

## **BILL ANALYSIS**

Senate Research Center  
77R4951 CAS-D

C.S.S.B. 385  
By: Bivins  
Education  
3/22/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, most Texas public schools require students to take the least rigorous high school curriculum for high school graduation, and provide them the opportunity to opt into a more rigorous curriculum. C.S.S.B. 385 requires school districts to enroll students in the recommended high school or distinguished achievement programs unless the student, parent, school counselor, and administrator agree that the student is authorized to opt into the minimum plan.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 28.025, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.025, Education Code, as follows:

- (b) Requires a school district to ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under this section 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 that the student should be permitted to take courses under the minimum high school program.
- (c) Authorizes a school district, upon request of a student, to petition the State Board of Education to approve any course that does not fall within the recommended high school program in place of a requirement listed as part of the recommended high school program when the proposed course is academically rigorous and addresses documented student needs. Requires the State Board of Education to adopt rules to establish procedures for this section.
- (d) Requires school districts to notify parents of children enrolling in the ninth grade, prior to class registration, of certain criteria.
- (e) Authorizes a school district to give notification as required under this section as part of regular correspondence concerning registration and orientation.
- (f) Authorizes a student to graduate and receive a diploma only if the student successfully completes the curriculum requirements identified by the State Board of Education and complies with Section 39.025(a); or the student successfully completes an individualized education program developed under Section 29.005.
- (g) Authorizes a school district to issue a certificate of course work completion to a student who successfully completes the curriculum requirements identified by the State Board of Education but who fails to comply with Section 39.025 (a), rather than performing satisfactorily on the assessment instruments specified by this section.

(i) Provides that Subsection (b) applies to students entering the ninth grade in the 2004-2005 school year and thereafter. Authorizes the commissioner of education (commissioner), on application of a school district, to exempt the district from the implementation date in this subsection if the commissioner finds the requirement results in an undue hardship on the district. Provides that an exemption under this subsection expires at the end of a period determined by the commissioner not to exceed three years. Provides that an exemption under this subsection is not subject to Section 7.056.

SECTION 2. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 385, Section 28.025, Education Code, as follows:

- Makes nonsubstantive changes in Subsection (b).
- Adds new proposed Subsection (c) authorizing a school district to petition the State Board of Education.
- Adds new proposed Subsection (d) regarding school district notification to parents.
- Adds new proposed Subsection (e) regarding notification by a school district in correspondence concerning registration and orientation.
- Adds new proposed language in Subsection (i) regarding the commissioner exempting a school district for certain reasons.