

By: Olivo

H.B. No. 154

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for a public high school diploma.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 28.025(c) and (d), Education Code, are amended to read as follows:

(c) A person may receive a diploma if the person is eligible for a diploma under Section 28.0251. In other cases, 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 under Subsection (a) and:

(A) complies with Section 39.025; or

(B) meets the alternative graduation criteria prescribed under Section 28.0253; or

(2) the student successfully completes an individualized education program developed under Section 29.005.

(d) A school district may issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) but who fails to comply with Section 39.025 or the alternative graduation criteria under Section 28.0253. A school district may allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.

1 SECTION 2. Subchapter B, Chapter 28, Education Code, is
2 amended by adding Section 28.0253 to read as follows:

3 Sec. 28.0253. ALTERNATIVE GRADUATION CRITERIA. (a) The
4 commissioner by rule shall prescribe alternative graduation
5 criteria that a student may meet to graduate and receive a diploma
6 without complying with Section 39.025. The alternative graduation
7 criteria must compensate for a student's failure to achieve in a
8 subject the cumulative score required under Section 39.025. To the
9 extent applicable, the alternative graduation criteria must
10 include a student's:

11 (1) grade point average beginning in grade 9;

12 (2) current class ranking;

13 (3) performance on the assessment instruments
14 required under Section 39.025 to be administered to the student,
15 including a consideration of whether extenuating circumstances may
16 have adversely affected the student's performance; and

17 (4) overall academic performance beginning in grade 9,
18 as evaluated by two or more of the student's teachers.

19 (b) A committee composed of the student's high school
20 principal or the principal's designee and two certified teachers in
21 the student's school district who teach at the high school level
22 shall determine whether a student who has not complied with Section
23 39.025 has met the alternative graduation criteria prescribed under
24 Subsection (a). The commissioner shall adopt rules relating to the
25 selection and operation of a committee under this subsection.

26 (c) A committee established under Subsection (b) shall
27 determine whether a student who has not complied with Section

1 39.025 has met the alternative graduation criteria prescribed under
2 Subsection (a):

3 (1) on written request of the student's parent or
4 guardian, not more than one time per school year following the
5 administration to the student at least once of each assessment
6 instrument required under Section 39.025 to be administered to the
7 student; and

8 (2) when the principal of the student's high school, or
9 the principal's designee, determines that the student is within one
10 month of completing each requirement for a high school diploma
11 other than compliance with Section 39.025.

12 SECTION 3. (a) Section 28.025, Education Code, as amended
13 by this Act, and Section 28.0253, Education Code, as added by this
14 Act, apply beginning with the 2011-2012 school year.

15 (b) Not later than June 1, 2011, the commissioner of
16 education shall adopt rules as required by Sections 28.0253(a) and
17 (b), Education Code, as added by this Act.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.