

By: Huberty

H.B. No. 2923

A BILL TO BE ENTITLED

AN ACT

relating to state sovereignty over curriculum standards,
assessments, and student information.

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

SECTION 1. Section 28.002, Education Code, is amended by
amending Subsection (c) and adding Subsections (c-2) and (c-3) to
read as follows:

(c) The State Board of Education, with the direct
participation of educators, parents, business and industry
representatives, and employers shall by rule identify the essential
knowledge and skills of each subject of the required curriculum
that all students should be able to demonstrate and that will be
used in evaluating textbooks under Chapter 31 and addressed on the
assessment instruments required under Subchapter B, Chapter 39. As
a condition of accreditation, the board shall require each district
to provide instruction in the essential knowledge and skills at
appropriate grade levels. A district may not meet this requirement
through the use of national curriculum standards.

(c-2) The State Board of Education may not adopt national
curriculum standards to comply with its duties under Chapter 28.
For purposes of this section and any other section of this code,
national curriculum standards include any curriculum standards
endorsed, approved, sanctioned, or promoted by the United States
Department of Education, the National Governors Association, or the

1 Council of Chief State School Officers.

2 (c-3) Notwithstanding any other provision of this code, no
3 school district or open-enrollment charter school may be required
4 to offer any aspect of a national curriculum.

5 SECTION 2. Section 39.023, Education Code, is amended by
6 adding Subsection (a-2) to read as follows:

7 (a-2) The agency may not adopt or develop a
8 criterion-referenced assessment instrument based on national
9 curriculum standards.

10 SECTION 3. Section 42.006, Education Code, is amended by
11 adding Subsections (e) and (f) to read as follows:

12 (e) Data collected under this section may not be provided to
13 support or inform a national database of student information.

14 (f) No entity other than the agency or its contractors may
15 use individual student data collected under this section for any
16 purpose without the prior written consent of the student's parent,
17 guardian, or person standing in parental relation for that
18 student's data to be used for that purpose.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2011.