By: Deshotel

H.B. No. 3941

A BILL TO BE ENTITLED

1   AN ACT

2 relating to online adult high school diploma programs.

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

4   SECTION 1. Subchapter C, Chapter 29, Education Code, is

5 amended by adding Section 29.0871 to read as follows:

6   Sec. 29.0871. ONLINE ADULT HIGH SCHOOL DIPLOMA PROGRAMS.

7 (a) The agency shall develop a process by which an eligible

8 provider may apply to the commissioner for authority to operate an

9 online adult high school diploma program for eligible students to

10 obtain a high school diploma. An eligible provider must be

11 accredited by a research-based, nationally recognized, and

12 universally accessible accreditation system approved by the

13 commissioner.

14   (b) Any eligible provider may apply for authorization to

15 operate an online adult high school diploma program under this

16 section. As part of the application process, the commissioner shall

17 require an eligible provider to provide information regarding the

18 operation of any similar program during the preceding five years.

19   (c) A student is eligible to participate in an online adult

20 high school diploma program authorized under this section if the

21 student:

22   (1) resides in this state;

23   (2) is 19 years of age or older;

24   (3) was unable to satisfy the high school graduation

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1 requirements in place at the time the student would have normally

2 graduated from high school;

3   (4) is unable to satisfy the high school graduation

4 requirements of any other program offered under this title; and

5   (5) meets any other requirements as determined by the

6 commissioner.

7   (d) A student participating in an online adult high school

8 diploma program authorized under this section must have taken the

9 appropriate end-of-course assessment instruments specified by

10 Section 39.023(c) before entering the program and must take each

11 appropriate end-of-course assessment instrument administered

12 during the period in which the student is enrolled in the program.

13   (e) A student enrolled in an online adult high school

14 diploma program authorized under this section may not participate

15 in a competition or other activity sanctioned or conducted by the

16 University Interscholastic League.

17   (f) A student who enrolls in an online adult high school

18 diploma program authorized under this section is entitled to the

19 benefits of the Foundation School Program under Section 42.003 in

20 the same manner as any other student who has not received a high

21 school diploma.

22   (g) For purposes of funding under Chapters 41, 42, and 46, a

23 student attending an online adult high school diploma program

24 authorized under this section may be counted in attendance only for

25 the actual number of hours each school day the student attends the

26 program, in accordance with Section 25.081.

27   (h) The commissioner may revoke a provider's authorization

to operate an online adult high school diploma program under this section after consideration of relevant factors, including student performance on assessment instruments required under Chapter 39, the percentage of students who complete the program and earn a high school diploma, and other criteria adopted by the commissioner. A decision by the commissioner under this subsection is final and may not be appealed.

(i) The commissioner may adopt rules to implement this section.

SECTION 2. As soon as practicable after the effective date of this Act, the commissioner of education shall adopt rules necessary to implement Section 29.0871, Education Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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