

SUBJECT: Extending alternative methods for high school graduation requirements

COMMITTEE: Public Education — committee substitute recommended

VOTE: 9 ayes — Huberty, Allen, Bohac, Deshotel, Gooden, K. King, Koop,  
Meyer, VanDeaver

0 nays

2 absent — Bernal, Dutton

SENATE VOTE: On final passage, May 1 — 28-3 (Burton, Campbell, Nelson)

WITNESSES: For — Patrick Cherry and Tyra Walker, Alief ISD, Texas School Alliance, Texas Association of School Administrators; Paige Duggins, MALDEF; Theresa Trevino, Texans Advocating for Meaningful Student Assessment, Commissioner Texas Next Generation of Assessment and Accountability; David Hinojosa, Texas Latino Education Coalition; JW Lively; Nicole Oman; (*Registered, but did not testify*: Mark Wiggins, Association of Texas Professional Educators; Chris Masey, Coalition of Texans with Disabilities; Jodi Duron, Elgin ISD; Ashlea Graves, Houston ISD; Grace Chimene, League of Women Voters of Texas; Kristi Hassett and Kronda Thimesch, Lewisville ISD; Priscilla Camacho, San Antonio Chamber of Commerce; Jesus Chavez, South Texas Association of Schools; Kim Cook, TAMSA; Ted Melina Raab and Dwight Harris, Texas AFT (American Federation of Teachers); Barry Haenisch, Texas Association of Community Schools; Grover Campbell, Texas Association of School Boards; Paige Williams, Texas Classroom Teachers Association; Janna Lilly, Texas Council of Administrators of Special Education; Kyle Ward, Texas PTA; Colby Nichols, Texas Rural Education Association, Texas Association of Community Schools; Dee Carney, Texas School Alliance; Portia Bosse, Texas State Teachers Association; Marty De Leon, Texas Urban Council; Katherine Bacon; Silvia Martinez; Mike Meroney; Laura Yeager)

Against — Drew Scheberle, Austin Chamber of Commerce; (*Registered,*

*but did not testify*: Miranda Goodsheller, Texas Association of Business)

On — (*Registered, but did not testify*: David Anderson, Arlington ISD Board of Trustees; Monica Martinez, Texas Education Agency)

**BACKGROUND:** The 84th Legislature in 2015 enacted SB 149 by Seliger, which establishes an alternative method to satisfy state graduation requirements for high school students who have completed their required high school curriculum but failed to pass up to two end-of-course exams. The process requires the use of individual graduation committees composed of parents, teachers, and administrators, to recommend additional requirements for the student and decide whether the student should be allowed to graduate and receive a high school diploma. The alternative method expires September 1, 2017.

**DIGEST:** CSSB 463 would postpone the expiration date of statutory provisions that allow students who had failed two end-of-course exams to be considered for graduation by an individual graduation committee. It also would allow alternative methods of graduation for certain former students who did not meet graduation testing requirements and revise reporting requirements related to students who had graduated using alternative methods.

**Graduation committees.** The bill would continue until September 1, 2019, the requirement that districts and charter schools establish individual graduation committees for students who failed to pass one or two required EOC exams. The bill also would extend until September 1, 2019, a provision allowing a student who twice failed to pass an EOC exam for Algebra I or English II to satisfy exam requirements by receiving a proficient core on the Texas Success Initiative diagnostic assessment for the corresponding subject.

The bill also would extend applicability of the graduation committee provisions to students who had entered 9th grade before the 2011-2012 school year if those students had:

- successfully completed the applicable curriculum requirements;

- had not performed satisfactorily on an assessment instrument or part of an assessment instrument required for high school graduation; and
- had been administered that assessment instrument at least three times.

The Commissioner of Education would be required to establish by rule a procedure to determine whether a student who had entered 9th grade before the 2011-2012 school year could qualify to graduate and receive a diploma. In adopting those rules, the commissioner would be required to:

- designate the school district in which a student is or was last enrolled to make the decision whether the student qualified to graduate; and
- establish criteria for those districts to develop recommendations for alternative graduation requirements.

For students who had entered 9th grade before the 2011-2012 school year, the commissioner could authorize as an alternative requirement:

- an alternative assessment instrument and performance standard for that instrument;
- work experience; or
- military or other relevant life experience.

A school district's decision on whether the student qualified to receive a diploma would be final and could not be appealed. These alternative requirements would expire September 1, 2019.

**TAKS exams.** Effective September 1, 2019, the bill would prohibit a district from administering a Texas Assessment of Knowledge and Skills (TAKS) exam. In 2007, the 80th Legislature replaced the TAKS exams with EOC exams.

**Reporting requirements.** The bill would require the Texas Higher Education Coordinating Board (THECB) to report on the post-secondary

plans of students who were permitted to graduate based on the decision of an IGC. The data would include whether the student entered the workforce, enrolled in an associate degree or certificate program at an institution of higher education, or enlisted in the armed forces or the Texas National Guard. The data would be reported to the Legislature by December 1 of each even-numbered year.

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, 2017.

**SUPPORTERS  
SAY:**

CSSB 463 would allow for continued use of individual graduation committees that have successfully evaluated thousands of students who failed to pass one or two of their five required end-of-course exams. The graduation committees are able to consider the entirety of a student's work and assign additional remediation as well as the completion of a project or portfolio to determine whether the student had mastered the content of the course for which the student failed an exam. This holistic process has been particularly helpful for students with language barriers or learning disabilities or who experience testing anxiety and should be extended to help more students with these issues.

Data collected by the Texas Education Agency shows that only about 2 to 3 percent of high school graduates in the 2015 and 2016 graduating classes received their diplomas by a graduation committee. The latest data, from the 2016 graduating class, showed that of the nearly 13,000 students assigned to a graduation committee, about 70 percent were approved for graduation. The fact that 30 percent of eligible students were not approved shows that the committees are taking their work seriously and not merely rubber-stamping students for graduation.

The bill would extend the graduation committee process to students who entered the 9th grade before the 2011-2012 school year. In addition, it could allow those former students to demonstrate that they are qualified to receive their diplomas through other measures, including work or military experience. Some of these students have achieved postsecondary success

but are still trying to pass the TAKS test after retaking it multiple times. The bill would offer them an opportunity to obtain their diplomas and move on with their lives.

The Texas Commission on Next Generation Assessments and Accountability, created by the 84th Legislature to study state testing requirements, recommended that the Legislature retain the individual graduate committee option.

The bill's requirements for the Texas Higher Education Coordinating Board to study how students who were graduated by a committee fare in higher education and the workplace would help determine whether these students were prepared for postsecondary success.

**OPPONENTS  
SAY:**

CSSB 463 would continue a process that effectively amounts to social promotion by allowing a school committee to bypass the state's longstanding requirement that students pass a high school exit-level exam. The Legislature in 2015 cited problems related to the phase-in of the more difficult STAAR exams in creating the alternate process for three school years. Students and teachers now have had additional time to academically prepare for STAAR EOC exams and the Legislature should let the graduation committees expire this fall as planned.

The bill also would allow a graduation committee to graduate students from the class of 2015 or earlier if the committee felt that the students should have earned a diploma even if they had not passed a single graduation test. A diploma should demonstrate that a student has mastered course content and is prepared to succeed in college and the workplace and weakening standards lessens the value of a diploma.

**OTHER  
OPPONENTS  
SAY:**

CSSB 463 should continue the graduation committee process indefinitely or eliminate the requirement that students must pass state standardized tests in order to graduate. The federal government does not require a high-stakes exit exam and neither do the majority of states. Of the minority of states that do require an exit-level exam, nearly all allow some kind of alternative option for students to demonstrate their eligibility to graduate.

NOTES: CSSB 463 differs from the Senate-passed version by allowing the existing graduation committee process to be used for students who entered the 9th grade before the 2011-2012 school year. It also would authorize the education commissioner to consider those students' performance on alternative assessments and their work, life, or military experience.

Two companion bills were referred to the House Public Education Committee: HB 77 by Metcalf on February 13 and HB 966 by Huberty on February 27.