

AN ACT

relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 12.104(b-2) and (b-3), Education Code, are amended to read as follows:

(b-2) An open-enrollment charter school is subject to the requirement to establish an individual graduation committee under Section 28.0258. [~~This subsection expires September 1, 2023.~~]

(b-3) An open-enrollment charter school is subject to the graduation qualification procedure established by the commissioner under Section 28.02541. [~~This subsection expires September 1, 2023.~~]

SECTION 2. Section 28.025(c-6), Education Code, is amended to read as follows:

(c-6) Notwithstanding Subsection (c), a person may receive a diploma if the person is eligible for a diploma under Section 28.0258. [~~This subsection expires September 1, 2023.~~]

SECTION 3. Section 28.02591(a), Education Code, is amended to read as follows:

(a) The Texas Higher Education Coordinating Board, in coordination with the agency, shall collect longitudinal data relating to the post-graduation pursuits of each student who is

1 awarded a diploma based on the determination of an individual  
2 graduation committee under Section 28.0258, [~~as that section~~  
3 ~~existed before September 1, 2023,~~] including whether the student:

4 (1) enters the workforce;

5 (2) enrolls in an associate degree or certificate  
6 program at a public or private institution of higher education;

7 (3) enrolls in a bachelor's degree program at a public  
8 or private institution of higher education; or

9 (4) enlists in the armed forces of the United States or  
10 the Texas National Guard.

11 SECTION 4. Sections 39.025(a-3) and (a-5), Education Code,  
12 are amended to read as follows:

13 (a-3) A student who, after retaking an end-of-course  
14 assessment instrument for Algebra I or English II, has failed to  
15 perform satisfactorily as required by Subsection (a), but who  
16 receives a score of proficient on the Texas Success Initiative  
17 (TSI) diagnostic assessment for the corresponding subject for which  
18 the student failed to perform satisfactorily on the end-of-course  
19 assessment instrument satisfies the requirement concerning the  
20 Algebra I or English II end-of-course assessment, as applicable.  
21 [~~This subsection expires September 1, 2023.~~]

22 (a-5) Notwithstanding Subsection (a), a student who has  
23 failed to perform satisfactorily on end-of-course assessment  
24 instruments in the manner provided under this section may receive a  
25 high school diploma if the student has qualified for graduation  
26 under Section 28.0258. [~~This subsection expires September 1, 2023.~~]

27 SECTION 5. Section 39.057(a), Education Code, is amended to

1 read as follows:

2 (a) The commissioner may authorize special accreditation  
3 investigations to be conducted:

4 (1) when excessive numbers of absences of students  
5 eligible to be tested on state assessment instruments are  
6 determined;

7 (2) when excessive numbers of allowable exemptions  
8 from the required state assessment instruments are determined;

9 (3) in response to complaints submitted to the agency  
10 with respect to alleged violations of civil rights or other  
11 requirements imposed on the state by federal law or court order;

12 (4) in response to established compliance reviews of  
13 the district's financial accounting practices and state and federal  
14 program requirements;

15 (5) when extraordinary numbers of student placements  
16 in disciplinary alternative education programs, other than  
17 placements under Sections 37.006 and 37.007, are determined;

18 (6) in response to an allegation involving a conflict  
19 between members of the board of trustees or between the board and  
20 the district administration if it appears that the conflict  
21 involves a violation of a role or duty of the board members or the  
22 administration clearly defined by this code;

23 (7) when excessive numbers of students in special  
24 education programs under Subchapter A, Chapter 29, are assessed  
25 through assessment instruments developed or adopted under Section  
26 39.023(b);

27 (8) in response to an allegation regarding or an

1 analysis using a statistical method result indicating a possible  
2 violation of an assessment instrument security procedure  
3 established under Section 39.0301, including for the purpose of  
4 investigating or auditing a school district under that section;

5 (9) when a significant pattern of decreased academic  
6 performance has developed as a result of the promotion in the  
7 preceding two school years of students who did not perform  
8 satisfactorily as determined by the commissioner under Section  
9 39.0241(a) on assessment instruments administered under Section  
10 39.023(a), (c), or (1);

11 (10) when excessive numbers of students eligible to  
12 enroll fail to complete an Algebra II course or any other advanced  
13 course as determined by the commissioner;

14 (11) when resource allocation practices as evaluated  
15 under Section 39.0821 indicate a potential for significant  
16 improvement in resource allocation;

17 (12) when a disproportionate number of students of a  
18 particular demographic group is graduating with a particular  
19 endorsement under Section 28.025(c-1);

20 (13) when an excessive number of students is  
21 graduating with a particular endorsement under Section  
22 28.025(c-1);

23 (14) in response to a complaint submitted to the  
24 agency with respect to alleged inaccurate data that is reported  
25 through the Public Education Information Management System (PEIMS)  
26 or through other reports required by state or federal law or rule or  
27 court order and that is used by the agency to make a determination

1 relating to public school accountability, including accreditation,  
2 under this chapter;

3 (15) when 10 percent or more of the students  
4 graduating in a particular school year from a particular high  
5 school campus are awarded a diploma based on the determination of an  
6 individual graduation committee under Section 28.0258;

7 (16) [~~(15)~~] when a school district for any reason  
8 fails to produce, at the request of the agency, evidence or an  
9 investigation report relating to an educator who is under  
10 investigation by the State Board for Educator Certification; or

11 (17) [~~(16)~~] as the commissioner otherwise determines  
12 necessary.

13 SECTION 6. Sections 28.02541(g), 28.0258(l), and  
14 28.0259(e), Education Code, are repealed.

15 SECTION 7. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1603 was passed by the House on April 13, 2021, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1603 on May 24, 2021, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1603 was passed by the Senate, with amendments, on May 18, 2021, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor