

## **BILL ANALYSIS**

C.S.H.B. 1980  
By: VanDeaver  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that a student who has completed three years of high school before moving to Texas sometimes encounters difficulties in meeting Texas high school graduation requirements due to different course sequencing or requirements in the state where the student previously attended school. The purpose of C.S.H.B. 1980 is to provide local school authorities the necessary flexibility to accommodate students who transfer into the Texas public school system after completion of the 11th grade of high school.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 2 of this bill.

### **ANALYSIS**

C.S.H.B. 1980 amends the Education Code to require a public school district, for each applicable transfer student who attends the district and who is unable to comply with certain graduation requirements by the end of the student's 12th grade year, to establish an individual graduation committee at the beginning of the student's 12th grade year to determine whether the student may qualify to graduate. The bill limits this requirement to a student who transfers into the Texas public school system after completion of the student's 11th grade year in high school in a different state and who will be unable, based on the credit awarded to the student by the public school system for coursework completed in a different state, to comply with the Texas curriculum requirements for high school graduation by the end of the student's 12th grade year or will have difficulty complying with the end-of-course test requirements for high school graduation. The bill prohibits such a student from qualifying to graduate before the student's 12th grade year. The bill sets out the composition of such an individual graduation committee and requires the superintendent of each school district to establish procedures for the convening of the committee.

C.S.H.B. 1980 requires the committee, in determining whether a student is qualified to graduate, to consider the following criteria: the recommendation of the student's teacher in each course for which the student was not administered an end-of-course test, the student's performance on each alternative nationally recognized norm-referenced test that the student requests to be considered or the student's performance on each Texas Success Initiative (TSI) test that the student requests to be considered, the student's overall preparedness for postsecondary success, and any other academic information designated for consideration by the district's board of trustees. The bill authorizes the committee, after considering the criteria, to determine that the student is qualified

to graduate and requires the commissioner of education by rule to establish a timeline for making such a determination. The bill establishes that the committee's decision is final and may not be appealed. The bill requires the commissioner to adopt rules as necessary to implement the bill's provisions regarding the award of a high school diploma to such a transfer student on the basis of individual graduation committee review.

C.S.H.B. 1980 requires the commissioner to allow a student to satisfy certain requirements regarding performance on end-of-course tests and qualify for a high school diploma through satisfactory performance on one or more alternative nationally recognized norm-referenced tests or TSI tests if the student transfers into the Texas public school system after completion of the student's 11th grade year in high school in a different state and the student receives a recommendation by the student's individual graduation committee under the bill's provisions that the student qualifies for a high school diploma. The bill requires the commissioner, for purposes of ensuring that such a student may satisfy the requirements solely through performance on one or more alternative nationally recognized norm-referenced tests or TSI tests, to establish required performance levels for the tests that correspond to the performance levels otherwise required on the secondary exit-level tests for English language arts, mathematics, social studies, and science. The bill applies beginning with students enrolled in Texas public high schools as a senior during the 2017-2018 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

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

While C.S.H.B. 1980 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 28.025, Education Code, is amended.

SECTION 2. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02591 to read as follows:

Sec. 28.02591. HIGH SCHOOL DIPLOMA AWARDED TO TRANSFER STUDENT ON BASIS OF INDIVIDUAL GRADUATION COMMITTEE REVIEW.

(a) This section applies only to a student who:

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

(2) will:

(A) be unable, based on the credit awarded to the student by the public school system for coursework completed in a different state, to comply with the curriculum requirements of this state for high school

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02591 to read as follows:

Sec. 28.02591. HIGH SCHOOL DIPLOMA AWARDED TO TRANSFER STUDENT ON BASIS OF INDIVIDUAL GRADUATION COMMITTEE REVIEW.

(a) This section applies only to a student who:

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

(2) will:

(A) be unable, based on the credit awarded to the student by the public school system for coursework completed in a different state, to comply with the curriculum requirements of this state for high school

graduation by the end of the student's 12th grade year; or

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

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

(1) the principal or principal's designee;

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

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

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

(d) To be eligible to graduate and receive a high school diploma under this section, a student must have:

(1) performed satisfactorily on one or more alternative nationally recognized norm-referenced assessment instruments as provided by Sections 39.025(h) and (i); and

(2) completed coursework determined by the committee to be sufficient for the award of a high school diploma.

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

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

(2) the student's performance on each alternative nationally recognized norm-referenced assessment instrument that the student requests to be considered;

(3) the student's overall preparedness for

graduation by the end of the student's 12th grade year; or

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

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

(1) the principal or principal's designee;

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

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

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

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

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

(2) the student's performance on each:

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

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

(3) the student's overall preparedness for

postsecondary success; and  
(4) any other academic information designated for consideration by the board of trustees of the school district.  
(f) After considering the criteria under Subsection (e), the individual graduation committee may determine that the student is qualified to graduate. The commissioner by rule shall establish a timeline for making a determination under this subsection. The decision of a committee is final and may not be appealed.  
(g) The commissioner shall adopt rules as necessary to implement this section.

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

(h) Notwithstanding any other provision of this section, the commissioner shall allow a student to satisfy the requirements of Subsection (a) and qualify for a high school diploma through satisfactory performance on one or more alternative nationally recognized norm-referenced assessment instruments if the student

transfers into the public school system of this state after completion of the student's 11th grade year in high school in a different state and the student receives a recommendation by the student's individual graduation committee under Section 28.02591 that the student qualifies for a high school diploma.

(i) For purposes of Subsection (h), the commissioner, in order to ensure that a student described by that subsection may satisfy the requirements of Subsection (a) solely through performance on one or more alternative assessment instruments,

shall establish required performance levels for the alternative assessment instrument or instruments that correspond to the performance levels otherwise required under Subsection (a) on the secondary exit-level assessment instruments for English language arts, mathematics, social studies, and science.

postsecondary success; and  
(4) any other academic information designated for consideration by the board of trustees of the school district.  
(e) After considering the criteria under Subsection (d), the individual graduation committee may determine that the student is qualified to graduate. The commissioner by rule shall establish a timeline for making a determination under this subsection. The decision of a committee is final and may not be appealed.  
(f) The commissioner shall adopt rules as necessary to implement this section.

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

(h) Notwithstanding any other provision of this section, the commissioner shall allow a student to satisfy the requirements of Subsection (a) and qualify for a high school diploma through satisfactory performance on one or more alternative nationally recognized norm-referenced assessment instruments or Texas Success Initiative (TSI) assessment instruments if the student

transfers into the public school system of this state after completion of the student's 11th grade year in high school in a different state and the student receives a recommendation by the student's individual graduation committee under Section 28.02591 that the student qualifies for a high school diploma.

(i) For purposes of Subsection (h), the commissioner, in order to ensure that a student described by that subsection may satisfy the requirements of Subsection (a) solely through performance on one or more alternative nationally recognized norm-referenced assessment instruments or Texas Success Initiative (TSI) assessment instruments,

shall establish required performance levels for the assessment instruments that correspond to the performance levels otherwise required under Subsection (a) on the secondary exit-level assessment instruments for English language arts, mathematics, social studies, and science.

SECTION 4. Section 28.02591, Education Code, as added by this Act, and Section 39.025, Education Code, as amended by this Act, apply beginning with students enrolled in public high schools in this state as a senior during the 2017-2018 school year.

SECTION 4. Same as introduced version.

SECTION 5. 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, 2017.

SECTION 5. Same as introduced version.