

By: Huberty, Creighton, Pitts, Harless,  
White, et al.

H.B. No. 462

Substitute the following for H.B. No. 462:

By: Farney

C.S.H.B. No. 462

A BILL TO BE ENTITLED

AN ACT

relating to state control of teacher appraisal criteria, curriculum standards, and assessment instruments.

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

SECTION 1. Section 21.351(a), Education Code, is amended to read as follows:

(a) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers. The commissioner may not adopt or develop a recommended appraisal process and criteria based on any appraisal criteria that incorporate the results of student performance on assessment instruments that are intended for national applicability or are enacted federally as optional criteria, excluding college advanced placement tests and international baccalaureate examinations as those terms are defined by Section 28.051. The criteria must be based on observable, job-related behavior, including:

(1) teachers' implementation of discipline management procedures; and

(2) the performance of teachers' students.

SECTION 2. Section 28.002, Education Code, is amended by adding Subsections (b-1), (b-2), (b-3), and (b-4) to read as follows:

(b-1) In this section, "common core state standards" means the national curriculum standards developed by the Common Core

1 State Standards Initiative.

2 (b-2) The State Board of Education may not adopt common core  
3 state standards to comply with a duty imposed under this chapter.

4 (b-3) A school district may not use common core state  
5 standards to comply with the requirement to provide instruction in  
6 the essential knowledge and skills at appropriate grade levels  
7 under Subsection (c).

8 (b-4) Notwithstanding any other provision of this code, a  
9 school district or open-enrollment charter school may not be  
10 required to offer any aspect of a common core state standards  
11 curriculum.

12 SECTION 3. Section 39.023, Education Code, is amended by  
13 adding Subsection (a-3) to read as follows:

14 (a-3) The agency may not adopt or develop a  
15 criterion-referenced assessment instrument under this section  
16 based on common core state standards as defined by Section  
17 28.002(b-1). This subsection does not prohibit the use of college  
18 advanced placement tests or international baccalaureate  
19 examinations as those terms are defined by Section 28.051.

20 SECTION 4. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2013.