

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 5
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In recent years, education policy in Texas has focused on ensuring that students are academically prepared to pursue a postsecondary education. Interested parties contend that such efforts to increase the rigor of curriculum and assessments have unintentionally led to limited options for students during high school and an excessive reliance on standardized testing. In addition, many in business and industry are frustrated with the lack of applied core curriculum courses to prepare students for the growing labor demands in this state.

Current law provides for three public high school graduation plans: minimum, recommended, and distinguished. All students are required to begin high school under the recommended program, satisfying four credits each in English language arts, mathematics, science, and social studies. To opt out of this default program, students and their parents must sign a permission form.

C.S.H.B. 5 seeks to transform the current structure by creating a single diploma, the foundation program, and enable students to pursue their interests through diploma endorsements. In addition, it seeks to reduce the emphasis on testing by decreasing the number of end-of-course examinations required for graduation, and to institute school ratings that provide a clearer understanding of overall school performance.

C.S.H.B. 5 amends current law relating to public school accountability, assessment and curriculum requirements for high school graduation, and funding in support of certain curriculum authorized for graduation, and provides a criminal penalty.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of education (commissioner) is modified in SECTION 1 (Section 7.062, Education Code), SECTION 29 (Section 39.025, Education Code), SECTION 30 (Section 39.025, Education Code), and SECTION 46 (Section 39.202, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner in SECTION 8 (Section 28.014, Education Code), SECTION 12 (Section 28.025, Education Code), SECTION 23 (Section 31.031, Education Code), SECTION 26 (Section 39.023, Education Code), SECTION 29 (Section 39.025, Education Code), SECTION 32 (Section 39.0263, Education Code), SECTION 37 (Section 39.053, Education Code), and SECTION 68 of this bill.

Rulemaking authority previously granted to the State Board of Education (SBOE) is modified in SECTION 12 (Section 28.025, Education Code) and SECTION 26 (Section 39.023, Education Code) of this bill.

Rulemaking authority is expressly granted to SBOE in SECTION 6 (Section 28.002, Education Code) and SECTION 50 (Section 39.332, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner is rescinded in SECTION 29 (Section 39.025, Education Code) and SECTION 66 (Section 39.0822, Education Code) of this bill.

Rulemaking authority previously granted to SBOE is rescinded in SECTION 48 (Section 39.301, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of higher education in SECTION 52 (Section 51.3062, Education Code) of this bill.

Rulemaking authority is expressly granted jointly to the Texas Higher Education Coordinating Board (THECB) and the commissioner in SECTION 53 (Section 51.803, Education Code), SECTION 54 (Section 51.805, Education Code), SECTION 56 (Section 56.009, Education Code), and SECTION 57 (Section 56.3041, Education Code) of this bill.

Rulemaking authority previously granted to THECB is modified in SECTION 55 (Section 51.807, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Amends Section 7.062(e), Education Code, as follows:

(e) Requires that the rules adopted by the commissioner of education (commissioner) regarding implementation of the science laboratory grant program:

(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 an endorsement under Section 28.025(c-1), rather than to comply with the curriculum requirements imposed for the recommended and advanced high school programs under Section 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.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 2. Amends Subchapter C, Chapter 7, Education Code, by adding Section 7.064, as follows:

Sec. 7.064. CAREER AND TECHNOLOGY CONSORTIUM. (a) Requires the commissioner to investigate available options for the state to join a consortium of states for the purpose of developing sequences of academically rigorous career and technology courses in career areas that are high-demand, high-wage career areas in this state.

(b) Requires that the curricula for the courses include the appropriate essential knowledge and skills adopted under Subchapter A (Essential Knowledge and Skills; Curriculum), Chapter 28.

(c) Authorizes the commissioner, if the commissioner determines that joining a consortium of states for this purpose would be beneficial for the educational and career success of students in the state, to join the consortium on behalf of the state.

SECTION 3. (a) Amends Section 25.083, Education Code, as follows:

Sec. 25.083. SCHOOL DAY INTERRUPTIONS. (a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Requires the board of trustees of each school district to adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. Prohibits a district from removing a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such purpose.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 4. (a) Amends the heading to Section 25.092, Education Code, to read as follows:

Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL GRADE.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 5. (a) Amends Sections 25.092(a), (a-1), (b), and (d), Education Code, as follows:

(a) Prohibits a student in any grade level from kindergarten through grade 12, except as provided by this section, from being given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered.

(a-1) Authorizes a student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered to be given credit or a final grade for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. Prohibits a student under the jurisdiction of a court in a criminal or juvenile justice proceeding from receiving credit or a final grade under this subsection without the consent of the judge presiding over the student's case.

(b) Requires the board of trustees of each school district to appoint one or more attendance committees to hear petitions for class credit or a final grade by students who are in attendance fewer than the number of days required under Subsection (a) and have not earned class credit or a final grade under Subsection (a-1). Requires classroom teachers to comprise a majority of the membership of the committee. Authorizes a committee to give class credit or a final grade to a student because of extenuating circumstances. Requires each board of trustees to establish guidelines to determine what constitutes extenuating circumstances and to adopt policies establishing alternative ways for students to make up work or regain credit or a final grade lost because of absences. Requires that the alternative ways include at least one option that does not require a student to pay a fee authorized under Section 11.158(a)(15) (relating to authorizing the board of trustees of an independent school district to require payment of a fee, not to exceed \$50, for certain costs). Prohibits a certified public school employee from being assigned additional instructional duties as a result of this section outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay.

(d) Authorizes a student, if the student is denied credit or a final grade for a class by an attendance committee, to appeal the decision to the board of trustees.

Authorizes that the decision of the board be appealed by trial de novo to the district court of the county in which the school district's central administrative office is located.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 6. (a) Amends Section 28.002, Education Code, by amending Subsections (c) and (f) and adding Subsections (o) and (t), as follows:

(c) Requires the State Board of Education (SBOE), as a condition of accreditation, to require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.

(f) Authorizes a district to also offer courses for local credit without obtaining SBOE approval if:

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

(2) the courses prepare students to enter:

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

(B) an institution of higher education without remediation; and

(3) the board of trustees of the district approves the courses.

(o) Requires SBOE, in approving career and technology courses, to determine that a minimum of 50 percent of the approved courses are cost-effective for a school district to implement.

(t) Requires SBOE by rule to require a course of instruction in career explorations for each student during either seventh or eighth grade. Requires that the course include detailed explanations and discussions of:

(1) the foundation high school program and endorsements under Section 28.025; and

(2) courses necessary or useful in pursuing higher education or a career.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 7. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.00222, as follows:

Sec. 28.00222. INCREASE IN CAREER AND TECHNOLOGY EDUCATION COURSES. (a) Requires SBOE, not later than September 1, 2014, to ensure that at least six advanced career and technology education courses, including courses in personal financial literacy consistent with Section 28.0021 (Personal Financial Literacy) and in statistics, are approved to satisfy a fourth credit in mathematics.

(b) Requires the commissioner, not later than January 1, 2015, to review and report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the legislature with primary responsibility over public primary and secondary education regarding the progress of increasing the number of courses approved for the career and technology education curriculum. Requires the commissioner

to include in the report a detailed description of any new courses, including instructional materials and required equipment, if any.

(c) Provides that this section expires September 1, 2015.

SECTION 8. (a) Amends Section 28.014, Education Code, as follows:

Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Requires that each school district partner with at least one institution of higher education, including any public junior college in this state, to develop and provide courses in college preparatory mathematics and English language arts. Deletes existing text requiring the commissioner and the commissioner of higher education to develop and recommend to SBOE for adoption under Section 28.002 the essential knowledge and skills of courses in college preparatory mathematics, science, social studies, and English language arts. Requires that the courses be designed:

(1) for students at the 12th grade level whose performance on:

(A) an end-of-course assessment instrument required under Section 39.023(c) does not meet college readiness standards, rather than who do not meet college readiness standards on an end-of-course assessment instrument required under Section 39.023(c); or

(B) coursework, a college entrance examination, or an assessment instrument designated under Section 51.3062(c) (relating to requiring SBOE to designate one or more instruments for use by institutions of higher education in assessing students under this section) indicates that the student is not ready to perform entry-level college coursework; and

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

(b) Requires that a course developed under this section be provided:

(1) on the campus of the high school offering the course; or

(2) through distance learning or as an online course provided through an institution of higher education with which the school district partners as provided by Subsection (a).

(c) Requires appropriate faculty of each high school offering courses under this section and appropriate faculty of each institution of higher education with which the school district partners to meet regularly as necessary to ensure that each course is aligned with college readiness expectations. Authorizes the commissioner, in coordination with the commissioner of higher education, to adopt rules to administer this subsection.

(d) Requires each school district to provide a notice to each district student to whom Subsection (a) applies and the student's parent or guardian regarding the benefits of enrolling in a course under this section.

(e) Creates this subsection from existing text. Authorizes a student who successfully completes an English language arts course developed under this section to use the credit earned in the course toward satisfying an appropriate English language arts curriculum requirement for the foundation high school program under Section 28.025(b-1)(1), as established by commissioner rule. Authorizes a student who successfully

completes a mathematics course developed under this section to use the credit earned in the course toward satisfying an appropriate mathematics curriculum requirement under Section 28.025 as established by commissioner rule, after completion of the mathematics curriculum requirements for the foundation high school program under Section 28.025(b-1)(2). Deletes existing text authorizing a student who successfully completes a course developed under this section to use the credit earned in the course toward satisfying the applicable mathematics or science curriculum requirement for the recommended or advanced high school program under Section 28.025.

(f) Authorizes a course provided under this section to be offered for dual credit at the discretion of the institution of higher education with which a school district partners under this section.

(g) Requires each school district, in consultation with each institution of higher education with which the district partners, to develop or purchase instructional materials for a course developed under this section consistent with Chapter 31. Requires that the instructional materials include technology resources that enhance the effectiveness of the course and draw on established best practices.

Deletes existing Subsection (c) requiring TEA, in consultation with the Texas Higher Education Coordinating Board (THECB), to adopt an end-of-course assessment instrument for each course developed under this section to ensure the rigor of the course. Deletes existing text requiring a school district to, in accordance with SBOE rules, administer the end-of-course assessment instrument to a student enrolled in a course developed under this section. Deletes existing text requiring each school district to adopt a policy that requires a student's performance on the end-of-course assessment instrument to account for 15 percent of the student's final grade for the course. Deletes existing text authorizing a student's performance on an end-of-course assessment instrument administered under this subsection to be used, on a scale of 0-40, in calculating whether the student satisfies the graduation requirements established under Section 39.025.

Deletes existing Subsection (d) requiring TEA, in coordination with THECB, to adopt a series of questions to be included in an end-of-course assessment instrument administered under Subsection (c) to be used for purposes of Section 51.3062. Deletes existing text requiring that the questions be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 (Recognition of High School Completion and Success and College Readiness Programs) and 51.3062.

Deletes existing Subsection (e) requiring SBOE to adopt instructional materials for a course developed under this section in accordance with Chapter 31.

(h) Redesignates existing Subsection (f) as Subsection (h). Requires a district, rather than the commissioner, to the extent applicable, to draw from curricula and instructional materials developed under Section 28.008 (Advancement of College Readiness in Curriculum), rather than Sections 28.008 and 61.0763 (Course Redesign Project [expired]), in developing a course and related instructional materials under this section. Requires that a course developed under this section and the related instructional materials be made available to students not later than the 2014-2015 school year. Provides that this subsection expires September 1, 2015. Deletes existing text requiring SBOE, not later than September 1, 2010, to adopt essential knowledge and skills for each course developed under this

section. Deletes existing text requiring SBOE to make each course developed under this section and the related instructional materials available to school districts not later than the 2014-2015 school year. Deletes existing text requiring a school district, as required by Subsection (c), to adopt a policy requiring a student's performance on an end-of-course assessment instrument administered under that subsection to account for 15 percent of the student's grade for a course developed under this section not later than the 2014-2015 school year.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 9. Amends Section 28.0211(m), Education Code, as follows:

(m) Requires the commissioner to certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section and Section 28.0217. Authorizes that this section be implemented only if the commissioner certifies that sufficient funds have been appropriated during a school year for administering the accelerated instruction programs specified under this section and allowed under Section 28.0217, including teacher training for that purpose.

SECTION 10. (a) Amends Sections 28.0212(a), (b), (c), and (e), Education Code, as follows:

(a) Requires a principal to designate a guidance counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan for each student enrolled in a junior high, middle, or high school, rather than for each student enrolled in a junior, middle, or high school who does not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39, or is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the district.

(b) Requires that a personal graduation plan for a student enrolled in a junior high, middle, or high school who does not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39, or who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the school district, notwithstanding any other provision of this section, meet certain criteria at a minimum.

(c) Authorizes a student's individualized education program developed under Section 29.005 (Individualized Education Program), notwithstanding any other provision of this section, rather than notwithstanding Subsection (b), to be used as the student's personal graduation plan under this section.

(e) Requires that a personal graduation plan for each student entering grade nine identify a certain course of study, rather than providing that each school district is encouraged to establish for each student entering grade nine a personal graduation plan that identifies a certain course of study.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 11. Amends Subchapter B, Chapter 28, Education Code, by adding Section 28.0217, as follows:

Sec. 28.0217. ACCELERATED INSTRUCTION FOR HIGH SCHOOL STUDENTS. Requires the school district in which a student attends school, each time a student fails to perform satisfactorily on an assessment instrument administered under Section 39.023(c), to provide to the student accelerated instruction in the applicable subject area, using funds appropriated for accelerated instruction under Section 28.0211. Authorizes accelerated

instruction to require participation of the student before or after normal school hours and to include participation at times of the year outside normal school operations.

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

(a) Requires SBOE by rule to determine curriculum requirements for the foundation high school program, rather than to determine curriculum requirements for the minimum, recommended, and advanced high school programs, that are consistent with the required curriculum under Section 28.002. Requires SBOE to designate the specific courses in the foundation curriculum under Section 28.002(a)(1) (relating to requiring certain school districts to offer a certain foundation curriculum) required under the foundation high school program, rather than requiring SBOE, subject to Subsection (b-1), to designate the specific courses in the foundation curriculum required for a student participating in the minimum, recommended, or advanced high school program. Prohibits SBOE, except as otherwise provided by this section, rather than except as provided by Subsection (b-1), from designating a specific course or a specific number of credits in the enrichment curriculum as requirements for the foundation high school program, rather than the recommended program.

(b) Requires a school district to ensure that each student, on entering ninth grade, indicates in writing an endorsement under Subsection (c-1) that the student intends to earn. Authorizes a district to permit a student to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated. Authorizes a student to graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

(1) the student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and

(2) the student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

Deletes existing text requiring a school district to ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by SBOE under Subsection (a) for the recommended or advanced high school program unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the minimum high school program and the student is at least 16 years of age, has completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1), or has failed to be promoted to the tenth grade one or more times as determined by the school district.

(b-1) Requires SBOE by rule to require that the curriculum requirements for the foundation high school program under Subsection (a) include a requirement that students successfully complete:

(1) four credits in English language arts under Section 28.002(a)(1)(A) (relating to requiring certain school districts to offer a required curriculum that includes English language arts);

(2) three credits in mathematics under Section 28.002(a)(1)(B) (relating to requiring certain school districts to offer a required curriculum that includes mathematics);

(3) three credits in science under Section 28.002(a)(1)(C) (relating to requiring certain school districts to offer a required curriculum that includes science), one of which may be satisfied by an academic elective credit in science in addition to elective credits under Subdivision (6);

(4) except as provided by Subsection (c-1)(1), three credits in social studies under Section 28.002(a)(1)(D) (relating to requiring certain school districts to offer a required curriculum that includes social studies), including at least one credit in United States history, one-half credit in government, and one-half credit in economics;

(5) except as provided by Subsections (b-12), two credits in the same language in a language other than English under Section 28.002(a)(2)(A) (relating to requiring certain school districts to offer an enrichment curriculum that includes languages other than English) or, at the option of the student, two credits in computer programming;

(6) 8-1/2 elective credits, including at least two credits in academic electives;

(7) one-half credit in speech;

(8) one credit in fine arts under Section 28.002(a)(2)(D); and

(9) except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C) (relating to requiring certain school districts to offer an enrichment curriculum that includes physical education).

Deletes existing text requiring SBOE by rule to require that, except as provided by Subsection (b-2), the curriculum requirements for the recommended and advanced high school programs under Subsection (a) include a requirement that students successfully complete four credits in each subject of the foundation curriculum under Section 28.002(a)(1), including at least one-half credit in government and at least one-half credit in economics to meet the social studies requirement, for the recommended high school program, two credits in the same language in a language other than English under Section 28.002(a)(2)(A) and, for the advanced high school program, three credits in the same language in a language other than English under Section 28.002(a)(2)(A), and for the recommended high school program, six elective credits and, for the advanced high school program, five elective credits; one or more credits offered in the required curriculum for the recommended and advanced high school programs include a research writing component; and the curriculum requirements for the minimum, recommended, and advanced high school programs under Subsection (a) include a requirement that students successfully complete one credit in fine arts under Section 28.002(a)(2)(D) and except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C).

(b-2) Requires SBOE, in adopting rules under Subsection (b-1), to allow a student to comply with the curriculum requirements for the third and fourth mathematics credits for purposes of earning an endorsement under Subsection (c-1)(1) by successfully completing applied mathematics courses and for the third and fourth science credits for purposes of earning an endorsement under Subsection (c-1)(1) by successfully completing applied science courses, rather than to allow a student to comply with the curriculum requirements for a mathematics course under Subsection (b-1)(1) taken after the successful completion of Algebra I and

geometry and either after the successful completion of or concurrently with Algebra II or a science course under Subsection (b-1)(1) taken after the successful completion of biology and chemistry and either after the successful completion of or concurrently with physics by successfully completing an advanced career and technical course designated by SBOE as containing substantively similar and rigorous academic content. Requires that an applied course under this subsection satisfy the requirements of Subsection (b-4). Deletes existing text authorizing a student to use the option provided by this subsection for not more than two courses.

(b-4) Authorizes a school district to offer the curriculum described in Subsections (b-1)(1) through (4), rather than in Subsection (b-1)(1)(A), in an applied manner. Requires that courses delivered in an applied manner cover the essential knowledge and skills, and requires the student to be administered any applicable end-of-course assessment instrument, rather than the applicable end-of-course assessment instrument, as provided by Sections 39.023(c) and 39.025.

(b-5) Authorizes a school district to offer a mathematics or science course to be taken by a student after completion of Algebra II and physics, rather than by a student after completion of Algebra II and physics to comply with the recommended program requirements in Subsection (b-1)(1)(A).

(b-7) Requires SBOE, in coordination with THECB, to adopt rules to ensure that a student is authorized to comply with the curriculum requirements under Subsection (b-1) and (c-1), rather than under the minimum, recommended, or advanced high school program, for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822 (Core Curriculum).

(b-9) Requires TEA to establish a pilot program allowing a student attending school in a county with a population of more than one million in which more than 75 percent of the population resides in a single municipality to satisfy the fine arts credit required under Subsection (b-1)(8), rather than the fine arts credit required under Subsection (b-1)(3)(A), by participating in a fine arts program not provided by the school district in which the student is enrolled. Authorizes the fine arts program to be provided on or off a school campus and outside the regular school day. Deletes existing text requiring TEA, not later than December 1, 2010, to provide to the legislature a report regarding the pilot program, including the feasibility of expanding the pilot program statewide.

(b-10) Authorizes a school district, with the approval of the commissioner, to allow a student to comply with the curriculum requirements for the physical education credit required under Subsection (b-1)(9), rather than required under Subsection (b-1)(3)(B), by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.

(b-11) Requires SBOE, in adopting rules under Subsection (b-1), to allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the physical education credit required under Subsection (b-1)(9), rather than under Subsection (b-1)(3)(B).

(b-12) Requires SBOE, in adopting rules under Subsection (b-1), to allow a student who, due to disability, is unable to complete two courses in the same language in language other than English, as provided under Subsection (b-1)(5), to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in career and technology education or

other academic electives. Prohibits a credit allowed to be substituted under this subsection from also being used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. Requires that the rules provide that the determination regarding a student's ability to participate in language-other-than-English courses will be made by:

(1) if the student receives special education services under Subchapter A (Special Education Program), Chapter 29 (Educational Programs), the student's admission, review, and dismissal committee; or

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

(c-1) Authorizes a student who successfully completes the curriculum requirements for the foundation high school program under this section to earn any of the following endorsements on the student's diploma and transcript as follows:

(1) a business and industry endorsement by earning:

(A) one additional credit in mathematics;

(B) one additional credit in science;

(C) a total of two credits in social studies; and

(D) two credits in career and technology education;

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

(A) one additional credit in mathematics, which is required to be an Algebra II credit if an Algebra II credit is not used to satisfy the curriculum requirements for the foundation high school program;

(B) one additional credit in social studies; and

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

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

(A) one additional credit in mathematics, which is required to be an Algebra II credit if an Algebra II credit is not used to satisfy the curriculum requirements for the foundation high school program;

(B) one additional credit in science; and

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

(4) a distinguished achievement endorsement by:

(A) successfully completing English III and Algebra II courses and achieving a scale score on an advanced placement test, an international baccalaureate examination, the SAT, SAT Subject Test, the ACT, or another nationally recognized assessment

instrument, not including an end-of-course assessment instrument under Section 39.023(c), that indicates readiness to enroll in an institution of higher education, as determined by the commissioner; and

(B) earning:

(i) one additional credit in mathematics, including Algebra II;

(ii) one additional credit in science;

(iii) one additional credit in social studies; and

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

(c-2) Requires SBOE to designate the specific courses required for an endorsement under Subsection (c-1) for courses included in the foundation curriculum under Section 28.002(a)(1).

(c-3) Authorizes a school district, notwithstanding any other provision of law, to contract with any other entity, including another school district or an institution of higher education, to provide a course that the district determines is needed to meet the requirements of this section.

(c-4) Requires that a student's diploma clearly indicate any endorsement under Subsection (c-1) that a student has earned.

(e) Requires each school district to report the academic achievement record of students who have completed the foundation high school program on transcript forms adopted by SBOE, rather than the academic achievement record of students who have completed a minimum, recommended, or advanced high school program on transcript forms adopted by SBOE. Requires that the transcript forms adopted by SBOE be designed to clearly identify whether a student received a diploma or a certificate of coursework completion and to clearly indicate an endorsement under Subsection (c-1) that a student has earned, rather than be designed to clearly differentiate between each of the high school programs and identify whether a student received a diploma or a certificate of coursework completion.

(h) Requires the commissioner by rule to adopt a transition plan to implement and administer the amendments made by H.B. No. 5, 83rd Legislature, Regular Session, 2013, replacing the minimum, recommended, and advanced high school programs with the foundation high school program beginning with the 2013-2014 school year. Requires a student who entered the ninth grade before the 2013-2014 school year, under the transition plan, to be permitted to complete the curriculum requirements required for high school graduation under:

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

(2) the minimum high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year;

(3) the recommended high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year; or

(4) the advanced high school program, as that program existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, if the student was participating in that program before the 2013-2014 school year.

(h-1) Provides that this subsection and Subsection (h) expire September 1, 2018.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 13. (a) Amends Section 28.0253(e), Education Code, to provide that a student who receives a high school diploma through the pilot program is considered to have earned an endorsement under Section 28.025(c-1), rather than is considered to have completed the recommended high school program adopted under Section 28.025(a).

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 14. (a) Amends Sections 28.027(a) and (b), Education Code, as follows:

(a) Redefines "applied STEM course" in this section.

(b) Requires SBOE to establish a process under which an applied STEM course may be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation high school program under Section 28.025 through substitution of the applied STEM course for a specific mathematics or science course otherwise required under the foundation high school program, rather than approved for purposes of satisfying the mathematics and science curriculum requirements for the recommended high school program imposed under Section 28.025(b-1)(1)(A) through substitution of the applied STEM course for a specific mathematics or science course otherwise required under the recommended high school program and completed during the student's fourth year of mathematics or science course work. Authorizes SBOE to only approve a course to substitute for a science course taken after successful completion of biology, rather than to substitute for a science course taken after successful completion of biology and chemistry and after successful completion of or concurrently with physics. Deletes existing text authorizing SBOE to only approve a course to substitute for a mathematics course taken after successful completion of Algebra I and geometry and after successful completion of or concurrently with Algebra II.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 15. Amends Section 29.081, Education Code, by adding Subsection (b-1), (b-2), and (b-3), as follows:

(b-1) Requires each district to offer additional accelerated instruction to each student in any subject in which that student has failed an end-of-course assessment instrument that the student is required to pass in order to graduate before the next scheduled test administration without any cost to the student.

(b-2) Requires a district that is required to provide accelerated instruction under Subsection (b-1) to separately budget sufficient funds, including funds under Section 42.152 (Compensatory Education Allotment), for that purpose. Prohibits a district from budgeting funds received under Section 42.152 for any other purpose until it has adopted a budget to support additional accelerated instruction under Subsection (b-1).

(b-3) Requires a district to evaluate the effectiveness of accelerated instruction programs under Subsection (b-1) and hold a public hearing once each year to consider the results.

SECTION 16. (a) Amends Section 29.096(e), Education Code, as follows:

(e) Requires the commissioner to establish minimum standards for a local collaborative agreement, including a requirement that the agreement is required to be signed by an authorized school district or open-enrollment charter school officer and an authorized representative of each of the other participating entities that is a partner in the collaboration. Requires that the program, among other requirements, have as a primary goal graduation from high school, rather than have as a primary goal graduation from high school under at least the recommended high school program.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 17. Amends Section 29.182(b), Education Code, as follows:

(b) Requires that the state plan include procedures designed to ensure that certain criteria are met, including that a school district provides, to the greatest extent possible, to a student participating in a career and technology education program opportunities to enroll in dual credit courses designed to lead to a degree, license, or certification as part of the program. Makes nonsubstantive changes.

SECTION 18. (a) Amends the heading to Section 29.190, Education Code, to read as follows:

Sec. 29.190. SUBSIDY FOR MANUFACTURING CERTIFICATION EXAMINATION.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 19. (a) Amends Sections 29.190(a) and (c), Education Code, as follows:

(a) Entitles a student to a subsidy under this section if:

(1) the student successfully completes the career and technology program of a school district in which the student receives training and instruction for employment, rather than successfully completes the career and technology program of a school district in which the student receives training and instruction for employment in a current or emerging high-demand, high-wage, high-skill occupation, as determined under Subsection (e) (relating to requiring the commissioner, in collaboration with the commissioner of higher education and the Texas Workforce Commission (TWC), to determine the occupations that qualify for purposes of this section); or is enrolled in a special education program under Subchapter A; and

(2) the student passes a certification examination to qualify for a license or certificate for an occupation in the manufacturing industry.

Deletes existing text entitling a student to a subsidy under this section if the student submits to the district a written application in the form, time, and manner required by the district for the district to subsidize the cost of an examination described by Subdivision (2). Makes nonsubstantive and conforming changes.

(c) Requires TEA, on approval by the commissioner, to pay each school district an amount equal to the cost paid by the district, rather than an amount equal to the cost paid by the district or student, for the certification examination. Requires a district, to obtain reimbursement for a subsidy paid under this section, to:

(1) pay the fee for the examination, rather than pay the fee for the examination or pay the student the amount of the fee paid by the student for the examination; and

(2) submit to the commissioner a written application on a form prescribed by the commissioner stating the amount of the fee paid under Subdivision (1) for the certification examination.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 20. (a) Amends Section 29.402(b), Education Code, as follows:

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

(1) is required to complete not more than three course credits to complete the curriculum requirements to complete the foundation high school program, rather than to complete the curriculum requirements for the minimum, recommended, or advanced high school program, as appropriate, for high school graduation; or

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

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 21. (a) Amends Section 29.904(d), Education Code, as follows:

(d) Provides that a plan developed under this section:

(1) is required to establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a) (relating to providing that this section applies only to a school district with one or more high schools that meet certain conditions), who enroll in an institution of higher education for the academic year following graduation;

(2) is required to establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:

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

(B) are enrolled in courses that meet the curriculum requirements for an endorsement, rather than the curriculum requirements for the recommended or advanced high school program, as determined under Section 28.025; and

(C)-(G) Makes no change to these paragraphs.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 22. (a) Amends Section 31.0211(c), Education Code, as follows:

(c) Authorizes funds allotted under this section, subject to Subsection (d), to be used to:

(1) purchase certain materials and equipment, including instructional materials for use in college preparatory courses under Section 28.014, as provided by Section 31.031; and

(2) pay for training for certain educational personnel and for the salary and other expenses of certain employees.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 23. (a) Amends Subchapter B, Chapter 31, Education Code, by adding Section 31.031, as follows:

Sec. 31.031. COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

(a) Authorizes a school district to purchase with the district's instructional materials allotment or otherwise acquire instructional materials for use in college preparatory courses under Section 28.014.

(b) Requires the commissioner to adopt rules regarding the purchase of instructional materials under this section.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 24. (a) Amends the heading to Section 33.007, Education Code, to read as follows:

Sec. 33.007. COUNSELING REGARDING POSTSECONDARY
EDUCATION.

(b) Provides that this section takes effect beginning with the 2014-2015 school year.

SECTION 25. (a) Amends Sections 33.007(a) and (b), Education Code, as follows:

(a) Requires each school counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, to advise students and their parents or guardians regarding the importance of postsecondary education, rather than regarding the importance of higher education, coursework designed to prepare students for postsecondary education, and financial aid availability and requirements. Makes a conforming change.

(b) Requires a school counselor, during the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level, rather than during a student's senior year, to provide information about postsecondary education to the student and the student's parent or guardian. Requires that the information include certain information, including information regarding the importance of postsecondary education and the advantages of earning an endorsement under Section 28.025, rather than the advantages of completing the recommended or advanced high school program adopted under Section 28.025(a). Makes a conforming change.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 26. (a) Amends Section 39.023, Education Code, by amending Subsections (b), (c), (c-3), (e), and (h) and adding Subsections (b-1), (e-1), (e-2), and (e-3), as follows:

(b) Requires TEA to develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program under Subchapter A, Chapter 29, for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee, including assessment instruments approved by the commissioner that measure growth. Requires that the assessment instruments developed or adopted under this subsection, including the assessment instruments approved by the commissioner, to the extent allowed under federal law, provide a district with options for the assessment of students under this subsection.

(b-1) Requires TEA, in conjunction with appropriate interested persons, to redevelop assessment instruments adopted or developed under Subsection (b) for administration to significantly cognitively disabled students in a manner consistent with federal law. Prohibits an assessment instrument under this subsection from requiring a teacher to prepare tasks or materials for a student who will be administered such an assessment instrument. Requires that assessment instruments adopted or developed under this subsection be administered not later than the 2014-2015 school year.

(c) Requires TEA to also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history, rather than for secondary-level courses in Algebra I, Algebra II, geometry, biology, chemistry, physics, English I, English II, English III, world geography, world history, and United States history. Requires that the Algebra I end-of-course assessment instrument, rather than requires that the Algebra I, Algebra II, and geometry end-of-course assessment instruments, be administered with the aid of technology. Requires that English I and English II end-of-course assessment instruments each assess essential knowledge and skills in both reading and writing in the same assessment instrument. Requires a school district to comply with SBOE rules regarding administration of the assessment instruments listed in this subsection.

Deletes existing text requiring a school district to adopt a policy that requires a student's performance on an end-of-course assessment instrument for a course listed in this subsection in which the student is enrolled to account for 15 percent of the student's final grade for the course. Deletes existing text providing that, if a student retakes an end-of-course assessment instrument for a course listed in this subsection, as provided by Section 39.025, a school district is not required to use the student's performance on the subsequent administration or administrations of the assessment instrument to determine the student's final grade for the course.

(c-3) Requires SBOE, in adopting a schedule for the administration of assessment instruments under this section, to require:

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

(2) the spring administration of end-of-course assessment instruments under Subsection (c) to occur in each school district not earlier than the first full week in May, except that the spring administration of the end-of-course assessment instruments in English I and English II, rather than in English I, English II, and English III, is required to be permitted to occur at an earlier date.

Makes nonsubstantive and conforming changes.

(e) Requires TEA, under rules adopted by SBOE, every third year, to release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. Requires TEA, during the 2014-2015 and 2015-2016 school years, to release the questions and answer keys to assessment instruments as described by this subsection each year.

(e-1) Requires TEA each year, under rules adopted by the commissioner, for the 2012-2013 school year, to release the questions and answer keys to each assessment instrument administered under Subsection (a), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. Provides that this subsection expires December 31, 2013.

(e-2) Requires TEA each year, under rules adopted by the commissioner, for the 2013-2014 school year, to release the questions and answer keys to each assessment instrument administered under Subsection (b), (c), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument and any assessment instrument covering a subject or course for which the questions and answer keys for the 2012-2013 assessment instrument covering that subject or course were released, after the last time the instrument is administered for the 2013-2014 school year. Provides that this subsection expires December 31, 2014.

(e-3) Requires TEA each year, under rules adopted by the commissioner, for the 2013-2014 school year, to release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the 2013-2014 school year after the last time any assessment instrument is administered for the 2013-2014 school year. Provides that this subsection expires December 31, 2014.

(h) Requires TEA to notify school districts and campuses of the results of assessment instruments administered under this section not later than the 21st day after the date the assessment instrument is administered, rather than at the earliest possible date determined by SBOE but not later than the beginning of the subsequent school year. Requires the school district to disclose to each district teacher the results of assessment instruments administered to students taught by the teacher in the subject for the school year in which the assessment instrument is administered.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 27. (a) Amends Section 39.0232, Education Code, as follows:

Sec. 39.0232. New heading: USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS PLACEMENT INSTRUMENT; CERTAIN USES PROHIBITED. (a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Prohibits a student's performance on an end-of-course assessment instrument from being used:

(1) in determining the student's class ranking for any purpose, including entitlement to automatic college admission under Section 51.803 or 51.804 (Additional Automatic Admissions: Selected Institutions); or

(2) as a sole criterion in the determination of whether to admit the student to a general academic teaching institution in this state.

(c) Provides that Subsection (b)(2) does not prohibit a general academic teaching institution from implementing an admission policy that takes into consideration a student's performance on an end-of-course assessment instrument in addition to other criteria.

(d) Defines "general academic teaching institution" in this section.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 28. (a) Amends Section 39.0233(a), Education Code, as follows:

(a) Requires TEA, in coordination with THECB, to adopt a series of questions to be included in an end-of-course assessment instrument administered under Section 39.023(c) to be used for purposes of Section 51.3062. Requires that the questions adopted under this subsection be developed in a manner consistent with any college readiness standards adopted under Sections 39.233 and 51.3062, rather than under Section 39.113 (Campus Intervention Team Members) and 51.3062. Makes nonsubstantive changes.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 29. (a) Amends Section 39.025, Education Code, by amending Subsections (a), (a-1), (a-2), and (b) and adding Subsection (a-4), as follows:

(a) Provides that a student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c) that is administered to the student as provided by this subsection, rather than provides that a student is required to achieve, in each subject in the foundation curriculum under Section 28.002(a)(1), a cumulative score that is at least equal to the product of the number of end-of-course assessment instruments administered to the student in that subject and a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a). Requires the commissioner, for each scale score required under this subsection that is not based on a 100-point scale scoring system, to provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system.

Deletes existing text requiring a student to achieve a minimum score as determined by the commissioner to be within a reasonable range of the scale score under Section 39.0241(a) on an end-of-course assessment instrument for the score to count towards the student's cumulative score. Deletes existing text providing that, for purposes of this subsection, a student's cumulative score is determined using the student's highest score on each end-of-course assessment instrument administered to the student. Makes nonsubstantive changes.

(a-1) Provides that a student enrolled in a college preparatory course under Section 28.014 who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by THECB under Section 51.3062(f) (relating to requiring that each assessment instrument designated by the board for use under this section meet certain requirements) on an assessment instrument designated by THECB under Section 51.3062(c) administered at the end of the college preparatory course satisfies the requirements concerning an end-of-course assessment in an equivalent course as prescribed by Subsection (a). Requires the commissioner, rather than requires the commissioner by rule, to determine a method by which a student's satisfactory performance on an advanced placement test, an international

baccalaureate examination, an SAT Subject Test, the SAT, the ACT, or any nationally recognized norm-referenced assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the assessment instrument required to be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a), rather than to determine a method by which a student's satisfactory performance on an advanced placement test, international baccalaureate examination, an SAT Subject Test, or another assessment instrument determined by the commissioner to be at least as rigorous as an end-of-course assessment instrument adopted under Section 39.023(c) is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a), including the cumulative score requirement of that subsection. Requires the commissioner to determine a method by which a student's satisfactory performance on the PSAT or the ACT-Plan is required to be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a), rather than authorizes the commissioner by rule to determine a method by which a student's satisfactory performance on a Preliminary Scholastic Assessment Test (PSAT) assessment or a preliminary American College Test (ACT) assessment is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a). Authorizes a student who fails to perform satisfactorily on a test or other assessment instrument authorized under this subsection, other than the PSAT or the ACT-Plan, to retake that test or other assessment instrument for purposes of this subsection or authorizes a student to take the appropriate end-of-course assessment instrument. Requires a student who fails to perform satisfactorily on the PSAT or the ACT-Plan to take the appropriate end-of-course assessment instrument. Requires the commissioner to adopt rules as necessary for the administration of this subsection.

(a-2) Provides that this subsection applies only to a student who, before entering the ninth grade in the 2011-2012 or 2012-2013 school year, completed a course before the 2011-2012 school year in a subject for which the student received high school credit and for which an end-of-course assessment instrument under Section 39.023 is required during the 2013-2014 school year or a later school year, such as Algebra I. Requires the commissioner to determine a method by which a student's satisfactory performance on an end-of-course assessment instrument for a course in the same general subject area in which the student is enrolled during or after the ninth grade, such as geometry, is required to be used to satisfy the requirements for the end-of-course assessment instrument for the course completed before entering the ninth grade and before the 2011-2012 school year. Requires the commissioner to adopt rules as necessary for the administration of this section. Provides that this subsection expires September 1, 2016.

Deletes existing text of Subsection (a-2) requiring a student, in addition to the cumulative score requirements under Subsection (a), to achieve a score that meets or exceeds the score determined by the commissioner under Section 39.0241(a) for English III and Algebra II end-of-course assessment instruments to graduate under the recommended high school program.

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

(b) Authorizes a student who failed to achieve a score requirement under Subsection (a), each time an end-of-course assessment instrument adopted under Section 39.023(c) is administered, to retake the assessment instrument, rather than requires a student who failed to achieve a minimum score under Subsection (a), each time an end-of-course assessment instrument is administered, to retake the assessment instrument. Deletes existing text authorizing a student who fails to

perform satisfactorily on an Algebra II or English III end-of-course assessment instrument under the college readiness performance standard, as provided under 30.024(b), to retake the assessment. Deletes existing text authorizing any other student to retake an end-of-course assessment instrument for any reason.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 30. (a) Amends, effective September 1, 2014, Section 39.025(a), Education Code, as follows:

(a) Requires the commissioner to adopt rules requiring a student in the foundation high school program under Section 28.025 to be administered each end-of-course assessment instrument listed in Section 39.023(c), rather than requires the commissioner to adopt rules requiring a student participating in the recommended or advanced high school program to be administered each end-of-course assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program to be administered an end-of-course assessment instrument listed in Section 39.023(c) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. Provides that a student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c), rather than provides that a student is required to achieve, in each subject in the foundation curriculum under Section 28.002(a)(1), a cumulative score that is at least equal to the product of the number of end-of-course assessment instruments administered to the student in that subject and a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a). Requires the commissioner, for each scale score required under this subsection that is not based on a 100-point scale scoring system, to provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system.

Deletes existing text requiring a student to achieve a minimum score as determined by the commissioner to be within a reasonable range of the scale score under Section 39.0241(a) on an end-of-course assessment instrument for the score to count towards the student's cumulative score. Deletes existing text providing that, for purposes of this subsection, a student's cumulative score is determined using the student's highest score on each end-of-course assessment instrument administered to the student. Makes nonsubstantive changes.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 31. (a) Amends Section 39.0261(a), Education Code, as follows:

(a) Provides that in addition to the assessment instruments otherwise authorized or required by this subchapter (Assessment of Academic Skills), each school year and at state cost, a school district is required to administer to middle school students in the spring of the 8th grade either the SAT Subject Tests or the ACT Explore, and to high school students in the spring of the 10th grade either the PSAT or the ACT-Plan, and to high school students in the spring of the 11th grade either the SAT or the ACT, as determined by the district, to determine college readiness. Deletes existing text authorizing high school students in the spring of the 11th grade or during the 12th grade to select and take once, at state cost, one of the valid, reliable, and nationally norm-referenced assessment instruments used by colleges and universities as part of their undergraduate admissions processes.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 32. (a) Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.0263, as follows:

Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (a) Defines "benchmark assessment instrument" in this section.

(b) Prohibits a school district, except as provided by Subsection (c), from administering to any student more than two benchmark assessment instruments to prepare the student for a corresponding state-administered assessment instrument.

(c) Provides that the prohibition prescribed by this section does not apply to the administration of a college preparation assessment instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT, an advanced placement test, an international baccalaureate examination, or an independent classroom examination designed or adopted and administered by a classroom teacher.

(d) Authorizes a parent of or person standing in parental relation to a student who has special needs, as determined in accordance with commissioner rule, to request administration to the student of additional benchmark assessment instruments.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 33. (a) Amends Section 39.027, Education Code, by adding Subsection (a-2), as follows:

(a-2) Prohibits a student, unless the student is enrolled in a school in the United States for a period of at least 60 consecutive days during a year, from being considered to be enrolled in a school in the United States for that year for the purpose of determining a number of years under Subsection (a)(1) (relating to authorizing a student to be administered an accommodated or alternative assessment instrument or to be granted an exemption from or a postponement of the administration of an assessment instrument under Section 39.023(a), (b), (c), or (l) for a period of up to one year under certain conditions), (2) (relating to authorizing a student to be administered an accommodated or alternative assessment instrument or to be granted an exemption from or a postponement of the administration of an assessment instrument under Section 39.023(a), (b), (c), or (l) for a period of up to two years under certain conditions), or (3) (relating to authorizing a student to be administered an accommodated or alternative assessment instrument or to be granted an exemption from or a postponement of the administration of an assessment instrument under Section 39.023(a), (b), (c), or (l) for a period of up to four years under certain conditions).

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 34. (a) Amends Section 39.0301, Education Code, by adding Subsection (a-1), as follows:

(a-1) Requires the commissioner, in establishing procedures for the administration of assessment instruments under Subsection (a)(1), to ensure that the procedures are designed to minimize disruptions to school operations and the classroom environment. Requires a school district, in implementing the procedures established for the administration of assessment instruments under Subsection (a)(1), to minimize disruptions to school operations and the classroom environment.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 35. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.038, as follows:

Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY COMMITTEES. Prohibits the commissioner from appointing a person to a committee or panel that advises the commissioner or TEA regarding state accountability systems under this title or the content or administration of an assessment instrument if the person is reimbursed, retained, or employed by an assessment instrument vendor.

SECTION 36. (a) Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.039, as follows:

Sec. 39.039. PROHIBITION ON POLITICAL CONTRIBUTION OR ACTIVITY BY CERTAIN CONTRACTORS. (a) Provides that a person who is an agent of an entity that has been contracted to develop or implement assessment instruments required under Section 39.023 commits an offense if the person makes or authorizes a political contribution to or takes part in, directly or indirectly, the campaign of any person seeking election to or serving on SBOE.

(b) Provides that a person who is an agent of an entity that has been contracted to develop or implement assessment instruments required under Section 39.023 commits an offense if the person serves as a member of a formal or informal advisory committee established by the commissioner, TEA staff, or SBOE to advise the commissioner, TEA staff, or SBOE regarding policies or implementation of the requirements of this subchapter.

(c) Provides that an offense under this section is a Class B misdemeanor.

(b) Provides that this section applies September 1, 2013.

SECTION 37. (a) Amends Section 39.053, Education Code, by amending Subsections (c) and (g-1) and adding Subsections (c-1) and (c-2), as follows:

(c) Requires that indicators of student achievement adopted under this section include:

(1) Makes no change to this subdivision;

(2)-(3) Makes nonsubstantive changes;

(4) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1); and

(5) at least three additional indicators of student achievement to evaluate district and campus performance, which are required to include either:

(A) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by THECB under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by THECB under Section 51.3062(c); or

(B) the number of students who earn:

(i) at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(ii) at least 30 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);

(iii) an associate's degree; or

(iv) an industry certification.

(c-1) Provides that an indicator adopted under this section that would measure improvements in student achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already achieving at the highest level for that indicator.

(c-2) Requires the commissioner by rule to determine a method by which a student's performance may be included in determining the performance rating of a school district or campus under Section 39.054 (Methods and Standards for Evaluating Performance) if, before the student graduates, the student:

(1) satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by THECB under Section 51.3062(f) on an assessment instrument designated by THECB under Section 51.3062(c); or

(2) performs satisfactorily on an assessment instrument under Section 39.023(c), notwithstanding Subsection (d).

(g-1) Requires the commissioner, in computing dropout and completion rates under Subsection (c)(2), to exclude certain students, including students who were previously reported to the state as dropouts, including a student who is reported as a dropout, reenrolls, and drops out again, regardless of the number of times of reenrollment and dropping out.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 38. (a) Amends Section 39.053(f), Education Code, to require the commissioner to periodically raise the state standards for the student achievement indicator described by Subsection (c)(1)(B)(i) for accreditation as necessary to reach the goals of achieving, by not later than the 2019-2020 school year, student performance, with no significant achievement gaps by race, ethnicity, and socioeconomic status, rather than student performance, including the percentage of students graduating under the recommended or advanced high school program with no significant achievement gaps by race, ethnicity, and socioeconomic status.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 39. (a) Amends Subchapter C, Chapter 39, Education Code, by adding Section 39.0541, as follows:

Sec. 39.0541. STANDARDS FOR EVALUATING COMPLETION AND DROPOUT RATES. Provides that, for purposes of evaluating a school district or campus or an open-enrollment charter school for adequate yearly progress under the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) and, notwithstanding Section 39.053(c)(2), for accountability under this chapter and for performance under a TEA performance-based monitoring analysis system:

(1) a student who graduates from a school district campus or open-enrollment charter school is considered a high school graduate of the campus or school regardless of whether the student graduates with the student's ninth grade cohort; and

(2) consistent with Section 39.053(g-1)(2), a student who was previously reported to the state as a dropout, including a student who is reported as a dropout, reenrolls, and drops out again, regardless of the number of times of reenrollment and dropping out, is required to be excluded in computing completion and dropout rates.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 40. Amends Section 39.056, Education Code, by adding Subsection (f), to require a district that takes action with regard to the recommendations provided by the investigators as prescribed by Subsection (e) (relating to requiring the investigators to report orally and in writing to the board of trustees of the school district and, as appropriate, to campus administrators and to make recommendations concerning any necessary improvements or sources of aid such as regional education service centers) to make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal oriented and research based.

SECTION 41. (a) Amends Section 39.057(a), Education Code, as follows:

(a) Requires the commissioner to authorize special accreditation investigations to be conducted in certain circumstances, including when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner; when a disproportionate number of students of a particular demographic group is graduating with a particular endorsement under Section 28.025(c-1); and when an excessive number of students is graduating with a particular endorsement under Section 28.025(c-1).

Deletes existing text requiring the commissioner to authorize special accreditation investigations to be conducted in certain circumstances, including when excessive numbers of students graduate under the minimum high school program and when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other course determined by the commissioner as distinguishing between students participating in the recommended high school program from students participating in the minimum high school program. Makes nonsubstantive changes.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 42. (a) Amends Section 39.0823, Education Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Requires TEA to provide the district or school interim financial reports, including projected revenues and expenditures, to evaluate the current budget status of the district or school, if the commissioner, based on the indicators adopted under Section 39.082 or other relevant information, projects a deficit for a school district or open-enrollment charter school general fund within the following three school years.

Deletes existing text requiring the district to provide TEA interim financial reports, supplemented by staff and student count data, as needed, to evaluate the district's current budget status if the review process under Section 39.0822 indicates a projected deficit for a school district general fund within the following three school years.

(d) Authorizes TEA to require a district or open-enrollment charter school to submit additional information needed to produce a financial report under Subsection (a). Authorizes the commissioner to order the district or school to acquire professional services as provided by Section 39.109 (Acquisition of Professional Services) if a district or school fails to provide information requested

under this subsection or if the commissioner determines that the information submitted by a district or school is unreliable.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 43. (a) Amends Subchapter D, Chapter 39, Education Code, by adding Section 39.0824 as follows:

Sec. 39.0824. CORRECTIVE ACTION PLAN. (a) Requires a school district or open-enrollment charter school assigned a failing rating under Section 39.082 to submit to the commissioner a corrective action plan to address the financial weaknesses of the district or school. Requires that a corrective action plan identify the specific areas of financial weaknesses, such as financial weaknesses in transportation, curriculum, or teacher development, and include strategies for improvement.

(b) Authorizes the commissioner to impose appropriate sanctions under Subchapter E against a district or school failing to submit or implement a corrective action plan required under Subsection (a).

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 44. (a) Amends Section 39.083(b), Education Code, as follows:

(b) Requires that the annual financial management report include:

(1) a description of the district's financial management performance based on a comparison, provided by TEA, of the district's performance on the indicators adopted under Section 39.082(b) to state-established standards and the district's previous performance on the indicators; and

(2) Redesignates existing Subdivision (3) as Subdivision (2) and makes no further change to this subdivision.

Deletes existing text requiring that the annual financial management report include a description of the data submitted using the electronic-based program developed under Section 39.0822.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 45. (a) Amends Section 39.201(a), Education Code, as follows:

(a) Requires the commissioner, not later than August 8 of each year, to award distinction designations for outstanding performance as provided by this subchapter. Requires that a distinction designation awarded to a district or campus under this subchapter be referenced directly in connection with the performance rating assigned to the district or campus and made publicly available together with the performance ratings as provided by rules adopted under Section 39.054(a). Makes a nonsubstantive change.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 46. (a) Amends Section 39.202, Education Code, as follows:

Sec. 39.202. New heading: ACADEMIC DISTINCTION DESIGNATION FOR DISTRICTS AND CAMPUSES. Requires the commissioner by rule to establish an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness, rather than requiring the commissioner by rule to establish a recognized and exemplary rating for awarding districts and campuses an academic distinction designation under this subchapter.

Requires the commissioner to adopt criteria for the designation under this section, rather than requiring the commissioner, in establishing the recognized and exemplary ratings, to adopt criteria for the ratings, including:

(1) percentages of students who:

(A) performed satisfactorily, as determined under the college readiness performance standard under Section 39.0241, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area; or

(B) met the standard for annual improvement, as determined by TEA under Section 39.034, on assessment instruments required under Section 39.023(a), (b), (c), or (l) or on end-of-course assessment instruments adopted under Section 39.023(c-2), aggregated across grade levels by subject area, for students who did not perform satisfactorily as described by Paragraph (A);

(2) percentages of:

(A) students who earned a nationally or internationally recognized business or industry certification or license;

(B) students who completed a coherent sequence of career and technical courses;

(C) students who completed a dual credit course or an articulated postsecondary course provided for local credit;

(D) students who achieved applicable college readiness benchmarks or the equivalent on the PSAT, the SAT, the ACT, or the ACT-Plan; and

(E) students who received a score on either an advanced placement test or an international baccalaureate examination to be awarded college credit; and

(3) other factors for determining sufficient student attainment of postsecondary readiness.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 47. (a) Amends Section 39.203, Education Code, as follows:

Sec. 39.203. **CAMPUS DISTINCTION DESIGNATIONS.** (a) Requires the commissioner to award a campus a distinction designation for outstanding performance in improvement in student achievement if the campus is ranked in the top 25 percent of campuses in the state in annual improvement in student achievement as determined under Section 39.034.

(b) Requires the commissioner, in addition to the distinction designation described by Subsection (a), to award a campus a distinction designation for outstanding performance in closing student achievement differentials if the campus demonstrates an ability to significantly diminish or eliminate performance differentials between student subpopulations and is ranked in the top 25 percent of campuses in this state under the performance criteria described by this subsection.

(c) Requires that a campus that satisfies the criteria developed under Section 39.204, in addition to the distinction designations described by

Subsections (a) and (b), be awarded a distinction designation by the commissioner for outstanding performance in academic achievement in English language arts, mathematics, science, or social studies. Deletes existing text requiring that a campus that satisfies the criteria developed under Section 39.204, in addition to the distinction designations described by Subsections (a) and (b), be awarded a distinction designation by the commissioner for the certain programs or certain specific categories of performance.

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

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 48. (a) Amends Section 39.301(c), Education Code, as follows:

(c) Requires that indicators for reporting purposes include:

(1) the percentage of graduating students who meet the course requirements established under Section 28.025(c-1) for endorsements under that section, rather than the percentage of graduating students who meet the course requirements established by SBOE rule for the minimum high school program, the recommended high school program, and the advanced high school program;

(2)-(3) Makes no change to these subdivisions;

(4) for each campus, the number of students, disaggregated by major student subpopulations, that take courses under the foundation high school program and take additional courses to earn an endorsement under Section 28.025(c-1), disaggregated by type of endorsement, rather than for each campus, the number of students, disaggregated by major student subpopulations, that agree under Section 28.025(b) to take courses under the minimum high school program; and

(5)-(11) Makes nonsubstantive changes.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 49. Amends Subchapter J, Chapter 39, Education Code, by adding Section 39.309, as follows:

Sec. 39.309. TEXAS SCHOOL ACCOUNTABILITY DASHBOARD. (a) Requires TEA to develop and maintain an Internet website, separate from TEA's Internet website, to be known as the Texas School Accountability Dashboard for the public to access school district and campus accountability information.

(b) Requires the commissioner to adopt, for use on the Texas School Accountability Dashboard, a performance index in each of the following areas:

(1) student achievement;

(2) student progress;

(3) closing performance gaps; and

(4) postsecondary readiness.

(c) Requires the Texas School Accountability Dashboard developed under Subsection (a) to include:

(1) performance information for each district and campus in areas specified by Subsection (b) and to allow for comparison between districts and campuses in each of the areas;

(2) a comparison of the number of students enrolled in each district, including the percentage of students of limited English proficiency, as defined by Section 29.052; the percentage of students who are unschooled asylees or refugees, as defined by Section 39.027(a-1); the percentage of students who are educationally disadvantaged; and the percentage of students with disabilities;

(3) a comparison of performance information for each district and campus disaggregated by race, ethnicity, and populations served by special programs, including special education, bilingual education, and special language programs; and

(4) a comparison of performance information by subject area.

SECTION 50. (a) Amends Section 39.332(b), Education Code, by amending Subdivision (23) and adding Subdivision (24), as follows:

(23) Requires that the report contain an evaluation of the availability of endorsements under Section 28.025(c-1), including the following information for each school district:

(A) the endorsements under Section 28.025(c-1) for which the district offers all courses for curriculum requirements as determined by SBOE rule; and

(B) the district's economic, geographic, and demographic information, as determined by the commissioner.

(24) Requires that the report contain any additional information considered important by the commissioner or SBOE.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 51. Amends Sections 42.154(a) and (c), Education Code, as follows:

(a) Entitles a district, for each full-time equivalent student in average daily attendance in an approved career and technology education program in grades eight through 12, in career and technology education programs for students with disabilities in grades seven through 12, or in a course in career explorations in grade seven or eight, in addition to a certain annual allotment, to \$50, if the student is in grades nine through 12 and enrolled in certain courses, rather than entitles a district, for each full-time equivalent student in average daily attendance in an approved career and technology education program in grades nine through 12, or in career and technology education programs for students with disabilities in grades seven through 12, to certain allotments.

(c) Requires that funds allocated under this section (Career and Technology Education Allotment), other than an indirect cost allotment established under SBOE rule, be used in providing:

(1) career and technology education programs in grades eight through 12, rather than grades nine through 12, or career and technology education programs for

students with disabilities in grades seven through 12 under Sections 29.182 (State Plan for Career and Technology Education), 29.183 (Career and Technology and Other Educational Programs), and 29.184 (Contracts With Other Schools for Career and Technology Classes); or

(2) courses in career explorations for students in grade seven or eight.

SECTION 52. (a) Amends Section 51.3062, Education Code, by amending Subsection (i) and adding Subsection (q-3), as follows:

(i) Authorizes an institution of higher education to refer a student to developmental coursework as considered necessary by the institution to address a student's deficiencies in the student's readiness to perform freshman-level academic coursework, except that the institution is prohibited from requiring enrollment in developmental coursework with respect to a student previously determined by any institution of higher education to have met college-readiness standards, rather than with respect to a student previously determined under Subsection (q-1) (relating to providing that certain students are exempt from the requirements of this section and requiring the commissioner of higher education by rule to establish the period for which an exemption under this subsection is valid) or determined by any institution of higher education to have met college-readiness standards.

(q-3) Provides that a student who successfully completes a college preparatory course under Section 28.014 is exempt from the requirements of this section with respect to the content area of the course. Requires the commissioner of higher education by rule to establish the period for which an exemption under this subsection is valid.

(b) Provides that this section applies beginning with the 2013-2014 school year.

SECTION 53. (a) Amends Section 51.803, Education Code, by amending Subsections (a), (b), and (d) and adding Subsection (m), as follows:

(a) Requires each general academic teaching institution, subject to Subsection (a-1) (relating to setting forth requirements for offering admission to applicants), to admit an applicant for admission to the institution as an undergraduate student if the applicant meets certain conditions, including:

(1) Makes no change to this subdivision;

(2) the applicant successfully completed at a public high school the curriculum and other requirements for a distinguished achievement endorsement under Section 28.025(c-1)(4), rather than the curriculum requirements established under Section 28.025 for the recommended or advanced high school program; or at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the curriculum for a distinguished achievement endorsement under Section 28.025(c-1)(4) and the other requirements for that endorsement, rather than a curriculum that is equivalent in content and rigor to the recommended or advanced high school program; or satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent; and

(3) if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is a Texas resident under Section 54.052 (Determination of Resident Status) or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.241(d) (relating to entitling a spouse or dependent child of a member of

the Armed Forces of the United States, who meets certain conditions, to pay the tuition fees and other fees or charges provided for Texas residents for a term or semester at an institution of higher education if the member meets certain conditions), rather than Section 54.058(d), for the term or semester to which admitted.

(b) Provides that an applicant who does not satisfy the curriculum requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is considered to have satisfied those curriculum requirements if the student completed the portion of the curriculum requirements for a distinguished achievement endorsement under Section 28.025(c-1)(4), rather than the recommended or advanced curriculum, or of the curriculum equivalent in content and rigor, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder were unavailable to the student at the appropriate times in the student's high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control.

(d) Requires that a student's official transcript or diploma, for purposes of Subsection (c)(2) (relating to requiring an applicant, to qualify for admission under this section, to provide a high school transcript or diploma that satisfies the requirements of Subsection (d)), not later than the end of the student's junior year, indicate, among other requirements, if Subsection (b) applies to the student, whether the student has completed the portion of the curriculum requirements for a distinguished achievement endorsement under Section 28.025(c-1)(4), rather than the recommended or advanced curriculum, or of the curriculum equivalent in content and rigor, as applicable, that was available to the student.

(m) Requires THECB and the commissioner to jointly adopt rules to establish eligibility requirements for admission under this section for students participating in the recommended or advanced high school program. Provides that this subsection expires September 1, 2020.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 54. (a) Amends Section 51.805, Education Code, by amending Subsection (a) and adding Subsection (g), as follows:

(a) Authorizes a graduating student who does not qualify for admission under Section 51.803 or 51.804 to apply to any general academic teaching institution if the student:

(1) successfully completed:

(A) at a public high school, the curriculum requirements established under Section 28.025 for the foundation high school program; or

(B) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation high school program; or

(2) satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent.

Deletes existing text authorizing a graduating student who does not qualify for admission under Section 51.803 or 51.804 to apply to any general academic teaching institution if the student satisfies the requirements of Section

51.803(a)(2)(A) or 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B) and Sections 51.803(c)(2) and 51.803(d).

(g) Requires THECB and the commissioner to jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation under Subsection (a) for students participating in the minimum, recommended, or advanced high school program regarding high school curriculum completion. Provides that this subsection expires September 1, 2020.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 55. (a) Amends Section 51.807(b), Education Code, to require THECB by rule, after consulting with TEA, to establish certain standards for determining for purposes of this subchapter, including whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the foundation high school program or under Section 28.025(c-1)(4) for a distinguished achievement endorsement, as applicable, rather than for the recommended or advanced high school program.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 56. (a) Amends Subchapter A, Chapter 56, Education Code, by adding Section 56.009, as follows:

Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN HIGH SCHOOL PROGRAMS. Requires THECB and the commissioner, to the extent that a person's eligibility to participate in any program under this chapter, including Subchapters K, Q, and R, is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of H.B. No. 5, 83rd Legislature, Regular Session, 2013, to jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 57. (a) Amends Section 56.3041, Education Code, as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL ACADEMIC TEACHING INSTITUTION. (a) Creates this subsection from existing text. Requires that a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution, notwithstanding Section 56.304(a) (relating to requiring a person to meet certain requirements to be eligible for a TEXAS grant), to be eligible initially for a TEXAS grant, to:

(1) Makes no change to this subdivision;

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

(A) be a graduate of a public or accredited private high school in this state who completed the foundation, rather than recommended, high school program established under Section 28.025 or its equivalent and have accomplished any two or more of the following:

(i) successful completion of the course requirements of the international baccalaureate diploma program or earning of the equivalent of at least 12 semester credit hours of college

credit in high school through courses described in Sections 28.009(a)(1) (relating to authorizing that college credit hours in high school be earned through international baccalaureate, advanced placement, or dual credit courses), (2) (relating to authorizing that college credit hours in high school be earned through articulated postsecondary courses provided for local credit or articulated postsecondary advanced technical credit courses provided for state credit), and (3) (relating to authorizing that college credit hours in high school be earned through any combination of the courses described by Subdivisions (1) and (2), rather than graduation under the advanced high school program established under Section 28.025 or its equivalent, successful completion of the course requirements of the international baccalaureate diploma program, or earning of the equivalent of at least 12 semester credit hours of college credit in high school through courses described in Section 28.009(a)(1), (2), and (3);

(ii) satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by THECB under Section 51.3062(f) on any assessment instrument designated by THECB under Section 51.3062(c), rather than under Section 51.3062(c) or (e), or qualification for an exemption as described by Section 51.3062(p) (relating to providing that a student who has achieved a score set by the board on the SAT or Act is exempt from the requirements of this section and providing that an exemption under this subsection is effective for a certain period) or (q) (relating to providing that a student who has achieved scores set by the board on the questions developed for end-of-course assessments instruments under Section 39.0233(a) is exempt from the requirements of this section and providing that the exemption is effective for a certain period), rather than as described by Section 51.3062(p), (q), or (q-1);

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

(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course or at least one advanced career and technical course, rather than following the successful completion of an Algebra II course, as permitted by Section 28.025(b-3), or at least one advanced career and technical course, as permitted by Section 28.025(b-2);

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

(C) if sufficient money is available, meet the eligibility criteria described by Section 56.304(a)(2)(A) (relating to requiring a person to be a graduate of a public or accredited private high school in this state who graduated not earlier than the 1998-1999 school year and who completed the recommended or advanced high school curriculum established under Section 28.002 or 28.025 or its equivalent to be initially eligible for a TEXAS grant); and

(3)-(7) Makes no change to these subdivisions.

(b) Requires THECB and the commissioner to jointly adopt rules to establish eligibility requirements for a grant under this section as to curriculum requirements for high school graduation under Subsection (a)(2)(A) for students participating in the minimum, recommended, or advanced high school program regarding high school curriculum completion. Provides that this subsection expires September 1, 2020.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 58. (a) Amends Section 61.0517(a), Education Code, to redefine "applied STEM course" in this section.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 59. (a) Amends Section 61.792(b), Education Code, to require a student, to qualify for a scholarship under this section, to, among other requirements, have graduated from high school with a grade point average of at least 3.5 on a four-point scale or the equivalent in mathematics and science courses offered under the foundation high school program under Section 28.025, rather than under the recommended or advanced high school program under Section 28.025(a).

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 60. (a) Amends Section 61.852(a), Education Code, as follows:

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

(1) combines at least two years of secondary education with at least two years of postsecondary education in a nonduplicative, sequential course of study based on the foundation high school program adopted by SBOE under Section 28.025, rather than on the recommended high school program adopted by SBOE under Section 28.025(a); and

(2)-(7) Makes no change to these subdivisions.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 61. (a) Amends Section 61.855(d), Education Code, as follows:

(d) Requires that a tech-prep program:

(1)-(2) Makes no change to these subdivisions;

(3) have a common core of required proficiency based on the foundation high school program adopted by SBOE under Section 28.025, rather than have a common core of required proficiency based on the recommended high school program adopted by SBOE under Section 28.025(a), with proficiencies in mathematics, science, reading, writing, communications, and technologies designed to lead to an associate's degree or postsecondary certificate in a specific career field; and

(4)-(8) Makes no change to these subdivisions.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 62. (a) Amends Section 61.861(c), Education Code, to require that a course developed for purposes of this section fulfill certain requirements, including satisfy a

mathematics or science requirement under the foundation high school program, rather than a recommended or advanced high school program, as determined under Section 28.025.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 63. (a) Amends Section 61.864, Education Code, to require that courses for which a grant is awarded under this subchapter be reviewed by the commissioner of higher education and the commissioner, in consultation with the comptroller and TWC, once every four years to determine whether the course fulfills certain requirements, including satisfies a mathematics or science requirement for the foundation high school program, rather than the recommended or advanced high school program, as determined under Section 28.025.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 64. (a) Amends Section 78.10(b), Education Code, as follows:

(b) Provides that the Texas Academy of Mathematics and Science (academy) is a division of The University of Texas at Brownsville and is under the management and control of the board of regents of The University of Texas System. Provides that the academy serves certain purposes, such as providing academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that, among other provisions, allows students to complete high school graduation requirements for an endorsement as provided by Section 28.025(c-1), rather than allows students to complete high school graduation requirements, including requirements adopted under Section 28.025 for the advanced high school program, while attending for academic credit a public institution of higher education.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 65. (a) Amends Section 87.505(b), Education Code, as follows:

(b) Provides that the Texas Academy of International Studies (academy) is a division of Texas A&M International University and is under the management and control of the board of regents of The Texas A&M University System. Provides that the academy serves certain purposes, such as providing academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that, among other provisions, allows students to complete high school graduation requirements for an endorsement as provided by Section 28.025(c-1), rather than allows students to complete high school graduation requirements, including requirements adopted under Section 28.025 for the advanced high school program, while attending for academic credit a public institution of higher education.

(b) Provides that this section applies beginning with the 2014-2015 school year.

SECTION 66. (a) Repealers, effective September 1, 2013:

(1) Sections 29.190(b) (relating to requiring the commissioner to adopt guidelines for determining financial need consistent with the definition of financial need adopted by the College Board and Education Testing Service) and (e) (relating to requiring the commissioner, in collaboration with the commissioner of higher education and TWC, to determine as necessary the occupations that qualify for purposes of this section), Education Code;

(2) Sections 39.024(b) (relating to requiring TEA and THECB to ensure that the Algebra II and English III end-of-course assessment instruments required under Section 39.023(c) are developed to be capable of measuring college readiness beginning with the 2011-2012 school year), (c) (relating to requiring TEA, in collaboration with THECB, before the beginning of the 2011-2012 school year, to

gather data and conduct research studies on the correlation between performance levels on the Algebra II and English III end-of-course assessment instruments and college readiness), (d) (relating to requiring that the studies under Subsection (c) include an evaluation of any need for remediation courses to facilitate college readiness), (e) (relating to requiring the commissioner and the commissioner of higher education, based on the results of the studies conducted under Subsection (c), to establish student performance standards for the Algebra II and English III end-of-course assessment instruments indicating that students have attained college readiness), (f) (relating to requiring TEA, in collaboration with THECB, to conduct certain research studies; authorizing the commissioner, in collaboration with the commissioner of higher education, to establish certain student performance standards if the research studies conducted under this subsection indicate a correlation between a certain level of performance by students on certain end-of-course assessment instruments and college readiness), (g) (relating to requiring TEA, in collaboration with THECB, to continue to gather data to perform studies as provided under Subsections (c) and (f) at least once every three years), and (h) (relating to requiring TEA and THECB to periodically review the college readiness performance standards established under this section, compare them to national and international performance standards for comparable assessment instruments, and deliver a report on the results of the review after each review to the lieutenant governor, the speaker of the house of representatives, and the clerks of the standing committees of the senate and the house of representatives with primary jurisdiction over public education and higher education; requiring TEA and THECB to recommend changes to the college readiness performance standards if they determine that the performance standards established under this section are not sufficiently rigorous), Education Code;

(3) Section 39.0241(a-2) (requiring the commissioner, for the purpose of establishing performance across grade levels, to establish certain performance standards for certain end-of-course assessment instruments), Education Code;

(4) Section 39.0242 (Performance Standards: Research Studies and Implementation of Standards), Education Code;

(5) Section 39.025(a-3) (relating to requiring a student to achieve a score that meets or exceeds a certain score on English III and Algebra II end-of-course instruments in order to graduate under the advanced high school program) and (b-2) (relating to requiring a school district to require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted if the district determines that a student, on completion of grade 11, is unlikely to achieve the cumulative score requirements for one or more subjects prescribed by Subsection (a) for receiving a high school diploma; requiring a student who enrolls in such a college preparatory course to be administered an end-of-course assessment instrument for the course, with assessment instrument scored on a certain scale; authorizing a student to use the score on the end-of-course assessment instrument for the college preparatory course towards satisfying the cumulative score requirements prescribed by Subsection (a)), Education Code; and

(6) Section 51.3062(q-1) (relating to providing that certain students are exempt from the requirements of this section and requiring the commissioner of higher education by rule to establish the period for which an exemption under this subsection is valid), Education Code.

(b) Repealers, effective September 1, 2014:

(1) Section 28.002(q) (relating to prohibiting a school district from varying the curriculum for a course in certain required curriculum), Education Code;

(2) Sections 28.0212(g) (relating to encouraging school districts to establish for students entering grade nine a personal graduation plan that identifies certain courses of study), Education Code;

(3) Sections 28.025(b-3) (relating to requiring SBOE, in adopting rules to provide students with the option described by Subsection (b-1)(1)(A), to approve a variety of mathematics and science courses that may be taken after the completion of Algebra II and physics to comply with the recommended program requirements), (b-6) (relating to requiring a school district to provide written notice to a student's parent or person standing in parental relation explaining the benefits of the recommended high school program before the parent or other person is authorized to agree that the student be permitted to take courses under the minimum high school program), (b-8) (relating to authorizing a student agreeing to take courses under the minimum high school program to, upon request, resume taking courses under the recommended high school program), and (g) (relating to requiring a school district to indicate on a student's transcript form that the student was unable to complete the recommended or advanced high school program if that inability is solely because necessary courses were unavailable to the student at the appropriate times due to course scheduling, lack of enrollment capacity, or another cause not within the student's control), Education Code;

(4) Section 39.0822 (Financial Solvency Review Required), Education Code; and

(5) Sections 39.0823(b) (relating to requiring the school district to develop a financial plan and submit the plan to TEA for approval under certain conditions and authorizing TEA to approve the plan only if it determines the plan will permit the district to avoid the projected insolvency) and (c) (relating to requiring the commissioner to assign a school district an accredited warning status under certain conditions), Education Code.

SECTION 67. (a) Provides that except as provided by Subsection (b) of this section, Section 39.025, Education Code, as amended by Sections 29 and 30 of this Act, as related to reducing end-of-course testing requirements, applies only to students who have entered or will enter the ninth grade during the 2011-2012 school year or a later school year.

(b) Authorizes students who have entered the ninth grade during or after the 2011-2012 school year and before the 2014-2015 school year and who choose to complete the curriculum requirements under the minimum high school program to be administered only those end-of-course assessment instruments that would have been administered to those students under Section 39.025, Education Code, as amended by Section 29 of this Act. Provides that Section 39.025, Education Code, as amended by Section 29 of this Act, is continued in effect for purposes of satisfying those end-of-course testing requirements.

SECTION 68. Requires the commissioner, not later than October 1, 2013, to adopt rules to administer Sections 39.025(a-1) and (a-2), Education Code, as amended by this Act.

SECTION 69. Provides that Section 39.027(a-2), Education Code, as added by this Act, applies to a student regardless of the date on which the student initially enrolled in a school in the United States.

SECTION 70. Provides that if, on September 1, 2013, a person is serving on a committee or panel that advises the commissioner or TEA who would not be eligible for appointment under Section 39.038, Education Code, as added by this Act, the person's position on the committee or panel becomes vacant, and requires that the vacancy be filled in accordance with applicable law.

SECTION 71. (a) Requires TEA, in collaboration with THECB and TWC, to, through an external evaluator at a center for education research authorized by Section 1.005 (Education Research Centers; Sharing Student Information), Education Code, evaluate the implementation of the changes made by this Act to the curriculum requirements for high school graduation.

Requires that the evaluation include an estimation of this Act's effect on high school graduation rates, college readiness, college admissions, college completion, obtainment of workforce certificates, employment rates, and earnings.

(b) Requires the commissioner to submit an initial report regarding the review to the governor, lieutenant governor, and members of the legislature not later than December 1, 2015. Requires the commissioner to submit a final report regarding the review to the governor, lieutenant governor, and members of the legislature not later than December 1, 2017.

SECTION 72. Effective date: upon passage or September 1, 2013.