

## **BILL ANALYSIS**

C.S.H.B. 2694  
By: Villarreal  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that many rural students do not have the same course options as students who live in more densely populated regions. There is additional concern that even though many four-year universities require a certain number of math or foreign language credits, not all high schools are equipped to offer those courses. The parties assert that students would benefit from more flexibility in determining their high school coursework and from being able to receive credit for a course based on competency demonstrated on an examination, rather than on time spent in the classroom alone. C.S.H.B. 2694 seeks to help students facing geographic and scheduling barriers take the courses they need and to give students more options when it comes to applying to universities that have strict requirements and admissions criteria.

### **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**

C.S.H.B. 2694 amends the Education Code to require each school district to select, if available, at least four examinations approved by the State Board of Education (SBOE) for each subject, for purposes of examinations for acceleration for each primary school grade level or for credit for secondary school academic subjects. The bill requires the examinations selected by a district, if approved by the SBOE, to include advanced placement examinations administered by the College Board and Educational Testing Service and examinations administered through the College-Level Examination Program.

C.S.H.B. 2694 lowers the minimum percentile that a student in a primary grade level must score on each section of an SBOE-approved examination for a district to be required to give the student credit for a grade level and advance the student one grade level from the 90th percentile to the 80th percentile. The bill lowers the minimum percentile that a student in grade level six or above must score on an SBOE-approved examination for a district to be required to give the student credit for a subject from the 90th percentile to the 80th percentile. The bill requires a district to give a student in a grade level six or above credit for a subject if the student scores a three or higher on an SBOE-approved advanced placement examination administered by the College Board and Educational Testing Service or a scaled score of 60 or higher on an SBOE-approved examination administered through the College-Level Examination Program. The bill establishes that a student in grade level six or above who is given credit in a subject on the basis of an examination is not required to take an end-of-course test for that subject.

C.S.H.B. 2694 requires each district to administer each SBOE-approved examination for credit selected by the district under the bill's provisions not later than the 30th day after the date the district receives a written request from a student or the student's parent or guardian, if the examination is capable of being administered electronically, or not fewer than three times each year at times the SBOE determines, if the examination is not capable of being administered

electronically, rather than requiring each district to administer each examination for acceleration or for credit not less than once a year at times the SBOE determines. The bill prohibits an examination that is administered electronically from being administered to a student more than two times each year.

C.S.H.B. 2694 prohibits a student from attempting more than two times to receive credit for a particular subject on the basis of an SBOE-approved examination for credit in that subject. The bill requires a student in grade level six or above who fails to achieve the designated score on an applicable examination for a subject before the beginning of the school year in which the student would ordinarily be enrolled in that course in accordance with the district's prescribed course sequence to satisfactorily complete the course to receive credit.

C.S.H.B. 2694 exempts a student who receives credit by examination for a class from the minimum attendance requirement for class credit. The bill's provisions apply beginning with the 2013-2014 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2694 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0235 to read as follows:

Sec. 28.0235. STATE-LEVEL PROGRAM FOR CREDIT BY EXAMINATION. The commissioner by rule shall establish a state-level program for public secondary education in this state under which a student in a Texas public high school may receive credit by examination for any course required or offered by a Texas public high school. The commissioner:

(1) shall ensure that the examination for each course thoroughly tests, at the applicable grade level, mastery of the skills taught or comprehension of the information presented in the course;

(2) shall ensure that a student who takes an examination under the program receives credit for the applicable course by the student's school and school district if the student's score on the examination for that course is at or above the level established by the commissioner as the passing score for that examination for purposes of this program; and

(3) shall require the student's school and

#### HOUSE COMMITTEE SUBSTITUTE

No equivalent provision, but see SECTION 2 below.

school district to enter the examination score on a student's transcript if the student is given credit for a course on the basis of an examination under the program.

No equivalent provision.

No equivalent provision, but see SECTION 1 above.

SECTION 1. Section 25.092, Education Code, is amended by adding Subsection (a-2) to read as follows:

(a-2) Subsection (a) does not apply to a student who receives credit by examination for a class as provided by Section 28.023.

SECTION 2. Section 28.023, Education Code, is amended to read as follows:

Sec. 28.023. CREDIT BY EXAMINATION. (a) Using guidelines established by the State Board of Education, a school district shall develop or select for board review examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects. The guidelines must provide for the examinations to thoroughly test comprehension of the information presented in the applicable grade level or subject. The board shall approve examinations that satisfy board guidelines. Each district shall select, if available, at least four board-approved examinations for each subject. If approved by the board, the examinations selected by a district must include:

(1) advanced placement examinations administered by the College Board and Educational Testing Service; and

(2) examinations administered through the College-Level Examination Program.

(b) A school district shall give a student in a primary grade level credit for a grade level and advance the student one grade level on the basis of a board-approved examination for acceleration if:

(1) the student scores in the 80th [~~90th~~] percentile or above on each section of the examination;

(2) a district representative recommends that the student be advanced; and

(3) the student's parent or guardian gives written approval of the advancement.

(c) A school district shall give a student in grade level six or above credit for a subject on the basis of a board-approved examination for credit in the subject if the student scores in the 80th [~~90th~~] percentile

or above on the board-approved examination or if the student achieves a score as provided by Subsection (c-1). If a student is given credit in a subject on the basis of an examination, the district shall enter the examination score on the student's transcript and the student is not required to take an end-of-course assessment instrument adopted under Section 39.023(c) for that subject.

(c-1) A school district shall give a student in grade level six or above credit for a subject if the student scores:

(1) a three or higher on a board-approved advanced placement examination administered by the College Board and Educational Testing Service; or

(2) a scaled score of 60 or higher on a board-approved examination administered through the College-Level Examination Program.

(d) Each district shall administer each board-approved examination selected by the district:

(1) not later than the 30th day after the date the district receives a written request from a student or the student's parent or guardian, if the examination is capable of being administered electronically; or

(2) not fewer [~~less~~] than three times each [~~once a~~] year, at times to be determined by the State Board of Education, if the examination is not capable of being administered electronically.

(e) Examinations administered under Subsection (d)(1) may not be administered to a student more than two times each year.

(f) A student may not attempt more than two times to receive credit for a particular subject on the basis of a board-approved examination for credit in that subject.

(g) If a student fails to achieve the designated score described by Subsection (c) or (c-1) on an applicable examination described by Subsection (c) or (c-1) for a subject before the beginning of the school year in which the student would ordinarily be required to enroll in a course in that subject in accordance with the school district's prescribed course sequence, the student must satisfactorily complete the course to receive credit for the course.

No equivalent provision.

SECTION 3. This Act applies beginning with the 2013-2014 school year.

SECTION 2. This Act takes effect September 1, 2013.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.