

By: Seliger

S.B. No. 149

A BILL TO BE ENTITLED

AN ACT

relating to the creation of individual graduation committees for certain high school students.

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

SECTION 1. Section 39.025(a), Education Code, is amended to read as follows:

(a) The commissioner shall adopt rules requiring a student in the foundation high school program under Section 28.025 to be administered each end-of-course assessment instrument listed in Section 39.023(c). A student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on each end-of-course assessment instrument listed under Section 39.023(c). For each scale score required under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. A student may not receive a high school diploma until the student has performed satisfactorily on end-of-course assessment instruments in the manner provided under this subsection or has qualified for graduation under Section 39.0251. This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.

SECTION 2. Subchapter B, Chapter 39, Education Code, is

1 amended by adding Section 39.0251 to read as follows:

2 Sec. 39.0251. INDIVIDUAL GRADUATION COMMITTEE.

3 (a) Except as provided by Subsection (b), for each student who
4 fails to perform satisfactorily on an end-of-course assessment
5 instrument a second time, the school district or open-enrollment
6 charter school that the student attends shall establish an
7 individual graduation committee to determine whether the student
8 qualifies to graduate under this section. The committee shall be
9 composed of:

- 10 (1) the principal or principal's designee;
11 (2) the teacher of the course of the assessment
12 instrument on which the student failed to perform satisfactorily;
13 (3) the student's school counselor; and
14 (4) the student's parent or guardian.

15 (b) If a student fails to perform satisfactorily on an
16 end-of-course assessment for either Algebra I or English II a
17 second time but receives a score of "proficient" on the Texas
18 Success Initiative (TSI) diagnostic assessment for that subject,
19 the student shall be considered to have performed satisfactorily on
20 that end-of-course assessment instrument and shall receive credit
21 for the end-of-course assessment for that course. If a student
22 qualifies to graduate after receiving credit for an end-of-course
23 assessment instrument under this subsection, an individual
24 graduation committee shall not be established for the student.

25 (c) The commissioner shall adopt rules to determine who may
26 serve as an alternative committee member in the event that a person
27 described by Subsection (a) is unable to serve. The superintendent

1 of each school district and the chief administrative officer of
2 each open-enrollment charter school shall establish procedures for
3 the convening of individual graduation committees.

4 (d) The school district or open-enrollment charter school
5 shall notify the student's parent or guardian of the time and place
6 for convening the individual graduation committee and the purpose
7 of the committee. The notice must be provided either in person or
8 by regular mail, be clear and easy to understand, and be written in
9 English or in the parent or guardian's native language.

10 (e) The individual graduation committee shall compute the
11 student's Subject Core Composite Course Average for each core
12 subject. The Subject Core Composite Course Average of a subject is
13 computed by averaging the grades of each course the student
14 completed within each core subject. The core subjects are:

15 (1) English, which consists of:

16 (A) English I;

17 (B) English II;

18 (C) English III; and

19 (D) English IV or an approved substitute;

20 (2) mathematics, which consists of:

21 (A) Algebra I;

22 (B) geometry;

23 (C) Algebra II, a course equivalent to Algebra
24 II, or math models; and

25 (D) an approved fourth year math course;

26 (3) science, which consists of either:

27 (A) courses in:

1 (i) biology;

2 (ii) chemistry; and

3 (iii) physics or an approved substitute; or

4 (B) courses in:

5 (i) biology; and

6 (ii) integrated physics and chemistry; and

7 (4) social studies, which consists of:

8 (A) world geography;

9 (B) world history;

10 (C) United States history; and

11 (D) either:

12 (i) government; or

13 (ii) economics.

14 (f) A student is qualified to graduate if the student's
15 Subject Core Composite Course Average for each core subject
16 described by Subsection (e) is 70 percent or greater, the student
17 meets the requirements of Subsection (j), and the student satisfies
18 at least three of the following criteria:

19 (1) the student successfully completes a dual credit
20 course in:

21 (A) English;

22 (B) mathematics;

23 (C) science; or

24 (D) social studies;

25 (2) the student successfully achieves college
26 readiness standards on the:

27 (A) ACT;

1 (B) SAT;

2 (C) PSAT;

3 (D) ACT Aspire; or

4 (E) Texas Success Initiative (TSI) college
5 readiness benchmarks prescribed by the Texas Higher Education
6 Coordinating Board;

7 (3) the student successfully completes a high school
8 advanced placement, pre-advanced placement, or international
9 baccalaureate program course in:

10 (A) English;

11 (B) mathematics;

12 (C) science; or

13 (D) social studies;

14 (4) the student receives a rating of "advanced high"
15 on the most recent high school administration of the Texas English
16 Language Proficiency Assessment System;

17 (5) the student successfully completes three foreign
18 language courses;

19 (6) the student receives a career and technical
20 education certification;

21 (7) the student receives a score of 50 or greater on a
22 College-Level Examination Program examination; or

23 (8) the student successfully completes a transitional
24 college course in reading or mathematics.

25 (g) If the student does not qualify to graduate under
26 Subsections (e) and (f), the individual graduation committee may
27 recommend additional measures by which the student may qualify,

1 including:

2 (1) additional remediation;

3 (2) the completion of a project related to the
4 relevant subject area; or

5 (3) the preparation of a portfolio of the student's
6 work in the relevant subject area, including work samples from the
7 course for which the student did not pass the end-of-course
8 assessment instrument.

9 (h) In determining whether a student described by
10 Subsection (g) is qualified to graduate, the individual graduation
11 committee shall consider:

12 (1) the recommendation of the student's teacher in
13 each relevant course;

14 (2) the student's grade in each relevant course;

15 (3) the student's score on the end-of-course
16 assessment instrument on which the student failed to perform
17 satisfactorily;

18 (4) the student's performance on any additional
19 measures recommended by the committee under Subsection (g);

20 (5) the number of hours of remediation that the
21 student has already attended, including attendance of a college
22 preparatory course required under Section 39.025(b-2), if
23 applicable;

24 (6) the student's school attendance rate;

25 (7) the student's satisfaction of the Texas Success
26 Initiative (TSI) college readiness benchmarks prescribed by the
27 Texas Higher Education Coordinating Board;

1 (8) the student's overall preparedness for
2 postsecondary success; and

3 (9) any other necessary academic information as
4 determined by the local school board or open-enrollment charter
5 school, as applicable.

6 (i) After considering the criteria under Subsections (h)
7 and (j), the individual graduation committee may determine that the
8 student is qualified to graduate. A student may graduate on the
9 basis of the committee's decision only if the student has
10 successfully completed all additional measures recommended by the
11 committee under Subsection (g) and the committee's vote is
12 unanimous. The commissioner by rule shall establish a timeline for
13 making a determination under this subsection. This subsection does
14 not create a property interest in graduation. The decision of a
15 committee is final and may not be appealed.

16 (j) In order to be eligible to graduate and receive a high
17 school diploma under this section, the student must have:

18 (1) achieved an overall minimum grade point average of
19 2.0 on a scale of 4.0, or the equivalent; and

20 (2) received a passing grade in all courses required
21 for graduation.

22 (k) The commissioner shall adopt rules as necessary to
23 implement this section.

24 SECTION 3. This Act applies beginning with the 2014-2015
25 school year.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 149

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2015.