

CAPITOL:  
P.O. Box 12068, Room 1E.3  
Austin, Texas 78711  
(512) 463-0108  
(512) 463-7579 (Fax)  
Dial 711 for Relay Calls

DISTRICT:  
5000 Legacy Drive  
Suite 494  
Plano, Texas 75024  
(972) 403-3404  
(972) 403-3405 (Fax)



**FLORENCE SHAPIRO**  
Texas State Senator  
District 8

COMMITTEES:  
Education, Chair  
Finance  
Administration  
Transportation and  
Homeland Security

President Pro Tempore  
2005

February 13, 2012

Robert Scott  
Commissioner of Education  
1701 N. Congress Ave.  
Austin, Texas 78701

Dear Commissioner Scott:

Recognizing the on-going concern in the school community regarding the impact of end-of-course assessments on current ninth grade students, this letter clarifies our legislative intent as the authors of SB 1031 (80R) and the sponsor of HB 3 (81R). SB 1031 amended Section 39.023(c) of the Texas Education Code to require that an end-of-course assessment be counted as 15% of a student's final grade in a course and HB 3 established a transition plan. We understand that you have been asked to grant a waiver of the 15% provision for the 2011-2012 school year. While we agree that the provisions of Chapter 39 may not be waived under your general waiver authority, we believe that you have authority by virtue of the transition plan authorized under Section 39.025(f) to defer the requirement that an end-of-course assessment count as 15% of a final grade until the 2012-2013 school year to coincide with full implementation of the testing and accountability changes.

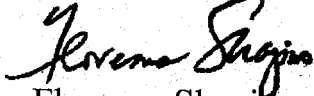
We wish to be clear that we do not support any change in the requirement that end-of-course assessments be completed as part of high school graduation requirements. A waiver of that graduation requirement is explicitly prohibited within the waiver statute itself. However, the application of an end-of-course assessment to a final grade can be deferred to allow the new testing system to be introduced and aligned with an accountability system based on those new outcomes.


We strongly support the transition to end-of-course assessments as crucial to enhancing the college readiness of our students. We support the waiver of the course grade requirement solely as a transition to the new testing and

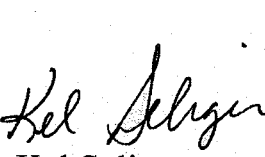
accountability system, for which your office was given additional authority to deal with unforeseen consequences in the legislation.

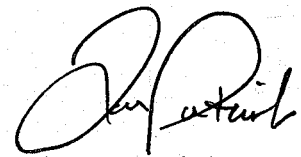
Thank you for your attention to the matter and your dedication to the public schools and schoolchildren of our state.

Very truly yours,

  
Florence Shapiro  
Senator

  
Royce West  
Senator

  
Kel Seliger  
Senator

  
Dan Patrick  
Senator