



- (2) In accordance with TEC, §39.025(a3), a student who has not been successful on the Algebra I or English II EOC assessment after taking assessment at least two times may use the corresponding TSIA or TSIA2 in place of that EOC assessment

For a student under this paragraph 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 §101.4022(b) of this title (relating to Assessment Requirements for Graduation), the separate reading or writing TSIA may not be used to substitute for the corresponding English II reading or writing EOC assessment.

- (e) A student electing to substitute an assessment for graduation must still take the corresponding EOC assessment required under TEC, §39.023(c), at least once for federal accountability purposes. If a student sits for an EOC assessment, a school district may not void or invalidate the test in lieu of a substitute assessment.
- (f) A student who fails to perform satisfactorily on a PSAT, PLAN, or Aspire test (or any versions of these tests) as indicated in the chart in subsection (b) of this section must take the appropriate EOC assessment required under TEC, §39.023(c). However, a student who does not receive a passing score on the EOC assessment and retakes a PSAT, PLAN, or Aspire test (or any versions of these tests) is eligible to meet the requirements specified in subsection (c) of this section.

Statutory Authority: The provisions of this §101.4002 issued under the Education Code, §39.023 and §39.025, and the Elementary and Secondary Education Act of 1965, as amended by Every Student Succeeds Act, §1111(b)(2)(B).

Source: The provisions of this §101.4002 dated to be effective December 16, 2013, 38 TexReg 9024; amended to be effective December 10, 2015, 40 TexReg 8762; amended to be effective July 26, 2017, 42 TexReg 8636; amended to be effective January 8, 2019, 44 TexReg 84; amended to be effective February 23, 2020, 45 TexReg 1223; amended to be effective March 30, 2021, 46 TexReg 2008; amended to be effective August 9, 2022, 47 TexReg 4675.

§101.4003. Texas Assessment of Knowledge and Skills Exit-level Alternate Assessments.

- (a) In accordance with the Texas Education Code (TEC), Chapter 39, Subchapter B, the commissioner of education adopts certain assessments as provided in the figure in this subsection as alternate assessments that a person may use in place of corresponding Texas Assessment of Knowledge and Skills (TAKS) exit-level assessments beginning in the fall of 2017.

[Figure: 19 TAC §101.4003\(a\)](#)

- (b) An eligible person who has met the passing standard on an approved alternate exit-level assessment as set by the commissioner and provided in the figure in subsection (a) of this section in a particular subject area has satisfied the exit-level testing requirement in that subject area.
- (c) A person is eligible to substitute an alternate exit-level assessment for a TAKS exit-level assessment for purposes of the requirements of §101.140T81 0 3 .9 (m)0.8 (i)6.9 (s)9u(ovi)6.9n81 0 un (ovi)6.9 ((hi

Assessments) is responsible for providing to the school district an official copy of his or her scores from that assessment

(b) A school district or charter school must, upon receipt of official results from an approved substitute or alternative assessment for a student who is eligible under this section:

- (1) verify the student's score on the substitute or alternative assessment; and
- (2) determine whether the student meets the performance standard required to qualify for a public high school diploma in Texas as established by the commissioner of education.

Statutory Authority: The provisions of this §101.4005 issued under the Texas Education Code, §39.023(c) and §39.025(a) and (a-1), as amended by House Bill 5, 83rd Texas Legislature, Chapter 18, §18.313

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