EOC TESTS AND GRADING POLICY

Jim Walsh
Walsh, Anderson, Brown, Gallegos and Green, P.C.

State Law

“A school district...shall adopt a POLICY that requires a student’s performance on an end-of-course assessment instrument for a course listed in this subsection in which the student is enrolled to account for 15% of the student’s final grade for the course.”
T.E.C. 39.023(c).

What Courses?

• Algebra I, II, Geometry
• Biology, Chemistry, Physics
• English I, II, III
Policy: Update 90: 3-30-11

• TASB: “It is our understanding, based on the relevant statute and Agency guidance, that a student’s final course grade is a separate determination that need not necessarily have a direct bearing on other academic decisions, such as course credit and class rank.”
• “However, there may be those who disagree....”

What’s the Issue?

• Suppose you adopt a policy whereby a student’s FINAL COURSE GRADE is below 70, due, in part, to a poor score on the EOC.
• But you give the student credit for the course.
• Is that OK?

Consider

• “A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.” T.E.C. 28.021(a).
• “The award of credit for a course by a school district affirms that a student has satisfactorily met all state and local requirements.” 19 T.A.C. 74.26(a).
And This...

- "Credit for courses for high school graduation may be awarded only if the student received a grade which is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for each course."
- 19 T.A.C. 74.26(c).

TASB Options

- OPTION ONE: EOC score does not affect whether or not student gets credit.
- OPTION TWO: EOC score affects credit only if it helps.
- OPTION THREE: EOC score is a factor in whether or not student receives credit.

Problems with One and Two

- In theory, a student could get grades below 70 in all twelve courses, and yet, get credit and graduate.
- Someone may challenge the legality of your policy.
- Media attention?
Problems with Option Three

- You won’t have EOC results until June 4 or 8—school is out already.
- Final grades not issued until after kids go home.
- They are on vacation in Puerto Rico when they find out Buffy failed Algebra and has to go to summer school.

Perspective

- For this year, this only affects 9th graders.
- It will not affect anyone’s graduation for several years. Maybe the problem will be fixed by then.
- You can alert parents to the problem and the possibility of the student failing the course.

If Buffy Fails

- You have a lot of flexibility in how to allow the student to earn credit.
- EOC can be retaken, and results do not have to be included in final course grade.
To Do?

• Review TASB policy and “Starting Points.”
• Consult school district attorney.
• Ask T.E.A. for guidance.

Contact

• Jim Walsh
• Walsh, Anderson, Brown, Gallegos and Green, P.C.
• P.O. Box 2156; Austin, Texas 78768
• 800-252-3405
• www.walshanderson.com
• jwalsh@wabsa.com