

SUBJECT: Administration of a high school equivalency examination

COMMITTEE: Public Education — committee substitute recommended

VOTE: 9 ayes — Aycock, Allen, Deshotel, Dutton, Farney, Huberty, K. King, Ratliff, J. Rodriguez

0 nays

2 absent — J. Davis, Villarreal

WITNESSES: For — Julie Baker, James Odom, and Ellen Savoy, Harris County Juvenile Probation Department; Howell Wright, Rockdale ISD, Texas Association of Community Schools, Texas Association of Mid-size Schools; (*Registered, but did not testify:* Yannis Banks, Texas NAACP; Portia Bosse, Texas State Teachers Association; Monty Exter, Association of Texas Professional Educators; Diane Hubbell, Harris County Juvenile Probation; Amanda Jones, Harris County Office of Legislative Relations; Casey McCreary, Texas Association of School Administrators; Nelson Salinas, Texas Association of Business; Julie Shields, Texas Association of School Boards; Maria Whitsett, Texas School Alliance)

Against — None

On — (*Registered, but did not testify:* David Anderson and Gina Day, Texas Education Agency; Drew Scherberle, Greater Austin Chamber of Commerce)

BACKGROUND: In 2011, the Legislature passed SB 1094 by Rodriguez, which amended Education Code, sec. 7.111 to grant authority to the State Board of Education (SBOE) to develop and deliver high school equivalency examinations online. The bill required that the rules provide a procedure for verifying the identity of the person taking the examination and prohibit a person under 18 years old from taking the examination online.

The Texas Education Agency said it does not offer high school equivalency examinations online because of concerns about test security. Pursuant to an agreement between SBOE and GED Testing Service, the state in March began allowing individuals to take the General Educational

Development (GED) test on computers at various testing centers. The computer-based tests are different from online tests because they are proctored. Paper-based tests will remain through December 2013.

Title 19 TAC, rule §89.43 sets out certain conditions for applicants under age 18 to apply for a Texas Certificate of High School Equivalency. An applicant who is 17 years old is eligible with parental or guardian consent, or if the applicant is married, has entered military service, has been declared an adult by the court, or who has otherwise legally severed the child/parent relationship. An applicant who is 16 years old may test if recommended by a public agency having supervision or custody under a court order. An applicant who is at least 16 years old may also test if required to take the examination under a justice or municipal court order related to the applicant's failure to attend school; if enrolled in a Job Corps training program; or if enrolled in the adjutant general's department's Seaborne ChalleNGe Corps.

DIGEST: CSHB 2058 would amend Education Code, sec. 7.111 to allow individuals who were ages 16 or 17 to take the high school equivalency examination under order from any court, rather than only from a justice or municipal court order related to the student's truancy.

The bill would strike the provision prohibiting a person younger than 18 years of age from taking the examination online.

The bill also would eliminate duplicate language concerning 16- and 17-year-olds enrolled in the Seaborne ChalleNGe Corps.

The bill would apply starting with the 2013-14 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

SUPPORTERS SAY: CSHB 2058 would clarify that students ages 16 or 17 who were under any court order could take high school equivalency examinations and could take them online if that option were available. Recent legislation regarding online testing, as well as TEA's transition to computer-based testing, has caused some confusion among testing centers that serve the Harris County Juvenile Probation Department about who may take the exam and by what means. Although there is currently no online testing, the Legislature still

should remove the prohibition against students younger than 18 taking the examination online in case that option does become available.

While it is good public policy to encourage students ages 16 and 17 to continue their high school education, as a practical matter many youth who are involved in the juvenile justice system will not be completing high school. Traditional school may not be a good fit for these youth, and getting a GED is their best option.

**OPPONENTS
SAY:**

CASHB 2058 is unnecessary because TEA is not offering high school equivalency exams online. Students ages 16 and 17 who are under supervision by a juvenile probation department could continue to take the tests at authorized testing centers.

NOTES:

The committee substitute differs from the bill as filed in that it would retain current statutory language regarding the authority of a public agency providing supervision or having custody of 16- and 17-year-olds to recommend the high school equivalency examination.