Sec. 1. END-OF-COURSE ASSESSMENTS (HIGH SCHOOL LEVEL)

Unless otherwise exempted by law, a student enrolled in a course for which an end-of-course ("EOC") assessment exists as required by Education Code 39.023(c) shall take the appropriate assessment.

19 TAC 101.3021(a).

Sec. 2. STUDENTS IN GRADE 8 OR LOWER

A student in grade 8 or lower who takes a high school course for credit is required to take the applicable EOC assessment. The EOC assessment result shall be applied toward the student's assessment graduation requirements.

19 TAC 101.3021(d).

Middle school students who complete STARR EOC assessment requirements in a content area are required to take the ACT or the SAT at least once in high school to fulfill federal accountability requirements.

19 TAC 101.3011.

Sec. 3. ASSESSMENT REQUIREMENTS FOR GRADUATION

A student must meet satisfactory performance on a required EOC assessment only for a course in which the student is enrolled and for which an EOC assessment instrument is administered in order to be eligible to receive a Texas diploma.

a) *Exceptions – English I or English II*

A student who was administered separate reading and writing EOC assessments for the English I or English II course has met that course's assessment graduation requirement if the student has:

1. Achieved satisfactory performance on either the reading or writing EOC assessment for that course;
2. Met at least the minimum score on the other EOC assessment for that course; and
3. Achieved an overall scale score of 3750 or greater when the scale scores for reading and writing are combined for that course.

Exceptions related to English I also apply to English language learners who meet the criteria in 19 TAC 101.1007.

19 TAC 101.3022(b), (c).

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b) ***Exceptions – Credits Earned Prior to Enrollment***

If a student earned high school credit for a course with an EOC assessment prior to enrollment in a Texas public school and the credit has been accepted by a Texas public school, or a student completed a course for Texas high school credit in a course with an EOC assessment prior to the 2011–12 spring administration, the student is not required to take the corresponding EOC assessment.

19 TAC 101.3021(e), .3022.

Sec. 4. SUBSTITUTE ASSESSMENTS

A student may use certain assessments as substitute assessments approved by the Commissioner of Education ("Commissioner") in place of an EOC assessment to meet the student's assessment graduation requirements. A satisfactory score on an approved substitute assessment may be used in place of only one specific EOC assessment, unless otherwise allowed under Commissioner rule.

A student at any grade level is eligible to use a substitute assessment in circumstances approved by the Commissioner 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 at 19 Administrative Code 101.4002(b); and
3. Using a Texas Success Initiative (TSI) assessment, a student also meets the following criteria:
   a. A student must have been enrolled in a college preparatory course for English language arts or mathematics and have been administered an appropriate TSI assessment at the end of that course.
      i. A student under this provision who meets all TSI English language arts score requirements under Commissioner rule satisfies both the English I and English II EOC assessment graduation requirements.
      ii. A student under this provision 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.
   b. A student who did not meet satisfactory performance on the Algebra I or English II EOC assessments after retaking the assessment may use the corresponding TSI assessment in place of that EOC assessment.
      i. For a student under this provision 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 Commissioner rule relating to assessment requirements for graduation, the separate TSI reading or

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writing assessment may not be used to substitute for the corresponding English II reading or writing EOC assessment.

A student electing to substitute an assessment for graduation purposes must still take the required EOC assessment if the student does not meet the eligibility requirements above. If a student sits for an EOC assessment, Midland Academy Charter may not mark the substitute assessment bubble for that administration.

A student who fails to perform satisfactorily on the PSAT or the ACT-PLAN, or any versions of these tests, must take the appropriate EOC assessment to meet the assessment graduation requirements for that subject. However, a student who does not receive a passing score on the EOC assessment and retakes a PSAT-related assessment or a pre-ACT test (or any version of these tests) is eligible to meet the requirements for using a substitute assessment.

19 TAC 101.4002.

a) ***Verification of Results***

An eligible student is responsible for providing Midland Academy Charter an official copy of the student's scores from the substitute assessment. Upon receipt of official results of an approved substitute assessment, Midland Academy Charter must:

1. Verify the student's score on the substitute assessment; and
2. Determine whether the student met the performance standard required to qualify for a public high school diploma in Texas as established by the Commissioner.

19 TAC 101.4005.

Sec. 5. <u>SATISFACTORY PERFORMANCE</u>

A student is required to achieve a scale score that indicates satisfactory performance, as determined by the Commissioner, on each EOC assessment instrument administered to the student.

Education Code 39.025(a).

Sec. 6. <u>INDIVIDUAL GRADUATION COMMITTEE</u>

A student in grade 11 or 12 who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses may qualify to graduate on the basis of a review by an individual graduation committee (IGC).

Education Code 28.0258, 39.025(a-5).

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Sec. 7. SPECIAL EDUCATION

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258. As provided in 19 TAC 89.1070 (Graduation Requirements) and 19 TAC 101.3023 (Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's admission, review and dismissal ("ARD") committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate.

A student dismissed from a special education program who achieved satisfactory performance on an alternate EOC assessment while enrolled in a special education program is not required to take and achieve satisfactory performance on the general EOC assessment to graduate. A student who took an EOC assessment while enrolled in a special education program is not required to retake and achieve satisfactory performance on the EOC assessment if the student's ARD committee determined that the student was not required to achieve satisfactory performance on the EOC assessment to graduate. A student dismissed from a special education program must achieve satisfactory performance on any remaining EOC assessments that the student is required to take. If the student fails to achieve satisfactory performance on no more than two of the remaining EOC assessments, the student is eligible for IGC review under Education Code 28.0258 and is subject to the IGC provisions above.

19 TAC 101.3022(f).

A student receiving special education services who successfully completes the requirements of his or her Individualized Education Program ("IEP"), including performance on a state assessment required for graduation, shall receive a Texas high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.

Beginning with the 2011–2012 school year, all grades 9–12 students with significant cognitive disabilities who are assessed with an alternate assessment as specified in the student's IEP will be assessed using alternate versions of EOC assessments as listed in 19 TAC 101.3011(b)(2).

19 TAC 101.3023(a)-(b).

Sec. 8. CREDIT BY EXAMINATION

An EOC assessment administered under Education Code 39.023(c) cannot be used for purposes of credit by examination under 19 TAC 74.24.

19 TAC 101.3021(c).

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Sec. 9. RETAKES

Each time an EOC assessment instrument is administered, a student who failed to achieve a score requirement may retake the assessment instrument. A student is not required to retake a course as a condition of retaking an EOC assessment instrument. If a student failed a course but achieved satisfactory performance on the applicable EOC assessment, that student is not required to retake the assessment if the student is required to retake the course.

Education Code 39.025(b); *19 TAC 101.3021(f), .3022(d)*.

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