

1-1 By: Seliger S.B. No. 149
 1-2 (In the Senate - Filed November 10, 2014; January 27, 2015,
 1-3 read first time and referred to Committee on Education;
 1-4 March 11, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; March 11, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 149 By: Seliger

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to alternative methods for satisfying certain public high
 1-24 school graduation requirements, including the use of individual
 1-25 graduation committees.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 12.104, Education Code, is amended by
 1-28 adding Subsection (b-2) to read as follows:

1-29 (b-2) An open-enrollment charter school is subject to the
 1-30 requirement to establish an individual graduation committee under
 1-31 Section 28.0258. This subsection expires September 1, 2017.

1-32 SECTION 2. Section 28.025, Education Code, is amended by
 1-33 adding Subsection (c-6) to read as follows:

1-34 (c-6) Notwithstanding Subsection (c), a person may receive
 1-35 a diploma if the person is eligible for a diploma under Section
 1-36 28.0258. This subsection expires September 1, 2017.

1-37 SECTION 3. Subchapter B, Chapter 28, Education Code, is
 1-38 amended by adding Section 28.0258 to read as follows:

1-39 Sec. 28.0258. HIGH SCHOOL DIPLOMA AWARDED ON BASIS OF
 1-40 INDIVIDUAL GRADUATION COMMITTEE REVIEW. (a) This section applies
 1-41 only to an 11th or 12th grade student who has failed to comply with
 1-42 the end-of-course assessment instrument performance requirements
 1-43 under Section 39.025 in not more than two subjects.

1-44 (b) For each student to whom this section applies, the
 1-45 school district that the student attends shall establish an
 1-46 individual graduation committee at the end of or after the
 1-47 student's 11th grade year to determine whether the student may
 1-48 qualify to graduate as provided by this section. A student may not
 1-49 qualify to graduate under this section before the student's 12th
 1-50 grade year. The committee shall be composed of:

1-51 (1) the principal or principal's designee;

1-52 (2) for each end-of-course assessment instrument on
 1-53 which the student failed to perform satisfactorily, the teacher of
 1-54 the course;

1-55 (3) the student's school counselor; and

1-56 (4) as applicable:

1-57 (A) the student's parent or person standing in
 1-58 parental relation to the student;

1-59 (B) a designated advocate described by
 1-60 Subsection (c) if the person described by Paragraph (A) is unable to

2-1 serve; or
2-2 (C) the student, at the student's option, if the
2-3 student is at least 18 years of age or is an emancipated minor.
2-4 (c) The commissioner by rule shall establish a procedure for
2-5 appointing an alternative committee member if a person described by
2-6 Subsection (b) is unable to serve, including appointing a
2-7 designated advocate for the student if the student's parent or
2-8 person standing in parental relation to the student is unable to
2-9 serve. The superintendent of each school district shall establish
2-10 procedures for the convening of an individual graduation committee.
2-11 (c-1) Notwithstanding Subsection (c), for the 2014-2015
2-12 school year, the school district that the student attends shall
2-13 establish procedures for appointing alternative committee members
2-14 as provided by Subsection (c). This subsection expires September
2-15 1, 2015.
2-16 (d) The school district shall notify the appropriate person
2-17 described under Subsection (b)(4) of the time and place for
2-18 convening the individual graduation committee and the purpose of
2-19 the committee. The notice must be:
2-20 (1) provided in person or by regular mail or e-mail;
2-21 (2) clear and easy to understand; and
2-22 (3) written in English, in Spanish, or, to the extent
2-23 practicable, in the native language of the appropriate person
2-24 described by Subsection (b)(4).
2-25 (e) To be eligible to graduate and receive a high school
2-26 diploma under this section, a student must successfully complete
2-27 the curriculum requirements identified by the State Board of
2-28 Education under Section 28.025(a).
2-29 (f) Notwithstanding any other law, a student's individual
2-30 graduation committee established under this section shall
2-31 recommend additional requirements by which the student may qualify
2-32 to graduate, including:
2-33 (1) additional remediation; and
2-34 (2) for each end-of-course assessment instrument on
2-35 which the student failed to perform satisfactorily:
2-36 (A) the completion of a project related to the
2-37 subject area of the course that demonstrates proficiency in the
2-38 subject area; or
2-39 (B) the preparation of a portfolio of work
2-40 samples in the subject area of the course, including work samples
2-41 from the course that demonstrate proficiency in the subject area.
2-42 (g) For purposes of Subsection (f), a student may submit to
2-43 the individual graduation committee coursework previously
2-44 completed to satisfy a recommended additional requirement.
2-45 (h) In determining whether a student for whom an individual
2-46 graduation committee is established is qualified to graduate, the
2-47 committee shall consider:
2-48 (1) the recommendation of the student's teacher in
2-49 each course for which the student failed to perform satisfactorily
2-50 on an end-of-course assessment instrument;
2-51 (2) the student's grade in each course for which the
2-52 student failed to perform satisfactorily on an end-of-course
2-53 assessment instrument;
2-54 (3) the student's score on each end-of-course
2-55 assessment instrument on which the student failed to perform
2-56 satisfactorily;
2-57 (4) the student's performance on any additional
2-58 requirements recommended by the committee under Subsection (f);
2-59 (5) the number of hours of remediation that the
2-60 student has attended, including:
2-61 (A) attendance in a college preparatory course
2-62 required under Section 39.025(b-2), if applicable; or
2-63 (B) attendance in and successful completion of a
2-64 transitional college course in reading or mathematics;
2-65 (6) the student's school attendance rate;
2-66 (7) the student's satisfaction of any of the Texas
2-67 Success Initiative (TSI) college readiness benchmarks prescribed
2-68 by the Texas Higher Education Coordinating Board;
2-69 (8) the student's successful completion of a dual

- 3-1 credit course in English, mathematics, science, or social studies;
- 3-2 (9) the student's successful completion of a high
- 3-3 school pre-advanced placement, advanced placement, or
- 3-4 international baccalaureate program course in English,
- 3-5 mathematics, science, or social studies;
- 3-6 (10) the student's rating of advanced high on the most
- 3-7 recent high school administration of the Texas English Language
- 3-8 Proficiency Assessment System;
- 3-9 (11) the student's score of 50 or greater on a
- 3-10 College-Level Examination Program examination;
- 3-11 (12) the student's score on the ACT, the SAT, or the
- 3-12 Armed Services Vocational Aptitude Battery test;
- 3-13 (13) the student's completion of a sequence of courses
- 3-14 under a career and technical education program required to attain
- 3-15 an industry-recognized credential or certificate;
- 3-16 (14) the student's overall preparedness for
- 3-17 postsecondary success; and
- 3-18 (15) any other academic information designated for
- 3-19 consideration by the board of trustees of the school district.

3-20 (i) After considering the criteria under Subsection (h),
 3-21 the individual graduation committee may determine that the student
 3-22 is qualified to graduate. Notwithstanding any other law, a student
 3-23 for whom an individual graduation committee is established may
 3-24 graduate and receive a high school diploma on the basis of the
 3-25 committee's decision only if the student successfully completes all
 3-26 additional requirements recommended by the committee under
 3-27 Subsection (f), the student meets the requirements of Subsection
 3-28 (e), and the committee's vote is unanimous. The commissioner by
 3-29 rule shall establish a timeline for making a determination under
 3-30 this subsection. This subsection does not create a property
 3-31 interest in graduation. The decision of a committee is final and
 3-32 may not be appealed.

3-33 (i-1) Notwithstanding Subsection (i), for the 2014-2015
 3-34 school year, the school district that the student attends shall
 3-35 establish a timeline for making a determination under Subsection
 3-36 (i). This subsection expires September 1, 2015.

3-37 (j) The commissioner shall adopt rules as necessary to
 3-38 implement this section not later than the 2015-2016 school year.

3-39 (k) This section expires September 1, 2017.

3-40 SECTION 4. Section 39.025, Education Code, is amended by
 3-41 adding Subsections (a-2) and (a-3) to read as follows:

3-42 (a-2) Notwithstanding Subsection (a), a student who has
 3-43 failed to perform satisfactorily on end-of-course assessment
 3-44 instruments in the manner provided under this subsection may
 3-45 receive a high school diploma if the student has qualified for
 3-46 graduation under Section 28.0258. This subsection expires
 3-47 September 1, 2017.

3-48 (a-3) A student who, after retaking an end-of-course
 3-49 assessment instrument for Algebra I or English II, has failed to
 3-50 perform satisfactorily as required by Subsection (a), but who
 3-51 receives a score of proficient on the Texas Success Initiative
 3-52 (TSI) diagnostic assessment for the corresponding subject for which
 3-53 the student failed to perform satisfactorily on the end-of-course
 3-54 assessment instrument satisfies the requirement concerning the
 3-55 Algebra I or English II end-of-course assessment, as applicable.
 3-56 This subsection expires September 1, 2017.

3-57 SECTION 5. This Act takes effect immediately if it receives
 3-58 a vote of two-thirds of all the members elected to each house, as
 3-59 provided by Section 39, Article III, Texas Constitution. If this
 3-60 Act does not receive the vote necessary for immediate effect, this
 3-61 Act takes effect September 1, 2015.

3-62 * * * * *