

ATTACHMENT I

Statutory Citation Relating to Proposed Amendment to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter C, Texas Certificate of High School Equivalency, §89.42, Official Testing Centers

Texas Education Code, §7.111, High School Equivalency Examinations:

- (a) The board shall provide for the administration of high school equivalency examinations.
- (a-1) A person who does not have a high school diploma may take the examination in accordance with rules adopted by the board if the person is:
 - (1) over 17 years of age;
 - (2) 16 years of age or older and:
 - (A) is enrolled in a Job Corps training program under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.), and its subsequent amendments;
 - (B) a public agency providing supervision of the person or having custody of the person under a court order recommends that the person take the examination; or
 - (C) is enrolled in the Texas Military Department's Seaborne ChalleNGe Corps; or
 - (3) required to take the examination under court order issued under Section 65.103(a)(3), Family Code.
- (b) The board by rule shall establish and require payment of a fee as a condition to the issuance of a high school equivalency certificate and a copy of the scores of the examinations. The fee must be reasonable and designed to cover the administrative costs of issuing the certificate and a copy of the scores. The board may not require a waiting period between the date a person withdraws from school and the date the person takes the examination unless the period relates to the time between administrations of the examination.
- (c) The board by rule shall develop and deliver high school equivalency examinations and provide for the administration of the examinations online. The rules must provide a procedure for verifying the identity of the person taking the examination.