

Amend Floor Amendment No. 1 to **HB 18** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 7.0561(b), (c), (d), and (j), Education Code, are amended to read as follows:

(b) The Texas High Performance Schools Consortium is established to inform the governor, legislature, State Board of Education, and commissioner concerning methods for transforming public schools in this state by improving student learning through the development of innovative, next-generation learning standards and assessment and accountability systems, including standards and systems relating to career and college readiness.

(c) From among school districts and eligible open-enrollment charter schools that apply using the form and in the time and manner established by commissioner rule, the commissioner may select not more than 30 [20] participants for the consortium. The districts selected by the commissioner must represent a range of district types, sizes, and diverse student populations, as determined by the commissioner in accordance with commissioner rule. To be eligible to participate in the consortium, an open-enrollment charter school must have been awarded a [an exemplary] distinction designation under Subchapter G, Chapter 39, during the preceding school year.

(d) The number of students enrolled in consortium participants may not be greater than a number equal to 10 [five] percent of the total number of students enrolled in public schools in this state according to the most recent agency data.

(j) The [~~With the assistance of the~~] school districts and open-enrollment charter schools participating in the consortium[~~the commissioner~~] shall submit reports concerning the performance and progress of the consortium to the governor, [and] the legislature, the State Board of Education, and the commissioner not later than December 1 of each even-numbered year[, 2012, and not later than December 1, 2014]. [~~The report submitted not later than December 1, 2012, must include any recommendation by the commissioner concerning legislative authorization for the commissioner to waive a prohibition, requirement, or restriction that applies to a consortium participant. That report must also include a plan for an effective and efficient accountability system for consortium participants that balances academic excellence and local values to inspire learning and, at the state level, contingent on any necessary waiver of federal law, may incorporate use of a stratified random sampling of students or other objective methodology to hold consortium participants accountable while attempting to reduce the number of state assessment instruments that are required to be administered to students. The commissioner shall seek a federal waiver, to any extent necessary, to prepare for implementation of the plan if enacted by the legislature. This subsection expires January 1, 2018.~~]