

# SB 149 - Individual Graduation Committees

## Frequently Asked Questions

### **1. Are all students eligible to receive an Individual Graduation Committee review?**

Only students who are classified in grade 11 or 12 during the 2014-15, 2015-16, or 2016-17 school years who have taken and have failed to achieve the end-of-course (EOC) assessment performance requirements for graduation for not more than two courses are eligible for Individual Graduation Committee (IGC) review [TEC, §28.0258(a) and (l); 19 Tex. Admin. Code § 101.3022].

### **2. Are charter schools required to establish Individual Graduation Committees?**

Yes. An open-enrollment charter school is subject to the requirement to establish an individual graduation committee [TEC, §12.104(b-2)].

### **3. Are students who are no longer enrolled in school eligible to receive a diploma based on Individual Graduation Committee review?**

No. Only students who are classified in grade 11 or 12 during the 2014-15, 2015-16, or 2016-17 school years and who have taken and have failed achieve with the EOC assessment performance requirements for graduation for not more than two courses are eligible for IGC review [TEC, §28.0258(a) and (l); 19 Tex. Admin. Code § 101.3022].

### **4. Are students who are required to meet TAKS requirements instead of STAAR EOC requirements eligible to receive a diploma based on Individual Graduation Committee review?**

No. Eligibility under TEC, §28.0258(a) is specific to students who have taken and have failed to achieve the EOC assessment performance requirements for graduation for not more than two courses. There is no reference to other exit-level assessments in the statute.

### **5. Are students who receive special education services eligible to receive an Individual Graduation Committee review?**

When a student receives special education services, the student's ARD committee determines whether the student is required to achieve satisfactory performance on the EOC assessments. If the ARD committee determines that a student is not required to achieve satisfactory performance on the EOC assessments, the student is considered to be in compliance with assessment requirements under TEC §39.025 and an IGC review would not be necessary.

### **6. Can a student who receives special education services receive the benefit of the Individual Graduation Committee review and graduate on the Recommended High School Program (RHSP)?**

Due to the change in assessment requirements applicable to students in general education as a result of SB 149, the current rule will be amended to provide that if a student who receives special education services has satisfactorily completed credit requirements for graduation under the RHSP specified in Chapter 74, as applicable, without modifications to content and the student achieved satisfactory performance on at least three EOC assessments, the student may be awarded an RHSP diploma.

**7. Can a student who receives special education services receive the benefit of the Individual Graduation Committee review and graduate on the Recommended High School Program (RHSP) or Foundation High School Program with Endorsements?**

Due to the change in assessment requirements applicable to students in general education as a result of SB 149, the current rule will be amended to provide that if a student who receives special education services has satisfactorily completed the requirements for graduation under the Foundation High School Program specified in TAC, §74.12 as well as the additional credit requirements in mathematics, science, and elective courses as specified in TAC, §74.13(e) with or without modified curriculum; satisfactorily completed the courses required for an endorsement under TAC, §74.13(f) without any modified curriculum; and the student achieved satisfactory performance on at least three EOC assessments, the student may be awarded a foundation high school program diploma with endorsement.

**8. Are students who are classified as three-year early graduates eligible to receive an Individual Graduation Committee review?**

A student may not qualify to graduate based on an IGC determination before the student's 12<sup>th</sup> grade year. In order for a student to be eligible to graduate based on an IGC determination, the student must have satisfactorily completed credit requirements for graduation specified in Chapter 74, must be classified as a 12<sup>th</sup> grade student, must have taken all required EOC assessments, and must have been provided an opportunity to retake any EOC assessments for which the student has not previously achieved satisfactory performance.

**9. Is a transfer student who was exempt from some but not all EOCs eligible to receive a diploma based on Individual Graduation Committee review?**

An 11<sup>th</sup> or 12<sup>th</sup> grade transfer student is eligible to graduate based on an IGC determination if, of the assessments the student has taken, the student has failed to achieve the EOC assessment performance requirements for graduation for not more than two courses [TEC, §28.0258(a)].

**UPDATED 10. For an eligible English Language Learner (ELL) who does not meet the standard on the English I EOC and who is not required to retest based on the Special Provision for English I EOC, does the failing score on English I count as one of the two EOC assessments that a student can fail and still be considered by the Individual Graduation Committee for graduation?**

Yes. An ELL student who failed the English I EOC, but meets eligibility for the English I Special Provision and therefore is not required to pass English I, is eligible for IGC review if the student attempts all other required EOCs and fails to pass one additional test. The ELL would also qualify for an IGC if the student passed the English I EOC assessment, but failed to pass two other EOC assessments.

**UPDATED 11. If an ELL was eligible for the English I Special Provision and has passed the other four EOC assessments, does that ELL now have to receive an IGC review in order to graduate?**

No. The qualifying ELL student would not receive an IGC review in order to graduate.

An ELL student who qualifies for the Special Provision only becomes eligible for IGC review by failing to pass the English I EOC assessment and one other EOC assessment.

**UPDATED 12. If an ELL was eligible for the English I special provision and passed all but one other test (for example English II) must the student complete remediation and a project or portfolio for both English I and the second assessment the student failed?**

Yes. If a qualifying ELL does graduate by means of an IGC, the student is required to complete IGC requirements for each course in which the student did not pass the EOC assessment. NOTE: This represents a change from the initial interpretation of SB 149.

**13. If a student fails three EOC assessments including Algebra I, but receives a score of proficient on the Texas Success Initiative (TSI) assessment for math, is the student eligible to receive an Individual Graduation Committee review?**

Yes. A student who has taken and failed to achieve the EOC assessment performance requirement for Algebra I after two attempts, but who receives a score of proficient on the TSI assessment for math is considered to have satisfied the Algebra I EOC requirement [TEC, §39.025(a-3); 19 Tex. Admin. Code § 101.3022(f)].

**14. What process should a district or charter school follow to implement Individual Graduation Committees?**

The superintendent of each school district must establish procedures for the convening of an IGC [TEC, §28.0258(c)].

**15. Who must be on an Individual Graduation Committee?**

The IGC must be composed of:

- the principal or his/her designee;
- the teacher of the course for which the student did not pass the EOC assessment;
- the department chair or lead teacher supervising the teacher of the course; and
- as applicable, the student's parent or guardian; a designated advocate; or the student, at the student's option, if the student is at least 18 years old or is an emancipated minor [TEC, §28.0258(b)].

For the 2014-2015 school year, the school district will establish procedures for appointing alternative committee members [TEC, §28.0258(c-1)]. For subsequent school years, the commissioner will adopt rules for appointment of alternative committee members [TEC, §28.0258(c)].

**16. What are the additional requirements that the Individual Graduation Committee must recommend?**

A student's IGC is required to recommend additional requirements by which the student may qualify to graduate including additional remediation **and**, for each EOC assessment on which the student failed to perform satisfactorily:

- the completion of a project related to the subject area of the course that demonstrates proficiency **or**
- the preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency [TEC, §28.0258(f)].

## **17. How does an Individual Graduation Committee determine that a student is qualified to graduate?**

A student is qualified to graduate on the basis of an IGC decision only if the student:

- successfully completes the credit requirements for the foundation high school program identified by the State Board of Education or as otherwise provided by the transition plan adopted by the commissioner in TAC, §74.1021,
- the student successfully completes all additional requirements recommended by the IGC, and
- the committee's vote is unanimous[TEC, §28.0258(i)].

In determining whether a student is qualified to graduate the IGC must consider:

- the recommendation of the student's teacher in each course for which the student failed to perform satisfactorily on an EOC assessment;
- the student's grade in each course for which the student failed to perform satisfactorily on an EOC assessment;
- the student's score on each EOC assessment on which the student failed to perform satisfactorily;
- the student's performance on any additional requirements recommended by the committee;
- the number of hours of remediation that the student has attended, including attendance in a college preparatory course, if applicable, or attendance in and successful completion of a transitional college course in reading or mathematics;
- the student's school attendance rate;
- the student's satisfaction of any of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board;
- the student's successful completion of a dual credit course in English, mathematics, science, or social studies;
- the student's successful completion of a high school pre-Advanced Placement (AP), AP, or International Baccalaureate program course in English, mathematics, science, or social studies;
- the student's rating of advanced high on the most recent high school administration of the Texas English Language Proficiency Assessment System (TELPAS);
- the student's score of 50 or greater on a College-Level Examination Program (CLEP) examination;
- the student's score on the ACT, SAT, or Armed Services Vocational Aptitude Battery (ASVAB) test;
- the student's completion of a sequence of courses under a career and technical education program required to attain an industry-recognized credential or certificate;
- the student's overall preparedness for postsecondary success; and
- any other academic information designated for consideration by the board of trustees of the school district or charter [TEC, §28.0258(h)].

**18. If the Individual Graduation Committee determines that a student is qualified to graduate, will he/she be eligible to graduate with an endorsement?**

Yes. If a student completes all of the credit requirements, the student is eligible to graduate with an endorsement. To earn an endorsement a student must demonstrate proficiency in the credit requirements for the foundation high school program, a fourth credit in mathematics, a fourth credit in science, and two additional elective credits for a total of 26 credits. As part of the 26 credits a student must complete a coherent sequence of courses for the endorsement [TAC, §74.13].

**19. If the Individual Graduation Committee determines that a student is qualified to graduate, will he/she be eligible to graduate with the distinguished level of achievement?**

Yes. If a student completes all of the credit requirements, the student is eligible to graduate with the distinguished level of achievement. To earn the distinguished level of achievement a student must demonstrate proficiency in the credit requirements for the foundation high school program, earn at least one endorsement, and successfully complete Algebra II as one of the four mathematics credit requirements [TAC, §74.11(e)].

**20. If an Individual Graduation Committee determines that a student is qualified to graduate, will the student graduate under his or her original graduation program, or does the decision default a student to a lower or different graduation program?**

The coursework that a student completes determines the graduation program that the student graduates completes. Graduation based on an IGC determination does not change the graduation program for the student.

**21. If the Individual Graduation Committee determines that a student is qualified to graduate, will he/she be eligible to graduate with performance acknowledgements?**

Yes. If a student completes all of the requirements for a performance acknowledgment outlined in Texas Administrative Code (TAC) §74.14, the student is eligible to graduate with the performance acknowledgment.

**22. Is a student who is on the Minimum High School Program eligible to graduate based on an Individual Graduation Committee determination?**

Yes. To be eligible to graduate based on an IGC decision, a student must successfully complete the credit requirements for the foundation high school program identified by the State Board of Education or as otherwise provided by the transition plan adopted by the commissioner in TAC §74.1021 [TEC, §28.0258(e)(2)].

**23. Is a student who is on the Recommended High School Program or Distinguished Achievement Program (DAP) eligible to graduate based on an Individual Graduation Committee determination?**

Yes. To be eligible to graduate based on an IGC decision, a student must successfully complete the credit requirements for the foundation high school program identified by the State Board of Education or as otherwise provided by the transition plan adopted by the commissioner in TAC §74.1021 [TEC, §28.0258(e)(2)].

**24. If a student does not meet the curriculum requirements for the Foundation High School Program, but does meet the curriculum requirements for the Minimum High School Program can he/she still be considered for graduation based on an Individual Graduation Committee determination?**

A student who entered grade 9 prior to the 2014-15 school year may choose to graduate under the minimum high school program. To be eligible to graduate based on an IGC decision a student must successfully complete the credit requirements for the foundation high school program identified by the State Board of Education or as otherwise provided by the transition plan adopted by the commissioner in TAC §74.1021 [TEC, §28.0258(e)(2)].

\*Note – Students who entered grade 9 in the 2014-15 school year would not be eligible to graduate on the Minimum High School Program.

**25. Do the reporting requirements identified in new TEC, §28.0259 apply to charter schools?**

Yes. New TEC, §28.0259 requires reporting through PEIMS and TEC, §12.104(b)(2)(A) requires charters to comply with PEIMS requirements.

**26. When will rules be adopted to provide guidance to districts regarding implementation of Individual Graduation Committees?**

The commissioner is required to adopt rules related to individual graduation committees including timelines and related reporting requirements, not later than the 2015-16 school year. For the 2014-15 school year, school districts have the authority to establish necessary procedures and timelines [TEC, §28.0258(c), (c-1), (i), and (i-1)].

**27. How should EOC performance be documented on the AAR if a student failed an EOC but has been permitted to graduate based on IGC review and decision?**

For each instance in which the student has failed to achieve the EOC assessment performance requirements, the AAR should reflect a “Level I” performance.

**28. Should any additional information be included on the AAR to indicate that the student graduated based on IGC review and decision?**

No. However, the district or open-enrollment charter school must maintain separate documentation of the IGC review and decision.