Text of Proposed Amendments to 19 TAC

Chapter 74. Curriculum Requirements

Subchapter C. Other Provisions

§74.24. Credit by Examination.

(a) General provisions.

(1) A school district must provide at least one window to test between January 1 and March 31, one window to test between April 1 and June 30, one window to test between July 1 and September 30, and one window to test between October 1 and December 31 annually when each examination for acceleration for each primary school grade level and for credit for secondary school academic subjects required under Texas Education Code, §28.023, shall be administered in Grades 1-12 unless the examination has an administration date that is established by an entity other than the school district. A student may take a specific examination only once during each window. The testing window must be designed to meet the needs of all students. The dates must be publicized in the community.

(2) A school district shall provide opportunities for a student who is homeless or in substitute care who transfers to the district after the start of the school year to be administered credit by examination at any point during the school year.

(3) [~~(2)~~] A school district shall not charge for an examination for acceleration for each primary school grade level or for credit for secondary school academic subjects. If a parent requests an alternative examination, the district may administer and recognize results of a test purchased by the parent or student from Texas Tech University or The University of Texas at Austin.

(A) Texas Tech University and The University of Texas at Austin shall ensure that the assessments they provide for the purposes of this section are aligned with and contain appropriate breadth of coverage of the Texas Essential Knowledge and Skills for the appropriate course.

(B) Texas Tech University and The University of Texas at Austin shall arrange for a third party to conduct an audit, on a rotating basis, of at least 20% of the assessments they provide for the purposes of this section. The audit shall be conducted annually.

(C) The results of each audit shall be provided to the Texas Education Agency in the form of a report to be delivered no later than May 31 of each year.

(4) [~~(3)~~] A school district must have the approval of the school district board of trustees to develop its own tests or to purchase examinations that thoroughly test the essential knowledge and skills in the applicable grade level or subject area.

(5) [~~(4)~~] A school district may allow a student to accelerate at a time other than one required in paragraph (1) of this subsection by developing a cost-free option approved by the school district board of trustees that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

(b) (No changes.)

(c) Assessment for course credit in Grades 6-12.

(1) A school district board of trustees shall approve for each high school course, to the extent available, at least four examinations.

(A) The examinations shall include:

(i) College Board advanced placement examinations; and

(ii) examinations administered through the College-Level Examination Program.

(B) The examinations may include examinations developed by:

(i) Texas Tech University;

(ii) The University of Texas at Austin;

(iii) the school district; and

(iv) another entity if the assessment meets all of the requirements in paragraph (2) of this subsection.

(2) In order for a school district to administer a district-developed examination or an examination under paragraph (1)(B)(iv) of this subsection for credit, prior to the first administration, the school district must certify that the examination:

(A) covers all assessable Texas essential knowledge and skills for the course;

(B) has not been published and is not publicly available;

(C) will only be administered in a secure environment under standardized conditions by a school district or institution of higher education;

(D) has been externally validated;

(E) is equivalent to state level end-of-course assessment instruments in terms of content coverage, item difficulty, and technical quality;

(F) yields comparable results for all subgroups; and

(G) if for a course that has a state level end-of-course assessment instrument, is validated against the applicable end-of-course assessment. For an examination that is validated for this purpose, a school district must make public:

(i) the test development process; and

(ii) the results of the validation efforts.

(3) Examinations developed by Texas Tech University and The University of Texas at Austin for courses that do not have a state end-of-course assessment shall meet all requirements of paragraph (2) of this subsection not later than the 2018-2019 school year for each of its examinations offered for credit.

(4) District-developed examinations for courses that do not have a state end-of-course assessment shall meet all requirements of paragraph (2) of this subsection no later than the 2018-2019 school year for each of its examinations offering credit.

(5) A student in any of Grades 6-12 must be given credit for an academic subject in which he or she has had no prior instruction if the student scores:

(A) a three or higher on a College Board advanced placement examination that has been approved by the school district board of trustees for the applicable course;

(B) a scaled score of 50 [~~60~~] or higher on an examination administered through the College-Level Examination Program and approved by the school district board of trustees for the applicable course; or

(C) 80% on any other criterion-referenced test approved by the school district board of trustees for the applicable course.

(6) A student may not attempt to earn credit by examination for a specific high school course more than two times.

(7) If a student fails to earn credit by examination for a specific high school course before the beginning of the school year in which the student would ordinarily be required to enroll in that course in accordance with the school district's prescribed course sequence, the student must satisfactorily complete the course to receive credit.

(8) If a student is given credit in accordance with paragraph (5) of this subsection in a subject on the basis of an examination on which the student scored 80% or higher, the school district must enter the examination score on the student's transcript, and the student is not required to take an applicable end-of-course assessment instrument for the course.

(9) In accordance with local school district policy, a student in any of Grades 6-12 may be given credit for an academic subject in which he or she had some prior instruction if the student scores 70% on a criterion-referenced test approved by the school district board of trustees for the applicable course.

§74.26. Award of Credit.

(a) The award of credit for a course by a school district affirms that a student has satisfactorily met all state and local requirements. Any course for which credit is awarded must be provided according to this subsection.

(1) Credit earned toward state graduation requirements by a student in an accredited school district shall be transferable and must be accepted by any other school district in the state. A district may not prohibit a new student from attending school pending receipt of transcripts or records from the school district the student previously attended. Credit earned in a local-credit course may be transferred only with the consent of the receiving school district.

(2) A school district must ensure that the records or transcripts of an out-of-state or out-of-country transfer student (including foreign exchange students) or a transfer student from a Texas nonpublic school are evaluated and that the student is placed in appropriate classes promptly. The district may use a variety of methods to verify the content of courses for which a transfer student has earned credit.

(b) Districts may offer courses designated for Grades 9-12 (refer to §74.11 of this title (relating to High School Graduation Requirements)) in earlier grade levels. A course must be considered completed and credit must be awarded if the student has demonstrated achievement by meeting the standard requirements of the course, including demonstrated proficiency in the subject matter, regardless of the time the student has received instruction in the course or the grade level at which proficiency was attained. The academic achievement record (transcript) shall reflect that students have satisfactorily completed courses at earlier grade levels than Grades 9-12 and have been awarded state graduation credits.

(c) Credit for courses for high school graduation may be earned only if the student received a grade which is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for each course.

(d) In accordance with local district policy, students who are able to successfully complete only one semester of a two-semester course can be awarded credit proportionately.

(e) A school district shall award credit proportionately to a student who is homeless or in substitute care who successfully completes only one semester of a two-semester course.