

By: King of Hemphill

H.B. No. 2811

A BILL TO BE ENTITLED

AN ACT

relating to a revision of the essential knowledge and skills of the public school foundation curriculum, the instructional materials allotment, and proclamations for the production of instructional materials.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0025 to read as follows:

Sec. 28.0025. REVIEW AND REVISION OF ESSENTIAL KNOWLEDGE AND SKILLS. (a) The State Board of Education shall:

(1) conduct a review of the essential knowledge and skills for the foundation curriculum adopted under Section 28.002(a)(1); and

(2) revise the essential knowledge and skills for that curriculum to narrow the number and scope of student expectations for each subject and grade level in accordance with this section.

(b) The scope of the essential knowledge and skills for each subject and grade level of the foundation curriculum must:

(1) be more narrow than the scope of the essential knowledge and skills adopted as of January 1, 2015; and

(2) require less time for a demonstration of mastery than required for the essential knowledge and skills adopted as of January 1, 2015.

(c) In complying with this section, the State Board of

1 Education shall:

2 (1) ensure that a revision of the essential knowledge  
3 and skills for the foundation curriculum does not result in a need  
4 for the adoption of new instructional materials;

5 (2) consider for each subject and grade level, the  
6 time:

7 (A) a teacher would require to provide  
8 comprehensive instruction on a particular student expectation; and

9 (B) a typical student would require to master a  
10 particular student expectation;

11 (3) determine whether, in light of the consideration  
12 required by Subdivision (2), each essential knowledge and skill of  
13 a subject can be comprehensively taught within the shorter of the  
14 following periods:

15 (A) the number of school days available for  
16 instruction before the date a state assessment instrument is  
17 administered for the subject; or

18 (B) the number of school days required under  
19 Section 25.081, not including the number of days required for  
20 testing;

21 (4) determine whether the college and career readiness  
22 standards have been appropriately integrated in the essential  
23 knowledge and skills for each subject and grade level; and

24 (5) consider whether an assessment instrument  
25 administered under Section 39.023 adequately assesses a particular  
26 student expectation.

27 (d) Not later than September 1, 2018, the State Board of

1 Education shall complete the review and revision of the essential  
2 knowledge and skills for each subject and grade level of the  
3 foundation curriculum that was last revised before September 1,  
4 2012.

5 (e) This section expires September 1, 2019.

6 SECTION 2. Section 31.002, Education Code, is amended by  
7 adding Subdivision (1-b) to read as follows:

8 (1-b) "Proclamation" means a request for production of  
9 instructional materials issued by the State Board of Education.

10 SECTION 3. Sections 31.0211(a) and (d), Education Code, are  
11 amended to read as follows:

12 (a) A school district is entitled to an ~~[annual]~~ allotment  
13 each biennium from the state instructional materials fund for each  
14 student enrolled in the district on a date during the last year of  
15 the preceding biennium ~~[school—year]~~ specified by the  
16 commissioner. The commissioner shall determine the amount of the  
17 allotment per student each biennium ~~[year]~~ on the basis of the  
18 amount of money available in the state instructional materials fund  
19 to fund the allotment. An allotment under this section shall be  
20 transferred from the state instructional materials fund to the  
21 credit of the district's instructional materials account as  
22 provided by Section 31.0212.

23 (d) Each biennium ~~[year]~~ a school district shall use the  
24 district's allotment under this section to purchase, in the  
25 following order:

26 (1) instructional materials necessary to permit the  
27 district to certify that the district has instructional materials

1 that cover all elements of the essential knowledge and skills of the  
2 required curriculum, other than physical education, for each grade  
3 level as required by Section 28.002; and

4 (2) any other instructional materials or  
5 technological equipment as determined by the district.

6 SECTION 4. Section 31.0212(a), Education Code, is amended  
7 to read as follows:

8 (a) The commissioner shall maintain an instructional  
9 materials account for each school district. In the first year of  
10 each biennium [~~Each school year~~], the commissioner shall deposit in  
11 the account for each district the amount of the district's  
12 instructional materials allotment under Section 31.0211.

13 SECTION 5. Sections 31.0215(a) and (b), Education Code, are  
14 amended to read as follows:

15 (a) The commissioner shall, as early as practicable during  
16 each biennium [~~fiscal year~~], notify each school district and  
17 open-enrollment charter school of the estimated amount to which the  
18 district or charter school will be entitled under Section 31.0211  
19 during the next fiscal biennium [~~year~~].

20 (b) The commissioner may allow a school district or  
21 open-enrollment charter school to place an order for instructional  
22 materials before the beginning of a fiscal biennium [~~year~~] and to  
23 receive instructional materials before payment. The commissioner  
24 shall limit the cost of an order placed under this section to 80  
25 percent of the estimated amount to which a school district or  
26 open-enrollment charter school is estimated to be entitled as  
27 provided by Subsection (a) and shall first credit any balance in a

district or charter school instructional materials account to pay for an order placed under this section.

SECTION 6. Section 31.022, Education Code, is amended by adding Subsections (b-1), (b-2), and (b-3) and amending Subsection (f) to read as follows:

(b-1) For any state fiscal biennium, the board may only issue proclamations for instructional materials in which the total projected cost of instructional materials under the proclamations does not exceed 75 percent of the total amount used to fund the instructional materials allotment under Section 31.0211 for that biennium.

(b-2) Following the adoption of revised essential knowledge and skills for any subject, the board shall determine whether issuance of a proclamation is necessary based on the significance of the changes to the essential knowledge and skills. If the board determines a proclamation is necessary, the board shall issue:

(1) a full call for instructional materials aligned to all of the essential knowledge and skills for the subject and grade level;

(2) a supplemental call for instructional materials aligned to new or expanded essential knowledge and skills for the subject and grade level;

(3) a call for new information demonstrating alignment of current instructional materials to the revised essential knowledge and skills; or

(4) any combination of the calls described by Subdivisions (1), (2), and (3).

1        (b-3) In determining the disbursement of money to the  
2 available school fund and the amount of that disbursement that will  
3 be used, in accordance with Section 43.001(d), to fund the  
4 instructional materials allotment under Section 31.0211, the board  
5 must consider the cost of all instructional materials and  
6 technology requirements for that state fiscal biennium.

7        (f) The board shall amend any proclamation ~~[request for~~  
8 ~~production]~~ issued for the purchase of instructional materials to  
9 conform to the instructional materials funding levels provided by  
10 the General Appropriations Act for the year of implementation and  
11 to comply with Subsection (b-1).

12        SECTION 7. Section 43.001(d), Education Code, is amended to  
13 read as follows:

14        (d) Each biennium ~~[year]~~ the State Board of Education shall  
15 set aside an amount equal to 50 percent of the ~~[annual]~~ distribution  
16 for that biennium ~~[year]~~ from the permanent school fund to the  
17 available school fund as provided by Section 5(a), Article VII,  
18 Texas Constitution, to be placed, subject to the General  
19 Appropriations Act, in the state instructional materials fund  
20 established under Section 31.021.

21        SECTION 8. Section 403.093(d), Government Code, is amended  
22 to read as follows:

23        (d) The comptroller shall transfer from the general revenue  
24 fund to the foundation school fund an amount of money necessary to  
25 fund the foundation school program as provided by Chapter 42,  
26 Education Code. The comptroller shall make the transfers in  
27 installments as necessary to comply with Section 42.259, Education

1 Code, and permit the Texas Education Agency, to the extent  
2 authorized by the General Appropriations Act, to make temporary  
3 transfers from the foundation school fund for payment of the  
4 instructional materials allotment under Section 31.0211, Education  
5 Code. Unless an earlier date is necessary for purposes of temporary  
6 transfers for payment of the instructional materials allotment, an  
7 [An] installment must be made not earlier than two days before the  
8 date an installment to school districts is required by Section  
9 42.259, Education Code, and must not exceed the amount necessary  
10 for that payment and any temporary transfers for payment of the  
11 instructional materials allotment.

12       SECTION 9. Sections 31.101(d) and (e), Education Code, are  
13 repealed.

14       SECTION 10. This Act takes effect September 1, 2015.