

## **BILL ANALYSIS**

Senate Research Center  
83R13567 MEW-D

H.B. 2058  
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Education  
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Engrossed

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

Under current law, high school equivalency testing allows an adult lacking a high school diploma to earn a certificate of high school equivalency. Recent legislation prohibits a person under 18 years of age from taking the high school equivalency examination online. Interested parties note that county juvenile probation departments administer high school equivalency examinations to students at risk of dropping out, many of whom are 16 or 17 years of age, but who are now prohibited from taking the examination in a manner in which it is commonly administered.

H.B. 2058 seeks to address this and other related issues by clarifying the current exceptions for the high school equivalency examination and allowing certain individuals under 18 years of age in the custody of a state agency under court order to take the examination online.

H.B. 2058 amends current law relating to the administration of a high school equivalency examination.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 1 (Section 7.111, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 7.111, Education Code, by amending Subsections (a) and (c) and adding Subsection (a-1), as follows:

(a) Requires the State Board of Education (SBOE) to provide for the administration of high school equivalency examinations, rather than requiring SBOE to provide for the administration of high school equivalency examinations, including administration by the adjutant general's department for students described by Subdivision (2)(C) (relating to authorizing a person who does not have a high school diploma to take a high school equivalency examination if the person is 16 years of age or older and is enrolled in the adjutant general's department's Seaborne Challenge Corps).

(a-1) Creates this subsection from existing text. Authorizes a person who does not have a high school diploma to take the examination in accordance with rules adopted by SBOE under certain circumstances, including if the person is required to take the examination under a court order, rather than under a justice or municipal court order issued under Article 45.054(a)(1)(C) (relating to providing that certain courts have jurisdiction to order certain persons who are at least 16 years of age to take high school equivalency examinations), Code of Criminal Procedure.

(c) Requires SBOE by rule to develop and deliver high school equivalency examinations and provide for the administration of the examinations online. Deletes existing text requiring that the rules prohibit a person under 18 years of age from taking the examination online.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.