

BILL ANALYSIS

S.B. 79
By: Nelson
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recent legislation prohibited a school district grading policy from requiring teachers to assign a minimum grade without regard to a student's quality of work but authorized the policy to allow a student a reasonable opportunity for make-up work. According to interested parties, there has been enough confusion regarding this legislation to result in legal action involving several school districts and the Texas Education Agency. S.B. 79 seeks to clarify the applicable provisions of law with regard to the contents and applicability of a school district's grading policy.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 79 amends the Education Code to include provisions for the calculation of cumulative averages of grades in the grading policy required to be adopted by a school district before each school year. The bill, in a provision setting out the scope of such a policy, removes language specifying teachers as classroom teachers and requires a teacher to assign a grade that reflects the student's relative mastery of the subject without employing grade inflation or misrepresenting a student's deserved grade, rather than the student's relative mastery of an assignment. The bill specifies that the prohibition against a district grading policy requiring a teacher to assign a minimum grade without regard to the student's quality of work be in general, rather than for an assignment. The bill requires a district grading policy to apply to the assignment of a grade for which written notice of a student's performance in each class or subject is required at least once every 12 weeks, in addition to any other grade assigned by the district. The bill makes its provisions applicable beginning with the 2011-2012 school year and makes a nonsubstantive change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.