

BILL ANALYSIS

Senate Research Center

S.B. 1724
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Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides for three public high school graduation plans: minimum, recommended, and distinguished. All students are required to satisfy 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. As a result, most students have very limited options to pursue other rigorous applied programs in career and technology courses. Current law also requires students to be assessed in each subject area, for a total of 15 separate assessments. Students must pass the assessments, achieve a cumulative score for graduation, and have the assessments count toward 15 percent of their final grade.

S.B. 1724 transforms the current structure by creating a single diploma, the foundation program, with endorsements in business and industry; academic achievement in arts and humanities; academic achievement in science, technology, engineering, and mathematics (STEM); and distinguished achievement. Each endorsement enables students to focus on their own academic goals and prepares them for higher education and the workforce.

S.B. 1724 also amends current law relating to assessment requirements for graduation. It establishes a requirement that school districts assess all students in English I and use the results as a diagnostic tool in determining mastery of reading and writing skills. Students graduating under the foundation diploma must achieve a passing score on English II, Algebra I, biology, and United States history. Students graduating under the business and industry endorsement must achieve a passing score on English III, Algebra I, biology, and United States history. Students graduating under the Arts and Humanities or STEM endorsement must achieve a passing score on English III, Algebra I, Algebra II, biology, and United States history. Students can also achieve a distinguished endorsement by passing the English III and Algebra II assessment at a distinguished score level set by the commissioner of education.

In addition, S.B. 1724 directs the Texas Education Agency to provide a single assessment for English reading and writing skills, compared to the two assessments currently given. It repeals the requirement for a cumulative score, as well as the 15 percent grade requirement.

As proposed, S.B. 1724 amends current law relating to high school graduation requirements, including end-of-course assessment instruments.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 1 (Section 7.062, Education Code), SECTION 3 (Section 28.025, Education Code), SECTION 13 (Section 39.025, Education Code), and SECTION 14 (Section 39.053, Education Code) of this bill.

Rulemaking authority previously granted to the State Board of Education (SBOE) is modified in SECTION 3 (Section 28.025, Education Code) and SECTION 33 (Section 28.025, Education Code) of this bill.

Rulemaking authority is expressly granted to SBOE in SECTION 3 (Section 28.025, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of higher education is modified in SECTION 18 (Section 51.3062, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board (THECB) is modified in SECTION 22 (Section 51.807, Education Code) of this bill.

Rulemaking authority is expressly granted to THECB and the commissioner of education in SECTION 23 (Section 56.009, Education Code) of this bill.

Rulemaking authority is expressly granted to THECB in SECTION 24 (Section 56.3041, Education Code) and SECTION 35 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7.062(e), Education Code, to require that the rules adopted to implement the science laboratory grant program require, among other requirements, a school district to demonstrate, as a condition of eligibility for a grant, that the existing district science laboratories are insufficient in number to comply with the curriculum requirements imposed for the foundation high school program under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record), rather than the recommended and advanced high school programs under Section 28.025(b-1)(1) (relating to certain curricular requirements for the recommended and advanced high school programs).

SECTION 2. Amends Sections 28.014(b), (c), and (f), Education Code, as follows:

(b) Authorizes 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 foundation high school program, rather than the recommended or advanced high school program, under Section 28.025.

(c) Deletes existing text requiring each school district to adopt a policy that requires a student's performance on the end-of-course (EOC) assessment instrument to account for 15 percent of the student's final grade for the course.

(f) Requires the commissioner of education (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. Deletes existing text requiring a school district, as required by Subsection (c), to adopt a policy requiring a student's performance on an EOC 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.

SECTION 3. Amends Section 28.025, Education Code, by amending Subsections (a), (b), (b-1), (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), (h), and (h-1), as follows:

(a) Requires the State Board of Education (SBOE) by rule to determine curriculum requirements for the foundation high school program, rather than the minimum, recommended, and advanced high school programs, that are consistent with the required curriculum under Section 28.002 (Required Curriculum). Requires SBOE to designate the specific courses in the foundation curriculum under Section 28.002(a)(1) (relating to curricular requirements in 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 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 enrolls in the courses necessary to complete the curriculum requirements identified by SBOE under Subsection (a) for the foundation high school program. Deletes existing text requiring a school district to ensure that each student enrolls in certain courses for the recommended or advanced high school program, except under certain circumstances under which a student is authorized to take courses under the minimum high school program.

(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 required curriculum in English language arts);

(2) three credits in mathematics under Section 28.002(a)(1)(B) (relating to required curriculum in mathematics);

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

(4) three credits in social studies under Section 28.002(a)(1)(D) (relating to required curriculum in 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 Subsection (b-12), two credits in the same language in a language other than English under Section 28.002(a)(2)(A) (relating to required curriculum in 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) (relating to required curriculum in fine arts); and

(9) except as provided by Subsection (b-11), one credit in physical education under Section 28.002(a)(2)(C) (relating to required curriculum in physical education).

Deletes existing text requiring SBOE by rule to require that, except as provided by Subsection (b-2) (relating to a certain optional curricular substitution), the curriculum requirements for the recommended and advanced high school programs under Subsection (a) (relating to certain required curriculum) include a requirement that students successfully complete certain credits.

(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) (requiring completion of certain credits in the foundation program for the recommended and advanced programs), in an applied manner.

(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 authorizing a school district to offer such courses to comply with the recommended program requirements.

(b-7) Requires SBOE, in coordination with the Texas Higher Education Coordinating Board (THECB), to adopt rules to ensure that a student may comply with the curriculum requirements under the foundation high school program, rather than the minimum, recommended, or advanced high school program, for each subject of the foundation curriculum under Section 28.002(a)(1) and for certain languages other than English to earn an endorsement under Subsection (c-1)(4)(B)(iv) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822 (Core Curriculum).

(b-9) Requires the Texas Education Agency (TEA) to establish a pilot program allowing a student attending school in a county with a population of more than one million and in which more than 75 percent of the population resides in a single municipality to satisfy the fine arts credit under Subsection (b-1)(8) by participating in a fine arts program not provided by the school district in which the student is enrolled. Deletes existing text requiring TEA, not later than December 1, 2010, to provide to the legislature a certain report regarding the pilot program. Makes nonsubstantive changes.

(b-10) Makes a conforming change.

(b-11) Makes a conforming change.

(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 a 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:

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

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

(A) one additional credit in social studies; and

(B) 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;

(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 performing at the distinguished level standard of performance as determined by the commissioner under Section 39.0241(a-3) on EOC assessment instruments under Section 39.023(c) for each of those courses; and

(B) earning:

(i) one additional credit in mathematics;

(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) 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, rather than 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 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 __.B. No. __, 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 __.B. No. __, 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 __.B. No. __, 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 __B. No. __, 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, 2017.

SECTION 4. 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 completed the foundation high school program adopted under Section 28.025, rather than the recommended high school program adopted under Section 28.025(a).

SECTION 5. Amends Section 28.027(b), Education Code, as follows:

(b) Requires SBOE to establish a process under which an applied STEM course is authorized to be reviewed and approved for purposes of satisfying the mathematics and science curriculum requirements for the foundation high school program under Section 28.025, rather than 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 foundation high school program, rather than under the recommended high school program and completed during the student's fourth year of mathematics or science course work. 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. Authorizes SBOE to only approve a course to substitute for a science course taken after successful completion of biology, rather than biology and chemistry and after successful completion of or concurrently with physics.

SECTION 6. Amends Section 29.096(e), Education Code, to require that the collaborative dropout reduction pilot program, among other requirements, have as a primary goal graduation from high school, rather than graduation from high school under at least the recommended high school program.

SECTION 7. Amends Section 29.402(b), Education Code, to provide that a person who is under 26 years of age is eligible to enroll in a dropout recovery program under this subchapter under certain circumstances, including if the person is required to complete not more than three course credits to complete the curriculum requirements for the foundation high school program, rather than the minimum, recommended, or advanced high school program, as appropriate, for high school graduation.

SECTION 8. Amends Section 29.904(d), Education Code, to require that a plan developed under this section meet certain requirements, including establishing an accurate method of measuring progress toward the goals established under Subdivision (1) (requiring that the plan establish certain goals for increasing certain enrollment in institutions of higher education) that are authorized to include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) (providing that Section 29.904 (Plan to Increase Enrollment in Institutions of Higher Education) applies to a certain school district) who are enrolled in courses that meet the curriculum requirements for the foundation high school program, rather than the recommended or advanced high school program, as determined under Section 28.025.

SECTION 9. Amends Section 33.007(b), Education Code, as follows:

(b) Deletes existing text requiring that certain information about higher education provided at certain times include information regarding the advantages of completing the recommended or advanced high school program adopted under Section 28.025(a). Makes nonsubstantive changes.

SECTION 10. Amends Section 39.023(c), Education Code, as follows:

(c) Requires TEA to also adopt EOC assessment instruments for secondary-level courses in Algebra I, Algebra II, biology, English I, English II, English III, and United States history, rather than 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 English I, English II, and English III EOC assessment instruments each assess essential knowledge and skills in both reading and writing in the same assessment instrument. Deletes existing text requiring a school district to adopt a policy that requires a student's performance on an EOC 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 and providing that if a student retakes a certain EOC assessment instrument, 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. Makes a conforming change.

SECTION 11. Amends Section 39.0241, Education Code, by amending Subsection (a-2) and adding Subsection (a-3), as follows:

(a-2) Requires the commissioner, for the purpose of establishing performance across grade levels, to establish certain performance standards, including the performance standards for the Algebra II and English III EOC assessment instruments, as provided under Section 39.024(b) (requiring TEA and the Texas Higher Education Coordinating Board (THECB) to ensure development of certain EOC assessment instruments capable of determining college readiness) and under Subsections (a) (requiring the commissioner to determine satisfactory performance on assessment instruments) and (a-3).

(a-3) Requires the commissioner to determine the level of performance considered to be distinguished performance on the assessment instruments. Requires that the distinguished level of performance be a level of performance that is higher than satisfactory performance as determined under Subsection (a).

SECTION 12. Amends Section 39.0242(e), Education Code, to require the commissioner, based on the data collected and studies performed periodically under Subsection (d) (requiring certain continued data collection and study performance and, under certain circumstances, revision of the standard of satisfactory performance), to increase the rigor of the performance standard established under Section 39.0241(a) or (a-3) as the commissioner determines necessary.

SECTION 13. Amends Section 39.025, Education Code, by amending Subsections (a), (a-1), (a-2), (a-3), (b), (b-2), and (e) and adding Subsections (a-4), (a-5), and (a-6), 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 the English I EOC assessment instrument adopted under Section 39.023(c) and each other EOC assessment instrument listed in Section 39.023(c) for a course in which the student is enrolled and for which an EOC assessment instrument is required for graduation under Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as applicable to the student, rather than requiring the commissioner to adopt rules requiring a student participating in the recommended or advanced high school program to be administered each EOC assessment instrument listed in Section 39.023(c) and requiring a student participating in the minimum high school program to be administered an EOC assessment instrument listed in Section 39.023(c) only for a course in which the student is enrolled and for which an EOC assessment instrument is administered.

Deletes existing text requiring a student to achieve, in each subject in the foundation curriculum under Section 28.002(a)(1), a certain cumulative score and a certain scale score; requiring a student to achieve a certain minimum score on an EOC assessment instrument for the score to count towards the student's cumulative score; providing that for purposes of this subsection, a student's cumulative score is determined using the student's highest score on each EOC assessment instrument administered to the student; prohibiting a student from receiving a high school diploma until the student has

performed satisfactorily on the EOC assessment instruments in the manner provided under this subsection; and providing that this subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.

(a-1) Requires the commissioner by rule to determine a method by which a student's satisfactory performance on certain assessment instruments is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as applicable to the student, rather than the requirements of Subsection (a), including the cumulative score requirement of that subsection. Authorizes the commissioner by rule to determine a method by which a student's satisfactory performance on a Preliminary Scholastic Assessment Test (PSAT) or a preliminary American College Test (ACT) is authorized to be used as a factor in determining whether the student satisfies the requirements of Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as applicable to the student. Makes conforming and nonsubstantive changes.

(a-2) Requires a student, to graduate under the foundation high school program, to achieve a scale score that indicates certain satisfactory performance as determined by the commissioner on EOC assessment instruments for English II, Algebra I, biology, and United States history, rather than requiring a student to achieve a score that meets or exceeds a certain score as determined by the commissioner for English III and Algebra II EOC assessment instruments to graduate under the recommended high school program.

(a-3) Requires a student, to graduate under the foundation high school program with a business and industry endorsement, to achieve a scale score that indicates certain satisfactory performance as determined by the commissioner on EOC assessment instruments for English III, Algebra I, biology, and United States history, rather than requiring a student, in addition to certain cumulative score requirements, to achieve a score that meets or exceeds a certain score as determined by the commissioner on English III and Algebra II EOC assessment instruments in order to graduate under the advanced high school program.

(a-4) Requires a student, to graduate under the foundation high school program with an academic achievement in arts and humanities endorsement, to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on EOC assessment instruments for English III, Algebra I, Algebra II, biology, and United States history.

(a-5) Requires a student, to graduate under the foundation high school program with an academic achievement in science, technology, engineering, and mathematics (STEM) endorsement, to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on EOC assessment instruments for English III, Algebra I, Algebra II, biology, and United States history.

(a-6) Requires a student, to graduate under the foundation high school program with a distinguished achievement endorsement, to achieve a scale score that indicates distinguished performance, as determined by the commissioner under Section 39.0241(a-3), on the English III and Algebra II EOC assessment instruments.

(b) Authorizes a student who failed to achieve the score requirement under this section, rather than requiring a student who failed to achieve a minimum score under Subsection (a), each time an EOC assessment instrument is administered, to retake the EOC assessment instrument. Authorizes a student who fails to perform satisfactorily on an Algebra II or English III EOC assessment instrument under a certain college readiness performance standard or who fails to perform at the distinguished level as provided under Section 39.0241(a-3), to retake the EOC assessment instrument.

(b-2) Requires the district to require a student to enroll in a corresponding content-area college preparatory course for which an EOC assessment instrument has been adopted, if available, if a school district determines that the student, on completion of grade 11, is

unlikely to achieve the score requirement under this section for one or more EOC assessment instruments as necessary, rather than if a school 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. Requires a student who enrolls in a college preparatory course described by this subsection to be administered an EOC assessment instrument for the course, with the EOC assessment instrument scored on a scale as determined by the commissioner, rather than on a scale as determined by the commissioner not to exceed 20 percent of the cumulative score requirements required to graduate as by a certain determination. Authorizes a student to use the student's score on the EOC assessment instrument for the college preparatory course towards satisfying the score requirement under this section. Makes conforming changes.

(e) Requires the commissioner to establish a required performance level for an assessment instrument adopted under Subsection (d) (requiring the commissioner by rule to adopt one or more alternative nationally recognized norm referenced assessment instruments to administer under certain circumstances) that is at least as rigorous as the performance level required to be met under Subsection (a-2), (a-3), (a-4), (a-5), or (a-6), as applicable to the student.

SECTION 14. Amends Sections 39.053(c), (f), and (i), Education Code, as follows:

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

(1) the results of certain assessment instruments, including:

(A)-(B) Makes nonsubstantive changes to these paragraphs; and

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

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

(ii) for students who did not perform satisfactorily, the percentage of students who met the standard for annual improvement, as determined by TEA under Section 39.034 (Measure of Annual Improvement in Student Achievement), on the assessment instruments, aggregated across grade levels by subject area; and

(2)-(3) Makes no changes to these subdivisions.

(f) Requires the commissioner to periodically raise the state standards for the student achievement indicator described by Subsection (c)(1)(B)(i) (relating to the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area relating to a certain college readiness performance standard) for accreditation as necessary to reach certain achievement goals of achieving, by not later than the 2019-2020, school year, including goals of achieving student performance with no significant achievement gaps by race, ethnicity, and socioeconomic status. Makes a conforming change.

(i) Requires the commissioner by rule to adopt accountability measures to be used in assessing the progress of students who have failed to perform satisfactorily under any performance standard under Section 39.0241 (Performance Standards), rather than under Section 39.0241(a) or under the college readiness standard as determined under Section 39.0241, in the preceding school year on an assessment instrument required under Section 39.023(a) (requiring TEA to adopt or develop certain assessment instruments designed to assess certain essential knowledge and skills and requiring all students, other than certain students, to be assessed in certain subjects in certain grades), (c) (relating to

certain EOC assessment instruments), or (l) (relating to assessment instruments administered in Spanish to certain students with limited English proficiency).

SECTION 15. Amends Section 39.057(a), Education Code, as follows:

(a) Requires the commissioner to authorize special accreditation investigations to be conducted under 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. Deletes existing text requiring the authorization of a special accreditation investigation when excessive numbers of students graduate under the minimum high school program. Makes conforming and nonsubstantive changes.

SECTION 16. 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 changes 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)-(12) Makes no changes to these subdivisions.

SECTION 17. Amends Section 39.303(b), Education Code, to require a school district, for a student who failed to perform satisfactorily as determined under any performance standard under Section 39.0241 on a certain assessment instrument, to include in the notice to the student's parent or other person standing in parental relationship specific information relating to access to certain educational resources.

SECTION 18. Amends Section 51.3062(q-1), Education Code, to provide that a student who has completed the foundation high school program, rather than a recommended or advanced high school program, and demonstrated a certain performance standard for college readiness on the Algebra II and English III EOC assessment instruments is exempt from the requirements of this section (Success Initiative) with respect to those content areas.

SECTION 19. Amends Sections 51.803(a) and (d), Education Code, as follows:

(a) Requires each general academic teaching institution, subject to Subsection (a-1) (relating to an exception to a certain automatic admissions policy and alternative admissions procedure for The University of Texas at Austin), to admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a certain grade point average in a certain period and:

(1) Makes no changes to this subdivision;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the foundation high school program, rather than the recommended or advanced high school program; or

(ii) 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, rather than the recommended or advanced high school program; or

(B) Makes no changes to this paragraph; and

(3) Makes a conforming change.

(d) Deletes existing text requiring that a student's official transcript or diploma, not later than the end of the student's junior year, indicate, under certain circumstances, whether the student has completed the portion of the recommended or advanced curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student. Makes nonsubstantive changes.

SECTION 20. Amends Section 51.804, Education Code, to require the governing board of each general academic teaching institution, for each academic year, to determine whether to adopt an admissions policy under which a certain applicant to the institution is required to be admitted to the institution if the applicant meets certain requirements, including satisfying the requirements of Section 51.803(a)(2)(A) or (B) (relating to certain performance on the ACT or SAT assessment), rather than Section 51.803(b) (relating to requirements considered satisfied under certain circumstances), as applicable to the student, or Section 51.803(a)(2)(B).

SECTION 21. Amends Section 51.805(a), Education Code, to authorize a graduating student who does not qualify for admission under Section 51.803 (Automatic Admission: All Institutions) or 51.804 (Additional Automatic Admissions: Selected Institutions) to apply to any general academic teaching institution if the student satisfies certain requirements, including the requirements of Section 51.803(a)(2)(A) or (B), rather than Section 51.803(b), as applicable to the student, or Section 51.803(a)(2)(B).

SECTION 22. Amends Section 51.807(b), Education Code, to require THECB, after consulting with TEA, by rule to establish standards for determining whether a private high school is accredited by a generally recognized accrediting organization and whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements for the foundation high school program, rather than the recommended or advanced high school program.

SECTION 23. 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 (Student Financial Assistance), including Subchapters K (Early High School Graduation Scholarship Program), M (Toward Excellence, Access, & Success (TEXAS) Grant Program), Q (Texas B-On-Time Loan Program), and R (Scholarships for Students Graduating), is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of __.B. No. ____, 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.

SECTION 24. 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. Requires 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) (providing the requirements for initial eligibility for a TEXAS grant), to be eligible initially for a TEXAS grant, to:

(1) Makes no changes 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 high school program, rather than the 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 certain courses;

(ii) satisfaction of the Texas Success Initiative college readiness benchmarks prescribed by THECB on any of certain assessment instruments or qualification for a certain exemption;

(iii) Makes no changes to this subparagraph; or

(iv) completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, as designated by THECB by rule in consultation with SBOE, or at least one advanced career and technical course, as designated by THECB by rule in consultation with SBOE, rather than of at least one advanced mathematics course following the successful completion of an Algebra II course, as permitted by Section 28.025(b-3) (requiring SBOE approval of a variety of certain courses to comply with recommended program requirements), or at least one advanced career and technical course, as permitted by Section 28.025(b-2); or

(B)-(C) Makes no changes to these paragraphs; and

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

SECTION 25. Amends Section 61.0517(a), Education Code, to redefine "applied STEM course" in this section.

SECTION 26. Amends Section 61.792(b), Education Code, to require a student to, among other requirements to qualify for a scholarship under this section (Engineering Scholarship Program), 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 the recommended or advanced high school program under Section 28.025(a).

SECTION 27. Amends Section 61.852(a), Education Code, to redefine a tech-prep program.

SECTION 28. Amends Section 61.855(d), Education Code, to require that a tech-prep program, among certain requirements, have a common core of required proficiency based on the foundation high school program adopted by SBOE under Section 28.025, rather than 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.

SECTION 29. Amends Section 61.861(c), Education Code, to require that a course developed for purposes of this section (Development of Mathematics and Science Courses for High-Demand Occupations) meet certain requirements, including satisfying a mathematics or science requirement under the foundation high school program, rather than the recommended or advanced high school program, as determined under Section 28.025.

SECTION 30. Amends Section 61.864, Education Code, to require that courses for which a grant is awarded under this subchapter (Career and Technical Education) be reviewed by the commissioner of higher education and the commissioner, in consultation with the Comptroller of Public Accounts of the State of Texas and the Texas Workforce Commission, once every four years to determine whether the course meets certain criteria, including satisfying 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.

SECTION 31. Amends Section 78.10(b), Education Code, to provide that the Texas Academy of Mathematics and Science serves certain purposes, including allowing students to complete high school graduation requirements under Section 28.025 for the foundation high school program, rather than 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.

SECTION 32. Amends Section 87.505(b), Education Code, to provide that the Texas Academy of International Studies serves certain purposes, including allowing students to complete high school graduation requirements under Section 28.025 for the foundation high school program, rather than 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.

SECTION 33. Repealer: Section 28.002(q) (prohibiting a curricular variance for a course in certain required curriculum based on enrollment in in a certain program), Education Code;

Repealers: Sections 28.025(b-2) (requiring that a certain curricular substitution be allowed to fulfill certain curricular requirements and authorizing a substitution to be used for two courses), (b-3) (requiring SBOE approval of a variety of certain courses to comply with recommended program requirements), (b-6) (requiring a certain notice before a student is authorized to take courses under the minimum program), (b-8) (authorizing a student, upon request, to resume courses in the recommended program after agreeing to take courses under the minimum program), and (g) (requiring a certain indication on a student's transcript under certain circumstances), Education Code; and

Repealer: Section 51.803(b) (relating to requirements considered satisfied under certain circumstances), Education Code.

SECTION 34. Provides that Section 39.025, Education Code, as amended by this Act, as related to reducing EOC 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.

SECTION 35. Requires THECB to adopt rules in accordance with Section 56.3041(2)(A)(iv), Education Code, as amended by this Act, as soon as practicable after the effective date of this Act. Authorizes THECB, for that purpose, to adopt the initial rules in the manner provided by law for adoption of emergency rules.

SECTION 36. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 37. Effective date: upon passage or September 1, 2013.