

House Bill 1291
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1102 to read as follows:

Sec. 12.1102. APPEAL OF APPLICATION SELECTION DETERMINATION. (a) This section applies only if the charter application selection process includes:

(1) scoring criteria and procedures for use of the criteria by an external application review panel selected by the commissioner; and

(2) selection criteria that include the minimum score necessary for an applicant to be eligible for selection.

(b) The State Board of Education shall adopt procedures for the appeal of an application selection determination made based on the submission of an application under a process described by Subsection (a).

(c) The procedures adopted under this section must provide for an applicant who scores within five percentage points of the minimum score necessary for an applicant to be eligible for selection to appeal to the State Board of Education a score determined by the external application review panel. Under the procedures adopted under this section, the State Board of Education may not provide more than 15 days from the date the applicant receives notice that the applicant did not meet the minimum score for the applicant to submit a request for an appeal.

(d) The determination of the State Board of Education in an appeal under the procedures adopted under this section is final.

(e) If the charter applicant prevails in an appeal to the State Board of Education, the commissioner shall consider the applicant's application.

(f) If the State Board of Education fails to issue a determination in an appeal on or before the 90th day after the

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date the applicant submits a request for an appeal, the decision of the external application review panel is affirmed. [FA1]

No equivalent provision.

SECTION __. As soon as practicable after the effective date of this Act, the State Board of Education shall adopt procedures for the appeal of an application selection determination as provided by Section 12.1102, Education Code, as added by this Act. [FA1]

No equivalent provision.

SECTION __. Section 12.1102, Education Code, as added by this Act, applies only to an application submitted on or after the effective date of this Act. [FA1]

SECTION 1. Section 28.002, Education Code, is amended by adding Subsection (h-1) to read as follows:

SECTION 1. Section 28.002, Education Code, is amended by amending Subsection (b-3) and adding Subsection (h-1) to read as follows: [FA2(1)]

(b-3) A school district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels under Subsection (c). The State Board of Education shall adopt rules necessary to implement this subsection. [FA2(2)]

(h-1) To accomplish the primary purpose stated in Subsection (h), the State Board of Education and each school district shall ensure that:

(h-1) To accomplish the primary purpose stated in Subsection (h), the State Board of Education and each school district shall ensure that:

(1) the public school curriculum emphasizes an understanding of the principles underlying the United States form of government, including the study of the Founding Fathers of the United States, the Declaration of Independence, the United States Constitution, the Bill of Rights, and the Federalist Papers; and

(1) the public school curriculum emphasizes an understanding of the principles underlying the United States form of government, including the study of the Founding Fathers of the United States, the Declaration of Independence, the United States Constitution, the Bill of Rights, and the Federalist Papers; and

(2) each historical event addressed in the public school

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curriculum meets a reasonable standard of historical significance, in relation to the limited amount of available instructional time.

SECTION 2. Section 31.023(a), Education Code, is amended to read as follows:

(a) For each subject and grade level, the State Board of Education shall adopt a list of instructional materials. The list includes each instructional material submitted for the subject and grade level that meets applicable physical specifications adopted by the State Board of Education, ~~that [and]~~ contains material that is consistent with the purpose and guidelines of Sections 28.002(h) and (h-1), and that covers [covering] at least half of the elements of the essential knowledge and skills of the subject and grade level in the student version of the instructional material, as well as in the teacher version of the instructional material, as determined by the State Board of Education under Section 28.002 and adopted under Section 31.024.

No equivalent provision.

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curriculum meets a reasonable standard of historical significance, in relation to the limited amount of available instructional time.

SECTION 2. Sections 31.023(a) and (b), Education Code, are amended to read as follows:

(a) For each subject and grade level, the State Board of Education shall adopt a list of instructional materials. The list includes each instructional material submitted for the subject and grade level that meets applicable physical specifications adopted by the State Board of Education, ~~that [and]~~ contains material that is consistent with the purpose and guidelines of Sections 28.002(h) and (h-1), and that covers [covering] at least half of the elements of the essential knowledge and skills of the subject and grade level in the student version of the instructional material, as well as in the teacher version of the instructional material, as determined by the State Board of Education under Section 28.002 and adopted under Section 31.024.

(b) Each instructional material on the list must be:

- (1) free from factual errors;
- (2) suitable for the subject and grade level for which the instructional material was submitted; and
- (3) reviewed by academic experts in the subject and grade level for which the instructional material was submitted.

SECTION 3. Section 31.035(a), Education Code, is amended to read as follows:

(a) Notwithstanding any other provision of this subchapter, the State Board of Education may adopt supplemental instructional materials that are not on the list adopted under Section 31.023. The State Board of Education may adopt

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supplemental instructional material under this section only if the instructional material:

- (1) contains material covering one or more primary focal points or primary topics of a subject in the required curriculum under Section 28.002, as determined by the State Board of Education;
- (2) is not designed to serve as the sole instructional material for a full course;
- (3) meets applicable physical specifications adopted by the State Board of Education; ~~and~~
- (4) is free from factual errors;
- (5) is suitable for the subject and grade level; and
- (6) is reviewed by academic experts in the subject and grade level.

No equivalent provision.

SECTION 3. (a) Except as provided by Subsection (b) of this section, this Act applies beginning with the 2017-2018 school year.

(b) The changes in law made by this Act to Section 31.023(a), Education Code, apply to instructional materials adopted by the State Board of Education on or after September 1, 2018.

SECTION __. Section 12.101(b-0), Education Code, is repealed. [FA1]

SECTION 4. (a) Except as provided by Subsections (b) and (c) of this section, this Act applies beginning with the 2017-2018 school year.

(b) The changes in law made by this Act to Section 31.023(a), Education Code, apply to instructional materials adopted by the State Board of Education on or after September 1, 2018.

(c) Sections 31.023(b) and 31.035(a), Education Code, as amended by this Act, apply only to an instructional material list or supplemental instructional material adopted on or after the effective date of this Act. An instructional material list or supplemental instructional material adopted before the effective date of this Act is governed by the law in effect when the instructional material list or supplemental instructional material was adopted, and the former law is

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SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

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continued in effect for that purpose.

SECTION 5. Same as House version.

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