

1. When does House Bill 999 (HB 999) become effective?

HB 999 was effective May 31, 2021.

2. What does HB 999 do?

HB 999 allows students who are in 12th grade during the 2020–2021 school year to graduate regardless of the number of required assessments they have failed by going through the Individual Graduation Committee (IGC) process. The IGC process itself has not changed. IGCs must establish a plan that the student must complete to be eligible to graduate. The IGC plan must require additional remediation and a project or portfolio for each course with an associated EOC which the student did not pass.

The legislation states that, when determining if a student is qualified to graduate, an IGC is not required to consider student performance on end-of-course exam(s), including those the student failed.

3. Who does HB 999 apply to?

HB 999 applies to students who were seniors during the 2020–2021 school year, including students enrolled through the summer of 2021.

4. Are students who are classified as three-year early graduates eligible to receive an Individual Graduation Committee review under HB 999?

A student may not qualify to graduate based on an IGC determination before the student's 12th 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 and must be classified as a 12th grade student.

5. Does HB 999 apply to students who were seniors before the 2020–2021 school year?

No. HB 999 only applies to students who were classified as 12th graders during the 2020–2021 school year. Students from previous cohorts must meet the graduation requirements that were in place when they entered the 9th grade.

6. Are students who receive special education services eligible to receive an Individual Graduation Committee review under HB 999?

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.

HB 999 does not make any changes to ARD committee requirements and processes.

7. Does HB 999 require that a student have attempted each assessment at least once?

No. HB 999 allows any senior who has not yet met assessment requirements to graduate through the IGC process regardless of how many assessments have been failed or how many times an assessment has been attempted. TEA will issue emergency rules to clarify that these students are not required to have attempted each assessment.

8. What are the deadlines for students to graduate under HB 999?

Currently, administrative rules in 19 Texas Administrative Code (TAC) §74.1025 specify that an initial IGC must be convened by June 10 or at the beginning of the next school year. TEA will issue emergency rules to change this date to August 23, 2021, only for seniors in the 2020–2021 school year.

Administrative rules in 19 TAC §74.1025(d) state that an IGC must make a decision to award a diploma no later than August 31 of each school year in order for the student to be included as a graduate in the district or charter school's graduation data in the school year in which the student meets the requirements. Please note that a decision to award a diploma via an IGC determination can be made after this date. In such cases, a student would be reported in the subsequent year's graduation data.

HB 999 expires September 1, 2022, and any IGC processes carried out under HB 999 must be complete by that date.

9. If a student has not completed the credit requirements to graduate, can the student still go through the IGC process under HB 999 now and complete their coursework in the summer or next fall?

HB 999 will expire September 1, 2022. Eligible students must complete any pending graduation requirements by that date.

10. Are students working to meet IGC requirements under HB 999 required to retest during the June STAAR administration?

School districts and open-enrollment charters are required to provide every student who has not been successful on a required EOC the opportunity to retest. However, there is no requirement that a student must avail of the opportunity to retest as they go through the IGC process. TEA will issue emergency rules to clarify that these students are not required to have attempted each assessment.

11. Are students who are working to meet IGC requirements eligible to participate in commencement exercises? Are they allowed to “walk the stage” with their class?

Participation in commencement exercises is a matter of local district policy. Texas Education Code (TEC) §28.025(d) allows, but does not require, districts to issue a certificate of coursework completion to a student who completes the curriculum requirements for a diploma but fails to meet the assessment requirements. This section permits a school district to allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.

12. My district has already had its graduation. Can students who complete an IGC under HB 999 still be Spring 2021 graduates, or must they be classified as Summer 2021 graduates?

The state makes no distinction between Spring or Summer graduates. Students who meet graduation requirements by August 31, 2021, are all classified as graduates for 2021. Students who meet graduation requirements after August 31 will be classified as 2022 graduates.

13. How should EOC performance be documented on the AAR if a student failed multiple EOC exams but has been permitted to graduate based on HB 999?

For each instance in which the student has failed to achieve the EOC assessment performance requirements, the AAR should reflect a “Did Not Meet Grade Level” performance.

14. What date should be used on a diploma or AAR for students who graduate through an IGC?

The diploma and AAR should reflect the date on which the student met all graduation requirements, including those set by the IGC.

15. Do the PEIMS reporting requirements for IGC graduates apply to students completing an IGC under HB 999?

The reporting requirements in TEC §28.0259 are still in place and all students who graduate under an IGC should be reported as such in PEIMS.