

SUBJECT: Alternate methods to satisfy high school graduation requirements

COMMITTEE: Public Education — committee substitute recommended

VOTE: 11 ayes — Aycock, Allen, Bohac, Deshotel, Dutton, Farney, Galindo, González, Huberty, K. King, VanDeaver

0 nays

SENATE VOTE: On final passage, March 17 — 28-2 (Hancock, Nelson)

WITNESSES: For — Julie Cowan, Austin ISD Board of Trustees; Jodi Duron, Elgin ISD; Randy Willis, Granger ISD; Celina Moreno, MALDEF; Kim Cook, Dineen Majcher, and Theresa Trevino, Texans Advocating for Meaningful Student Assessment; Duncan Klussmann, Texas School Alliance; Monty Exter, The Association of Texas Professional Educators; and six individuals; (*Registered, but did not testify*: David Anderson, Arlington ISD Board of Trustees; Wayne Rotan, Glen Rose ISD; Dawson Orr, Highland Park ISD; Barbara Frandsen, League of Women Voters of Texas; Karen Rue, Northwest ISD; Mike Motheral, Small Rural School Finance Coalition; Ted Melina Raab, Texas American Federation of Teachers; Colby Nichols, Texas Association of Community Schools, Texas Rural Education Association; Casey McCreary, Texas Association of School Administrators; Grover Campbell, Texas Association of School Boards; Lonnie Hollingsworth, Texas Classroom Teachers Association; Janna Lilly, Texas Council of Administrators of Special Education; Yannis Banks, Texas NAACP; Kyle Ward, Texas PTA; Bob Popinski, Texas School Alliance; Gina Hinojosa; Susan Moffat)

Against — Drew Scheberle, Greater Austin Chamber of Commerce; Bill Hammond, Texas Association of Business; Courtney Boswell, Texas Institute for Education Reform; Zenobia Joseph; (*Registered, but did not testify*: Cameron Petty, Texas Institute for Education Reform)

On — Elizabeth Caudill, Dallas Regional Chamber; Anna Eastman, Houston ISD; Michael Barnes, Texas Center for Educational Policy at the

School of Education at the University of Texas-Austin; Jan Friese, Texas Counseling Association; (*Registered, but did not testify*: Rhonda Skillern-Jones, Houston ISD; Criss Cloudt, Gloria Zyskowski, Shannon Housson, and Monica Martinez, Texas Education Agency)

BACKGROUND: Since 1986, Texas high school students have been required to pass a statewide assessment to be eligible to receive a high school diploma. The current exams, known as the State of Texas Assessments of Academic Readiness (STAAR), were first administered to students in 2012. The 83rd Legislature in 2013 enacted HB 5 by Aycocock, which reduced STAAR end-of-course exams from 15 to five: Algebra I, English I and II, biology, and U.S. history. The bill also combined reading and writing into one exam for both English I and II.

All five STAAR end-of-course (EOC) exams are administered at the end of the fall, spring, and summer semesters, giving students three testing opportunities each year. The number of testing opportunities students have prior to graduation depends on when students take the corresponding course.

DIGEST: CSSB 149 would establish an alternative method for high school seniors who have failed to pass one end-of-course (EOC) exam to satisfy state graduation requirements. For each of those students, school districts and open-enrollment charter schools would be required to establish an individual graduation committee to determine whether the student may qualify to graduate. The alternative method would apply to the current school year and the 2016-17 school year, and would expire September 1, 2017.

Committee members. The committee would include:

- the principal or principal's designee;
- the teacher of the corresponding course for the failed EOC exam;
- the student's school counselor; and
- the student's parent or person standing in parental relation, a designated advocate, or the student if the student is at least 18

years old or is an emancipated minor.

For the 2014-15 school year, school districts would establish procedures for appointing alternative committee members, including a designated advocate, for those unable to serve. After September 1, 2015, the education commissioner would establish by rule a procedure for appointing alternative committee members.

Each district superintendent would establish procedures for convening an individual graduation committee. Districts would be required to provide an appropriate translator, if available, for a parent, person standing in parental relation, or designated advocate who is unable to speak English.

Districts would be required to make a good faith effort to timely notify parents, persons standing in parental relation, or designated advocates of the time, place, and purpose for convening the individual graduation committee. Notice would be provided in person, by mail, or email; be clear and easy to understand; and written in English, Spanish, or, to the extent practicable, in the native language of the parent, person standing in parental relation, or designated advocate.

Student requirements. To be eligible for this process, a student would have to successfully complete the required high school curriculum. A student's individual graduation committee would be required to recommend additional requirements for a student to complete. This would include additional remediation and completion of a project or portfolio that demonstrates proficiency in the subject area of the corresponding course. A student could submit coursework previously completed to satisfy a recommended additional requirement.

Committee decision. In determining whether a student is qualified to graduate, the committee would be required to consider the recommendation of the course teacher, the student's course grade, EOC exam score, performance on any additional requirements recommended by the committee, overall preparedness for postsecondary success, and school attendance rate.

Additionally, the committee would be required to consider:

- the number of hours of remediation the student has attended, including required attendance in a college preparatory course or successful completion of a transitional college course in reading or math;
- the student's satisfaction of Texas Success Initiative college readiness benchmarks;
- the student's successful completion of a dual credit course in English, math, science, or social studies;
- the student's successful completion of a high school pre-AP, AP, or international baccalaureate course in English, math, science, or social studies;
- the student's rating of advanced high on the most recent high school administration of the Texas English Language Proficiency Assessment System;
- the student's score of 50 or greater on a College-Level Examination Program exam;
- the student's score on the ACT, SAT, or Armed Services Vocational Aptitude Battery;
- the student's completion of career and technical courses required to attain an industry-recognized credential or certificate; and
- any other academic information designated by the local school board.

A student could satisfy EOC requirements if, having failed to perform satisfactorily after retaking an EOC exam for Algebra I or English II, the student received a proficient score in the corresponding subject on the Texas Success Initiative diagnostic assessment.

After considering the required criteria, the committee could determine that the student was qualified to graduate and receive a high school diploma. The committee decision must be unanimous and would only apply if the student successfully completes the additional requirements set by the

committee. The committee decision would be final.

For the 2014-15 school year, districts would establish timelines for committees to meet and make their decisions. After September 1, 2015, the commissioner would establish the timeline.

Regardless of the committee's action, districts would be required to continue administering the corresponding EOC exam to the student. The result of retests would be considered student achievement indicators for accountability purposes.

Each district would be required to report through the Public Education Information Management System (PEIMS) the number of students each year who were awarded a diploma based on an individual graduation committee decision. The report would be due by December 1 of the following school year and the Texas Education Agency (TEA) would be required to post the information on its website.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSSB 149 would provide an alternative graduation method for juniors and seniors who did not pass one of their end-of-course (EOC) exams. The class of 2015 is the first required to pass State of Texas Assessments of Academic Readiness (STAAR) EOC exams in order to graduate. These students have been subjected to the phase-in of a more difficult testing system as well as legislatively mandated midstream changes to the number and design of the exams. Seventeen of the 20 states that require graduation tests provide an alternative option similar to the one contained in the bill.

According to the Texas Education Agency, 13,490 seniors are at risk of not graduating in June because they have failed one EOC exam. An additional 7,154 have failed two exams and another 7,533 have failed three exams. These students will have one final chance to pass exams in

May before June graduations.

Some opponents have characterized the alternative system as a reward for students who have not worked hard, but this is not correct. Students would be eligible only if they passed all their required classes and met additional requirements for remediation and coursework set by the student's individual graduation committee. A committee would look at the student's relevant coursework and overall high school record and would have to make a unanimous decision that the student was qualified to graduate.

The bill also would respect teachers' professional judgment by placing the teacher of the corresponding course on the individual graduation committee. Contrary to charges by some opponents who believe the committees could be a rubber stamp, school personnel should be trusted to do the right thing for their students. School administrators testified that they would expect only about one-fourth to one-third of eligible students to receive diplomas through the alternative process.

The STAAR EOC exams are just one way of measuring student success and should not be the ultimate determination of a student's future. A committee could consider other legitimate measures of student achievement such as college placement exams or military vocational aptitude tests.

For some students there is a gap between test results and how students perform in class. Students appear to be having the most trouble with the writing components of the English I and English II exams. Some experts have criticized the way the writing prompts are presented and how student essays are graded. The writing test may be particularly difficult for students with dyslexia and other learning disabilities.

The lack of a high school diploma could prevent students who lacked a satisfactory score on just one EOC exam from entering college or a trade school program or joining the military. While these seniors could continue to take EOC exams beyond their expected graduation date, some likely would become frustrated and drop out.

OPPONENTS
SAY:

If CSSB 149 were enacted, it would mark the first time in nearly three decades that the state eased its high school graduation test requirements. The bill would effectively create social promotion for high school seniors and make it easier for public schools to pass along unprepared students. By doing so, it could create incentives for students to neglect their EOC exams and devalue the diplomas of the 90 percent of students who had persevered and passed all their testing requirements.

Allowing students to bypass testing requirements would not help students succeed in college and the workplace. This is particularly true with writing, a critical skill demanded by most employers. The STAAR testing system is designed to measure students' ability to think critically, which is essential to their ability to achieving a rewarding career. The 83rd Legislature in 2013 reduced the number of EOC exams from 15 to five to reduce the amount of high school testing. There is no compelling reason for further retreat.

The bill would further weaken the state's public school accountability system, which already lists 90 percent of campuses as meeting or exceeding expectations. The slow phase-in of STAAR tests has created a system where students must answer fewer than half of questions correctly on some exams in order to pass. Texas must have a clear, accurate picture of how students are truly faring in order to determine education policies.

When TEA phased in previous testing programs, including the Texas Assessment of Knowledge and Skills, a similar percentage of students — about 10 percent — initially were denied diplomas. Those students were required to keep retesting, and many eventually did succeed.

Texas law allows for the use of similar committees to decide whether 5th grade and 8th grade students who failed STAAR should be promoted. It appears that the vast majority of these committees have promoted students to 6th and 9th grade. Similar results could be expected by the graduation committees, particularly because schools would be held accountable for students who failed to graduate.

The bill could result in an unfunded mandate to school districts, especially those required to provide translators for non-English-speaking parents. It would add more work for school administrators and teachers, who would be required to quickly form committees, gather student records, and make decisions.

**OTHER
OPPONENTS
SAY:**

Texas should end its requirement that students pass five EOC exams to graduate. Thirty states have no requirement for a graduation test, and such a test is not required by federal law. Eliminating assessment requirements for graduation and reducing the number of required high school tests to one for reading and one for math as mandated by federal law would save the state millions of dollars spent on testing and retesting and would reduce the high-stakes nature of STAAR.

NOTES:

The committee substitute to SB 149 differs from the Senate engrossed version in that the committee substitute would apply to students who had failed no more than one course, as opposed to two subjects in the Senate version.

A similar bill, HB 2444 by Huberty, was referred to the House Public Education Committee on March 13.