

BILL ANALYSIS

Senate Research Center
87R26784

C.S.H.B. 999
By: Bernal et al. (Menéndez)
Education
5/23/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In July 2020, recognizing the past and anticipated impacts of the COVID-19 pandemic, the commissioner of education and the Texas Education Agency waived the grade promotion requirements for students in fifth and eighth grades for the 2020-2021 school year, which authorized promotion regardless of STAAR scores. For high school students in Texas, graduation is contingent upon satisfying certain credit requirements under the foundation high school program and passing five end-of-course tests. Given the commissioner's lack of authority to waive statutory graduation requirements, there have been calls for the legislature to align these graduation requirements with grade promotion requirements, as waived by the commissioner due to impacts of the pandemic. Without legislative action, some high school students will be forced to continue to retake end-of-course tests, some of which were initially administered up to three years prior, in order to be awarded their high school diplomas.

C.S.H.B. 999 seeks to address this issue by authorizing an individual graduation committee (IGC) to determine a high school senior's eligibility for graduation without considering the student's end-of-course test performance.

C.S.H.B. 999 removes the 2021-2022 class and makes it so that the TEA commissioner by rule can apply the expanded IGC qualification criteria to that class.

C.S.H.B. 999 amends current law relating to the use of individual graduation committees for certain high school students.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 28.0258, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.0258, Education Code, by adding Subsections (a-1) and (h-1), as follows:

(a-1) Provides that, notwithstanding Subsection (a) (relating to this section applying to certain 11th and 12th grade students), Section 28.0258 (High School Diploma Awarded on Basis of Individual Graduation Committee Review) applies to any student in grade 12 during the 2020-2021 school year regardless of whether the student meets the criteria described by Subsection (a). Authorizes the commissioner of education (commissioner) by rule to apply Section 28.0258 to students in grade 12 during the 2021-2022 school year in the same manner under this subsection, if the commissioner determines the application of Section 28.0258 to those students is appropriate. Provides that this subsection expires September 1, 2022.

(h-1) Provides that, notwithstanding Subsection (h) (relating to considerations by an individual graduation committee in determining whether a student is qualified to graduate), in determining whether a student described by Subsection (a-1) is qualified to graduate, an individual graduation committee is not required to consider criteria under Subsection (h) relating to the student's performance on an end-of-course assessment

instrument administered under Section 39.023 (Adoption and Administration of Instruments). Provides that this subsection expires September 1, 2022.

SECTION 2. Effective date: upon passage or September 1, 2021.