

## **BILL ANALYSIS**

Senate Research Center  
78R2843 ESH-D

S.B. 1056  
By: Van de Putte  
Education  
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As Filed

### **DIGEST AND PURPOSE**

Current law requires that students pass the TAKS test in English language arts, mathematics, social studies and science in order to graduate from high school, with the beginning of the 2004-2005 school year. Some believe that the current law places too much emphasis on individual test scores, while failing to take the students' entire record into consideration. As proposed, S.B. 1056 gives high school students an alternative way to graduate, by using a multiple of compensatory criteria.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 28.0252, Education Code) of this code.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends and reenacts Sections 28.025(a), (c), and (d), Education Code, as amended by Chapters 187 and 834, Acts of the 77th legislature, Regular Session, 2001, as follows:

- (a) No changes in this section.
- (c) Authorizes a student, if the student is not eligible to receive a diploma under Section 28.0251, to graduate and receive a diploma only if the student successfully completes the curriculum requirements identified by the State Board of Education (SBOE) under Subsection (a) and meets the alternative graduation criteria prescribed under Section 28.0252. Makes nonsubstantive changes.
- (d) Authorizes a school district to issue a certificate of course-work completion to a student who successfully completes the curriculum requirements identified by SBOE under Subsection (a) but who fails to comply with Section 39.025(a) or the alternative graduation criteria under Section 28.0252.

SECTION 2. Amends Subchapter B, Chapter 28, Education Code, by adding Section 28.0252, as follows:

- Sec. 28.0252. ALTERNATIVE GRADUATION CRITERIA. (a) Requires the commissioner of education (commissioner) by rule to prescribe alternative graduation criteria that a student may meet to graduate and receive a diploma without complying with Section 39.025(a). Requires the alternative graduation criteria to be compensatory criteria. Requires the alternative graduation criteria for a student include certain data.
- (b) Requires a committee composed of student's high school principal or the principal's designee and two certified teachers in the student's school district who teach at the high school level to determine whether a student who has not complied with Section 39.025(a) has met the alternative graduation criteria prescribed under Subsection (a). Requires the commissioner to adopt rules relating to the selection and operation of a committee under this subsection, including the method by which the committee must notify the student and the

student's high school registrar of the committee's decision.

(c) Requires a committee established under Subsection (b) to determine whether a student who has not complied with Section 39.025(a) has met the alternative graduation criteria prescribed under Subsection (a):

(1) Following the first administration to the student of the assessment instruments specified in Section 39.025(a);

(2) on written request of the student's parent or guardian, not more than one time in each school year following the school year in which the assessment instruments specified in Section 39.025(a) are first administered to the student; and

(3) when the principal of the student's high school, or the principal's designee, determines that the student is within one month of completing each requirement for a high school diploma other than compliance with Section 39.025(a).

SECTION 3. (a) Provides that Section 28.025, Education Code, as amended by this Act, and Section 28.0252, Education Code, as added by this Act, apply beginning with the 2004-2005 school year.

(b) Requires the commissioner of education, by June 1, 2004, to adopt rules as required by Sections 28.0252(a) and (b), Education Code, as added by this Act.

SECTION 4. Effective date: September 1, 2003.