

## **BILL ANALYSIS**

Senate Research Center  
86R19549 SRS-F

C.S.S.B. 213  
By: Seliger  
Education  
3/28/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

#### **BACKGROUND**

Two sessions ago, S.B. 149 (84th) established individual graduation committees (IGC) to allow students who are juniors or seniors and fail to pass one or two end-of-course examinations currently required for graduation to receive consideration by an IGC.

Students are required to pass all of the courses required to graduate in order to be eligible for the IGC process. The IGC requires the student to complete additional remediation and completion of a project or portfolio in the area in which the student failed the examination. The IGC conducts a comprehensive review of the student's academic performance over their high school career, including: the student's grades in relevant coursework, overall attendance rates, score on the Texas Success Initiative, completion of dual credit and courses completed toward a professional certification, as well as the student's preparedness for college or career.

Last session, S.B. 463 (85th) added reporting requirements for the Texas Higher Education Coordinating Board in addition to the Texas Education Agency reporting requirements already in the bill.

#### **PURPOSE**

After two sessions and four academic years, data continues to show that IGCs are being used judiciously and for only deserving students. The provisions of S.B. 149 were set to expire on September 1, 2017. Therefore, during the 85th Legislative Session, S.B. 463 successfully passed to extend the sunset date another two years. S.B. 213 would remove the sunset date and make the provisions permanent.

#### **COMMITTEE SUBSTITUTE**

- Adds back in a sunset date for IGCs to extend until 2023.

#### **Previous Support**

- Texans Advocating for Meaningful Student Assessment
- Texas PTA
- Texas School Alliance
- Texas Association of Community Schools
- Texas Association of School Boards
- Texas Association of School Administrators
- Texas Rural Education Association
- Association of Texas Professional Educators
- Texas Classroom Teachers Association
- South Texas Association of Schools
- Texas AFT
- Texas State Teachers Association
- Texas Urban Council
- Texas Latino Education Coalition
- Texas Council of Administrators of Special Education

C.S.S.B. 213 amends current law relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

## **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 12.104(b-2) and (b-3), Education Code, as follows:

(b-2) Provides that the expiration date for the provision requiring an open-enrollment charter school to establish an individual graduation committee under Section 28.0258 (High School Diploma Awarded on Basis of Individual Graduation Committee Review) is September 1, 2023, rather than September 1, 2019.

(b-3) Provides that the expiration date for the provision that an open-enrollment charter school is subject to the graduation qualification procedure established by the commissioner of education (commissioner) under Section 28.02541 (Diploma for Certain Students Who Entered Ninth Grade Before 2011–2012 School Year) is September 1, 2023, rather than September 1, 2019.

SECTION 2. Amends Section 28.025(c-6), Education Code, to provide that the expiration date for the provision that a person is authorized to receive a diploma if the person is eligible for a diploma under Section 28.0258 is September 1, 2023, rather than September 1, 2019.

SECTION 3. Amends Section 28.02541(a), Education Code, effective September 1, 2019, as follows:

(a) Provides that this section applies only to a student who:

(1) and (2) makes no changes to these subdivisions;

(3) has not performed satisfactorily on an assessment instrument or a part of an assessment instrument required for high school graduation, including an alternate assessment instrument offered under Section 39.025(c-2) (relating to authorizing a school district to administer to a student who failed to perform satisfactorily on an assessment instrument described by Subsection (c-1) an alternate assessment instrument designated by the commissioner of education), rather than Section 39.025(c-1); and

(4) makes no changes to this subdivision.

SECTION 4. Amends Section 28.02541(g), Education Code, to provide that this section expires September 1, 2023, rather than September 1, 2019.

SECTION 5. Amends Section 28.0258(l), Education Code, to provide that this section expires September 1, 2023, rather than September 1, 2019.

SECTION 6. Amends Section 28.0259(e), Education Code, to provide that this section (School District Reporting Requirements for Students Graduating Based on Individual Graduation Committee Review Process) expires September 1, 2023, rather than September 1, 2019.

SECTION 7. Amends Section 28.02591(a), Education Code, as follows:

(a) Requires the Texas Higher Education Coordinating Board, in coordination with the Texas Education Agency, to collect certain longitudinal data relating to post-graduation pursuits of each student who is awarded a diploma based on the determination of an individual graduation committee under Section 28.0258, as that section existed before September 1, 2023, rather than as that section existed before September 1, 2019.

SECTION 8. Redesignates Subsection (a-2), Section 39.025, Education Code, as added by Chapter 5 (S.B. 149), Acts of the 84th Legislature, Regular Session, 2015, as Subsection (a-5), Section 39.025, Education Code, and amends it as follows:

(a-5) Provides that the expiration date for the provision that, notwithstanding Subsection (a) (relating to requiring the commissioner to adopt rules requiring certain students in the foundation high school program to be administered a certain end-of-course assessment instrument for a certain course), a student who has failed to perform satisfactorily on end-of-course assessment instruments in the manner provided under this section (Secondary-Level Performance Required) is authorized to receive a high school diploma if the student has qualified for graduation under Section 28.0258 is September 1, 2023, rather than September 1, 2019.

SECTION 9. Amends Section 39.025(a-3), Education Code, as follows:

(a-3) Provides that expiration date for the provision that a student who, after retaking certain end-of-course assessments, has failed to perform satisfactorily as required by Subsection (a), but who receives a score of proficient on the Texas Success Initiative diagnostic assessment for the corresponding subject for which the student failed to perform satisfactorily on the end-of-course assessment instrument satisfies the requirement concerning those end-of-course assessments is September 1, 2023, rather than September 1, 2019.

SECTION 10. Effective date: upon passage or on the 91st day after the last day of the legislative session.