

By: Huberty

H.B. No. 2444

A BILL TO BE ENTITLED

AN ACT

relating to alternative methods for satisfying certain public high school graduation requirements, including the use of individual graduation committees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 12.104, Education Code, is amended by adding Subsection (b-2) to read as follows:

(b-2) An open-enrollment charter school is subject to the requirement to establish an individual graduation committee under Section 28.0258. This subsection expires September 1, 2017.

SECTION 2. Section 28.025, Education Code, is amended by adding Subsection (c-6) to read as follows:

(c-6) Notwithstanding Subsection (c), a person may receive a diploma if the person is eligible for a diploma under Section 28.0258. This subsection expires September 1, 2017.

SECTION 3. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0258 to read as follows:

Sec. 28.0258. HIGH SCHOOL DIPLOMA AWARDED ON BASIS OF INDIVIDUAL GRADUATION COMMITTEE REVIEW. (a) This section applies only to an 11th or 12th grade student who has failed to comply with the end-of-course assessment instrument performance requirements under Section 39.025 in not more than two subjects.

(b) For each student to whom this section applies, the school district that the student attends shall establish an

individual graduation committee at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate as provided by this section. A student may not qualify to graduate under this section before the student's 12th grade year. The committee shall be composed of:

(1) the principal or principal's designee;

(2) for each end-of-course assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;

(3) the student's school counselor; and

(4) as applicable:

(A) the student's parent or person standing in parental relation to the student;

(B) a designated advocate described by Subsection (c) if the person described by Paragraph (A) is unable to serve; or

(C) the student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

(c) The commissioner by rule shall establish a procedure for appointing an alternative committee member if a person described by Subsection (b) is unable to serve, including appointing a designated advocate for the student if the student's parent or person standing in parental relation to the student is unable to serve. The superintendent of each school district shall establish procedures for the convening of an individual graduation committee.

(c-1) Notwithstanding Subsection (c), for the 2014-2015 school year, the school district that the student attends shall

establish procedures for appointing alternative committee members as provided by Subsection (c). This subsection expires September 1, 2015.

(d) The school district shall notify the appropriate person described under Subsection (b)(4) of the time and place for convening the individual graduation committee and the purpose of the committee. The notice must be:

(1) provided in person or by regular mail or e-mail;

(2) clear and easy to understand; and

(3) written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person described by Subsection (b)(4).

(e) To be eligible to graduate and receive a high school diploma under this section, a student must successfully complete the curriculum requirements identified by the State Board of Education under Section 28.025(a).

(f) Notwithstanding any other law, a student's individual graduation committee established under this section shall recommend additional requirements by which the student may qualify to graduate, including:

(1) additional remediation; and

(2) for each end-of-course assessment instrument on which the student failed to perform satisfactorily:

(A) the completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or

(B) the preparation of a portfolio of work

samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

(g) For purposes of Subsection (f), a student may submit to the individual graduation committee coursework previously completed to satisfy a recommended additional requirement.

(h) In determining whether a student for whom an individual graduation committee is established is qualified to graduate, the committee shall consider:

(1) the recommendation of the student's teacher in each course for which the student failed to perform satisfactorily on an end-of-course assessment instrument;

(2) the student's grade in each course for which the student failed to perform satisfactorily on an end-of-course assessment instrument;

(3) the student's score on each end-of-course assessment instrument on which the student failed to perform satisfactorily;

(4) the student's performance on any additional requirements recommended by the committee under Subsection (f);

(5) the number of hours of remediation that the student has attended, including:

(A) attendance in a college preparatory course required under Section 39.025(b-2), if applicable; or

(B) attendance in and successful completion of a transitional college course in reading or mathematics;

(6) the student's school attendance rate;

(7) the student's satisfaction of any of the Texas

1 Success Initiative (TSI) college readiness benchmarks prescribed  
2 by the Texas Higher Education Coordinating Board;

3 (8) the student's successful completion of a dual  
4 credit course in English, mathematics, science, or social studies;

5 (9) the student's successful completion of a high  
6 school pre-advanced placement, advanced placement, or  
7 international baccalaureate program course in English,  
8 mathematics, science, or social studies;

9 (10) the student's rating of advanced high on the most  
10 recent high school administration of the Texas English Language  
11 Proficiency Assessment System;

12 (11) the student's score of 50 or greater on a  
13 College-Level Examination Program examination;

14 (12) the student's score on the ACT, the SAT, or the  
15 Armed Services Vocational Aptitude Battery test;

16 (13) the student's completion of a sequence of courses  
17 under a career and technical education program required to attain  
18 an industry-recognized credential or certificate;

19 (14) the student's overall preparedness for  
20 postsecondary success; and

21 (15) any other academic information designated for  
22 consideration by the board of trustees of the school district.

23 (i) After considering the criteria under Subsection (h),  
24 the individual graduation committee may determine that the student  
25 is qualified to graduate. Notwithstanding any other law, a student  
26 for whom an individual graduation committee is established may  
27 graduate and receive a high school diploma on the basis of the

committee's decision only if the student successfully completes all additional requirements recommended by the committee under Subsection (f), the student meets the requirements of Subsection (e), and the committee's vote is unanimous. The commissioner by rule shall establish a timeline for making a determination under this subsection. This subsection does not create a property interest in graduation. The decision of a committee is final and may not be appealed.

(i-1) Notwithstanding Subsection (i), for the 2014-2015 school year, the school district that the student attends shall establish a timeline for making a determination under Subsection (i). This subsection expires September 1, 2015.

(j) The commissioner shall adopt rules as necessary to implement this section not later than the 2015-2016 school year.

(k) This section expires September 1, 2017.

SECTION 4. Section [39.025](#), Education Code, is amended by adding Subsections (a-2) and (a-3) to read as follows:

(a-2) 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. This subsection expires September 1, 2017.

(a-3) A student who, after retaking an end-of-course assessment instrument for Algebra I or English II, has failed to perform satisfactorily as required by Subsection (a), but who receives a score of proficient on the Texas Success Initiative (TSI) diagnostic assessment for the corresponding subject for which

1 the student failed to perform satisfactorily on the end-of-course  
2 assessment instrument satisfies the requirement concerning the  
3 Algebra I or English II end-of-course assessment, as applicable.  
4 This subsection expires September 1, 2017.

5         SECTION 5. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2015.