

By: Huberty, Creighton, Eissler, Pitts,
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H.B. No. 2923

Substitute the following for H.B. No. 2923:

By: Pitts

C.S.H.B. No. 2923

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 federally enacted or nationally applicable appraisal criteria incorporating the results of student performance on assessment instruments. 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, "national curriculum standards" includes any curriculum standards endorsed, approved, sanctioned, or promoted by the United States Department of Education, the National Governors Association, or the Council of Chief State School Officers.

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

4 (b-3) A school district may not use national curriculum
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 national curriculum.

11 SECTION 3. Section 39.023, Education Code, is amended by
12 adding Subsection (a-2) to read as follows:

13 (a-2) The agency may not adopt or develop a
14 criterion-referenced assessment instrument under this section
15 based on national curriculum standards as defined by Section
16 28.002(b-1).

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