

AN ACT

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 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 MODIFICATION OF ESSENTIAL KNOWLEDGE AND SKILLS. (a) The State Board of Education shall:

(1) conduct a review of the essential knowledge and skills of each foundation curriculum subject under Section 28.002(a)(1) that were most recently revised by the board 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) In complying with this section, the State Board of Education shall consider:

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

(A) a teacher would require to provide

1 comprehensive instruction on a particular standard or skill; and

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

4 (2) whether, in light of the consideration required by
5 Subdivision (1), each essential knowledge and skill of a subject
6 reviewed under this section can be comprehensively taught within
7 the number of school days required under Section 25.081, not
8 including the number of days required for testing;

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

13 (4) whether an assessment instrument administered
14 under Section 39.023 adequately assesses a particular standard or
15 skill.

16 (c) In establishing or following an established timeline
17 for reviewing and modifying the essential knowledge and skills as
18 required under this section, the State Board of Education shall
19 ensure that the timeline reflects a priority to first review and
20 modify a subject for which an end-of-course assessment instrument
21 under Section 39.023(c) is administered before a subject for which
22 an assessment instrument under Section 39.023(a) is administered.
23 The board shall complete the review and modification of the
24 essential knowledge and skills at each grade level for each
25 applicable subject as required under this section not later than
26 September 1, 2018.

27 (d) The review and modification of the essential knowledge

1 and skills for the foundation curriculum conducted by the State
2 Board of Education under this section may not result in a need for
3 the adoption of new instructional materials in any subject other
4 than English language arts.

5 (e) Until the review and modification under this section is
6 complete, the State Board of Education may not add to or modify the
7 content and scope of standards and skills for any subject in the
8 foundation curriculum under Section 28.002(a)(1) reviewed under
9 this section unless modifications are made in accordance with this
10 section.

11 (f) This section expires September 1, 2018.

12 SECTION 2. Section 28.008(d), Education Code, is amended to
13 read as follows:

14 (d) The State Board of Education shall incorporate college
15 readiness standards and expectations approved by the commissioner
16 of education and the Texas Higher Education Coordinating Board
17 under Subsection (b) into the essential knowledge and skills
18 identified by the board under Section 28.002(c). The State Board of
19 Education shall develop a chart that clearly indicates the
20 alignment of the college readiness standards and expectations with
21 the essential knowledge and skills identified by the board under
22 Section 28.002(c).

23 SECTION 3. Section 31.002, Education Code, is amended by
24 adding Subdivision (1-b) to read as follows:

25 (1-b) "Proclamation" means a request for production of
26 instructional materials issued by the State Board of Education.

27 SECTION 4. Sections 31.0211(a) and (d), Education Code, are

1 amended to read as follows:

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

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

16 (1) instructional materials necessary to permit the
17 district to certify that the district has instructional materials
18 that cover all elements of the essential knowledge and skills of the
19 required curriculum, other than physical education, for each grade
20 level as required by Section 28.002; and

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

23 SECTION 5. Section 31.0212(a), Education Code, is amended
24 to read as follows:

25 (a) The commissioner shall maintain an instructional
26 materials account for each school district. In the first year of
27 each biennium [~~Each school year~~], the commissioner shall deposit in

1 the account for each district the amount of the district's
2 instructional materials allotment under Section 31.0211.

3 SECTION 6. Sections 31.0215(a) and (b), Education Code, are
4 amended to read as follows:

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

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

20 SECTION 7. Section 31.022, Education Code, is amended by
21 adding Subsections (b-1), (b-2), and (b-3) and amending Subsection
22 (f) to read as follows:

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

1 biennium.

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

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

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

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

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

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

24 (f) The board shall amend any proclamation [~~request for~~
25 ~~production~~] issued for the purchase of instructional materials to
26 conform to the instructional materials funding levels provided by
27 the General Appropriations Act for the year of implementation and

1 to comply with Subsection (b-1).

2 SECTION 8. Subchapter B, Chapter 39, Education Code, is
3 amended by adding Section 39.0239 to read as follows:

4 Sec. 39.0239. REQUIRED REPORT FOR CERTAIN ASSESSMENTS.

5 (a) Following the administration of an assessment instrument
6 adopted or developed under Section 39.023(a), the agency shall
7 provide a detailed report of a student's performance on the
8 assessment instrument to:

9 (1) the student;

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

12 (3) the student's teachers.

13 (b) The report provided under Subsection (a) must include an
14 analysis of a student's performance on each assessed standard or
15 skill in the essential knowledge and skills of the subject for which
16 the assessment instrument was administered. The analysis must
17 indicate whether the student mastered each standard or skill
18 assessed in the assessment instrument.

19 (c) The analysis under Subsection (b) must demonstrate both
20 individual assessment results and assessment results aggregated
21 across classes, campuses, and districts.

22 (d) If the commissioner contracts with a third party for the
23 development or adoption of an assessment instrument under Section
24 39.023(a), the contract must require the third party to fulfill the
25 requirements of this section.

26 SECTION 9. Section 43.001(d), Education Code, is amended to
27 read as follows:

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

8 SECTION 10. Section 403.093(d), Government Code, is amended
9 to read as follows:

10 (d) The comptroller shall transfer from the general revenue
11 fund to the foundation school fund an amount of money necessary to
12 fund the foundation school program as provided by Chapter 42,
13 Education Code. The comptroller shall make the transfers in
14 installments as necessary to comply with Section 42.259, Education
15 Code, and permit the Texas Education Agency, to the extent
16 authorized by the General Appropriations Act, to make temporary
17 transfers from the foundation school fund for payment of the
18 instructional materials allotment under Section 31.0211, Education
19 Code. Unless an earlier date is necessary for purposes of temporary
20 transfers for payment of the instructional materials allotment, an
21 [An] installment must be made not earlier than two days before the
22 date an installment to school districts is required by Section
23 42.259, Education Code, and must not exceed the amount necessary
24 for that payment and any temporary transfers for payment of the
25 instructional materials allotment.

26 SECTION 11. Sections 31.101(d) and (e), Education Code, are
27 repealed.

1 SECTION 12. Not later than January 1, 2016, the State Board
2 of Education shall develop a chart as prescribed by Section
3 28.008(d), Education Code, as amended by this Act.

4 SECTION 13. The change in law made by Section 39.0239(d),
5 Education Code, as added by this Act, applies only to a contract
6 entered into, amended, or renewed on or after the effective date of
7 this Act. A contract entered into, amended, or renewed before the
8 effective date of this Act is governed by the law as it existed
9 immediately before the effective date of this Act, and that law is
10 continued in effect for that purpose.

11 SECTION 14. This Act applies beginning with the 2015-2016
12 school year.

13 SECTION 15. This Act takes effect immediately if it
14 receives a vote of two-thirds of all the members elected to each
15 house, as provided by Section 39, Article III, Texas Constitution.
16 If this Act does not receive the vote necessary for immediate
17 effect, this Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 313 passed the Senate on May 5, 2015, by the following vote: Yeas 31, Nays 0; May 28, 2015, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 29, 2015, House granted request of the Senate; May 31, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

I hereby certify that S.B. No. 313 passed the House, with amendments, on May 26, 2015, by the following vote: Yeas 125, Nays 19, two present not voting; May 29, 2015, House granted request of the Senate for appointment of Conference Committee; May 31, 2015, House adopted Conference Committee Report by the following vote: Yeas 86, Nays 50, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor