

BILL ANALYSIS

Senate Research Center
86R2047 SRS-F

S.B. 213
By: Seliger
Education
3/14/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 84th Legislative Session, S.B. 149 passed to allow students who are juniors or seniors and fail to pass one or two end-of-course examinations required for graduation to receive consideration by an individual graduation committee (IGC). The IGC requires the student to complete additional remediation and complete a project or portfolio in the area in which the student failed the exam. The IGC considers, when determining whether the student will graduate, factors such as the student's grades in relevant coursework, overall attendance rate, score on the Texas Success Initiative, completion of dual credit and courses toward a professional certification, as well as the student's preparedness for college or career.

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.

As proposed, 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) Removes the September 1, 2019, expiration date for the provision that an open-enrollment charter school is required to establish an individual graduation committee under Section 28.0258 (High School Diploma Awarded on Basis of Individual Graduation Committee Review).

(b-3) Removes the September 1, 2019, 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).

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

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 28.02591(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, rather than under Section 28.0258 as that section existed before September 1, 2019.

SECTION 5. 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) Removes the September 1, 2019, expiration date for the provision that, notwithstanding Subsection (a), a student who has failed to perform satisfactorily on end-of-course assessment instruments in the manner provided under this section may receive a high school diploma if the student has qualified for graduation under Section 28.0258.

SECTION 6. Amends Section 39.025(a-3), Education Code, as follows:

(a-3) Removes the September 1, 2019, expiration date for text providing that a student who, after retaking certain end-of-course assessments, has failed to perform satisfactorily as required by Subsection (a) (relating to requiring the commissioner to adopt rules requiring a student in the foundation high school program to be administered a certain end-of-course instrument only for certain courses), 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.

SECTION 7. Repealer: Section 28.02541(g) (relating to the expiration of that section (Diploma for Certain Students Who Entered Ninth Grade Before 2011–2012 School Year)), Education Code.

Repealer: Section 28.0258(l) (relating to the expiration of that section (High School Diploma Awarded on Basis of Individual Graduation Committee Review)), Education Code.

Repealer: Section 28.0259(e) (relating to the expiration of that section (School District Reporting Requirements for Students Graduating Based on Individual Graduation Committee Review Process)), Education Code.

SECTION 8. Effective date: upon passage or on the 91st day after the last day of the legislative session.