

By: Zaffirini

S.B. No. 52

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the high school graduation of a student who transfers to  
3 a public school in this state after the student's junior year of  
4 high school.

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

6 SECTION 1. Section 28.025, Education Code, is amended by  
7 adding Subsection (c-9) to read as follows:

8 (c-9) Notwithstanding Subsection (c), a person may receive  
9 a diploma if the person is eligible for a diploma under Section  
10 28.02592.

11 SECTION 2. Subchapter B, Chapter 28, Education Code, is  
12 amended by adding Section 28.02592 to read as follows:

13 Sec. 28.02592. HIGH SCHOOL DIPLOMA AWARDED TO TRANSFER  
14 STUDENT ON BASIS OF INDIVIDUAL GRADUATION COMMITTEE REVIEW. (a)  
15 This section applies only to a student who:

16 (1) transfers into the public school system of this  
17 state after completion of the student's 11th grade year in high  
18 school in a different state; and

19 (2) will:

20 (A) be unable, based on the credit awarded to the  
21 student by the public school system for coursework completed in a  
22 different state, to comply with the curriculum requirements of this  
23 state for high school graduation by the end of the student's 12th  
24 grade year; or

1           (B) have difficulty complying with the  
2 end-of-course assessment instrument requirements for high school  
3 graduation imposed under Section 39.025.

4           (b) For each student to whom this section applies, the  
5 school district that the student attends shall establish an  
6 individual graduation committee at the beginning of the student's  
7 12th grade year to determine whether the student may qualify to  
8 graduate as provided by this section. A student may not qualify to  
9 graduate under this section before the student's 12th grade year.

10 The committee shall be composed of:

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

12           (2) the department chair or lead teacher for each  
13 subject for which an end-of-course assessment instrument is  
14 administered under Section 39.023(c); and

15           (3) the student's parent or person standing in  
16 parental relation to the student or the student, if the student is  
17 at least 18 years of age.

18           (c) The superintendent of each school district shall  
19 establish procedures for the convening of an individual graduation  
20 committee under this section.

21           (d) In determining whether a student for whom an individual  
22 graduation committee is established is qualified to graduate, the  
23 committee shall consider:

24           (1) the recommendation of the student's teacher in  
25 each course for which the student was not administered an  
26 end-of-course assessment instrument;

27           (2) the student's performance on each:

1                   (A) alternative nationally recognized  
2 norm-referenced assessment instrument that the student requests to  
3 be considered; or

4                   (B) Texas Success Initiative (TSI) assessment  
5 instrument that the student requests to be considered;

6                   (3) the student's overall preparedness for  
7 postsecondary success; and

8                   (4) any other academic information designated for  
9 consideration by the board of trustees of the school district.

10           (e) After considering the criteria under Subsection (d),  
11 the individual graduation committee may determine that the student  
12 is qualified to graduate. The commissioner by rule shall establish  
13 a timeline for making a determination under this subsection. The  
14 decision of a committee is final and may not be appealed.

15           (f) The commissioner shall adopt rules as necessary to  
16 implement this section.

17           SECTION 3. Section 39.025, Education Code, is amended by  
18 adding Subsections (h) and (i) to read as follows:

19           (h) Notwithstanding any other provision of this section,  
20 the commissioner shall allow a student to satisfy the requirements  
21 of Subsection (a) and qualify for a high school diploma through  
22 satisfactory performance on one or more alternative nationally  
23 recognized norm-referenced assessment instruments or Texas Success  
24 Initiative (TSI) assessment instruments if the student transfers  
25 into the public school system of this state after completion of the  
26 student's 11th grade year in high school in a different state and  
27 the student receives a recommendation by the student's individual

1 graduation committee under Section 28.02592 that the student  
2 qualifies for a high school diploma.

3 (i) For purposes of Subsection (h), the commissioner, in  
4 order to ensure that a student described by that subsection may  
5 satisfy the requirements of Subsection (a) solely through  
6 performance on one or more alternative nationally recognized  
7 norm-referenced assessment instruments or Texas Success Initiative  
8 (TSI) assessment instruments, shall establish required performance  
9 levels for the assessment instruments that correspond to the  
10 performance levels otherwise required under Subsection (a) on the  
11 secondary exit-level assessment instruments for English language  
12 arts, mathematics, social studies, and science.

13 SECTION 4. Section 28.02592, Education Code, as added by  
14 this Act, and Section 39.025, Education Code, as amended by this  
15 Act, apply beginning with students enrolled in public high schools  
16 in this state as a senior during the 2019-2020 school year.

17 SECTION 5. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2019.