

BILL ANALYSIS

Senate Research Center

S.B. 313
By: Seliger
Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State Board of Education (SBOE) is tasked with adopting curriculum standards for public education, known as the Texas Essential Knowledge and Skills (TEKS). There is consensus among educators that the scope of TEKS is too broad to be reasonably taught within the span of the school year. S.B. 313 develops a framework to guide SBOE in narrowing the curriculum.

S.B. 313 amends current law relating to the essential knowledge and skills of the required public school curriculum, the administration of and reports relating to assessment instruments administered to public school students, the instructional material allotment, and proclamations for the production of instructional materials.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.0025, as follows:

Sec. 28.0025. REVIEW AND MODIFICATION OF ESSENTIAL KNOWLEDGE AND SKILLS. (a) Requires the State Board of Education (SBOE) to:

(1) conduct a review of the essential knowledge and skills of each foundation curriculum subject under Section 28.002(a)(1) (relating to foundation curriculum requirements of school districts that offer K-12) that were most recently revised by SBOE with an effective date before September 1, 2012; and

(2) modify the essential knowledge and skills of each foundation curriculum subject reviewed under Subdivision (1) to narrow the content and scope of standards and skills for the subject at each grade level in accordance with this section.

(b) Requires SBOE, in complying with this section, to consider:

(1) at each grade level for each subject reviewed under this section, the time:

(A) a teacher would require to provide comprehensive instruction on a particular standard or skill; and

(B) a typical student would require to master a particular standard or skill;

(2) whether, in light of the consideration required by Subdivision (1), each essential knowledge and skill of a subject reviewed under this section

can be comprehensively taught within the number of school days required under Section 25.081 (Operation of Schools), not including the number of days required for testing;

(3) the college and career readiness standards, and whether inclusion of part of those standards in the essential knowledge and skills of a subject reviewed under this section is possible; and

(4) whether an assessment instrument administered under Section 39.023 (Adoption and Administration of Instruments) adequately assesses a particular standard or skill.

(c) Requires SBOE, in establishing or following an established timeline for reviewing and modifying the essential knowledge and skills as required under this section, to ensure that the timeline reflects a priority to first review and modify a subject for which an end-of-course assessment instrument under Section 39.023(c) (relating to adoption of end-of-course assessment instruments for secondary-level courses) is administered before a subject for which an assessment instrument under Section 39.023(a) (relating to the adoption or development of appropriate criterion-referenced assessment instruments to assess essential knowledge and skills) is administered. Requires SBOE to complete the review and modification of the essential knowledge and skills at each grade level for each applicable subject as required under this section not later than September 1, 2018.

(d) Prohibits the review and modification of the essential knowledge and skills for the foundation curriculum conducted by SBOE under this section from resulting in a need for the adoption of new instructional materials in any subject other than English language arts.

(e) Prohibits SBOE, until the review and modification under this section is complete, from adding to or modify the content and scope of standards and skills for any subject in the foundation curriculum under Section 28.002(a)(1) reviewed under this section unless modifications are made in accordance with this section.

(f) Provides that this section expires September 1, 2018.

SECTION 2. Amends Section 28.008(d), Education Code, to require SBOE to develop a chart that clearly indicates the alignment of the college readiness standards and expectations with the essential knowledge and skills identified by SBOE under Section 28.002(c) (relating to TEKS standards set by SBOE, with direct participation of educators, parents, business representatives, and employers).

SECTION 3. Amends Section 31.002, Education Code, by adding Subdivision (1-b) to define "proclamation."

SECTION 4. Amends Sections 31.0211(a) and (d), Education Code, as follows:

(a) Entitles a school district to an allotment each biennium, rather than to an annual allotment, from the state instructional materials fund for each student enrolled in the district on a date during the last year of the preceding biennium, rather than during the preceding school year, specified by the commissioner of education (commissioner). Changes a reference to each year to each biennium. Makes no further change to this subsection.

(d) Changes a reference to each year to each biennium and makes no further change to this subsection.

SECTION 5. Amends Section 31.0212(a), Education Code, to require the commissioner, in the first year of each biennium, rather than each school year, to deposit in the account for each

district the amount of the district's instructional materials allotment under Section 31.0211 (Instructional Materials Allotment).

SECTION 6. Amends Sections 31.0215(a) and (b), Education Code, to change references to each fiscal year to each biennium and a reference to a fiscal year to a fiscal biennium.

SECTION 7. Amends Section 31.022, Education Code, by adding Subsections (b-1), (b-2), and (b-3) and amending Subsection (f), as follows:

(b-1) Authorizes SBOE, for any state fiscal biennium, to 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) Requires SBOE, following the adoption of revised essential knowledge and skills for any subject, to determine whether issuance of a proclamation is necessary based on the significance of the changes to the essential knowledge and skills. Requires SBOE, if SBOE determines a proclamation is necessary, to 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).

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

(f) Requires SBOE to amend any proclamation, rather than amend any request for production, issued for the purchase of instructional materials to conform to the instructional materials funding levels provided by the General Appropriations Act for the year of implementation and to comply with Subsection (b-1).

SECTION 8. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.0239, as follows:

Sec. 39.0239. **REQUIRED REPORT FOR CERTAIN ASSESSMENTS.** (a) Requires the Texas Education Agency (TEA), following the administration of an assessment instrument adopted or developed under Section 39.023(a) (requiring TEA to adopt or develop appropriate criteria for certain knowledge and skills), to provide a detailed report of a student's performance on the assessment instrument to:

(1) the student;

(2) the student's parent or other person standing in parental relationship;
and

(3) the student's teachers.

(b) Requires that the report provided under Subsection (a) include an analysis of a student's performance on each assessed standard or skill in the essential knowledge and skills of the subject for which the assessment instrument was

administered. Requires that the analysis indicate whether the student mastered each standard or skill assessed in the assessment instrument.

(c) Requires that the analysis under Subsection (b) demonstrate both individual assessment results and assessment results aggregated across classes, campuses, and districts.

(d) Requires that the contract, if the commissioner contracts with a third party for the development or adoption of an assessment instrument under Section 39.023(a), to require the third party to fulfill the requirements of this section.

SECTION 9. Amends Section 43.001(d), Education Code, to change references to each year to each biennium and delete a reference to the annual distribution.

SECTION 10. Amends Section 403.093(d), Government Code, as follows:

(d) Requires the comptroller of public accounts of the State of Texas to make the transfers in installments as necessary to comply with Section 42.259 (Foundation School Fund Transfers), Education Code, and permit TEA, to the extent authorized by the General Appropriations Act, to make temporary transfers from the foundation school fund for payment of the instructional materials allotment under Section 31.0211, Education Code. Requires that an installment, unless an earlier date is necessary for purposes of temporary transfers for payment of the instructional materials allotment, be made not earlier than two days before the date an installment to school districts is required by Section 42.259, Education Code, and is prohibited from exceeding the amount necessary for that payment and any temporary transfers for payment of the instructional materials allotment. Makes a nonsubstantive change.

SECTION 11. Repealer: Sections 31.101(d) (requires a school district or open-enrollment charter school, for instructional material that is not on the list, to use the instructional material for the period of the review and adoption cycle the State Board of Education has established for the subject and grade level for which the instructional material is used) and (e) (authorizes a certain school district or open-enrolled charter school to cancel the subscription and subscribe to new instructional material as set forth), Education Code.

SECTION 12. Requires SBOE, not later than January 1, 2016, to develop a chart as prescribed by Section 28.008(d), Education Code, as amended by this Act.

SECTION 13. Provides that the change in law made by Section 39.0239(d), Education Code, as added by this Act, applies only to a contract entered into, amended, or renewed on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 14. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 15. Effective date: upon passage or September 1, 2015.