

AN ACT

relating to the use of individual graduation committees to satisfy certain public high school graduation requirements and other alternative methods to satisfy certain public high school graduation requirements.

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

SECTION 1. Section 12.104, Education Code, is amended by amending Subsection (b-2) and adding Subsection (b-3) 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, 2019 [~~2017~~].

(b-3) An open-enrollment charter school is subject to the graduation qualification procedure established by the commissioner under Section 28.02541. This subsection expires September 1, 2019.

SECTION 2. Section 28.025(c-6), Education Code, is amended 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, 2019 [~~2017~~].

SECTION 3. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02541 to read as follows:

Sec. 28.02541. DIPLOMA FOR CERTAIN STUDENTS WHO ENTERED NINTH GRADE BEFORE 2011-2012 SCHOOL YEAR. (a) This section

1 applies only to a student who:

2 (1) entered the ninth grade before the 2011-2012
3 school year;

4 (2) successfully completed the curriculum
5 requirements for high school graduation applicable to the student
6 when the student entered the ninth grade;

7 (3) has not performed satisfactorily on an assessment
8 instrument or a part of an assessment instrument required for high
9 school graduation, including an alternate assessment instrument
10 offered under Section 39.025(c-1); and

11 (4) has been administered the assessment instrument or
12 the part of the assessment instrument for which the student has not
13 performed satisfactorily at least three times.

14 (b) Notwithstanding the requirements under this subchapter,
15 the commissioner by rule shall establish a procedure to determine
16 whether a student subject to this section may qualify to graduate
17 and receive a high school diploma as provided by this section.

18 (c) In adopting rules under this section, the commissioner:

19 (1) shall designate the school district in which a
20 student is enrolled or was last enrolled to make the decision
21 regarding whether the student qualifies to graduate and receive a
22 high school diploma; and

23 (2) shall establish criteria for school districts to
24 develop recommendations for alternative requirements by which a
25 student subject to this section may qualify to graduate and receive
26 a high school diploma.

27 (d) In adopting rules under Subsection (c)(2), the

1 commissioner may authorize as an alternative requirement:

2 (1) an alternative assessment instrument and
3 performance standard for that assessment instrument;

4 (2) work experience; or

5 (3) military or other relevant life experience.

6 (e) A school district's decision regarding whether the
7 student qualifies to graduate and receive a high school diploma is
8 final and may not be appealed.

9 (f) The commissioner shall adopt rules to administer this
10 section.

11 (g) This section expires September 1, 2019.

12 SECTION 4. Effective September 1, 2018, Section 28.0258(e),
13 Education Code, is amended to read as follows:

14 (e) To be eligible to graduate and receive a high school
15 diploma under this section, a student must successfully complete
16 the curriculum requirements required for high school graduation[+]

17 [~~(1)~~] identified by the State Board of Education under
18 Section 28.025(a) [~~+~~or

19 [~~(2) as otherwise provided by the transition plan~~
20 ~~adopted by the commissioner under Section 28.025(h)]].~~

21 SECTION 5. Section 28.0258(1), Education Code, is amended
22 to read as follows:

23 (1) This section expires September 1, 2019 [~~2017~~].

24 SECTION 6. The heading to Section 28.0259, Education Code,
25 is amended to read as follows:

26 Sec. 28.0259. SCHOOL DISTRICT REPORTING REQUIREMENTS FOR
27 STUDENTS GRADUATING BASED ON INDIVIDUAL GRADUATION COMMITTEE

1 REVIEW PROCESS.

2 SECTION 7. Section 28.0259(e), Education Code, is amended
3 to read as follows:

4 (e) This section expires September 1, 2019 [~~2018~~].

5 SECTION 8. Subchapter B, Chapter 28, Education Code, is
6 amended by adding Section 28.02591 to read as follows:

7 Sec. 28.02591. TEXAS HIGHER EDUCATION COORDINATING BOARD
8 REPORTING REQUIREMENTS FOR STUDENTS GRADUATING BASED ON INDIVIDUAL
9 GRADUATION COMMITTEE REVIEW PROCESS. (a) The Texas Higher
10 Education Coordinating Board, in coordination with the agency,
11 shall collect longitudinal data relating to the post-graduation
12 pursuits of each student who is awarded a diploma based on the
13 determination of an individual graduation committee under Section
14 28.0258, as that section existed before September 1, 2019,
15 including whether the student:

16 (1) enters the workforce;

17 (2) enrolls in an associate degree or certificate
18 program at a public or private institution of higher education;

19 (3) enrolls in a bachelor's degree program at a public
20 or private institution of higher education; or

21 (4) enlists in the armed forces of the United States or
22 the Texas National Guard.

23 (b) Not later than December 1 of each even-numbered year,
24 the Texas Higher Education Coordinating Board shall provide a
25 report to the legislature that includes a summary compilation of
26 the data collected under Subsection (a) that is presented in a
27 manner that does not identify an individual student.

1 (c) The Texas Higher Education Coordinating Board and the
2 agency shall adopt rules as necessary to implement this section.

3 SECTION 9. Section 39.025(a-2), Education Code, as added by
4 Chapter 5 (S.B. 149), Acts of the 84th Legislature, Regular
5 Session, 2015, is amended to read as follows:

6 (a-2) Notwithstanding Subsection (a), a student who has
7 failed to perform satisfactorily on end-of-course assessment
8 instruments in the manner provided under this section may receive a
9 high school diploma if the student has qualified for graduation
10 under Section 28.0258. This subsection expires September 1, 2019
11 [~~2017~~].

12 SECTION 10. Section 39.025(a-3), Education Code, is amended
13 to read as follows:

14 (a-3) A student who, after retaking an end-of-course
15 assessment instrument for Algebra I or English II, has failed to
16 perform satisfactorily as required by Subsection (a), but who
17 receives a score of proficient on the Texas Success Initiative
18 (TSI) diagnostic assessment for the corresponding subject for which
19 the student failed to perform satisfactorily on the end-of-course
20 assessment instrument satisfies the requirement concerning the
21 Algebra I or English II end-of-course assessment, as applicable.
22 This subsection expires September 1, 2019 [~~2017~~].

23 SECTION 11. Effective September 1, 2019, Section 39.025,
24 Education Code, is amended by amending Subsection (c-1) and adding
25 Subsection (c-2) to read as follows:

26 (c-1) A school district may not administer an assessment
27 instrument required for graduation administered under this section

1 as this section existed:

2 (1) before September 1, 1999; or

3 (2) before amendment by Chapter 1312 (S.B. 1031), Acts
4 of the 80th Legislature, Regular Session, 2007.

5 (c-2) A school district may administer to a student who
6 failed to perform satisfactorily on an assessment instrument
7 described by Subsection (c-1) [~~this subsection~~] an alternate
8 assessment instrument designated by the commissioner. The
9 commissioner shall determine the level of performance considered to
10 be satisfactory on an alternate assessment instrument. The
11 district may not administer to the student an assessment instrument
12 or a part of an assessment instrument that assesses a subject that
13 was not assessed in an assessment instrument applicable to the
14 student described by Subsection (c-1) [~~required for graduation~~
15 ~~administered under this section as this section existed before~~
16 ~~September 1, 1999~~]. The commissioner shall make available to
17 districts information necessary to administer the alternate
18 assessment instrument authorized by this subsection. The
19 commissioner's determination regarding designation of an
20 appropriate alternate assessment instrument under this subsection
21 and the performance required on the assessment instrument is final
22 and may not be appealed.

23 SECTION 12. Except as otherwise provided by this Act, this
24 Act takes effect immediately if it receives a vote of two-thirds of
25 all the members elected to each house, as provided by Section 39,
26 Article III, Texas Constitution. If this Act does not receive the
27 vote necessary for immediate effect, this Act takes effect

1 September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 463 passed the Senate on May 1, 2017, by the following vote: Yeas 28, Nays 3; May 26, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 463 passed the House, with amendments, on May 23, 2017, by the following vote: Yeas 141, Nays 2, one present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor