

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 101. Assessment

Subchapter DD. Commissioner's Rules Concerning Substitute Assessments for Graduation

§101.4002. State of Texas Assessments of Academic Readiness End-of-Course Substitute Assessments.

- (a) For purposes of this subchapter, "equivalent course" is defined as a course having sufficient content overlap with the essential knowledge and skills of a similar course in the same content area listed under §74.1(b)(1)-(4) of this title (relating to Essential Knowledge and Skills).
- (b) Effective beginning with the 2011-2012 school year, in accordance with the Texas Education Code (TEC), §39.025(a-1), (a-2), and (a-3), the commissioner of education adopts certain assessments as provided in the chart in this subsection as substitute assessments that a student may use in place of a corresponding end-of-course (EOC) assessment under the TEC, §39.023(c), to meet the student's assessment graduation requirements. A satisfactory score on an ~~[An]~~ approved substitute assessment may be used in place of only one specific EOC assessment, except in those cases described by subsection (d)(1) of this section.

Figure: 19 TAC §101.4002(b) ~~[Figure: 19 TAC §101.4002(b)]~~

- (c) A student at any grade level is eligible to use a substitute assessment as provided in the chart in subsection (b) of this section if:
- (1) a student was administered an approved substitute assessment for an equivalent course in which the student was enrolled;
 - (2) a student received a satisfactory score on the substitute assessment as determined by the commissioner and provided in the chart in subsection (b) of this section; and
 - (3) a student using a Texas Success Initiative (TSI) assessment also meets the requirements of subsection (d) of this section.
- (d) Effective beginning with the 2014-2015 school year, a student must meet criteria established in paragraph (1) or (2) of this subsection in order to qualify to use TSI as a substitute assessment.
- (1) A student must have been enrolled in a college preparatory course for English language arts (PEIMS code CP110100) or mathematics (PEIMS code CP111200) and, in accordance with the TEC, §39.025(a-1), have been administered an appropriate TSI assessment at the end of that course.
 - (A) A student under this paragraph who meets all three TSI English language arts score requirements provided in the chart in subsection (b) of this section satisfies both the English I and English II EOC assessment graduation requirements.
 - (B) A student under this paragraph may satisfy an assessment graduation requirement in such a manner regardless of previous performance on an Algebra I, English I, or English II EOC assessment.
 - (2) In accordance with the TEC, §39.025(a-3), a student who has not been successful ~~[did not meet satisfactory performance]~~ on the Algebra I or English II EOC assessment after taking ~~[retaking]~~ the assessment at least two times may use the corresponding TSI assessment in place of that EOC assessment.
 - (A) For a student under this paragraph who took separate reading and writing assessments for the English II EOC assessment and who did not meet the English II assessment graduation requirement using those tests as specified in §101.3022(b) of this title (relating to Assessment Requirements for Graduation), the separate TSI reading or writing assessment may not be used to substitute for the corresponding English II reading or writing EOC assessment.

- (B) The provisions of this paragraph expire September 1, ~~2019~~ [2017] . A student may meet the assessment graduation requirements under this paragraph using TSI if the student has met the necessary score requirements as specified in subsection (b) of this section prior to September 1, ~~2019~~ [2017] .
- (e) A student electing to substitute an assessment for graduation purposes must still take the corresponding EOC assessment required under the TEC, §39.023(c), unless the student met the requirements specified in subsection (c) of this section. If a student sits for an EOC assessment, a school district may not mark the substitute assessment bubble for that administration.
- (f) A student who fails to perform satisfactorily on a pre-SAT or pre-ACT test (or any versions of these tests) ~~[the PSAT or the ACT PLAN]~~ as indicated in the chart in subsection (b) of this section must take the appropriate EOC ~~[end-of-course]~~ assessment required under the TEC, §39.023(c) . However, a student who does not receive a passing score on the EOC assessment and retakes a pre-SAT or pre-ACT test (or any versions of these tests) is eligible to meet the requirements specified in subsection (c) of this section [to meet the assessment graduation requirements for that subject] .