), (a-6), or (c-2), and must include:

4 (1) the results of assessment instruments required  
5 under Sections 39.023(a), (c), and (l), including the results of  
6 assessment instruments required for graduation retaken by a  
7 student, aggregated across grade levels by subject area, including:

8 (A) for the performance standard determined by  
9 the commissioner under Section 39.0241(a):

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

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

18 (B) for the college readiness performance  
19 standard as determined under Section 39.0241:

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

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

1           (2) dropout rates, including dropout rates and  
2 district completion rates for grade levels 9 through 12, computed  
3 in accordance with standards and definitions adopted by the  
4 National Center for Education Statistics of the United States  
5 Department of Education; and

6           (3) high school graduation rates, computed in  
7 accordance with standards and definitions adopted in compliance  
8 with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et  
9 seq.).

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

12          SECTION 25. (a) Section 39.053(f), Education Code, is  
13 amended to read as follows:

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

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

25           (2) student performance, [~~including the percentage of~~  
26 ~~students graduating under the recommended or advanced high school~~  
27 ~~program,~~] with no significant achievement gaps by race, ethnicity,

1 and socioeconomic status.

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

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

6 (a) The commissioner shall adopt rules to evaluate school  
7 district and campus performance and~~[, not later than August 8 of~~  
8 ~~each year,]~~ assign each district and campus a performance rating  
9 that reflects acceptable performance or unacceptable performance.  
10 Not later than August 8 of each year, the performance rating of each  
11 district and campus shall be made publicly available as provided by  
12 rules adopted under this subsection. If a district or campus  
13 received a performance rating of unacceptable performance for the  
14 preceding school year, the commissioner shall notify the district  
15 of a subsequent such designation on or before June 15.

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

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

25 SECTION 27. (a) Subchapter C, Chapter 39, Education Code,  
26 is amended by adding Section 39.0545 to read as follows:

27 Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF CAMPUS

1 PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT. (a) Each school  
2 district shall evaluate the performance of each campus in the  
3 district in community and student engagement as provided by this  
4 section and assign each campus a performance rating. Not later than  
5 August 8 of each year, the district shall make the performance  
6 rating publicly available as provided by commissioner rule.

7 (b) For purposes of assigning the performance rating under  
8 Subsection (a), a school district must evaluate the following  
9 programs or specific categories of performance at each campus:

10 (1) fine arts;

11 (2) wellness and physical education;

12 (3) community and parental involvement;

13 (4) the 21st Century Workforce Development program;

14 and

15 (5) the second language acquisition program.

16 (c) A school district shall use criteria developed by the  
17 commissioner as described by Subsection (d)(1) in conjunction with  
18 criteria developed by a local committee established as provided by  
19 Subsection (d)(2) to evaluate the performance of a campus under  
20 this section.

21 (d) The commissioner shall:

22 (1) in accordance with commissioner rule, establish a  
23 separate committee that includes members as described by Sections  
24 39.204(c) and (d) to develop criteria for each program or category  
25 of performance under Subsection (b) in the manner provided for  
26 developing criteria for a distinction designation under Section  
27 39.204(e); and

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

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

6           SECTION 28. (a) Section 39.057(a), Education Code, is  
7 amended to read as follows:

8           (a) The commissioner shall authorize special accreditation  
9 investigations to be conducted:

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

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

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

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

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

24           (6) in response to an allegation involving a conflict  
25 between members of the board of trustees or between the board and  
26 the district administration if it appears that the conflict  
27 involves a violation of a role or duty of the board members or the

1 administration clearly defined by this code;

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

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

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

17 (10) ~~[when excessive numbers of students graduate~~  
18 ~~under the minimum high school program;~~

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

25 (11) [~~(12)~~] when resource allocation practices as  
26 evaluated under Section 39.0821 indicate a potential for  
27 significant improvement in resource allocation; or



1           (12) [~~(13)~~] as the commissioner otherwise determines  
2 necessary.

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

5           SECTION 29. (a) Section 39.082, Education Code, is amended  
6 by adding Subsections (d) and (e) to read as follows:

7           (d) Under the financial accountability rating systems  
8 developed under this section, each school district or  
9 open-enrollment charter school, as applicable, shall be assigned a  
10 financial accountability rating. In adopting rules under this  
11 section, the commissioner, in consultation with the comptroller,  
12 shall determine the criteria for each designated performance  
13 rating.

14           (e) Not later than August 8 of each year, the financial  
15 accountability rating of each school district and open-enrollment  
16 charter school under the financial accountability rating systems  
17 developed under this section shall be made publicly available as  
18 provided by rules adopted under this section.

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

21           SECTION 30. (a) Section 39.201(a), Education Code, is  
22 amended to read as follows:

23           (a) Not later than August 8 of each year, the commissioner  
24 shall award distinction designations for outstanding performance  
25 as provided by [under] this subchapter. A distinction designation  
26 awarded to a district or campus under this subchapter shall be  
27 referenced directly in connection with the performance rating

1 assigned to the district or campus and made publicly available  
2 together with the performance ratings as provided by rules adopted  
3 under Section 39.054(a).

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

6 SECTION 31. (a) Section 39.202, Education Code, is amended  
7 to read as follows:

8 Sec. 39.202. ACADEMIC [~~EXCELLENCE~~] DISTINCTION DESIGNATION  
9 FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall  
10 establish [~~a recognized and exemplary rating for awarding districts~~  
11 ~~and campuses~~] an academic distinction designation for districts and  
12 campuses for outstanding performance in attainment of  
13 postsecondary readiness [~~under this subchapter~~]. The [~~In~~  
14 ~~establishing the recognized and exemplary ratings, the~~]  
15 commissioner shall adopt criteria for the designation under this  
16 section [~~ratings~~], including:

17 (1) percentages of students who:

18 (A) performed satisfactorily, as determined  
19 under the college readiness performance standard under Section  
20 39.0241, on assessment instruments required under Section  
21 39.023(a), (b), (c), or (1) or on end-of-course assessment  
22 instruments adopted under Section 39.023(c-2), aggregated across  
23 grade levels by subject area; or

24 (B) met the standard for annual improvement, as  
25 determined by the agency under Section 39.034, on assessment  
26 instruments required under Section 39.023(a), (b), (c), or (1) or  
27 on end-of-course assessment instruments adopted under Section

1 39.023(c-2), aggregated across grade levels by subject area, for  
2 students who did not perform satisfactorily as described by  
3 Paragraph (A); and

4 (2) other factors for determining sufficient student  
5 attainment of postsecondary readiness.

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

8 SECTION 32. (a) Section 39.203, Education Code, is amended  
9 to read as follows:

10 Sec. 39.203. CAMPUS DISTINCTION DESIGNATIONS. (a) The  
11 commissioner shall award a campus a distinction designation for  
12 outstanding performance in improvement in student achievement if  
13 the campus is ranked in the top 25 percent of campuses in the state  
14 in annual improvement in student achievement as determined under  
15 Section 39.034.

16 (b) In addition to the distinction designation described by  
17 Subsection (a), the commissioner shall award a campus a distinction  
18 designation for outstanding performance in closing student  
19 achievement differentials if the campus demonstrates an ability to  
20 significantly diminish or eliminate performance differentials  
21 between student subpopulations and is ranked in the top 25 percent  
22 of campuses in this state under the performance criteria described  
23 by this subsection. The commissioner shall adopt rules related to  
24 the distinction designation under this subsection to ensure that a  
25 campus does not artificially diminish or eliminate performance  
26 differentials through inhibiting the achievement of the highest  
27 achieving student subpopulation.

1 (c) In addition to the distinction designations described  
2 by Subsections (a) and (b), a campus that satisfies the criteria  
3 developed under Section 39.204 shall be awarded a distinction  
4 designation by the commissioner for outstanding performance in [~~for~~  
5 ~~the following programs or the following specific categories of~~  
6 ~~performance.~~

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

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

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

11 [~~(4)~~ 21st Century Workforce Development program; and

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

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

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

22 SECTION 33. (a) Section 39.301(c), Education Code, is  
23 amended to read as follows:

24 (c) Indicators for reporting purposes must include:

25 (1) [~~the percentage of graduating students who meet~~  
26 ~~the course requirements established by State Board of Education~~  
27 ~~rule for the minimum high school program, the recommended high~~

1 ~~school program, and the advanced high school program,~~

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

6           (2) ~~[(3)]~~ for students who have failed to perform  
7 satisfactorily, under each performance standard under Section  
8 39.0241, on an assessment instrument required under Section  
9 39.023(a) or (c), the performance of those students on subsequent  
10 assessment instruments required under those sections, aggregated  
11 by grade level and subject area;

12           (3) ~~[(4) for each campus, the number of students,~~  
13 ~~disaggregated by major student subpopulations, that agree under~~  
14 ~~Section 28.025(b) to take courses under the minimum high school~~  
15 ~~program,~~

16           ~~[(5)]~~ the percentage of students, aggregated by grade  
17 level, provided accelerated instruction under Section 28.0211(c),  
18 the results of assessment instruments administered under that  
19 section, the percentage of students promoted through the grade  
20 placement committee process under Section 28.0211, the subject of  
21 the assessment instrument on which each student failed to perform  
22 satisfactorily under each performance standard under Section  
23 39.0241, and the performance of those students in the school year  
24 following that promotion on the assessment instruments required  
25 under Section 39.023;

26           (4) ~~[(6)]~~ the percentage of students of limited  
27 English proficiency exempted from the administration of an

1 assessment instrument under Sections 39.027(a)(1) and (2);

2 (5) [~~(7)~~] the percentage of students in a special  
3 education program under Subchapter A, Chapter 29, assessed through  
4 assessment instruments developed or adopted under Section  
5 39.023(b);

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

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

11 (8) [~~(10)~~] the percentage of students who are not  
12 educationally disadvantaged;

13 (9) [~~(11)~~] the percentage of students who enroll and  
14 begin instruction at an institution of higher education in the  
15 school year following high school graduation; and

16 (10) [~~(12)~~] the percentage of students who  
17 successfully complete the first year of instruction at an  
18 institution of higher education without needing a developmental  
19 education course.

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

22 SECTION 34. (a) Section 39.305(b), Education Code, is  
23 amended to read as follows:

24 (b) The report card shall include the following  
25 information:

26 (1) where applicable, the student achievement  
27 indicators described by Section 39.053(c) and the reporting

1 indicators described by Sections 39.301(c)(1) through (3) [~~(5)~~];

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

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

5 (4) the district's instructional expenditures ratio  
6 and instructional employees ratio computed under Section 44.0071,  
7 and the statewide average of those ratios, as determined by the  
8 commissioner.

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

11 SECTION 35. (a) Section 51.3062(q-1), Education Code, is  
12 amended to read as follows:

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

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

24 SECTION 36. (a) Sections 51.803(a) and (d), Education Code,  
25 are 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 the foundation  
14 [~~recommended or advanced~~] high school program; or

15 (ii) at a high school to which Section  
16 28.025 does not apply, a curriculum that is equivalent in content  
17 and rigor to the foundation [~~recommended or advanced~~] high school  
18 program; or

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

23 (3) if the applicant graduated from a high school  
24 operated by the United States Department of Defense, the applicant  
25 is a Texas resident under Section 54.052 or is entitled to pay  
26 tuition fees at the rate provided for Texas residents under Section  
27 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.



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

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

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

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

13 SECTION 37. (a) Section 51.804, Education Code, is amended  
14 to read as follows:

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

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

26 (2) satisfies the requirements of:

27 (A) Section 51.803(a)(2)(A) or (B) [~~51.803(b)~~],

1 ~~as applicable to the student, or Section 51.803 (a)(2)(B)]~~; and

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

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

5 SECTION 38. (a) Section 51.805(a), Education Code, is  
6 amended to read as follows:

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

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

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

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

15 SECTION 39. (a) Section 51.807(b), Education Code, is  
16 amended to read as follows:

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

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

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

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

1 SECTION 40. (a) Subchapter A, Chapter 56, Education Code,  
2 is amended by adding Section 56.009 to read as follows:

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

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

16 SECTION 41. (a) Section 61.0517(a), Education Code, is  
17 amended to read as follows:

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

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

1 SECTION 42. (a) Section 61.792(b), Education Code, is  
2 amended to read as follows:

3 (b) To qualify for a scholarship under this section, a  
4 student must:

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

7 (2) have graduated from high school with a grade point  
8 average of at least 3.5 on a four-point scale or the equivalent in  
9 mathematics and science courses offered under the foundation  
10 [~~recommended or advanced~~] high school program under Section 28.025  
11 [~~28.025(a)~~]; and

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

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

18 SECTION 43. (a) Section 61.852(a), Education Code, is  
19 amended to read as follows:

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

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

26 (2) integrates academic instruction and vocational  
27 and technical instruction;

1           (3) uses work-based and worksite learning where  
2 available and appropriate;

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

7           (5) builds student competence in mathematics,  
8 science, reading, writing, communications, economics, and  
9 workplace skills through applied, contextual academics and  
10 integrated instruction in a coherent sequence of courses;

11          (6) leads to an associate degree, two-year  
12 postsecondary certificate, or postsecondary two-year  
13 apprenticeship with provisions, to the extent applicable, for  
14 students to continue toward completion of a baccalaureate degree;  
15 and

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

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

20          SECTION 44. (a) Section 61.855(d), Education Code, is  
21 amended to read as follows:

22          (d) A tech-prep program must:

23               (1) be implemented under an articulation agreement  
24 between the participants in the consortium;

25               (2) consist of two to four years of secondary school  
26 preceding graduation and:

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

1                   (B) two or more years of apprenticeship following  
2 secondary instruction;

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

9                   (4) include the development of tech-prep program  
10 curricula for both secondary and postsecondary participants in the  
11 consortium that:

12                   (A) meets academic standards developed by the  
13 state;

14                   (B) links secondary schools and two-year  
15 postsecondary institutions, and, if practicable, four-year  
16 institutions of higher education through nonduplicative sequences  
17 of courses in career fields, including the investigation of  
18 opportunities for tech-prep students to enroll concurrently in  
19 secondary and postsecondary course work;

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

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

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

27                   (A) is designed to train vocational and technical

1 teachers to effectively implement tech-prep programs;

2 (B) provides for joint training for teachers in  
3 the tech-prep consortium;

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

7 (D) focuses on training postsecondary education  
8 faculty in the use of contextual and applied curricula and  
9 instruction; and

10 (E) provides training in the use and application  
11 of technology;

12 (6) include training programs for counselors designed  
13 to enable counselors to more effectively:

14 (A) provide information to students regarding  
15 tech-prep programs;

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

18 (C) provide information on related employment  
19 opportunities;

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

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

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

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

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

5           SECTION 45. (a) Section 61.861(c), Education Code, is  
6 amended to read as follows:

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

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

11           (2) incorporate college and career readiness skills as  
12 part of the curriculum;

13           (3) be offered for dual credit; and

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

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

19           SECTION 46. (a) Section 61.864, Education Code, is amended  
20 to read as follows:

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

26           (1) is being used by public educational institutions  
27 in this state;



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

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

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

9           SECTION 47. (a) Section 78.10(b), Education Code, is  
10 amended to read as follows:

11           (b) The Texas Academy of Mathematics and Science is a  
12 division of The University of Texas at Brownsville and is under the  
13 management and control of the board. The academy serves the  
14 following purposes:

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

18                   (A) allows students to complete high school  
19 graduation requirements [~~, including requirements adopted~~] under  
20 Section 28.025 for the foundation [~~advanced~~] high school program,  
21 while attending for academic credit a public institution of higher  
22 education;

23                   (B) fosters students' knowledge of real-world  
24 mathematics and science issues and applications and teaches  
25 students to apply critical thinking and problem-solving skills to  
26 those issues and problems;

27                   (C) includes the study of English, foreign

1 languages, social studies, mathematics, science, and technology;  
2 and

3 (D) offers students learning opportunities  
4 related to mathematics and science through in-depth research and  
5 field-based studies;

6 (2) to provide students with an awareness of  
7 mathematics and science careers and professional development  
8 opportunities through seminars, workshops, collaboration with  
9 postsecondary and university students including opportunities for  
10 summer studies, internships in foreign countries, and similar  
11 methods; and

12 (3) to provide students with social development  
13 activities that enrich the academic curriculum and student life,  
14 including, as determined appropriate by the academy, University  
15 Interscholastic League activities and other extracurricular  
16 activities.

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

19 SECTION 48. (a) Section 87.505(b), Education Code, is  
20 amended to read as follows:

21 (b) The Texas Academy of International Studies is a division  
22 of Texas A&M International University and is under the management  
23 and control of the board. The academy serves the following  
24 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 international issues and problems and teaches students to apply  
8 critical thinking and problem-solving skills to those issues and  
9 problems;

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

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

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

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

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

1           (b) This section applies beginning with the 2014-2015  
2 school year.

3           SECTION 49. (a) Effective September 1, 2013, Sections  
4 39.025(a-2) and (a-3), Education Code, are repealed.

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

7                 (1) Section 28.002(q);

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

9                 (3) Section 51.803(b).

10          SECTION 50. (a) Except as provided by Subsection (b) of  
11 this section, Section 39.025, Education Code, as amended by  
12 Sections 20 and 21 of this Act, as related to reducing end-of-course  
13 testing requirements, applies only to students who have entered or  
14 will enter the ninth grade during the 2011-2012 school year or a  
15 later school year.

16          (b) Students who have entered the ninth grade during or  
17 after the 2011-2012 school year and before the 2014-2015 school  
18 year and who choose to complete the curriculum requirements under  
19 the minimum high school program may be administered only those  
20 end-of-course assessment instruments that would have been  
21 administered to those students under Section 39.025, Education  
22 Code, as amended by Section 20 of this Act, and Section 39.025,  
23 Education Code, as amended by Section 20 of this Act, is continued  
24 in effect for purposes of satisfying those end-of-course testing  
25 requirements.

26          SECTION 51. Except as otherwise provided by this Act, this  
27 Act takes effect immediately if it receives a vote of two-thirds of

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1 all the members elected to each house, as provided by Section 39,  
2 Article III, Texas Constitution. If this Act does not receive the  
3 vote necessary for immediate effect, this Act takes effect  
4 September 1, 2013.