

## **BILL ANALYSIS**

Senate Research Center  
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S.B. 132  
By: Nelson; Patrick  
Education  
2/22/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 132 clarifies that state law prohibiting school districts from requiring teachers to artificially inflate a student's grade applies to all grades, including report card grades or other cumulative averages of assignment grades.

In 2009, the 81st Legislature, Regular Session, unanimously approved S.B. 2033 by Senator Nelson, prohibiting districts from requiring teachers to assign minimum grades without regard to a student's quality of work and clarifying that this policy may allow students a reasonable opportunity for make-up work.

S.B. 132 clarifies that minimum grade policies are prohibited for cumulative averages of grades, as well as for individual assignment and examination grades. It makes the prohibition of minimum grade policies applicable to any grade a district assigns and to the existing state requirement in Section Chapter 28.022 (Notice to Parent of Unsatisfactory Performance), Education Code, that districts report grades to parents every 12 weeks or, if performance is unsatisfactory, every three to four weeks. It also removes references to classroom teachers to ensure that this legislation applies to student grades assigned by any teacher.

As proposed, S.B. 132 amends current law relating to the contents and applicability of a school district's grading policy.

### **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 Section 28.0216, Education Code, as follows:

Sec. 28.0216. DISTRICT GRADING POLICY. (a) Creates this subsection from existing text. Requires a school district, before each school year, to adopt a grading policy, including provisions for the assignment of grades on class assignments and examinations and the calculation of cumulative averages of grades. Provides that a district grading policy:

- (1) is required to require a teacher to assign a grade that reflects the student's relative mastery of the subject without employing grade inflation or misrepresenting a student's deserved grade, rather than requiring a classroom teacher to assign a grade that reflects the student's relative mastery of an assignment;
- (2) is prohibited from requiring a teacher to assign a minimum grade without regard to the student's quality of work, rather than from requiring a classroom teacher to assign a minimum grade for an assignment without regard to the student's quality of work; and
- (3) Makes no changes to this subdivision.

(b) Requires that a district grading policy apply to the assignment of a grade for which written notice is required under Section 28.022(a)(2) (relating to requiring the board of trustees for each school district to adopt a policy that requires the district to give written notice to a parent of a student's performance), in addition to any other grade assigned by the district.

SECTION 2. Provides that this Act applies beginning with the 2013-2014.

SECTION 3. Effective date: upon passage or September 1, 2013.