

By: Rodríguez

S.B. No. 1657

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of individual graduation committees to satisfy
3 certain public high school graduation requirements for certain
4 individuals who are no longer enrolled in school.

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

6 SECTION 1. Section 12.104, Education Code, is amended by
7 adding Subsection (b-3) to read as follows:

8 (b-3) An open-enrollment charter school is subject to the
9 requirement to establish an individual graduation committee under
10 Section 28.02581.

11 SECTION 2. Subchapter B, Chapter 28, Education Code, is
12 amended by adding Section 28.02581 to read as follows:

13 Sec. 28.02581. HIGH SCHOOL DIPLOMA AWARDED ON BASIS OF
14 INDIVIDUAL GRADUATION COMMITTEE REVIEW FOR CERTAIN INDIVIDUALS WHO
15 ARE NO LONGER ENROLLED STUDENTS. (a) This section applies only to
16 an individual who:

17 (1) is no longer enrolled in high school;

18 (2) is under 26 years of age;

19 (3) successfully completed the curriculum
20 requirements for high school graduation applicable to the
21 individual during the period the individual was enrolled as a
22 student in high school; and

23 (4) for not more than two subjects, failed to comply
24 with any exit-level assessment instrument performance requirements

1 for assessment instruments administered under Section 39.023(c),
2 as that section existed before amendment by Chapter 1312 (S.B.
3 1031), Acts of the 80th Legislature, Regular Session, 2007, and
4 applicable to the individual during the period the individual was
5 enrolled as a student in high school.

6 (b) For each individual to whom this section applies, the
7 school district that the individual attended during the
8 individual's 12th grade year as a student, on request by the
9 individual, shall establish an individual graduation committee to
10 determine whether the individual may qualify to graduate as
11 provided by this section. The committee shall be composed of:

12 (1) the principal or principal's designee;

13 (2) for each exit-level assessment instrument on which
14 the individual failed to perform satisfactorily, a teacher in the
15 applicable subject area;

16 (3) the department chair or lead teacher supervising
17 the teacher described by Subdivision (2); and

18 (4) the individual for whom the committee is
19 established.

20 (c) The commissioner by rule shall establish a procedure for
21 appointing an alternative committee member if a person described by
22 Subsection (b)(1), (2), or (3) is unable to serve. The
23 superintendent of each school district shall establish procedures
24 for the convening of an individual graduation committee.

25 (d) The school district shall ensure a good faith effort is
26 made to timely notify the individual for whom the individual
27 graduation committee is established of the time and place for

1 convening the committee. The notice must be:

2 (1) provided in person or by regular mail or e-mail;

3 and

4 (2) clear and easy to understand.

5 (e) Notwithstanding any other law, an individual graduation
6 committee established under this section shall recommend
7 additional requirements by which the individual for whom the
8 committee is established may qualify to graduate, including:

9 (1) additional remediation; and

10 (2) for each exit-level assessment instrument on which
11 the individual failed to perform satisfactorily:

12 (A) the completion of a project related to the
13 subject area of the course that demonstrates proficiency in the
14 subject area; or

15 (B) the preparation of a portfolio of work
16 samples in the subject area of the course, including work samples
17 from the course that demonstrate proficiency in the subject area.

18 (f) For purposes of Subsection (e), the individual may
19 submit to the individual graduation committee coursework
20 previously completed to satisfy a recommended additional
21 requirement.

22 (g) In determining whether an individual for whom an
23 individual graduation committee is established is qualified to
24 graduate, the committee shall consider:

25 (1) any recommendation of the teacher of the
26 individual in a subject area for which the individual failed to
27 perform satisfactorily on an exit-level assessment instrument;

1 (2) the individual's grade in each course for which the
2 individual failed to perform satisfactorily on an exit-level
3 assessment instrument;

4 (3) the individual's score on each exit-level
5 assessment instrument on which the individual failed to perform
6 satisfactorily;

7 (4) the individual's performance on any additional
8 requirements recommended by the committee under Subsection (e);

9 (5) the number of hours of remediation that the
10 individual has attended, including attendance in and successful
11 completion of a transitional college course in reading or
12 mathematics;

13 (6) the individual's school attendance rate during the
14 period the individual was enrolled in high school;

15 (7) the individual's satisfaction of any of the Texas
16 Success Initiative (TSI) college readiness benchmarks prescribed
17 by the Texas Higher Education Coordinating Board;

18 (8) the individual's successful completion of a dual
19 credit course in English, mathematics, science, or social studies;

20 (9) the individual's successful completion of a high
21 school pre-advanced placement, advanced placement, or
22 international baccalaureate program course in English,
23 mathematics, science, or social studies;

24 (10) the individual's rating of advanced high on the
25 high school administration of the Texas English Language
26 Proficiency Assessment System;

27 (11) the individual's score of 50 or greater on a

1 College-Level Examination Program examination;

2 (12) the individual's score on the ACT, the SAT, or the
3 Armed Services Vocational Aptitude Battery test;

4 (13) the individual's completion of a sequence of high
5 school courses under a career and technical education program
6 required to attain an industry-recognized credential or
7 certificate;

8 (14) the individual's overall preparedness for
9 postsecondary success; and

10 (15) any other academic information designated for
11 consideration by the board of trustees of the school district.

12 (h) After considering the criteria under Subsection (g),
13 the individual graduation committee may determine that the
14 individual is qualified to graduate. Notwithstanding any other
15 law, an individual for whom an individual graduation committee is
16 established may graduate and receive a high school diploma on the
17 basis of the committee's decision only if the individual
18 successfully completes all additional requirements recommended by
19 the committee under Subsection (e) and the committee's vote is
20 unanimous. The commissioner by rule shall establish a timeline for
21 making a determination under this subsection. This subsection does
22 not create a property interest in graduation. The decision of a
23 committee is final and may not be appealed.

24 (i) The commissioner shall adopt rules as necessary to
25 implement this section.

26 SECTION 3. Section 39.025, Education Code, is amended by
27 adding Subsection (c-2) to read as follows:

1 (c-2) A school district may not administer an assessment
2 instrument required for graduation administered under this section
3 as this section existed before amendment by Chapter 1312, (S.B.
4 1031), Acts of the 80th Legislature, Regular Session, 2007.
5 Notwithstanding any other law, a school district may administer to
6 a student who is at least 21 years of age and under 26 years of age
7 and enrolled in high school to complete a high school diploma an
8 end-of-course assessment instrument listed in Section 39.023(c)
9 for any subject that was assessed in an assessment instrument
10 required for graduation that was administered under this section as
11 it existed before amendment by Chapter 1312, (S.B. 1031), Acts of
12 the 80th Legislature, Regular Session, 2007, and for which the
13 student failed to perform satisfactorily.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.