

By: Patrick, et al.

S.B. No. 1724

A BILL TO BE ENTITLED

AN ACT

relating to high school graduation requirements, including end-of-course assessment instruments.

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

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

(e) The rules must:

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

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

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

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

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

SECTION 2. Sections 28.014(b), (c), and (f), Education Code, are amended to read as follows:

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

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

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

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

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

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

25 (b) A school district shall ensure that each student enrolls  
26 in the courses necessary to complete the curriculum requirements  
27 identified by the State Board of Education under Subsection (a) for

1 the foundation [~~recommended or advanced~~] high school program  
2 [~~unless the student, the student's parent or other person standing~~  
3 ~~in parental relation to the student, and a school counselor or~~  
4 ~~school administrator agree in writing signed by each party that the~~  
5 ~~student should be permitted to take courses under the minimum high~~  
6 ~~school program and the student:~~

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

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

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

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

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

19           (1) [(A)] four credits in English language arts [each  
20 ~~subject of the foundation curriculum]~~ under Section  
21 28.002(a)(1)(A);

22           (2) three credits in mathematics under Section  
23 28.002(a)(1)(B);

24           (3) three credits in science under Section  
25 28.002(a)(1)(C), one of which may be satisfied by an academic  
26 elective credit in science in addition to elective credits under  
27 Subdivision (6);

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

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

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

17           (7) one-half credit in speech;

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

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

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

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

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

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

15 (b-7) The State Board of Education, in coordination with the  
16 Texas Higher Education Coordinating Board, shall adopt rules to  
17 ensure that a student may comply with the curriculum requirements  
18 under the foundation [~~minimum, recommended, or advanced~~] high  
19 school program for each subject of the foundation curriculum under  
20 Section 28.002(a)(1) and for languages other than English to earn  
21 an endorsement under Subsection (c-1)(4)(B)(iv) [~~under Section~~  
22 ~~28.002(a)(2)(A)~~] by successfully completing appropriate courses in  
23 the core curriculum of an institution of higher education under  
24 Section 61.822.

25 (b-9) The agency shall establish a pilot program allowing a  
26 student attending school in a county with a population of more than  
27 one million and in which more than 75 percent of the population

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

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

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

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

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

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

12       (b-12) In adopting rules under Subsection (b-1), the State  
13 Board of Education shall allow a student who, due to disability, is  
14 unable to complete two courses in the same language in a language  
15 other than English as provided under Subsection (b-1)(5) to  
16 substitute for those credits two credits in English language arts,  
17 mathematics, science, or social studies or two credits in career  
18 and technology education or other academic electives. A credit  
19 allowed to be substituted under this subsection may not also be used  
20 by the student to satisfy a graduation credit requirement other  
21 than credit for completion of a language other than English. The  
22 rules must provide that the determination regarding a student's  
23 ability to participate in language other than English courses will  
24 be made by:

25       (1) if the student receives special education services  
26 under Subchapter A, Chapter 29, the student's admission, review,  
27 and dismissal committee; or



1           (2) if the student does not receive special education  
2 services under Subchapter A, Chapter 29, but is covered by Section  
3 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the  
4 committee established for the student under that Act.

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

9           (1) a business and industry endorsement by earning one  
10 credit in career and technology education;

11           (2) an academic achievement in arts and humanities  
12 endorsement by earning:

13                   (A) one additional credit in social studies; and

14                   (B) one additional credit in fine arts or one  
15 credit in career and technology education;

16           (3) an academic achievement in science, technology,  
17 engineering, and mathematics (STEM) endorsement by earning:

18                   (A) one additional credit in mathematics;

19                   (B) one additional credit in science; and

20                   (C) one additional credit in fine arts or one  
21 credit in career and technology education; and

22           (4) a distinguished achievement endorsement by:

23                   (A) successfully completing English III and  
24 Algebra II courses and performing at the distinguished level  
25 standard of performance as determined by the commissioner under  
26 Section 39.0241(a-3) on the end-of-course assessment instruments  
27 under Section 39.023(c) for each of those courses; and

1                   (B) earning:

2                   (i) one additional credit in mathematics;

3                   (ii) one additional credit in science;

4                   (iii) one additional credit in social  
5 studies; and

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

12               (c-2) The State Board of Education shall designate the  
13 specific courses required for an endorsement under Subsection (c-1)  
14 for courses included in the foundation curriculum under Section  
15 28.002(a)(1).

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

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

27               (h) The commissioner by rule shall adopt a transition plan

1 to implement and administer the amendments made by \_\_.B. No. \_\_,  
2 83rd Legislature, Regular Session, 2013, replacing the minimum,  
3 recommended, and advanced high school programs with the foundation  
4 high school program beginning with the 2013-2014 school year.

5 Under the transition plan, a student who entered the ninth grade  
6 before the 2013-2014 school year must be permitted to complete the  
7 curriculum requirements required for high school graduation under:

8 (1) the foundation high school program, if the student  
9 makes the choice during the 2013-2014 school year to take courses  
10 under that program;

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

15 (3) the recommended high school program, as that  
16 program existed before the adoption of \_\_.B. No. \_\_, 83rd  
17 Legislature, Regular Session, 2013, if the student was  
18 participating in that program before the 2013-2014 school year; or

19 (4) the advanced high school program, as that program  
20 existed before the adoption of \_\_.B. No. \_\_, 83rd Legislature,  
21 Regular Session, 2013, if the student was participating in that  
22 program before the 2013-2014 school year.

23 (h-1) This subsection and Subsection (h) expire September  
24 1, 2017.

25 SECTION 4. Section 28.0253(e), Education Code, is amended  
26 to read as follows:

27 (e) A student who receives a high school diploma through the

1 pilot program is considered to have completed the foundation  
2 [~~recommended~~] high school program adopted under Section 28.025  
3 [~~28.025(a)~~]. The student is not guaranteed admission to any  
4 institution of higher education or to any academic program at an  
5 institution of higher education solely on the basis of having  
6 received the diploma through the program.

7 SECTION 5. Section 28.027(b), Education Code, is amended to  
8 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 required under the foundation  
16 [~~recommended~~] high school program [~~and completed during the~~  
17 ~~student's fourth year of mathematics or science course work~~]. [~~The~~  
18 ~~State Board of Education may only approve a course to substitute for~~  
19 ~~a mathematics course taken after successful completion of Algebra I~~  
20 ~~and geometry and after successful completion of or concurrently~~  
21 ~~with Algebra II.~~] The State Board of Education may only approve a  
22 course to substitute for a science course taken after successful  
23 completion of biology [~~and chemistry and after successful~~  
24 ~~completion of or concurrently with physics~~].

25 SECTION 6. Section 29.096(e), Education Code, is amended to  
26 read as follows:

27 (e) The commissioner shall establish minimum standards for

1 a local collaborative agreement, including a requirement that the  
2 agreement must be signed by an authorized school district or  
3 open-enrollment charter school officer and an authorized  
4 representative of each of the other participating entities that is  
5 a partner in the collaboration. The program must:

6 (1) limit participation in the program to students  
7 authorized to participate by a parent or other person standing in  
8 parental relationship;

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

11 (3) provide for local businesses or other employers to  
12 offer paid employment or internship opportunities and advanced  
13 career and vocational training;

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

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

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

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

25 (8) include any other requirements as determined by  
26 the council.

27 SECTION 7. Section 29.402(b), Education Code, is amended to

1 read as follows:

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

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

9 (2) has failed to perform satisfactorily on an  
10 end-of-course assessment instrument administered under Section  
11 39.023(c) or an assessment instrument administered under Section  
12 39.023(c) as that section existed before amendment by Chapter 1312  
13 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.

14 SECTION 8. Section 29.904(d), Education Code, is amended to  
15 read as follows:

16 (d) A plan developed under this section:

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

22 (2) must establish an accurate method of measuring  
23 progress toward the goals established under Subdivision (1) that  
24 may include the percentage of district high school students and the  
25 percentage of students attending a district high school described  
26 by Subsection (a) who:

27 (A) are enrolled in a course for which a student

1 may earn college credit, such as an advanced placement or  
2 international baccalaureate course or a course offered through  
3 concurrent enrollment in high school and at an institution of  
4 higher education;

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

8 (C) have submitted a free application for federal  
9 student aid (FAFSA);

10 (D) are exempt under Section 51.3062(p) or (q)  
11 from administration of an assessment instrument under Section  
12 51.3062 or have performed successfully on an assessment instrument  
13 under Section 51.3062;

14 (E) graduate from high school;

15 (F) graduate from an institution of higher  
16 education; and

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

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

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

22 SECTION 9. Section 33.007(b), Education Code, is amended to  
23 read as follows:

24 (b) During the first school year a student is enrolled in a  
25 high school or at the high school level in an open-enrollment  
26 charter school, and again during a student's senior year, a  
27 counselor shall provide information about higher education to the

1 student and the student's parent or guardian. The information must  
2 include information regarding:

3 (1) the importance of higher education;

4 (2) ~~the advantages of completing the recommended or~~  
5 ~~advanced high school program adopted under Section 28.025(a),~~

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

9 (3) ~~(4)~~ financial aid eligibility;

10 (4) ~~(5)~~ instruction on how to apply for federal  
11 financial aid;

12 (5) ~~(6)~~ the center for financial aid information  
13 established under Section 61.0776;

14 (6) ~~(7)~~ the automatic admission of certain students  
15 to general academic teaching institutions as provided by Section  
16 51.803;

17 (7) ~~(8)~~ the eligibility and academic performance  
18 requirements for the TEXAS Grant as provided by Subchapter M,  
19 Chapter 56; and

20 (8) ~~(9)~~ the availability of programs in the district  
21 under which a student may earn college credit, including advanced  
22 placement programs, dual credit programs, joint high school and  
23 college credit programs, and international baccalaureate programs.

24 SECTION 10. Section 39.023(c), Education Code, is amended  
25 to read as follows:

26 (c) The agency shall also adopt end-of-course assessment  
27 instruments for secondary-level courses in Algebra I, Algebra II,



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

1 requirements of Subsection (c-3).

2 SECTION 11. Section 39.0241, Education Code, is amended by  
3 amending Subsection (a-2) and adding Subsection (a-3) to read as  
4 follows:

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

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

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

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

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

1           (5) the performance standards on the assessment  
2 instruments in each of grades three through seven, as determined  
3 based on studies under Section 39.0242 that correlate student  
4 performance in the same content area on the assessment instrument  
5 for each grade with student performance on the assessment  
6 instrument in the succeeding grade.

7           (a-3) The commissioner shall determine the level of  
8 performance considered to be distinguished performance on the  
9 assessment instruments. The distinguished level of performance  
10 must be a level of performance that is higher than satisfactory  
11 performance as determined under Subsection (a).

12           SECTION 12. Section 39.0242(e), Education Code, is amended  
13 to read as follows:

14           (e) Based on the data collected and studies performed  
15 periodically under Subsection (d), the commissioner shall increase  
16 the rigor of the performance standard established under Section  
17 39.0241(a) or (a-3) as the commissioner determines necessary.

18           SECTION 13. Section 39.025, Education Code, is amended by  
19 amending Subsections (a), (a-1), (a-2), (a-3), (b), (b-2), and (e)  
20 and adding Subsections (a-4), (a-5), and (a-6) to read as follows:

21           (a) The commissioner shall adopt rules requiring a student  
22 [~~participating~~] in the foundation [~~recommended or advanced~~] high  
23 school program under Section 28.025 to be administered the English  
24 I [~~each~~] end-of-course assessment instrument adopted under [~~listed~~  
25 ~~in~~] Section 39.023(c) and each other [~~requiring a student~~  
26 ~~participating in the minimum high school program to be administered~~  
27 ~~an~~] end-of-course assessment instrument listed in Section

1 39.023(c) [~~only~~] for a course in which the student is enrolled and  
2 for which an end-of-course assessment instrument is required for  
3 graduation under Subsection (a-2), (a-3), (a-4), (a-5), or (a-6),  
4 as applicable to the student [~~administered~~]. [~~A student is~~  
5 ~~required to achieve, in each subject in the foundation curriculum~~  
6 ~~under Section 28.002(a)(1), a cumulative score that is at least~~  
7 ~~equal to the product of the number of end-of-course assessment~~  
8 ~~instruments administered to the student in that subject and a scale~~  
9 ~~score that indicates satisfactory performance, as determined by the~~  
10 ~~commissioner under Section 39.0241(a). A student must achieve a~~  
11 ~~minimum score as determined by the commissioner to be within a~~  
12 ~~reasonable range of the scale score under Section 39.0241(a) on an~~  
13 ~~end-of-course assessment instrument for the score to count towards~~  
14 ~~the student's cumulative score. For purposes of this subsection, a~~  
15 ~~student's cumulative score is determined using the student's~~  
16 ~~highest score on each end-of-course assessment instrument~~  
17 ~~administered to the student. A student may not receive a high~~  
18 ~~school diploma until the student has performed satisfactorily on~~  
19 ~~the end-of-course assessment instruments in the manner provided~~  
20 ~~under this subsection. This subsection does not require a student~~  
21 ~~to demonstrate readiness to enroll in an institution of higher~~  
22 ~~education.]~~

23 (a-1) The commissioner by rule shall determine a method by  
24 which a student's satisfactory performance on an advanced placement  
25 test, international baccalaureate examination, an SAT Subject  
26 Test, or another assessment instrument determined by the  
27 commissioner to be at least as rigorous as an end-of-course

1 assessment instrument adopted under Section 39.023(c) may be used  
 2 as a factor in determining whether the student satisfies the  
 3 requirements of Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as  
 4 applicable to the student [~~(a), including the cumulative score~~  
 5 ~~requirement of that subsection~~]. The commissioner by rule may  
 6 determine a method by which a student's satisfactory performance on  
 7 a Preliminary Scholastic Assessment Test (PSAT) [~~assessment~~] or a  
 8 preliminary American College Test (ACT) [~~assessment~~] may be used as  
 9 a factor in determining whether the student satisfies the  
 10 requirements of Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as  
 11 applicable to the student [~~(a)~~].

12 (a-2) To graduate under the foundation high school  
 13 program [~~In addition to the cumulative score requirements under~~  
 14 ~~Subsection (a)~~], a student must achieve a scale score that  
 15 indicates satisfactory performance, as [~~meets or exceeds the score~~]  
 16 determined by the commissioner under Section 39.0241(a), on  
 17 end-of-course assessment instruments for:

18 (1) English II;  
 19 (2) Algebra I;  
 20 (3) biology; [~~English III~~] and  
 21 (4) United States history [~~Algebra II end-of-course~~  
 22 ~~assessment instruments to graduate under the recommended high~~  
 23 ~~school program~~].

24 (a-3) To graduate under the foundation high school program  
 25 with a business and industry endorsement [~~In addition to the~~  
 26 ~~cumulative score requirements under Subsection (a)~~], a student must  
 27 achieve a scale score that indicates satisfactory performance, as

1 ~~[meets or exceeds the score]~~ determined by the commissioner under  
2 Section 39.0241(a), on end-of-course assessment instruments for:

3 (1) [39.0241(a-1) on] English III;

4 (2) Algebra I;

5 (3) biology; and

6 (4) United States history [and Algebra II

7 ~~end-of-course assessment instruments in order to graduate under the~~  
8 ~~advanced high school program].~~

9 (a-4) To graduate under the foundation high school program  
10 with an academic achievement in arts and humanities endorsement, a  
11 student must achieve a scale score that indicates satisfactory  
12 performance, as determined by the commissioner under Section  
13 39.0241(a), on end-of-course assessment instruments for:

14 (1) English III;

15 (2) Algebra I;

16 (3) Algebra II;

17 (4) biology; and

18 (5) United States history.

19 (a-5) To graduate under the foundation high school program  
20 with an academic achievement in science, technology, engineering,  
21 and mathematics (STEM) endorsement, a student must achieve a scale  
22 score that indicates satisfactory performance, as determined by the  
23 commissioner under Section 39.0241(a), on end-of-course assessment  
24 instruments for:

25 (1) English III;

26 (2) Algebra I;

27 (3) Algebra II;

1           (4) biology; and

2           (5) United States history.

3           (a-6) To graduate under the foundation high school program  
4 with a distinguished achievement endorsement, a student must  
5 achieve a scale score that indicates distinguished performance, as  
6 determined by the commissioner under Section 39.0241(a-3), on the  
7 English III and Algebra II end-of-course assessment instruments.

8           (b) Each time an end-of-course assessment instrument is  
9 administered, a student who failed to achieve the ~~[a minimum]~~ score  
10 requirement under this section may ~~[Subsection (a) shall]~~ retake  
11 the assessment instrument. A student who fails to perform  
12 satisfactorily on an Algebra II or English III end-of-course  
13 assessment instrument under the college readiness performance  
14 standard, as provided under Section 39.024(b), or fails to perform  
15 at the distinguished level, as provided under Section 39.0241(a-3),  
16 may retake the assessment instrument. Any other student may retake  
17 an end-of-course assessment instrument for any reason. A student is  
18 not required to retake a course as a condition of retaking an  
19 end-of-course assessment instrument.

20           (b-2) If a school district determines that a student, on  
21 completion of grade 11, is unlikely to achieve the ~~[cumulative]~~  
22 score requirement under this section ~~[requirements]~~ for one or more  
23 end-of-course assessment instruments as necessary ~~[subjects~~  
24 ~~prescribed by Subsection (a)]~~ for receiving a high school diploma,  
25 the district shall require the student to enroll in a corresponding  
26 content-area college preparatory course for which an end-of-course  
27 assessment instrument has been adopted, if available. A student

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

11 (e) The commissioner shall establish a required performance  
12 level for an assessment instrument adopted under Subsection (d)  
13 that is at least as rigorous as the performance level required to be  
14 met under Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as  
15 applicable to the student [~~(a)~~].

16 SECTION 14. Sections 39.053(c), (f), and (i), Education  
17 Code, are amended to read as follows:

18 (c) Indicators of student achievement adopted under this  
19 section must include:

20 (1) the results of assessment instruments required  
21 under Sections 39.023(a), (c), and (l), including the results of  
22 assessment instruments required for graduation retaken by a  
23 student, aggregated across grade levels by subject area, including:

24 (A) for the performance standard determined by  
25 the commissioner under Section 39.0241(a):

26 (i) the percentage of students who  
27 performed satisfactorily on the assessment instruments, aggregated



1 across grade levels by subject area; and

2 (ii) for students who did not perform  
3 satisfactorily, the percentage of students who met the standard for  
4 annual improvement, as determined by the agency under Section  
5 39.034, on the assessment instruments, aggregated across grade  
6 levels by subject area; ~~and~~

7 (B) for the college readiness performance  
8 standard as determined under Section 39.0241:

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

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

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

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

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

27 (2) dropout rates, including dropout rates and

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

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

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

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

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

24 (i) The commissioner by rule shall adopt accountability  
25 measures to be used in assessing the progress of students who have  
26 failed to perform satisfactorily as determined by the commissioner  
27 under any performance standard under Section 39.0241 [~~39.0241(a) or~~

1 ~~under the college readiness standard as determined under Section~~  
2 ~~39.0241]~~ in the preceding school year on an assessment instrument  
3 required under Section 39.023(a), (c), or (l).

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

6 (a) The commissioner shall authorize special accreditation  
7 investigations to be conducted:

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

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

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

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

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

22 (6) in response to an allegation involving a conflict  
23 between members of the board of trustees or between the board and  
24 the district administration if it appears that the conflict  
25 involves a violation of a role or duty of the board members or the  
26 administration clearly defined by this code;

27 (7) when excessive numbers of students in special

1 education programs under Subchapter A, Chapter 29, are assessed  
2 through assessment instruments developed or adopted under Section  
3 39.023(b);

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

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

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

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

22 (11) ~~[(12)]~~ when resource allocation practices as  
23 evaluated under Section 39.0821 indicate a potential for  
24 significant improvement in resource allocation; or

25 (12) ~~[(13)]~~ as the commissioner otherwise determines  
26 necessary.

27 SECTION 16. Section 39.301(c), Education Code, is amended

1 to read as follows:

2 (c) Indicators for reporting purposes must include:

3 (1) the percentage of graduating students who meet the  
4 course requirements established under Section 28.025(c-1) for  
5 endorsements under that section [~~by State Board of Education rule~~  
6 ~~for the minimum high school program, the recommended high school~~  
7 ~~program, and the advanced high school program~~];

8 (2) the results of the SAT, ACT, articulated  
9 postsecondary degree programs described by Section 61.852, and  
10 certified workforce training programs described by Chapter 311,  
11 Labor Code;

12 (3) for students who have failed to perform  
13 satisfactorily, under each performance standard under Section  
14 39.0241, on an assessment instrument required under Section  
15 39.023(a) or (c), the performance of those students on subsequent  
16 assessment instruments required under those sections, aggregated  
17 by grade level and subject area;

18 (4) for each campus, the number of students,  
19 disaggregated by major student subpopulations, that [~~agree under~~  
20 ~~Section 28.025(b) to~~] take courses under the foundation [~~minimum~~  
21 high school program and take additional courses to earn an  
22 endorsement under Section 28.025(c-1), disaggregated by type of  
23 endorsement;

24 (5) the percentage of students, aggregated by grade  
25 level, provided accelerated instruction under Section 28.0211(c),  
26 the results of assessment instruments administered under that  
27 section, the percentage of students promoted through the grade

1 placement committee process under Section 28.0211, the subject of  
2 the assessment instrument on which each student failed to perform  
3 satisfactorily under each performance standard under Section  
4 39.0241, and the performance of those students in the school year  
5 following that promotion on the assessment instruments required  
6 under Section 39.023;

7 (6) the percentage of students of limited English  
8 proficiency exempted from the administration of an assessment  
9 instrument under Sections 39.027(a)(1) and (2);

10 (7) the percentage of students in a special education  
11 program under Subchapter A, Chapter 29, assessed through assessment  
12 instruments developed or adopted under Section 39.023(b);

13 (8) the percentage of students who satisfy the college  
14 readiness measure;

15 (9) the measure of progress toward dual language  
16 proficiency under Section 39.034(b), for students of limited  
17 English proficiency, as defined by Section 29.052;

18 (10) the percentage of students who are not  
19 educationally disadvantaged;

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

23 (12) the percentage of students who successfully  
24 complete the first year of instruction at an institution of higher  
25 education without needing a developmental education course.

26 SECTION 17. Section 39.303(b), Education Code, is amended  
27 to read as follows:

1 (b) For a student who failed to perform satisfactorily as  
2 determined under any [~~either~~] performance standard under Section  
3 39.0241 on an assessment instrument administered under Section  
4 39.023(a), (c), or (l), the school district shall include in the  
5 notice specific information relating to access to educational  
6 resources at the appropriate assessment instrument content level,  
7 including assessment instrument questions and answers released  
8 under Section 39.023(e).

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

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

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

22 (a) Subject to Subsection (a-1), each general academic  
23 teaching institution shall admit an applicant for admission to the  
24 institution as an undergraduate student if the applicant graduated  
25 with a grade point average in the top 10 percent of the student's  
26 high school graduating class in one of the two school years  
27 preceding the academic year for which the applicant is applying for

1 admission and:

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

6 (2) the applicant:

7 (A) successfully completed:

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

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

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

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

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

27 [~~(1)~~] whether the student has satisfied or is on



1 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or  
2 (ii), as applicable~~[, or~~

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

7 SECTION 20. Section 51.804, Education Code, is amended to  
8 read as follows:

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

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

20 (2) satisfies the requirements of:

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

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

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

26 (a) A graduating student who does not qualify for admission  
27 under Section 51.803 or 51.804 may apply to any general academic

1 teaching institution if the student satisfies the requirements of:

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

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

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

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

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

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

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

18 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN  
19 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to  
20 participate in any program under this chapter, including  
21 Subchapters K, M, Q, and R, is contingent on the person graduating  
22 under the recommended or advanced high school program, as those  
23 programs existed before the adoption of \_\_.B. No. \_\_\_\_\_, 83rd  
24 Legislature, Regular Session, 2013, the Texas Higher Education  
25 Coordinating Board and the commissioner of education shall jointly  
26 adopt rules to modify, clarify, or otherwise establish for affected  
27 programs appropriate eligibility requirements regarding high

1 school curriculum completion.

2 SECTION 24. Section 56.3041, Education Code, is amended to  
3 read as follows:

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

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

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

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

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

26 (ii) satisfaction of the Texas Success  
27 Initiative (TSI) college readiness benchmarks prescribed by the

1 coordinating board under Section 51.3062(f) on any assessment  
2 instrument designated by the coordinating board under Section  
3 51.3062(c) [~~or (e)~~] or qualification for an exemption as described  
4 by Section 51.3062(p), (q), or (q-1);

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

9 (iv) completion for high school credit of  
10 at least one advanced mathematics course following the successful  
11 completion of an Algebra II course, as designated by the  
12 coordinating board by rule in consultation with the State Board of  
13 Education, [~~permitted by Section 28.025(b-3)~~], or at least one  
14 advanced career and technical course, as designated by the  
15 coordinating board by rule in consultation with the State Board of  
16 Education [~~permitted by Section 28.025(b-2)~~];

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

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

21 (3) meet financial need requirements established by  
22 the coordinating board;

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

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

27 (A) an entering undergraduate student for at

1 least three-fourths of a full course load, as determined by the  
2 coordinating board, not later than the 16th month after the  
3 calendar month in which the person graduated from high school;

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

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

16 (6) have applied for any available financial aid or  
17 assistance; and

18 (7) comply with any additional nonacademic  
19 requirements adopted by the coordinating board under this  
20 subchapter.

21 SECTION 25. Section 61.0517(a), Education Code, is amended  
22 to read as follows:

23 (a) In this section, "applied STEM course" means an applied  
24 science, technology, engineering, or mathematics course offered as  
25 part of a school district's career and technology education  
26 curriculum and approved, as provided by Section 28.027, by the  
27 State Board of Education for purposes of satisfying the mathematics

1 and science curriculum requirements for the foundation  
2 [~~recommended~~] high school program [~~imposed~~] under Section 28.025  
3 [~~28.025(b-1)(1)(A)~~].

4 SECTION 26. Section 61.792(b), Education Code, is amended  
5 to read as follows:

6 (b) To qualify for a scholarship under this section, a  
7 student must:

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

10 (2) have graduated from high school with a grade point  
11 average of at least 3.5 on a four-point scale or the equivalent in  
12 mathematics and science courses offered under the foundation  
13 [~~recommended or advanced~~] high school program under Section 28.025  
14 [~~28.025(a)~~]; and

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

19 SECTION 27. Section 61.852(a), Education Code, is amended  
20 to read as follows:

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

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

27 (2) integrates academic instruction and vocational

1 and technical instruction;

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

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

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

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

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

19 SECTION 28. Section 61.855(d), Education Code, is amended  
20 to read as follows:

21 (d) A tech-prep program must:

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

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

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

27 (B) two or more years of apprenticeship following

1 secondary instruction;

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

27 (8) provide for preparatory services that assist

1 participants in tech-prep programs.

2 SECTION 29. Section 61.861(c), Education Code, is amended  
3 to read as follows:

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

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

8 (2) incorporate college and career readiness skills as  
9 part of the curriculum;

10 (3) be offered for dual credit; and

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

14 SECTION 30. Section 61.864, Education Code, is amended to  
15 read as follows:

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

21 (1) is being used by public educational institutions  
22 in this state;

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

26 (3) satisfies a mathematics or science requirement for  
27 the foundation [~~recommended or advanced~~] high school program as

1 determined under Section 28.025.

2 SECTION 31. Section 78.10(b), Education Code, is amended to  
3 read as follows:

4 (b) The Texas Academy of Mathematics and Science is a  
5 division of The University of Texas at Brownsville and is under the  
6 management and control of the board. The academy serves the  
7 following purposes:

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

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

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

20 (C) includes the study of English, foreign  
21 languages, social studies, mathematics, science, and technology;  
22 and

23 (D) offers students learning opportunities  
24 related to mathematics and science through in-depth research and  
25 field-based studies;

26 (2) to provide students with an awareness of  
27 mathematics and science careers and professional development

1 opportunities through seminars, workshops, collaboration with  
2 postsecondary and university students including opportunities for  
3 summer studies, internships in foreign countries, and similar  
4 methods; and

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

10 SECTION 32. Section 87.505(b), Education Code, is amended  
11 to read as follows:

12 (b) The Texas Academy of International Studies is a division  
13 of Texas A&M International University and is under the management  
14 and control of the board. The academy serves the following  
15 purposes:

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

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

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

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

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

6 (E) offers students learning opportunities  
7 related to international issues through in-depth research and  
8 field-based studies;

9 (2) to provide students with an awareness of  
10 international career and professional development opportunities  
11 through seminars, workshops, collaboration with postsecondary  
12 students from other countries, summer academic international  
13 studies internships in foreign countries, and similar methods; and

14 (3) to provide students with social development  
15 activities that enrich the academic curriculum and student life,  
16 including, as determined appropriate by the academy, University  
17 Interscholastic League activities and other extracurricular  
18 activities generally offered by public high schools.

19 SECTION 33. The following sections of the Education Code  
20 are repealed:

21 (1) Section 28.002(q);

22 (2) Sections 28.025(b-2), (b-3), (b-6), (b-8), and (g);

23 and

24 (3) Section 51.803(b).

25 SECTION 34. Section 39.025, Education Code, as amended by  
26 this Act, as related to reducing end-of-course testing  
27 requirements, applies only to students who have entered or will

1 enter the ninth grade during the 2011-2012 school year or a later  
2 school year.

3 SECTION 35. The Texas Higher Education Coordinating Board  
4 shall adopt rules in accordance with Section 56.3041(2)(A)(iv),  
5 Education Code, as amended by this Act, as soon as practicable after  
6 the effective date of this Act. For that purpose, the board may  
7 adopt the initial rules in the manner provided by law for adoption  
8 of emergency rules.

9 SECTION 36. This Act applies beginning with the 2013-2014  
10 school year.

11 SECTION 37. This Act takes effect immediately if it  
12 receives a vote of two-thirds of all the members elected to each  
13 house, as provided by Section 39, Article III, Texas Constitution.  
14 If this Act does not receive the vote necessary for immediate  
15 effect, this Act takes effect September 1, 2013.