

By: King of Hemphill

H.B. No. 2811

Substitute the following for H.B. No. 2811:

By: Aycock

C.S.H.B. No. 2811

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a revision of the essential knowledge and skills of the
3 public school foundation curriculum, the instructional materials
4 allotment, and proclamations for the production of instructional
5 materials.

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

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

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

11 (1) conduct a review of the essential knowledge and
12 skills for the foundation curriculum adopted under Section
13 28.002(a)(1); and

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

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

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

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

24 (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 number of school
14 days required under Section 25.081, not including the number of
15 days required for testing;

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

19 (5) consider whether an assessment instrument
20 administered under Section 39.023 adequately assesses a particular
21 student expectation.

22 (d) Not later than September 1, 2018, the State Board of
23 Education shall complete the review and revision of the essential
24 knowledge and skills for each subject and grade level of the
25 foundation curriculum that was last revised before September 1,
26 2012.

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

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

3 (1-b) "Proclamation" means a request for production of
4 instructional materials issued by the State Board of Education.

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

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

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

21 (1) instructional materials necessary to permit the
22 district to certify that the district has instructional materials
23 that cover all elements of the essential knowledge and skills of the
24 required curriculum, other than physical education, for each grade
25 level as required by Section 28.002; and

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

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

3 (a) The commissioner shall maintain an instructional
4 materials account for each school district. In the first year of
5 each biennium [~~Each school year~~], the commissioner shall deposit in
6 the account for each district the amount of the district's
7 instructional materials allotment under Section 31.0211.

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

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

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

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

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

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

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

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

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

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

23 (b-3) In determining the disbursement of money to the
24 available school fund and the amount of that disbursement that will
25 be used, in accordance with Section 43.001(d), to fund the
26 instructional materials allotment under Section 31.0211, the board
27 must consider the cost of all instructional materials and

1 technology requirements for that state fiscal biennium.

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

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

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

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

18 (d) The comptroller shall transfer from the general revenue
19 fund to the foundation school fund an amount of money necessary to
20 fund the foundation school program as provided by Chapter 42,
21 Education Code. The comptroller shall make the transfers in
22 installments as necessary to comply with Section 42.259, Education
23 Code, and permit the Texas Education Agency, to the extent
24 authorized by the General Appropriations Act, to make temporary
25 transfers from the foundation school fund for payment of the
26 instructional materials allotment under Section 31.0211, Education
27 Code. Unless an earlier date is necessary for purposes of temporary

1 transfers for payment of the instructional materials allotment, an
2 [~~An~~] installment must be made not earlier than two days before the
3 date an installment to school districts is required by Section
4 42.259, Education Code, and must not exceed the amount necessary
5 for that payment and any temporary transfers for payment of the
6 instructional materials allotment.

7 SECTION 9. Sections 31.101(d) and (e), Education Code, are
8 repealed.

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