Sec. 1. COURSE AND DIPLOMA REQUIREMENTS

A student may graduate and receive a diploma only if:

1. The student successfully completes the curriculum requirements identified by the State Board of Education and complies with requirements related to financial aid applications for high school graduation and secondary-level performance on end-of-course assessments;
2. The student successfully completes the Texas First Early High School Completion Program; or
3. The student successfully completes an individualized education program.

Tex. Educ. Code §§ 28.025(c), *28.0253*.

a) *Individual Graduation Committee*

Without complying with the requirements discussed above, certain students may receive a diploma if the student is eligible for a diploma as determined by an individual graduation committee (IGC) in accordance with the guidelines below. *Tex. Educ. Code §§ 28.025(c-6), 28.0258*.

For each 11th or 12th grade student who has failed to comply with end-of-course (EOC) assessment instrument performance requirements for not more than two courses, Academy of Accelerated Learning, Inc., (AAL), shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. An IGC may not qualify a student to graduate before the student's 12th grade year.

The IGC shall be composed of:

1. The Principal or Principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) described above; and
4. As applicable:
    a. The student's parent;
    b. A designated advocate if the parent is unable to serve; or
    c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

If needed, AAL shall designate IGC alternate members in accordance with 19 Texas Administrative Code § 74.1025.

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AAL shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

Tex. Educ. Code § 28.0258(a)-(c), (c-2); *19 Tex. Admin. Code § 74.1025*.

b) *Notice*

AAL shall ensure a good faith effort is made to timely notify the appropriate person(s) described under Sec. 1-a, Item 4 of the time and place for concerning the IGC and the purpose of the IGC. The notice must be:

1. Provided in person or by regular mail or e-mail;
2. Clear and easy to understand; and
3. Written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person(s).

Tex. Educ. Code § 28.0258(d).

c) *Eligibility to Graduate*

To be eligible to graduate and receive a high school diploma as determined by an IGC, a student must successfully complete the curriculum requirements for high school graduation identified by the State Board of Education.

A student's IGC shall also recommend additional requirements by which the student may qualify to graduate, including:

1. Additional remediation; and
2. For each EOC assessment instrument on which the student failed to perform satisfactorily:
   a. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
   b. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

Tex. Educ. Code § 28.0258(f), (g).

The IGC will consider the criteria at Texas Education Code § 28.0258(h) and any other academic information designated for consideration by the State Board of Education in determining whether

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a student is qualified to graduate. After considering the criteria, the IGC may determine that the student is qualified to graduate. A student may graduate and receive a diploma on the basis of the IGC's decision only if the student successfully completes all additional requirements recommended by the IGC, the student meets applicable curriculum requirements, and the IGC's vote is unanimous. The IGC's decision is final and may not be appealed.
Tex. Educ. Code § 28.0258(i).

Sec. 2. GRADUATION REQUIREMENTS FOR STUDENTS ENTERING GRADE 9 IN OR AFTER THE 2014–2015 SCHOOL YEAR

To receive a high school diploma, a student entering grade 9 in the 2014–2015 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Texas Administrative Code § 74.12 (see Sec. 2-a, "Foundation High School Program," below);
2. Testing requirements for graduation under 19 Texas Administrative Code Chapter 101; and
3. Demonstrated proficiency, as determined by AAL, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program specified in Texas Administrative Code § 74.12 and the curriculum requirements for at least one endorsement.

Tex. Educ. Code § 28.025(c); 19 Tex. Admin. Code § 74.11(a), (c).

a) *Foundation High School Program*

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts—4 credits;
2. Mathematics—3 credits;
3. Science—3 credits;
4. Social Studies—3 credits;
5. Languages other than English—2 credits;
6. Physical Education—1 credit;
7. Fine Arts—1 credit; and
8. Elective courses—5 credits.

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19 Tex. Admin. Code § 74.12.

b) *Endorsements*

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

AAL must make at least one endorsement available to students. If AAL offers only one endorsement, its curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Texas Administrative Code Section 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and
3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

AAL shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

AAL may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Texas Administrative Code Chapters 110–118, 126, 127, and 130 are followed.

Tex. Educ. Code § 28.025; 19 Tex. Admin. Code § 74.13.

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i. *Exception*

A student may 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's written permission, on a form adopted by Texas Education Agency, allowing the student to graduate under the foundation high school program without earning an endorsement.

19 Tex. Admin. Code § 74.11(e).

c) *Distinguished Level of Achievement*

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 Tex. Admin. Code § 74.11(f)*.

d) *Texas First Early High School Completion Program*

AAL shall allow a student to graduate and receive a high school diploma under the Texas First Early High School Completion Program (the "Program") if, using the standards established under Texas Education Code § 28.0253(c), the student demonstrates mastery of and early readiness for college in each of the subject areas described by Section 28.0253(c) and in a language other than English, notwithstanding any other local or state requirements. A student who earns a high school diploma through the Program is considered to have earned a distinguished level of achievement under the foundation high school program adopted under Section 28.025.

Tex. Educ. Code § 28.0253(a)-(f); 19 Tex. Admin. Code § 21.52.

On a student's initial enrollment in high school in a grade below grade 12, AAL shall provide to the student and the student's parent or guardian information regarding:

1. Requirements to earn a high school diploma under the Program; and
2. The Texas First Scholarship Program established under Subchapter K-1, Chapter 56 of the Texas Education Code.

Tex. Educ. Code § 28.0253(g).

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e) *Prerequisites*

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has successfully completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by AAL; or
3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

AAL may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas non-public school where there was not a prerequisite.

19 Tex. Admin. Code § 74.11(j), (l).

f) *College Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 Tex. Admin. Code § 74.11(i)*.

g) *Languages Other than English*

Students may earn credit for language other than English accordance with 19 Texas Administrative Code § 74.12(b)(5). A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other than English in accordance with 19 Texas Administrative Code § 74.12(b)(5)(F). *19 Tex. Admin. Code § 74.12(b)(5)*.

h) *Physical Education Substitutions*

To the extent permitted by state rules applicable to the student's graduation program, AAL shall award state graduation credit in physical education for participation in approved activities and elective courses.

AAL shall award state graduation credit in physical education for appropriate private or commercially sponsored physical activity programs conducted either on or off campus, upon approval by the Commissioner of Education ("Commissioner").

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A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies or a course that is offered for credit as provided by Texas Education Code § 28.002(g-1) for the required physical education credit. Credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's admission, review and dismissal ("ARD") committee if the student receives special education services;
2. The student's Section 504 Committee, if the student does not receive special education services under Education but is covered by Section 504; or
3. A committee, established by AAL, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 Committee.

Tex. Educ. Code § 28.025(b-10)–(b-11); 19 Tex. Admin. Code § 74.12(b)(6).

i) *Community-Based Fine Arts Programs*

In accordance with local AAL policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by AAL. Such credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. AAL must apply to the Commissioner for approval of the community-based fine arts program;
2. The State Board of Education must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Texas Administrative Code Chapter 117, Subchapter C;
3. AAL must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

AAL shall require that instructors of the community-based fine arts program provide AAL at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Texas Administrative Code Chapter 153, Subchapter DD, if the community-based program is offered on campus.

Tex. Educ. Code § 28.025(b-9); 19 Tex. Admin. Code §§ 74.12(b)(7)(B), 74.1030.

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j) *Performance Acknowledgments*

In accordance with the requirements of 19 Texas Administrative Code § 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
   a. In a dual credit course;
   b. In bilingualism and biliteracy;
   c. On a College Board advanced placement test or international baccalaureate examination;
   d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
   e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

Tex. Educ. Code § 28.025(c-5); 19 Tex. Admin. Code § 74.14.

Sec. 3. TRANSFERS FROM OUT-OF-STATE OR NONPUBLIC SCHOOLS

An out-of-state or out-of-country transfer student (including foreign exchange students) or a transfer student from a Texas nonpublic school is eligible to receive an AAL diploma, but must complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enrollment may be satisfied through credit by examination, correspondence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code § 74.26. *19 Tex. Admin. Code §§ 74.51(f), 74.61(i)*.

Sec. 4. STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

a) *Definitions*

"Modified curriculum" and "modified content" refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Texas Administrative Code Chapters 110–118, 126–128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. *19 Tex. Admin. Code § 89.1070(k)*.

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"Employability and self-help skills" are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. *19 Tex. Admin. Code § 89.1070(i)*.

b) *Summary of Academic Achievement and Evaluation*

All students receiving special education services who graduate must be provided with a summary of performance (SOP) as required by 34 C.F.R. § 300.305(e)(3). The SOP must include a summary of the student's academic achievement and functional performance, consider, as appropriate, the views of the student and parent, and incorporate recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation, conducted only if the school determines that additional data are needed before terminating the student's IDEA eligibility (34 C.F.R. § 300.305(e)(1)), must be included as part of the SOP for students graduating under 19 Texas Administrative Code § 89.1070(b)(2)(A)–(C) or (g)(4)(A)–(C). Students who participate in graduation ceremonies but remain eligible for services under § 89.1070(f), (h), or (i) are not considered to have graduated for IDEA purposes and therefore are not subject to reevaluation or SOP requirements until they exit services.

c) *Students Entering Grade 9 In or After the 2014-2015 School Year*

A student entering grade 9 in the 2014–2015 school year and thereafter who receives special education services may graduate and be awarded a regular high school diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or AAL standards if greater) in 19 Texas Administrative Code Chapters 110-117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Texas Administrative Code § 74.12 applicable to students in general education as well as satisfactory performance on the required state assessments, unless the student's ARD committee has determined that satisfactory performance on the required state assessments is not necessary for graduation.
2. The student has demonstrated mastery of the required state standards (or AAL standards if greater) i
3. in 19 Texas Administrative Code Chapters 110–117, 126–128, and 130 and satisfactorily completed credit requirements for graduation under the foundation high school program through courses, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education, as well as satisfactory performance on the required state assessments, unless the student's ARD committee has determined that satisfactory performance on the required state assessments is not necessary for graduation. The student must also successfully complete the student's Individualized Education Program ("IEP") and meet one of the following conditions:

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a. Consistent with the IEP, the student has obtained fulltime employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of AAL.
b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of AAL.
c. The student has access to services that are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.
d. The student no longer meets age eligibility requirements under 34 C.F.R. § 300.102(a)(3)

When a student receives a diploma under item 2(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 Tex. Admin. Code § 89.1070(b), (j); 34 C.F.R. § 300.102(a)(3).

d) *Endorsements*

A student enrolled in a special education program may earn an endorsement on his or her transcript by:

1. Successfully completing, with or without modification of the curriculum:
   a. The curriculum requirements identified by the State Board of Education for the foundation high school program;
   b. For the distinguished level of achievement, the additional curriculum requirements prescribed by Texas Education Code § 28.025(b-15); and
   c. For an endorsement, the additional curriculum requirements prescribed by the State Board of Education; and
2. Successfully completing all curriculum requirements for the endorsement adopted by the State Board of Education:
   a. Without modification of the curriculum; or
   b. With modification of the curriculum, provided that the modified curriculum is sufficiently rigorous as determined by the student's ARD committee and documented in the student's IEP.

The ARD committee shall determine whether the student is required to achieve satisfactory performance on an EOC instrument to earn an endorsement on the student's transcript.

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Tex. Educ. Code § 28.025(c-7)-(c-8).

Sec. 5. GRADUATION OF MILITARY DEPENDENTS

a) *Course Waiver Requirements*

AAL shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district, or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, AAL shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

b) *Transfers During Senior Year*

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from AAL after all alternatives have been considered, the sending district and AAL shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district.

c) *Passing Standard Substitutions*

AAL may utilize a substitute passing standard adopted by the Commissioner on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in Texas for the first time after completing the ninth grade or who reenrolls in a Texas public school at or above the tenth grade level after an absence of at least two years from Texas public schools. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Tex. Educ. Code § 162.002 art. VII, §§ A, C.

Sec. 6. GRADUATION OF A STUDENT WHO IS HOMELESS OR IN CONSERVATORSHIP OF DFPS

If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to AAL and the student is ineligible to graduate from AAL, the public school from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the school from which the student transferred. *Tex. Educ. Code § 28.025(i)*.

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