

## **BILL ANALYSIS**

Senate Research Center  
78R6500 BDH-F

H.B. 1949  
By: Eissler et al. (Van de Putte)  
Education  
4/24/2003  
Engrossed

### **DIGEST AND PURPOSE**

Currently, there is no provision that permits a teacher to issue a final grade, unless the provisions of Section 33.081 of the Texas Education Code (commonly known as “no pass/no play”) are involved. In several cases, students’ grades have been changed by or at the direction of an administrator, as a result of a parent complaint. H.B. 1949 makes the grade earned by a student and assessed by a teacher on an examination or course grade the final grade.

### **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 Subchapter B, Chapter 28, Education Code, by adding Section 28.0212, as follows:

Sec. 28.0212. FINALITY OF GRADE. (a) Provides that an examination or course grade issued by a classroom teacher is final and prohibits it from being changed unless the grade is arbitrary, erroneous, or not consistent with the school district grading policy applicable to the grade, as determined by the board of trustees of the school district in which the teacher is employed.

(b) Provides that a determination by a school district board of trustees under Subsection (a) is not subject to appeal. Provides that this subsection does not prohibit an appeal related to a student’s eligibility to participate in extracurricular activities under Section 33.081.

SECTION 2. Provides that this Act applies with the 2003-2004 school year.

SECTION 3. Effective date: upon passage or September 1, 2003.