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**The following 165 amendments were
published on 3/25/13 3:15 PM**



13 MAR 25 AM 11:09
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Armen W. Waller

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 4, line 24, between "(e-1)," and "(h)", insert
"(e-2), (e-3),".

(2) On page 13, following line 27, insert the following:

(e-2) At the end of each school year, each school district
shall report through the Public Education Information Management
System (PEIMS) the number of district students who, during that
school year, were:

(1) enrolled in the foundation high school program;

(2) pursuing the distinguished level of achievement
under the foundation high school program as provided by Subsection
(b-14); and

(3) enrolled in a program to earn an endorsement
described by Subsection (c-1).

(e-3) Information reported under Subsection (e-2) must be
disaggregated by all student groups served by the district,
including categories of race, ethnicity, socioeconomic status,
sex, and populations served by special programs, including students
in special education programs under Subchapter A, Chapter 29.



13MAR 25 AM 11:03
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Alma W. Allen

- 1 Amend C.S.H.B. No. 5 (house committee printing) on page 42,
- 2 line 3, after the period, by adding the following:
- 3 Any reference to a teacher in an indicator adopted by the
- 4 commissioner under this subsection means a classroom teacher.



13 MAR 22 PM 4:05
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Robert R. Danner

1 Amend C.S.H.B. No. 5 (House Committee Report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Chapter 434, Government Code, is amended by
5 adding Subchapter E to read as follows:

6 SUBCHAPTER E. VETERANS RESOURCE CENTERS

7 Sec. 434.201. DEFINITIONS. In this subchapter:

8 (1) "Commission" means the Texas Veterans Commission.

9 (2) "Higher education region" means one of the higher
10 education regions in this state established by the Texas Higher
11 Education Coordinating Board.

12 (3) "Institution of higher education" has the meaning
13 assigned by Section 61.003, Education Code.

14 Sec. 434.202. VETERANS RESOURCE CENTERS. Subject to the
15 availability of funds, the commission shall administer a veterans
16 resource center in at least one institution of higher education in
17 each region specified in Section 434.203 to:

18 (1) provide a centralized place for veterans to find
19 assistance and information while enrolled at an institution of
20 higher education;

21 (2) deliver innovative, cost-effective programs to
22 attract veterans and family members of veterans to attend public
23 institutions of higher education;

24 (3) enable institutions of higher education to create
25 veteran-friendly environments;

26 (4) encourage veterans to take advantage of government
27 educational programs; and

28 (5) assist veterans in applying to public institutions
29 of higher education.

1 Sec. 434.203. LOCATIONS OF CENTERS. Subject to the
2 availability of funds, the commission shall operate 15 veterans
3 resource centers throughout this state with at least one veterans
4 resource center located in each of the following higher education
5 regions:

- 6 (1) High Plains Region;
- 7 (2) Northwest Texas Region;
- 8 (3) Metroplex Region;
- 9 (4) Upper East Texas Region;
- 10 (5) Southeast Texas Region;
- 11 (6) Gulf Coast Region;
- 12 (7) Central Texas Region;
- 13 (8) South Texas Region;
- 14 (9) West Texas Region; and
- 15 (10) Upper Rio Grande Region.

16 Sec. 434.204. DUTIES OF INSTITUTION OF HIGHER EDUCATION.
17 Each institution of higher education that has a veterans resource
18 center shall enter into a memorandum of understanding with the
19 commission. The memorandum of understanding must require the
20 institution of higher education to provide and bear the cost of the
21 following:

- 22 (1) office space on the campus of the institution of
23 higher education that is accessible to persons with disabilities
24 and complies with any applicable federal and state law; and
- 25 (2) office equipment, telephone equipment and
26 service, computer equipment, and Internet access.

27 Sec. 434.205. 2-1-1 TEXAS COORDINATION. Each institution
28 of higher education that has a veterans resource center shall enter
29 into a memorandum of understanding with the area information center
30 of the Texas Information and Referral Network for the region in
31 which the institution is located to coordinate the objectives of

1 the veterans resource center with the operations of the Texas
2 Information and Referral Network, including 2-1-1 services
3 provided by the network.

4 Sec. 434.206. PROGRAM MANAGER. Subject to the availability
5 of funds, the commission shall employ a program manager to
6 administer the veterans resource center program. The program
7 manager shall:

8 (1) provide leadership, training, support, and
9 overall management of the veterans resource center program;

10 (2) evaluate the effectiveness of veterans resource
11 centers in identifying the services required by veterans to
12 optimize the success of veterans and their families in obtaining a
13 college education and in providing those services;

14 (3) supervise the regional veterans resource
15 counselors;

16 (4) prepare an annual budget;

17 (5) monitor the outcomes of the veterans resource
18 center program;

19 (6) using data provided by the Texas Higher Education
20 Coordinating Board, produce an annual report on veterans'
21 attendance at public institutions of higher education;

22 (7) in partnership with the Texas Information and
23 Referral Network, apply to private organizations and foundations
24 for grant funding or other support that complements the objectives
25 of the program; and

26 (8) perform any other task required by the commission.

27 Sec. 434.207. REGIONAL VETERANS RESOURCE COUNSELORS. (a)
28 Subject to the availability of funds, the commission shall employ a
29 regional veterans resource counselor for each higher education
30 region to oversee the veterans resource center or centers located
31 in the region.

1 (b) A regional veterans resource counselor shall maintain
2 an office at a veterans resource center at an institution of higher
3 education located in the higher education region served by the
4 veterans resource counselor.

5 (c) Each regional veterans resource counselor shall:

6 (1) visit the institutions of higher education located
7 in the higher education region served by the veterans resource
8 counselor;

9 (2) work with those institutions of higher education
10 to:

11 (A) create a hospitable and supportive
12 environment for veterans;

13 (B) enhance awareness of and encourage
14 participation in veterans educational programs and in commission
15 programs providing other services to veterans, including
16 employment and claims assistance services;

17 (C) develop programs providing ancillary
18 assistance to veterans based on the unique needs of veterans and
19 their families;

20 (D) ensure that veterans successfully complete
21 their education; and

22 (E) promote the establishment of a student
23 veterans group on each campus in the region;

24 (3) work with local, state, and national veterans
25 groups, including the Veterans of Foreign Wars and the American
26 Legion, to promote educational opportunities and benefits to the
27 veteran population in the higher education region;

28 (4) work with local workforce development boards to:

29 (A) ensure that veterans counselors are aware of
30 available nontraditional educational opportunities, including
31 on-the-job training programs and apprenticeships; and

1 (B) advise employers in the region of potential
2 opportunities to create on-the-job training programs for veterans;

3 (5) work with education services officers at military
4 installations to encourage active duty members of the armed forces
5 of the United States and veterans to use federal and state
6 educational benefits;

7 (6) create and manage publicity campaigns in concert
8 with the commission and institutions of higher education in the
9 higher education region to promote the use of education benefits
10 under the federal Post-9/11 Veterans Educational Assistance Act of
11 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption
12 program for veterans and their dependents under Section 54.341,
13 Education Code, and any other education benefit for veterans or
14 their dependents under federal or state law;

15 (7) support programs to assist combat veteran students
16 in readjusting and reintegrating into a noncombat environment;

17 (8) maintain statistical information regarding
18 demographics of veterans assisted, application success, program
19 completion rates, drop-out rates, and reasons for success or
20 failure, as appropriate; and

21 (9) perform other activities, as assigned by the
22 commission, to enhance the educational opportunities of veterans
23 and their family members in the higher education region and
24 throughout this state.

25 Sec. 434.208. FUNDING. (a) The commission shall apply for
26 and use any available federal money to fund the duties of the
27 commission under this subchapter.

28 (b) The commission may accept gifts and grants of money,
29 property, and services from any source to fund the duties of the
30 commission under this subchapter.

31 Sec. 434.209. RULEMAKING AUTHORITY. The commission may

1 adopt rules to implement this subchapter.



13 MAR 22 PM 4:05
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Robert R. Dancy

Amend C.S.H.B. No. 5 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 111, Education Code, is amended by adding Section 111.43 to read as follows:

Sec. 111.43. OPTOMETRY CAREER PROGRAM. (a) The university may operate a summer program that prepares highly qualified, economically disadvantaged junior-level, senior-level, and postbaccalaureate students from any public or private institution of higher education for advanced studies and a career in the field of optometry. The program may include:

(1) courses in improvement of study skills and Optometry Admission Test preparation courses;

(2) a review of selected undergraduate academic courses that are prerequisites for admission to advanced degree programs in optometry;

(3) academic courses that are designed to familiarize students with the course work in advanced degree programs in optometry;

(4) clinical work; and

(5) extracurricular activities, including observing professionals in the field of optometry.

(b) To the extent practicable, and consistent with the purposes of the program, the university shall operate the program in a manner that may assist students to obtain course credit for the program from their respective institutions of higher education.

(c) The university shall:

(1) recruit _____ eligible _____ undergraduate _____ or postbaccalaureate students for admission to the program;

1 (2) establish an application process for admitting
2 eligible undergraduate or postbaccalaureate students to the
3 program;
4 (3) develop reasonable requirements for admission to
5 the program;
6 (4) monitor the implementation of the program; and
7 (5) assist in developing services, including career
8 counseling, to support and encourage the pursuit of advanced
9 studies and careers in the field of optometry.
10 (d) The university may solicit and accept gifts and grants
11 from any public or private source for the purposes of this section.
12 The legislature may appropriate money for the purposes of this
13 section.



13 MAR 22 PM 4:04
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Robert R. Doney

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Chapter 61, Education Code, is amended by
5 adding Subchapter II to read as follows:

6 SUBCHAPTER II. FINANCIAL INCENTIVE PROGRAM TO PREPARE TEACHERS IN
7 BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, AND SPANISH

8 Sec. 61.9821. ESTABLISHMENT OF PROGRAM. The board shall
9 establish a program to provide financial incentives such as tuition
10 assistance or student loan repayment to:

11 (1) assist persons in obtaining certification to teach
12 bilingual education, English as a second language, or Spanish in a
13 public elementary or secondary school in this state; and

14 (2) facilitate the employment of those persons by a
15 public elementary or secondary school in this state that has a
16 shortage of teachers certified to teach in those fields.

17 Sec. 61.9822. ELIGIBILITY. To be eligible to receive
18 financial incentives under this subchapter, a person must:

19 (1) apply to the board in the form and manner
20 prescribed by board rule;

21 (2) have completed at least 60 semester credit hours
22 of course work toward an associate's degree at a public junior
23 college or a junior college accredited by a recognized accrediting
24 agency;

25 (3) be admitted into an educator preparation program
26 at an institution of higher education or at a private or independent
27 institution of higher education that prepares students for
28 certification to teach bilingual education, English as a second
29 language, or Spanish;

1 (4) enter into an agreement with the board as provided
2 by Section 61.9823; and

3 (5) satisfy any other criteria jointly prescribed by
4 the board and the State Board for Educator Certification.

5 Sec. 61.9823. AGREEMENT. To qualify for financial
6 incentives under this subchapter, a person must enter into a
7 written agreement with the board as provided by this section. The
8 agreement must require the person to:

9 (1) obtain, within the period prescribed by board
10 rule, certification to teach bilingual education, English as a
11 second language, or Spanish in a public elementary or secondary
12 school in this state;

13 (2) accept, during the first school year that begins
14 after the date the person becomes certified as provided by
15 Subdivision (1), an offer of full-time employment to teach
16 bilingual education, English as a second language, or Spanish in a
17 public elementary or secondary school in this state that has a
18 shortage of teachers certified to teach in one or more of those
19 fields; and

20 (3) teach bilingual education, English as a second
21 language, or Spanish at that school for at least two school years.

22 Sec. 61.9824. FINANCIAL INCENTIVES. The board shall award
23 financial incentives such as tuition assistance or student loan
24 repayment to each participant in the program to assist with the cost
25 of payment of mandatory tuition and fees for courses required to
26 obtain certification to teach bilingual education, English as a
27 second language, or Spanish.

28 Sec. 61.9825. REIMBURSEMENT; EXCEPTIONS. (a) A program
29 participant who fails to meet the requirements of Section 61.9823
30 shall reimburse the board for the amount of any assistance received
31 by the participant under this subchapter.

1 (b) The board by rule shall establish exceptions to the
2 reimbursement requirement under this section for participants who
3 are unable to meet the requirements of Section 61.9823 as a result
4 of an unusual hardship.

5 Sec. 61.9826. GIFTS, GRANTS, AND DONATIONS. In addition to
6 money appropriated by the legislature, the board may solicit and
7 accept gifts, grants, and donations for the purposes of this
8 subchapter.

9 Sec. 61.9827. RULES. The board shall adopt rules necessary
10 for the administration of this subchapter, including a rule that
11 sets the maximum amount of financial assistance that a person may
12 receive under this subchapter in one year.

13 SECTION ____. The Texas Higher Education Coordinating Board
14 shall adopt rules for the administration of Subchapter II, Chapter
15 61, Education Code, as added by this Act, as soon as practicable
16 after this Act takes effect. For that purpose, the coordinating
17 board may adopt the initial rules in the manner provided by law for
18 emergency rules.



13 MAR 25 AM 8:42
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Robert R. Dancy

1 Amend C.S.H.B. No. 5 (house committee report) by inserting
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 28, Education
5 Code, is amended by adding Section 28.0256 to read as follows:

6 Sec. 28.0256. TEXAS STATE SEAL OF BILINGUALISM AND
7 BILITERACY. (a) In this section, "seal" means the Texas State Seal
8 of Bilingualism and Biliteracy established under Subsection (b).

9 (b) The agency shall establish a seal to recognize high
10 school graduates who have attained a high level of proficiency in
11 comprehending, speaking, reading, and writing in both English and a
12 language other than English.

13 (c) A student earns the seal if the student:

14 (1) earns a distinguished level of achievement under
15 the foundation high school program under Section 28.025(b-14);

16 (2) completes the curriculum requirements for English
17 language arts under Section 28.025(b-1)(1) with a grade point
18 average in those courses of at least 3.0 on a four-point scale;

19 (3) demonstrates proficiency in a language other than
20 English by:

21 (A) earning a passing score on an advanced
22 placement or international baccalaureate test for a language other
23 than English; or

24 (B) completing four credits in the same language
25 in a language other than English under Section 28.002(a)(2)(A) with
26 a grade point average in those courses of at least 3.0 on a
27 four-point scale; and

28 (4) if the student is enrolled in a school district
29 that has implemented a dual language immersion program under

1 Section 28.0051, completes at least six credits in the dual
2 language immersion program after entering the sixth grade,
3 including three credits that satisfy foundation curriculum
4 requirements under Section 28.002(a)(1).

5 (d) The agency shall prepare and deliver to a participating
6 school district an insignia that can be affixed or stamped on the
7 diploma or transcript of a student who has satisfied requirements
8 for earning the seal.

9 (e) The board of trustees of a school district may choose
10 whether to offer the seal to students who satisfy the requirements
11 for earning the seal.

12 (f) Each school district that offers the seal to an eligible
13 student shall:

14 (1) maintain appropriate records to identify students
15 who have earned the seal; and

16 (2) affix the seal's insignia to the diploma or
17 transcript of each student who has satisfied requirements for
18 earning the seal.

19 (b) This section applies beginning with the 2013-2014
20 school year.



13 MAR 25 AM 8:42
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Robert R. Dancy

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 52, line 20, strike "Subject to Subsection
3 (a-1), each", and substitute "Each [~~Subject to Subsection (a-1),~~
4 ~~each~~]".

5 (2) On page 68, line 27, strike "and".

6 (3) On page 69, line 1, between "(c)" and the period, insert
7 the following:

8 ;

9 (4) Sections 51.803(a-1), (a-2), (a-3), (a-4), (a-5),
10 (a-6), (j), (k), and (l); and

11 (5) Section 56.485

12 (4) Add the following appropriately numbered SECTIONS to
13 the bill and renumber subsequent SECTIONS of the bill accordingly:

14 SECTION _____. Section 56.484, Education Code, is amended to
15 read as follows:

16 Sec. 56.484. INITIAL ELIGIBILITY FOR SCHOLARSHIP. To be
17 eligible for a scholarship under this subchapter, a student must:

18 (1) have graduated from a public or accredited private
19 high school in this state while ranked in the top 10 percent of the
20 student's graduating class, subject to Section 56.487(b);

21 (2) have completed the recommended or advanced high
22 school curriculum established under Section 28.025 or its
23 equivalent;

24 (3) have applied for admission as a first-time
25 freshman student for the 2010-2011 academic year or a subsequent
26 academic year to an institution of higher education [~~that has~~
27 ~~elected to offer admissions for that academic year to applicants as~~
28 ~~provided by Section 51.803(a-1)~~];

29 (4) enroll as a first-time freshman student in an

1 institution of higher education not later than the 16th month after
2 the date of the student's high school graduation;

3 (5) have been awarded a TEXAS grant under Subchapter M
4 for the same semester or other academic term for which the
5 scholarship will be awarded;

6 (6) be a Texas resident under Section 54.052; and

7 (7) comply with any other eligibility requirements
8 established by coordinating board rule.

9 SECTION _____. The repeal by this Act of Sections
10 51.803(a-1), (a-2), (a-3), (a-4), (a-5), (a-6), (j), (k), and (l),
11 Education Code, applies beginning with admissions to general
12 academic teaching institutions for the 2014-2015 academic year.
13 Admissions to a general academic teaching institution before that
14 academic year are governed by the law in effect before the effective
15 date of this Act, and the former law is continued in effect for that
16 purpose.

17 SECTION _____. The changes in law made by this Act to
18 Subchapter R, Chapter 56, Education Code, apply beginning with
19 scholarships awarded under that subchapter for the 2014-2015
20 academic year. Scholarships awarded for an academic period before
21 that academic year are governed by the law in effect before the
22 effective date of this Act, and the former law is continued in
23 effect for that purpose.



13 MAR 25 PM 1:39
HOUSE OF REPRESENTATIVES

Carl Thun

FLOOR AMENDMENT NO. _____

BY: _____

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 7, line 3, strike "seven" and substitute "six
3 and one-half".
- 4 (2) On page 7, lines 14 and 15, strike "one credit" and
5 substitute "one and one-half credits [~~one credit~~]".
- 6 (3) On page 10, line 5, strike "one credit" and substitute
7 "one and one-half credits [~~one credit~~]".
- 8 (4) On page 10, line 6, strike "one credit" and substitute
9 "one and one-half credits".
- 10 (5) On page 10, lines 7 and 8, strike "one academic elective
11 credit for the physical education credit" and substitute "an [~~one~~
12 academic elective, or a combination of credits in those courses
13 equaling one and one-half credits [~~credit~~] for the physical
14 education credits [~~credit~~]".
- 15 (6) On page 10, line 12, strike "credit" and substitute
16 "credits [~~credit~~]".



10 MAR 25 PM 1:38
HOUSE OF REPRESENTATIVES

Carl Thun

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) on page 22
2 between lines 10 and 11 by adding the following appropriately
3 numbered SECTION to the bill and renumbering subsequent SECTIONS of
4 the bill accordingly:

5 SECTION _____. (a) Sections 37.008(a) and (1), Education
6 Code, are amended to read as follows:

7 (a) Each school district shall provide a disciplinary
8 alternative education program that:

9 (1) is provided in a setting other than a student's
10 regular classroom;

11 (2) is located on or off of a regular school campus;

12 (3) provides for the students who are assigned to the
13 disciplinary alternative education program to be separated from
14 students who are not assigned to the program;

15 (4) focuses on English language arts, mathematics,
16 science, history, and self-discipline;

17 (5) provides for students' educational and behavioral
18 needs;

19 (6) provides supervision and counseling;

20 (7) employs only teachers who meet all certification
21 requirements established under Subchapter B, Chapter 21; ~~and~~

22 (8) provides not less than the minimum amount of
23 instructional time per day required by Section 25.082(a); and

24 (9) provides for students who are assigned to the
25 disciplinary alternative education program for one semester or
26 more:

27 (A) structured courses in English language arts,
28 mathematics, science, and history that are equivalent in content
29 and rigor to courses in those subjects as provided in the regular

1 classroom setting; and

2 (B) an established curriculum for each grade
3 level that provides students an opportunity to achieve promotion to
4 the next grade level or to graduate from high school on the same
5 schedule as students in the regular classroom setting.

6 (1) A school district is required to provide in the
7 district's disciplinary alternative education program a course
8 necessary to fulfill a student's high school graduation
9 requirements [~~only as provided by this subsection~~]. A school
10 district shall offer a student removed to a disciplinary
11 alternative education program an opportunity to complete
12 coursework before the beginning of the next school year. The school
13 district may provide the student an opportunity to complete
14 coursework through any method available, including a
15 correspondence course, distance learning, or summer school. The
16 district may not charge the student for a course provided under this
17 subsection.

18 (b) This section applies beginning with the 2013-2014
19 school year.



13 MAR 25 AM 10:55
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 1, line 17, between "the" and "foundation", insert "distinguished level of achievement under the".

(2) On page 2, between lines 19 and 20, add the following appropriately numbered SECTION to the bill:

SECTION _____. (a) Section 28.006(j), Education Code, is amended to read as follows:

(j) No more than 15 percent of the funds certified by the commissioner under Subsection (i) may be spent on indirect costs. The commissioner shall evaluate the programs that fail to meet the standard of performance under Section 39.301(c)(4) [~~39.301(c)(5)~~] and may implement interventions or sanctions under Subchapter E, Chapter 39. The commissioner may audit the expenditures of funds appropriated for purposes of this section. The use of the funds appropriated for purposes of this section shall be verified as part of the district audit under Section 44.008.

(b) This section applies beginning with the 2014-2015 school year.

(3) On page 4, line 24, between "(b-14)," and "(c-1),", insert "(b-15),".

(4) On page 11, between lines 25 and 26, insert the following:

(b-15) A student may satisfy an elective credit required under Subsection (b-1)(6) with a credit earned to satisfy the additional curriculum requirements for the distinguished level of achievement under the foundation high school program or an endorsement under Subsection (c-1). This subsection may apply to more than one elective credit.

(5) On page 12, line 26, after the period, add the

1 following:

2 Each school district must make available to high school students
3 courses that allow a student to complete the curriculum.
4 requirements for at least one endorsement under Subsection (c-1).

5 (6) On page 23, line 25, between "Section 39.025" and the
6 period, insert "and may not be used as a condition for graduation".

7 (7) On page 30, line 1, strike "[~~adopted under Section~~
8 ~~39.023(c)~~] may" and substitute "shall [~~adopted under Section~~
9 ~~39.023(c) may~~]".

10 (8) On page 30, lines 8-9, strike "[~~a preliminary American~~
11 ~~College Test (ACT) assessment~~] may" and substitute "shall [~~a~~
12 ~~preliminary American College Test (ACT) assessment may~~]".

13 (9) On page 28, line 13, between "(a-1)," and "(b),", insert
14 "(a-2),".

15 (10) On page 30, between lines 21 and 22, insert the
16 following:

17 (a-2) This subsection applies only to a student who, before
18 entering the ninth grade in the 2011-2012 or 2012-2013 school year,
19 completed a course before the 2011-2012 school year in a subject for
20 which the student received high school credit and for which an
21 end-of-course assessment instrument under Section 39.023 is
22 required during the 2013-2014 school year or a later school year,
23 such as Algebra I. The commissioner shall determine a method by
24 which a student's satisfactory performance on an end-of-course
25 assessment instrument for a course in the same general subject area
26 in which the student is enrolled during or after the ninth grade,
27 such as geometry, shall be used to satisfy the requirements for the
28 end-of-course assessment instrument for the course completed
29 before entering the ninth grade and before the 2011-2012 school
30 year. The commissioner shall adopt rules as necessary for the
31 administration of this section. This subsection expires September

1 1, 2016 [~~In addition to the cumulative score requirements under~~
2 ~~Subsection (a), a student must achieve a score that meets or exceeds~~
3 ~~the score determined by the commissioner under Section 39.0241(a)~~
4 ~~for English III and Algebra II end-of-course assessment instruments~~
5 ~~to graduate under the recommended high school program~~].

6 (11) On page 34, lines 12 and 13, strike "Section 39.053(c),
7 Education Code, is amended" and substitute "Section 39.053,
8 Education Code, is amended by amending Subsection (c) and adding
9 Subsection (d-2)".

10 (12) On page 35, between lines 23 and 24, insert the
11 following:

12 (d-2) An end-of-course assessment instrument adopted under
13 Section 39.023(c-2) may not be used as an indicator of student
14 achievement in determining the performance rating of a school
15 district or campus under Section 39.054.

16 (13) On page 43, line 18, strike "2013-2014" and substitute
17 "2014-2015".

18 (14) On page 44, line 14, strike "2013-2014" and substitute
19 "2014-2015".

20 (15) On page 44, line 27, strike "2013-2014" and substitute
21 "2014-2015".

22 (16) On page 45, line 16, strike "2013-2014" and substitute
23 "2014-2015".

24 (17) Strike page 68, line 24, through page 69, line 5, and
25 substitute the following appropriately numbered SECTION:

26 SECTION _____. (a) Effective September 1, 2013, Section
27 39.025(a-3), Education Code, is repealed.

28 (b) Effective September 1, 2014, the following provisions
29 of the Education Code are repealed:

30 (1) Section 28.002(q);

31 (2) Sections 28.025(b-6), (b-8), and (g);

1 (3) Section 39.0822; and

2 (4) Sections 39.0823(b) and (c).

3 (18) On page 69, between lines 21 and 22, add the following
4 appropriately numbered SECTION to the bill:

5 SECTION _____. Not later than October 1, 2013, the
6 commissioner of education shall adopt rules to administer Sections
7 39.025(a-1) and (a-2), Education Code, as amended by this Act.

8 (19) Renumber SECTIONS of the bill appropriately.



13MAR22 PM 4:20
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 46, line 27, strike "and".

3 (2) Between page 46, line 27, and page 47, line 1, insert the
4 following:

5 (2) percentages of:

6 (A) students who earned a nationally or
7 internationally recognized business or industry certification or
8 license;

9 (B) students who completed a coherent sequence of
10 career and technical courses;

11 (C) students who completed a dual credit course
12 or an articulated postsecondary course provided for local credit;

13 (D) students who achieved applicable College
14 Readiness Benchmarks or the equivalent on the Preliminary
15 Scholastic Assessment Test (PSAT), the Scholastic Assessment Test
16 (SAT), the American College Test (ACT), or the ACT-Plan assessment
17 program; and

18 (E) students who received a score on either an
19 advanced placement test or an international baccalaureate
20 examination to be awarded college credit; and

21 (3) On page 47, line 1, strike "(2)" and substitute "(3)
22 [~~(2)~~]".



13 MAR 25 AM 10:43
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:  _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 4, line 24, between "(b-14)," and "(c-1),"
3 insert "(b-15),".

4 (2) On page 11, between lines 25 and 26, insert the
5 following:

6 (b-15) The State Board of Education, ~~in coordination with~~
7 ~~the Texas Higher Education Coordinating Board,~~ shall adopt rules to
8 ensure that a student may comply with the curriculum requirements
9 under Subsection (b-1) by successfully completing an advanced
10 career and technical course, including a course that may lead to an
11 industry-recognized credential or certificate or an associate
12 degree.



13 MAR 25 AM 10:45
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) on page 2 by
2 striking lines 1-17 and substituting the following:

3 SECTION 2. (a) Section 28.002, Education Code, is amended
4 by amending Subsection (f) and adding Subsection (f-1) to read as
5 follows:

6 (f) A school district may offer courses for local credit in
7 addition to those in the required curriculum. The State Board of
8 Education shall be flexible in approving a course for credit for
9 high school graduation under this subsection. A district may also
10 offer a course or other activity, including an apprenticeship or
11 training hours needed to obtain an industry-recognized credential
12 or certificate, that is approved by the board of trustees for local
13 credit without obtaining State Board of Education approval if:

14 (1) the district develops a program under which the
15 district partners with a public or private institution of higher
16 education and local business and community leaders to develop and
17 provide the courses; and

18 (2) the course or other activity allows students to
19 enter:

20 (A) a career or technology training program in
21 the district's region of the state;

22 (B) an institution of higher education without
23 remediation;

24 (C) an apprenticeship training program; or

25 (D) an internship required as part of
26 accreditation toward an industry-recognized credential or
27 certificate for course credit.

28 (f-1) Each school district shall annually report to the
29 agency the names of the courses, programs, institutions of higher

1 education, and internships in which the district's students have
2 enrolled under Subsection (f). The agency shall make available
3 information provided under this subsection to other districts.



13 MAR 25 11:21
RECEIVED REVENUE DEPT 10

FLOOR AMENDMENT NO. _____

BY: Baner

1 Amend C.S.H.B. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 25.002, Education Code, is
5 amended by amending Subsections (a) and (a-1) and adding
6 Subsections (a-2), (a-3), and (a-4) to read as follows:

7 (a) If a parent or other person with legal control of a child
8 under a court order enrolls the child in a public school, the parent
9 or other person or the school district in which the child most
10 recently attended school shall furnish to the school district:

11 (1) the child's birth certificate or another document
12 suitable as proof of the child's identity;

13 (2) a copy of the child's records from the school the
14 child most recently attended if the child has been previously
15 enrolled in a school in this state or another state; ~~and~~

16 (3) a record showing that the child has the
17 immunizations as required under Section 38.001, in the case of a
18 child required under that section to be immunized, proof as
19 required by that section showing that the child is not required to
20 be immunized, or proof that the child is entitled to provisional
21 admission under that section and under rules adopted under that
22 section; and

23 (4) the child's social security number.

24 (a-1) Information a school district furnishes under
25 Subsections (a)(1) and (2) must be furnished by the district not
26 later than the 10th working day after the date a request for the
27 information is received by the district. Information a parent or
28 other person with legal control of a child under a court order
29 furnishes under Subsections (a)(1), ~~and~~ (2), and (4) must be

1 furnished by the parent or other person not later than the 30th day
2 after the date a child is enrolled in a public school. If a parent
3 or other person with legal control of a child under a court order
4 requests that a district transfer a child's student records, the
5 district to which the request is made shall notify the parent or
6 other person as soon as practicable that the parent or other person
7 may request and receive an unofficial copy of the records for
8 delivery in person to a school in another district.

9 (a-2) If a parent or other person with legal control of a
10 child under a court order does not furnish the child's social
11 security number to the district as required by Subsection (a)(4),
12 the district shall request the agency to assign a student
13 identification number for the child. The agency shall provide a
14 requesting school district a student identification number not
15 later than the fifth day after the date the district submits the
16 request.

17 (a-3) Not later than the 45th day after the first day of each
18 school year, a school district shall submit to the agency a report
19 stating the number of students enrolled in the district with a
20 social security number and the number of students enrolled in the
21 district with a student identification number assigned by the
22 agency.

23 (a-4) Not later than the final day of instruction of each
24 school year, the agency shall prepare and make public a report of
25 the information received from a school district under Subsection
26 (a-3). The report must:

27 (1) be based on the most current information
28 available; and

29 (2) compare each district's information to the
30 district's information for the preceding school year.

31 (b) This section applies beginning with the 2013-2014

1 school year.



HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Donna*

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 25, Education
5 Code, is amended by adding Section 25.0344 to read as follows:

6 Sec. 25.0344. CAMPUS TRANSFER REQUESTS. (a) This section
7 applies only to a school district that operates more than one campus
8 serving the same grade levels.

9 (b) The board of trustees of a school district shall
10 establish a local policy consistent with this subchapter to allow a
11 parent or person standing in parental relation to any student to
12 request a transfer of the student from the campus the student would
13 otherwise attend to another campus in the district. The district
14 shall maintain information as required by the commissioner
15 regarding the number of requests for transfer each school year and
16 the extent to which transfer requests are approved. A decision by
17 the board regarding student assignment to a campus is final unless
18 the student, parent, or person standing in parental relation to the
19 student files an exception as provided by Sections 25.034(e) and
20 (f).

21 (c) If the parents of more than four percent of the students
22 at a campus during a school year request a transfer for the
23 following school year, the board shall hold a public hearing before
24 the end of the school year to discuss transfers. At the hearing the
25 board shall consider:

26 (1) increasing the capacity at campuses to which
27 transfers are requested;

28 (2) improving programs and facilities at the campus
29 from which transfers are requested; and

1 (3) reallocating budget resources or staff to the
2 campus from which transfers are requested.

3 (d) If the parents of more than four percent of the students
4 at a campus have requested a transfer for three consecutive school
5 years, the board must enter into an agreement with a consultant from
6 an approved list provided by the commissioner for recommendations
7 to decrease the number of parents requesting a transfer. The
8 consultant's recommendations must be considered at a public hearing
9 before the district's budget is adopted by the board.

10 (e) If the parents of more than four percent of the students
11 at a campus have requested a transfer for five consecutive years,
12 the board shall, after a public hearing, repurpose the campus to
13 provide a magnet, early college, or other alternative program. The
14 board repurposing plan must be approved by the commissioner before
15 the campus may reopen.

16 (f) If the parents of more than four percent of students at a
17 campus have requested a transfer for seven consecutive years, the
18 board may not issue bonds for the acquisition or equipment of
19 facilities under Chapter 45 until the board makes a finding that the
20 bonds are prioritized to address the persistence of transfer
21 requests.

22 (g) If the parents of more than four percent of students at a
23 campus have requested a transfer for 10 consecutive years, the
24 board must close the campus for at least one school year. The
25 educational program, staffing, and budget of the campus must be
26 approved by the commissioner before the campus may be reopened.

27 (h) The board shall maintain on the district's Internet
28 website and shall annually notify parents in writing of the
29 percentage of transfer requests for the previous 10 years for the
30 campus to which a student is assigned.

31 (i) The commissioner may adopt rules to implement this

1 section.

2 (b) This section applies beginning with the 2013-2014
3 school year.



13 MAR 25 PM 1:38
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.H.B. No. 5 (house committee printing) on page 12 by
2 striking lines 23-26 and substituting the following:

3 (c-2) In adopting rules under Subsection (c-1), the State
4 Board of Education shall:

5 (1) require a student in order to earn any endorsement
6 to successfully complete four credits in mathematics, which must
7 include:

8 (A) the courses described by Subsection
9 (b-1)(2); and

10 (B) an additional advanced mathematics course
11 authorized under Subsection (b-2) or an advanced career and
12 technology course designated by the State Board of Education as
13 containing substantively similar and rigorous academic content to
14 such an advanced mathematics course; and

15 (2) develop additional curriculum requirements for
16 each endorsement with the direct participation of educators and
17 business and industry representatives.



FLOOR AMENDMENT NO. _____ 13 MAR 25 PM 1:37

BY:

John Branch

HOUSE OF REPRESENTATIVES
HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 5 by adding a new SECTION 2 to read as
2 follows and by renumbering subsequent sections appropriately:

3 SECTION 2. Subchapter C, Chapter 7, Education Code, is
4 amended by adding Section 7.064 to read as follows:

5 Sec. 7.064. CAREER AND TECHNOLOGY CONSORTIUM. (a) The
6 commissioner shall investigate available options for the state
7 to join a consortium of states for the purpose of developing
8 sequences of academically rigorous career and technology courses
9 in career areas that are high-demand, high-wage career areas in
10 this state.

11 (b) The curricula for the courses must include the
12 appropriate essential knowledge and skills adopted under
13 Subchapter A, Chapter 28.

14 (c) If the commissioner determines that joining a
15 consortium of states for this purpose would be beneficial for
16 the educational and career success of students in the state, the
17 commissioner may join the consortium on behalf of the state.



13 MAR 25 PM 1:37
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. 5 on page 8, line 14, between "requirements"
2 and the period, by inserting ", provided that each approved course
3 prepares students to enter the workforce successfully or
4 postsecondary education without remediation".



Ad. Waller
Mark Strame
Lon Rasmussen

Amend **CSHB 5** (house committee printing) on page 5, line 14, after "program", by inserting: "and the courses necessary to complete the curriculum requirements established under Subsection (b-14) for the distinguished level of achievement under the foundation high school program, unless the student and the student's parent or legal guardian:

(1) are provided with the information required to be provided under Section 33.007(b) in a language in which the parent or legal guardian is proficient, or the information is conveyed to the parent or legal guardian by a translator provided by the school district who is proficient in the same language in which the parent or legal guardian is proficient.;
and

(2) agree in writing signed by the student and the student's parent or legal guardian that each party understands that the student should be permitted to successfully complete the foundation high school program without meeting the requirements of the distinguished level of achievement established under Subsection (b-14)".

13MAY 22 10 09:15
HOUSE OF REPRESENTATIVES



Lon Burnam

Amend **CSHB 5** (house committee report) by inserting the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the article accordingly:

SECTION 14.____. Section 33.007, Education Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) The student and the student's parent or legal guardian shall sign a written notice acknowledging that they received and understand the information required to be provided to them under Subsection (b).

(e) The information under Subsections (b) and (d) shall be provided to the student's parent or legal guardian in a language in which the parent or legal guardian is proficient, or shall be conveyed to the parent or legal guardian by a translator provided by the school district who is proficient in the same language in which the parent or legal guardian is proficient.

13 MAR 22 AM 9:14
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: Lon Rammann

Amend CSHB 5 as follows:

- (1) In SECTION 2 of the bill, on page 2, line 11, between "business" and "and", insert ", labor".
- (2) In SECTION 5 of the bill, on page 12, line 26, between "business" and "and", insert ", labor".

EXPLANATION

Along with employing businesses, labor unions have a long-standing role in providing career and technology education through a variety of channels. Education programs in which labor participates include construction, manufacturing and other fields.

This amendment ensures that labor representatives play a role in developing career and technology education programs along with business representatives and other community leaders.

13MR25 FH 1:17
HOUSE OF REPRESENTATIVES



12/12/23 PM 1:51
HOUSE OF REPRESENTATIVES

BY: Tom Rasmussen

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) Strike page 36, line 20, through page 37, line 7, and
3 substitute the following:

4 (a) The commissioner shall adopt rules to evaluate school
5 district and campus performance and~~[, not later than August 8 of~~
6 ~~each year,~~] assign each district and campus a performance rating
7 that reflects acceptable performance or unacceptable performance.
8 Not later than August 8 of each year, the performance rating of each
9 district and campus shall be made publicly available as provided by
10 rules adopted under this subsection. If a district or campus
11 received a performance rating of unacceptable performance for the
12 preceding school year, the commissioner shall notify the district
13 of a subsequent such designation on or before June 15.

14 (2) On page 37, lines 24 and 25, strike "an acceptable
15 performance rating of A, B, or C, or an unacceptable performance
16 rating of F" and substitute "an acceptable or unacceptable
17 performance rating".

18 (3) On page 42, strike lines 6-14 and substitute the
19 following:

20 (e) Under the financial accountability rating system
21 developed under this section, each school district or
22 open-enrollment charter school, as applicable, shall be assigned a
23 passing or failing financial accountability rating. In adopting
24 rules under this section, the commissioner, in consultation with
25 the comptroller, shall determine the criteria for a passing
26 performance rating and a failing performance rating.

27 (4) On page 51, line 19, strike "letter".

28 (5) On page 51, line 23, strike "letter".

29 (6) On page 51, line 26, strike "letter".



13 MAR 25 PM 4:50
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Lon Burnam

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following SECTIONS to the bill and renumbering subsequent SECTIONS
3 of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.039 to read as follows:

6 Sec. 39.039. GRANT PROGRAM FOR ASSESSMENT INSTRUMENT FEES.

7 (a) The commissioner by rule shall establish a grant program under
8 which each educationally disadvantaged student may take, without
9 cost to the student:

10 (1) an advanced placement test;

11 (2) an international baccalaureate examination; or

12 (3) any assessment instrument that may be used to
13 satisfy the requirements for an assessment instrument administered
14 under Section 39.023(a), (c), or (l).

15 (b) Under the grant program, all fees associated with the
16 administration of an assessment instrument shall be paid using only
17 funds appropriated for the purpose from the Texas Enterprise Fund.

18 (b) This section takes effect September 1, 2013.

19 SECTION _____. (a) Section 481.078, Government Code, is
20 amended by amending Subsection (c) and adding Subsection (d-2) to
21 read as follows:

22 (c) Except as provided by Subsections (d), ~~and~~ (d-1), and
23 (d-2), the fund may be used only for economic development,
24 infrastructure development, community development, job training
25 programs, and business incentives.

26 (d-2) The fund may be used for the grant program established
27 under Section 39.039, Education Code, for the payment of fees
28 associated with the administration of assessment instruments
29 described under that section.

1 (b) This section takes effect September 1, 2013.



10/12/13 PM 4:06
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Lon Burnam

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter C, Chapter 39, Education Code,
5 is amended by adding Section 39.0542 to read as follows:

6 Sec. 39.0542. CHALLENGE RATINGS. (a) For purposes of this
7 section, a student is considered to have a challenge if the student:

8 (1) is educationally disadvantaged;

9 (2) is eligible for a school district special
10 education program under Section 29.003;

11 (3) is a student of limited English proficiency as
12 defined by Section 29.052;

13 (4) is a student at risk of dropping out of school as
14 defined by Section 29.081; or

15 (5) transfers between school districts or between
16 schools in a district during a school year.

17 (b) The commissioner shall adopt rules for assigning each
18 school district and each campus a challenge rating of a whole number
19 from zero to five, with five indicating the highest degree of
20 challenge. In assigning the challenge ratings, the commissioner
21 shall assign a rating for each category under Subsection (a) and an
22 aggregate challenge rating based on the category challenge ratings.

23 (c) Not later than August 8 of each year, the agency shall
24 make the challenge ratings of each campus and district publicly
25 available as provided by commissioner rule.

26 (b) This section applies beginning with the 2013-2014
27 school year.



13 MAR 25 AM 9:33
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Angie Chan Butts

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 15, line 12, strike "Section 28.027(b),
3 Education Code, is", and substitute "Sections 28.027(a) and (b),
4 Education Code, are".

5 (2) On page 15, between lines 13 and 14, insert the
6 following:

7 (a) In this section, "applied STEM course" means an applied
8 science, technology, engineering, or mathematics course offered as
9 part of a school district's career and technology education or
10 technology applications curriculum.

11 (3) On page 60, line 10, strike "career and technology
12 education", and substitute "career and technology education or
13 technology applications".



13 MAR 25 AM 9:33
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Angie Cha Batta

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 38, line 10, strike "and".
- 3 (2) On page 38, between lines 11 and 12, insert the
- 4 following:
- 5 (F) the digital learning environment; and



13 MAR 25 PM 12:22
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 41, line 5, between "Subsections" and "(d)" insert "(b-1),".

(2) On page 42, between lines 3 and 4, insert the following:

(b-1) In adopting uniform indicators under Subsection (b), the commissioner by rule shall adopt an indicator that recognizes a school district or open-enrollment charter school that publishes the district's or school's check register on the district's or school's Internet website. A district or school achieves the highest level of financial management performance under this indicator by updating its published check register at least monthly. A district or school that updates its register less frequently achieves a lower level of financial management performance as provided by rule.



13 MAR 25 PM 1:53

FLOOR AMENDMENT NO. _____ HOUSE OF REPRESENTATIVES

BY:

J. Capryline

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 35, between lines 23 and 24, insert the following:

(A) an indicator adopted under this subsection that would measure improvements in student achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already achieving at the highest level for that indicator.



13 MAR 25 1 10:38
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Die CORTEL

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 46, line 27, strike "and" and substitute
3 "[~~and~~]".

4 (2) Between page 46, line 27, and page 47, line 1, insert the
5 following:

6 (2) percentages of students who earned 12 semester
7 credit hours of college credit through the district's college
8 credit program implemented under Section 28.009; and

9 (3) On page 47, line 1, strike "(2)" and substitute "(3)".



13 MAR 25 PM 12:37
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: PHIL CORTEZ

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ (a) Sections 42.154(a) and (c), Education
5 Code, are amended to read as follows:

6 (a) For each full-time equivalent student in average daily
7 attendance in an approved career and technology education program
8 in grades eight [~~nine~~] through 12 or in career and technology
9 education programs for students with disabilities in grades seven
10 through 12, a district is entitled to:

11 (1) an annual allotment equal to the adjusted basic
12 allotment multiplied by a weight of 1.35; and

13 (2) \$50, if the student is enrolled in:

14 (A) two or more advanced career and technology
15 education classes for a total of three or more credits; or

16 (B) an advanced course as part of a tech-prep
17 program under Subchapter T, Chapter 61.

18 (c) Funds allocated under this section, other than an
19 indirect cost allotment established under State Board of Education
20 rule, must be used in providing career and technology education
21 programs in grades eight [~~nine~~] through 12 or career and technology
22 education programs for students with disabilities in grades seven
23 through 12 under Sections 29.182, 29.183, and 29.184.

24 (b) This section takes effect September 1, 2013.



13 MAR 25 PM 12:37
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: PAUL CORTEZ

- 1 Amend C.S.H.B. No. 5 as follows:
- 2 (1) On page 38, line 10, strike "and".
- 3 (2) On page 38, between lines 11 and 12, insert the
- 4 following:
- 5 (F) educational programs for gifted and talented
- 6 students; and



13 MAR 25 AM 10:29
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. The heading to Section 29.190, Education Code, is amended to read as follows:

Sec. 29.190. SUBSIDY FOR MANUFACTURING CERTIFICATION EXAMINATION.

SECTION _____. (a) Sections 29.190(a) and (c), Education Code, are amended to read as follows:

(a) A student is entitled to a subsidy under this section if:

(1) the student:

(A) successfully completes the career and technology program of a school district in which the student receives training and instruction for employment ~~[in a current or emerging high-demand, high-wage, high-skill occupation, as determined under Subsection (c)]~~; or

(B) is enrolled in a special education program under Subchapter A; and

(2) the student passes a certification examination to qualify for a license or certificate for an ~~[the]~~ occupation in the manufacturing industry ~~[, and~~

~~[(3) the student submits to the district a written application in the form, time, and manner required by the district for the district to subsidize the cost of an examination described by Subdivision (2)].~~

(c) On approval by the commissioner, the agency shall pay each school district an amount equal to the cost paid by the district ~~[or student]~~ for the certification examination. To

1 obtain reimbursement for a subsidy paid under this section, a
2 district must:

3 (1) pay the fee for the examination [~~or pay the student~~
4 ~~the amount of the fee paid by the student for the examination~~]; and

5 (2) submit to the commissioner a written application
6 on a form prescribed by the commissioner stating the amount of the
7 fee paid under Subdivision (1) for the certification examination.

8 (b) This section applies beginning with the 2013-2014
9 school year.

10 (2) On page 68, between lines 25 and 26, insert the
11 following appropriately numbered subdivision and renumber
12 subsequent subdivisions accordingly:

13 () Sections 29.190(b) and (e);



200

13 MAR 25 AM 10:30
HOUSE OF REPRESENTATIVES

Susan King
[Signature]
BY: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTIONS and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Section 25.083, Education Code, is
5 amended to read as follows:

6 Sec. 25.083. SCHOOL DAY INTERRUPTIONS. (a) The board of
7 trustees of each school district shall adopt and strictly enforce a
8 policy limiting interruptions of classes during the school day for
9 nonacademic activities such as announcements and sales promotions.
10 At a minimum, the policy must limit announcements other than
11 emergency announcements to once during the school day.

12 (b) The board of trustees of each school district shall
13 adopt and strictly enforce a policy limiting the removal of
14 students from class for remedial tutoring or test preparation. A
15 district may not remove a student from a regularly scheduled class
16 for remedial tutoring or test preparation if, as a result of the
17 removal, the student would miss more than 10 percent of the school
18 days on which the class is offered, unless the student's parent or
19 another person standing in parental relation to the student
20 provides to the district written consent for removal from class for
21 such purpose.

22 (b) This section applies beginning with the 2013-2014
23 school year.

24 SECTION _____. (a) The heading to Section 25.092, Education
25 Code, is amended to read as follows:

26 Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL
27 GRADE.

28 (b) This section applies beginning with the 2013-2014
29 school year.

1 SECTION _____. (a) Sections 25.092(a), (a-1), (b), and (d),
2 Education Code, are amended to read as follows:

3 (a) Except as provided by this section, a student in any
4 grade level from kindergarten through grade 12 may not be given
5 credit or a final grade for a class unless the student is in
6 attendance for at least 90 percent of the days the class is offered.

7 (a-1) A student who is in attendance for at least 75 percent
8 but less than 90 percent of the days a class is offered may be given
9 credit or a final grade for the class if the student completes a
10 plan approved by the school's principal that provides for the
11 student to meet the instructional requirements of the class. A
12 student under the jurisdiction of a court in a criminal or juvenile
13 justice proceeding may not receive credit or a final grade under
14 this subsection without the consent of the judge presiding over the
15 student's case.

16 (b) The board of trustees of each school district shall
17 appoint one or more attendance committees to hear petitions for
18 class credit or a final grade by students who are in attendance
19 fewer than the number of days required under Subsection (a) and have
20 not earned class credit or a final grade under Subsection (a-1).
21 Classroom teachers shall comprise a majority of the membership of
22 the committee. A committee may give class credit or a final grade
23 to a student because of extenuating circumstances. Each board of
24 trustees shall establish guidelines to determine what constitutes
25 extenuating circumstances and shall adopt policies establishing
26 alternative ways for students to make up work or regain credit or a
27 final grade lost because of absences. The alternative ways must
28 include at least one option that does not require a student to pay a
29 fee authorized under Section 11.158(a)(15). A certified public
30 school employee may not be assigned additional instructional duties
31 as a result of this section outside of the regular workday unless

1 the employee is compensated for the duties at a reasonable rate of
2 pay.

3 (d) If a student is denied credit or a final grade for a
4 class by an attendance committee, the student may appeal the
5 decision to the board of trustees. The decision of the board may be
6 appealed by trial de novo to the district court of the county in
7 which the school district's central administrative office is
8 located.

9 (b) This section applies beginning with the 2013-2014
10 school year.



13 MAR 25 AM 10:31
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 7, line 13, strike "and" and substitute "[~~and~~]".

3 (2) On page 7, line 15, strike the period and substitute "i
4 and".

5 (3) On page 7, between lines 15 and 16, insert the
6 following:

7 (9) the curriculum requirements for at least one
8 endorsement under Subsection (c-1).

9 (4) On page 11, line 21, after the semicolon, insert "and".

10 (5) On page 11, line 23, strike "; and" and substitute "."

11 (6) On page 11, strike lines 24 and 25.



HOUSE OF REPRESENTATIVES
FLOOR AMENDMENT NO. _____

BY: Y. Davis

Amend C.S.H.B. No. 5 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) The State Board of Education shall establish the Independent School District Education Improvement Commission to examine the following issues:

(1) the potential efficiencies realized in the administrative operations of a small or medium size school district compared to a large size school district;

(2) the potential improvements in the systematic management of a small or medium size school district compared to a large size school district;

(3) the financial stability of operating a small or medium size school district, including bond structure, tax revenue, and state assistance;

(4) any increase in parent accessibility to school district administration in a small or medium size district;

(5) the effects of a small or medium size district on enhancing feeder pattern continuity; and

(6) the effect of a projected student's enrollment on the ability of the current school district to meet the educational needs of the student.

(b) The commission is composed of:

(1) one person appointed by the Texas Association of School Boards;

(2) one person appointed by the Texas Association of Business & Chamber;

(3) one person appointed by the Texas Association of African American Chamber of Commerce;

(4) one person appointed by the Greater Dallas Asian American Chamber of Commerce;

(5) one person appointed by the Texas Association of Mexican American Chambers of Commerce;

(6) two members of different political parties appointed by the speaker of the house of representatives from a list of at least 5 names submitted by the members of the house from each political party required by law to hold a primary;

(7) two members of different political parties appointed by the lieutenant governor from a list of at least 5 names submitted by the members of the senate from each political party required by law to hold a primary;

(8) one representative appointed by the Texas Association of Appraisal Districts;

(12) a dean or representative from the college of education - University of North Texas-Dallas;

(13) a dean or representative of the college of education - Southern Methodist University;

(14) one person from three different regional education service centers representing different geographical areas, appointed of Texas Education Agency;

(15) one member from the State Board of Education of each political party required by law to hold a primary, appointed by the governor;

(16) one member appointed by the Texas Education Agency;
and

(17) the comptroller.

(c) The two State Board of Education members serve as co-chairs of the commission.

(d) The Texas Education Agency shall provide all necessary administrative and research support.

(e) The commission may seek research support from the Council of the Great City Schools and the North Central Texas Council of Governments or any other entity.

(f) Not later than September 1, 2014, the commission shall submit a preliminary report regarding the commission's findings to the governor, the lieutenant governor, the speaker of the house of representatives, the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education, the Dallas Independent School District, Dallas County, the City of Seagoville, and the City of Dallas. Not later than December 31, 2014, a final report must be submitted to the entities listed above.



FLOOR AMENDMENT NO. _____

10/17/05 BY: Y Davis

HOUSE OF REPRESENTATIVES

Amend C.S.H.B. No. 5 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter B, Chapter 21, Education Code, is amended by adding SECTION 21.061 to read as follows:

SECTION 21.061. DUE PROCESS REQUIRED. Before a superintendent may fire a principal, the principal is entitled to a notice and hearing.



13 MAR 21 PM 3:03
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Amel Dauter*

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.038 to read as follows:

6 Sec. 39.038. PROHIBITION ON POLITICAL CONTRIBUTION OR
7 ACTIVITY BY CERTAIN CONTRACTORS. (a) A person who is an agent of an
8 entity that has been contracted to develop or implement assessment
9 instruments required under Section 39.023 commits an offense if the
10 person makes or authorizes a political contribution to or takes
11 part in, directly or indirectly, the campaign of any person seeking
12 election to or serving on the State Board of Education.

13 (b) A person who is an agent of an entity that has been
14 contracted to develop or implement assessment instruments required
15 under Section 39.023 commits an offense if the person serves as a
16 member of a formal or informal advisory committee established by
17 the commissioner, agency staff, or the State Board of Education to
18 advise the commissioner, agency staff, or the State Board of
19 Education regarding policies or implementation of the requirements
20 of this subchapter.

21 (c) An offense under this section is a Class B misdemeanor.

22 (b) This section applies September 1, 2013.



13 MAR 25 PM 12:21
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 1 Anna T. [Signature]

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 28, Education
5 Code, is amended by adding Section 28.030 to read as follows:

6 Sec. 28.030. HIGH SCHOOL STUDENT SURVEY. (a) The agency
7 shall post on the agency's Internet website a survey to be completed
8 by high school students. The information requested by the survey
9 must include:

10 (1) the student's race, ethnicity, socioeconomic
11 status, and gender;

12 (2) the name of the school district the student
13 attends;

14 (3) whether the student is bilingual;

15 (4) details regarding the student's graduation plan,
16 including whether the student will graduate under the foundation
17 high school program or the distinguished level of achievement under
18 the foundation high school program and the reason the student
19 selected the graduation plan;

20 (5) any endorsement described by Section 28.025(c-1)
21 earned by the student and the reason the student selected the
22 endorsement; and

23 (6) the postgraduation plans of the student, including
24 whether the student will attend a community college, institution of
25 higher education, or trade school and any workforce goals of the
26 student, and the student's reasons for choosing those particular
27 postgraduation plans.

28 (b) A school district shall require each student to complete
29 the survey before the student graduates from high school.

1 (b) This section applies beginning with the 2017-2018
2 school year.



FLOOR AMENDMENT NO. 13MAR25 PM 1:41
HOUSE OF REPRESENTATIVES

BY:

1 Amend C.S.H.B. No. 5 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. (a) Subchapter C, Chapter 39, is amended by
5 adding Section 39.0531 to read as follows:

6 Sec. 39.0531. STUDENTS EVALUATED FOR PURPOSES OF
7 ACCOUNTABILITY RATINGS. Notwithstanding any other law, for
8 purposes of evaluating school district and campus performance
9 under Section 39.053(c), only the performance of African-
10 American males may be considered.

11 (b) This section applies beginning with the 2013-2014
12 school year.



13 MAR 25 AM 11:00
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Joe Farias

1 Amend C.S.H.B. No. 5 (house committee report) on page 44,
2 lines 22 and 23, by striking "identify problems" and substituting
3 "identify the specific areas of financial weaknesses, such as
4 financial weaknesses in transportation, curriculum, or teacher
5 development,".



13 MAR 25 AM 11:00
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Joe Farias

- 1 Amend C.S.H.B. No. 5 (house committee report) as follows:
- 2 (1) On page 38, line 10, strike "and".
- 3 (2) On page 38, between lines 11 and 12, insert the
- 4 following:
- 5 (F) dropout prevention strategies; and

13 MAR 25 11:07
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: _____

Marsha Jarney

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter A, Chapter 28, Education
5 Code, is amended by adding Section 28.00222 to read as follows:

6 Sec. 28.00222. INCREASE IN CAREER AND TECHNOLOGY EDUCATION
7 COURSES. (a) Not later than September 1, 2014, the State Board of
8 Education shall ensure that the number of approved career and
9 technology education courses is at least equal to twice the number
10 of approved courses on September 1, 2013.

11 (b) Not later than January 1, 2015, the commissioner shall
12 review and report to the governor, the lieutenant governor, the
13 speaker of the house of representatives, and the presiding officer
14 of each standing committee of the legislature with primary
15 responsibility over public primary and secondary education
16 regarding the progress of increasing the number of courses approved
17 for the career and technology education curriculum. The
18 commissioner shall include in the report a detailed description of
19 any new courses, including instructional materials and required
20 equipment, if any.

21 (c) This section expires September 1, 2017.

22 (b) This section applies beginning with the 2013-2014
23 school year.



FLOOR AMENDMENT NO. _____

BY: Marsha Jarney

1 Amend C.S.H.B. No. 5 (house committee report) on page 9, by
2 striking lines 11-22 and substituting the following:

3 (b-9) A school district may allow ~~[The agency shall~~
4 ~~establish a pilot program allowing]~~ a student ~~[attending school in~~
5 ~~a county with a population of more than one million and in which~~
6 ~~more than 75 percent of the population resides in a single~~
7 ~~municipality]~~ to satisfy the fine arts credit required under
8 Subsection (b-1)(7) ~~[(b-1)(3)(A)]~~ by participating in a
9 community-based fine arts program not provided by the school
10 district in which the student is enrolled. The fine arts program
11 may be provided on or off a school campus and outside the regular
12 school day. The fine arts program must provide instruction in the
13 essential knowledge and skills identified for the fine arts
14 curriculum under Section 28.002(c). ~~[Not later than December 1,~~
15 ~~2010, the agency shall provide to the legislature a report~~
16 ~~regarding the pilot program, including the feasibility of expanding~~
17 ~~the pilot program statewide.]~~



13 MAR 25 1983
HOUSE OF REPRESENTATIVES

Marsha Jarney

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) Strike the recital to SECTION 2 (page 2, lines 1-2) and
3 substitute the following:

4 SECTION 2. (a) Sections 28.002(a) and (f), Education Code,
5 are amended to read as follows:

6 (a) Each school district that offers kindergarten through
7 grade 12 shall offer, as a required curriculum:

8 (1) a foundation curriculum that includes:

9 (A) English language arts;

10 (B) mathematics;

11 (C) science; and

12 (D) social studies, consisting of Texas, United
13 States, and world history, government, economics, with emphasis on
14 the free enterprise system and its benefits, ~~and~~ geography, and
15 personal financial literacy; and

16 (2) an enrichment curriculum that includes:

17 (A) to the extent possible, languages other than
18 English;

19 (B) health, with emphasis on the importance of
20 proper nutrition and exercise;

21 (C) physical education;

22 (D) fine arts;

23 (E) career and technology education;

24 (F) technology applications; and

25 (G) religious literature, including the Hebrew
26 Scriptures (Old Testament) and New Testament, and its impact on
27 history and literature.

28 (2) Add the following appropriately numbered SECTION to the
29 bill and renumber subsequent SECTIONS of the bill accordingly:

1 SECTION _____. (a) Section 28.0021(b), Education Code, is
2 amended to read as follows:

3 (b) Each school district and each open-enrollment charter
4 school that offers a high school program shall provide to a student
5 instruction in personal financial literacy in any course meeting
6 the requirements for a social studies [~~an economics~~] credit under
7 Section 28.025, using materials approved by the State Board of
8 Education. The instruction in personal financial literacy must
9 include instruction on completing the application for federal
10 student aid provided by the United States Department of
11 Education. In fulfilling the requirement to provide financial
12 literacy instruction under this section, a school district or
13 open-enrollment charter school may use an existing state, federal,
14 private, or nonprofit program that provides students without charge
15 the instruction described under this section. [~~Each district and~~
16 ~~each open-enrollment charter school that offers a high school~~
17 ~~program shall ensure that a district or charter school student~~
18 ~~enrolled at an institution of higher education in a dual credit~~
19 ~~course meeting the requirements for an economics credit under~~
20 ~~Section 28.025 receives the instruction described under this~~
21 ~~subsection.~~]

22 (b) This section applies beginning with the 2014-2015
23 school year.

24 (3) On page 6, line 19, between "three" and "credits",
25 insert "and one-half".

26 (4) On page 6, line 22, strike "and".

27 (5) On page 6, line 23, between "history" and "[~~to~~", insert
28 ", and at least one-half credit in personal financial literacy
29 under Section 28.0021".

Amendment to Amendment

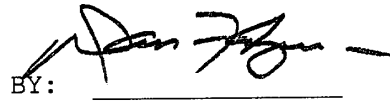
Amend amendment 830286

Amend the Farrar Amendment by striking the entirety of the original amendment and replacing it with the following: Amend CSHB 5, as follows:

1. opportunities for parents to assist students in preparing for assessments under 39.023
2. tutoring programs that support students taking assessments under 39.023, and
3. opportunities for students to participate in community service projects.



830139

BY: 

FLOOR AMENDMENT NO. _____

13 MAR 21 PM 4:35

1 Amend C.S.H.B. No.5 (~~house committee printing~~) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION 1. Subsection (a), Section 29.004, Education Code,
5 is amended to read as follows:

6 (a) A written report of a full individual and initial
7 evaluation of a student for purposes of special education
8 services shall be completed not later than the 60th school
9 [calendar] day following the date on which the school district,
10 in accordance with 20 U.S.C. Section 1414(a), as amended,
11 receives written consent for the evaluation, signed by the
12 student's parent or legal guardian.



13 MAR 25 AM 9:21
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTION and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education
5 Code, is amended by adding Section 39.0222 to read as follows:

6 Sec. 39.0222. ALTERNATIVE ASSESSMENT SYSTEM. (a) The
7 agency shall develop and implement an alternative assessment system
8 for students in grade levels three through eight in accordance with
9 this section.

10 (b) A school district may apply to the commissioner for
11 authority to assess students in grade levels three through eight
12 under the alternative system. The commissioner shall approve a
13 district's application unless exceptional circumstances indicate
14 that approval for the specific district is unwarranted.

15 (c) Under the alternative system, the assessment
16 instruments required by Sections 39.023(a), (b), and (1) shall be
17 used to assess a student's progress over the course of a school
18 year. To achieve that purpose, a school district that obtains
19 approval under Subsection (b) of this section shall administer the
20 assessment instruments to students at the beginning of the school
21 year and at the end of the school year.

22 (d) For purposes of public school accountability under this
23 chapter, the performance of a school district participating in the
24 alternative system shall be determined on the basis of a student's
25 progress during the school year.

26 (e) This section does not affect the applicability of
27 Section 28.0211 to students enrolled in a school district
28 participating in an alternative system.

29 (f) The commissioner shall adopt rules necessary to

1 implement this section.

2 (b) This section applies beginning with the 2013-2014
3 school year.



13 MAR 25 AM 9:22
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 22, between lines 10 and 11, insert the following appropriately numbered SECTION to the bill:

SECTION _____. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0221 to read as follows:

Sec. 39.0221. TEMPORARY MORATORIUM ON ADMINISTERING ASSESSMENT INSTRUMENTS. (a) The agency shall:

(1) develop a plan for school districts to suspend the administration of assessment instruments under Section 39.023 for the 2013-2014 and 2014-2015 school years;

(2) determine whether implementation of a plan under Subdivision (1) would result in the loss of any federal education funding under the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) or other federal law; and

(3) advise districts regarding any potential loss of federal education funding.

(b) The superintendent of a school district may suspend district administration of assessment instruments under Section 39.023 for the 2013-2014 and 2014-2015 school years if the suspension is:

(1) approved by the board of trustees of the district;
and

(2) consistent with the plan developed by the agency under Subsection (a).

(c) The superintendent of a school district may apply funds the superintendent identifies as savings from expenditures that would otherwise be required for assessment instruments or the administration of assessment instruments only to:

(1) the retention of teachers or other district

1 personnel with direct student contact and involvement; or

2 (2) consumable resources requested by classroom
3 teachers for classroom instruction.

4 (d) The amount of state funding a school district receives
5 each school year is not contingent on a superintendent's decision
6 under this section concerning the administration of assessment
7 instruments under Section 39.023 for the 2013-2014 and 2014-2015
8 school years.

9 (e) This section expires September 1, 2015.

10 (2) On page 45, between lines 17 and 18, insert the
11 following appropriately numbered SECTIONS into the bill:

12 SECTION _____. The heading to Section 39.116, Education
13 Code, is amended to read as follows:

14 Sec. 39.116. MORATORIUM ON [~~TRANSITIONAL~~] INTERVENTIONS
15 AND SANCTIONS.

16 SECTION _____. Sections 39.116(a), (d), (e), (f), and (g),
17 Education Code, are amended to read as follows:

18 (a) The [~~During the period of transition to the~~
19 ~~accreditation system established under H.B. No. 3, Acts of the 81st~~
20 ~~Legislature, Regular Session, 2009, to be implemented in August~~
21 ~~2013, the~~] commissioner may suspend assignment of accreditation
22 statuses and performance ratings for the 2013-2014 and 2014-2015
23 [~~2011-2012~~] school years [~~year~~].

24 (d) Beginning with the 2015-2016 [~~2013-2014~~] school year,
25 the commissioner shall evaluate district and campus performance
26 under the student achievement indicators under Section 39.053
27 [~~Sections 39.053(c)(1)(A) and (B)~~] and assign district
28 accreditation statuses and district and campus performance ratings
29 based on that evaluation.

30 (e) During the 2013-2014 [~~2011-2012~~] and 2014-2015
31 [~~2012-2013~~] school years, the commissioner may not [~~shall~~] continue

1 to implement interventions and sanctions for districts and campuses
2 identified as having unacceptable performance in the 2012-2013
3 ~~[2010-2011]~~ school year. Implementation of interventions and
4 sanctions are suspended until the end of the 2014-2015 school year.
5 The commissioner may adopt rules to administer this section ~~[in~~
6 ~~accordance with the performance standards applicable during the~~
7 ~~2010-2011 school year and may increase or decrease the level of~~
8 ~~interventions and sanctions based on an evaluation of the~~
9 ~~district's or campus's performance]~~.

10 (f) For purposes of determining multiple years of
11 unacceptable performance and required district and campus
12 interventions and sanctions under this subchapter, the performance
13 ratings and accreditation statuses issued in the 2012-2013
14 ~~[2010-2011]~~ and 2015-2016 ~~[2012-2013]~~ school years shall be
15 considered consecutive.

16 (g) This section expires September 1, 2017 ~~[2014]~~.

17 (3) On page 68, line 27, strike "and".

18 (4) On page 69, line 1, between "(c)" and the period, insert
19 the following:

20 ; and

21 (4) Section 39.116(b)

22 (5) Renumber SECTIONS of the bill appropriately.



13 MAR 25 AM 9:21
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter E, Chapter 45, Education
5 Code, is amended by adding Section 45.114 to read as follows:

6 Sec. 45.114. CAPITAL APPRECIATION BONDS PROHIBITED. The
7 governing board of an independent school district may not issue
8 capital appreciation bonds.

9 (b) The change in law made by this section does not affect
10 the validity of capital appreciation bonds issued before the
11 effective date of this Act.



13 MAR 25 AM 9:22

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) on page 22,
2 between lines 10 and 11, by adding the following appropriately
3 numbered SECTION to the bill and renumbering subsequent SECTIONS of
4 the bill accordingly:

5 SECTION _____. Subchapter B, Chapter 39, Education Code, is
6 amended by adding Section 39.0221 to read as follows:

7 Sec. 39.0221. TEMPORARY MORATORIUM ON ADMINISTERING
8 ASSESSMENT INSTRUMENTS. (a) The agency shall:

9 (1) develop a plan for school districts to suspend the
10 administration of assessment instruments under Section 39.023 for
11 the 2013-2014 and 2014-2015 school years;

12 (2) determine whether implementation of a plan under
13 Subdivision (1) would result in the loss of any federal education
14 funding under the No Child Left Behind Act of 2001 (20 U.S.C.
15 Section 6301 et seq.) or other federal law; and

16 (3) advise districts regarding any potential loss of
17 federal education funding.

18 (b) The superintendent of a school district may suspend
19 district administration of assessment instruments under Section
20 39.023 for the 2013-2014 and 2014-2015 school years if the
21 suspension is:

22 (1) approved by the board of trustees of the district;
23 and

24 (2) consistent with the plan developed by the agency
25 under Subsection (a).

26 (c) The superintendent of a school district may apply funds
27 the superintendent identifies as savings from expenditures that
28 would otherwise be required for assessment instruments or the
29 administration of assessment instruments only to:

1 (1) the retention of teachers or other district
2 personnel with direct student contact and involvement; or

3 (2) consumable resources requested by classroom
4 teachers for classroom instruction.

5 (d) The amount of state funding a school district receives
6 each school year is not contingent on a superintendent's decision
7 under this section concerning the administration of assessment
8 instruments under Section 39.023 for the 2013-2014 and 2014-2015
9 school years.

10 (e) This section expires September 1, 2015.



10 MAR 25 PM 12:24
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Biddle*

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 7.056(e), Education Code, is
5 amended to read as follows:

6 (e) Except as provided by Subsection (f), a school campus or
7 district may not receive an exemption or waiver under this section
8 from:

9 (1) a prohibition on conduct that constitutes a
10 criminal offense;

11 (2) a requirement imposed by federal law or rule,
12 including a requirement for special education or bilingual
13 education programs; or

14 (3) a requirement, restriction, or prohibition
15 relating to:

16 (A) essential knowledge or skills under Section
17 28.002 or high school graduation requirements under Section 28.025;

18 (B) public school accountability as provided by
19 Subchapters B, C, D, E, and J, Chapter 39;

20 (C) extracurricular activities under Section
21 33.081 or participation in a University Interscholastic League
22 area, regional, or state competition under Section 33.0812;

23 (D) health and safety under Chapter 38;

24 (E) purchasing under Subchapter B, Chapter 44;

25 (F) elementary school class size limits, except
26 as provided by Section 25.112;

27 (G) removal of a disruptive student from the
28 classroom under Subchapter A, Chapter 37;

29 (H) at-risk programs under Subchapter C, Chapter

1 29;

2 (I) prekindergarten programs under Subchapter E,
3 Chapter 29;

4 (J) educator rights and benefits under
5 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter
6 A, Chapter 22;

7 (K) special education programs under Subchapter
8 A, Chapter 29;

9 (L) bilingual education programs under
10 Subchapter B, Chapter 29; ~~[or]~~

11 (M) the requirements for the first day of
12 instruction under Section 25.0811; or

13 (N) assignment of a student to a teacher under
14 Section 28.0215, except as provided by Subsection (f) of that
15 section.

16 (b) This section applies beginning with the 2013-2014
17 school year.

18 SECTION _____. (a) Subchapter B, Chapter 28, Education Code,
19 is amended by adding Section 28.0215 to read as follows:

20 Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO
21 TEACHERS. (a) This section applies only to a school district with
22 an enrollment of 5,000 or more students.

23 (b) A student in kindergarten through grade six may not be
24 assigned for two consecutive school years to a teacher who:

25 (1) has less than one year of teaching experience; or

26 (2) does not hold the appropriate certificate required
27 under Section 21.003.

28 (c) In a subject for which a student is assessed under
29 Section 39.023(a) or (c), a student in grades 7 through 12 may not
30 be assigned for two consecutive years to a teacher who:

31 (1) has less than one year of teaching experience; or

1 (2) does not hold the appropriate certificate required
2 under Section 21.003.

3 (d) The requirement imposed by Subsection (b) or (c) does
4 not apply if the student's parent or other person standing in
5 parental relation to the student and a school counselor or school
6 administrator agree otherwise regarding assignment of the student
7 to a teacher.

8 (e) Subsection (b) or (c) does not apply to the first year a
9 student transfers into a school district.

10 (f) The commissioner may grant a waiver from the
11 requirements of this section to a school district if the
12 commissioner finds that extreme circumstances in the district
13 warrant the waiver. The commissioner may adopt rules as necessary
14 to implement this section.

15 (b) This section applies beginning with the 2013-2014
16 school year.



13 MAR 25 PM 12:25
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Helen Giddings

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTION and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Section 29.081, Education Code, is
5 amended by adding Subsections (b-1), (b-2), and (b-3) to read as
6 follows:

7 (b-1) Each district shall provide additional accelerated
8 instruction to a student in each subject in which the student has
9 failed to perform satisfactorily on an end-of-course assessment
10 instrument as required under Section 39.025 for the student to
11 graduate. The accelerated instruction shall be provided before the
12 next scheduled administration of the assessment instrument and at
13 no cost to the student.

14 (b-2) A district shall separately budget sufficient funds,
15 including funds under Section 42.152, to provide accelerated
16 instruction under Subsection (b-1). A district may not budget
17 funds received under Section 42.152 for any other purpose until it
18 has adopted a budget to support additional accelerated instruction
19 under Subsection (b-1).

20 (b-3) A district shall evaluate the effectiveness of
21 accelerated instruction programs under Subsection (b-1) and hold a
22 public hearing once each year to consider the results.

23 (b) This section applies beginning with the 2013-2014
24 school year.



13 MAR 25 PM 12:24
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Walter Biddings

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 37.124(d), Education Code, is
5 amended to read as follows:

6 (d) It is an exception to the application of Subsection (a)
7 that, at the time the person engaged in conduct prohibited under
8 that subsection, the person was younger than 12 years of age [a
9 ~~student in the sixth grade or a lower grade level~~].

10 (b) This section takes effect September 1, 2013.

11 SECTION _____. (a) Section 37.126(c), Education Code, is
12 amended to read as follows:

13 (c) It is an exception to the application of Subsection
14 (a)(1) that, at the time the person engaged in conduct prohibited
15 under that subdivision, the person was younger than 12 years of age
16 [a ~~student in the sixth grade or a lower grade level~~].

17 (b) This section takes effect September 1, 2013.

18 SECTION _____. Sections 37.124(d) and 37.126(c), Education
19 Code, as amended by this Act, apply only to an offense committed on
20 or after September 1, 2013. An offense committed before September
21 1, 2013, is covered by the law in effect when the offense was
22 committed, and the former law is continued in effect for that
23 purpose. For purposes of this section, an offense was committed
24 before September 1, 2013, if any element of the offense was
25 committed before that date.



13 MAR 25 PM 12:10
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 4, line 24, between "(b-14)," and "(c-1)",
3 insert "(b-15),".

4 (2) On page 11, between lines 25 and 26, insert the
5 following:

6 (b-15) Notwithstanding any other law, a school district may
7 contract with any other entity, including a school district or an
8 institution of higher education, to provide a course that meets the
9 requirements of this section, as determined by the district.



10 MAY 25 PM 1:02
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 35, line 21, strike "and".

(2) On page 35, strike lines 22-23 and substitute the following:

(4) the percentage of students who successfully completed the curriculum requirements for the distinguished level of achievement under the foundation high school program;

(5) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1); and

(6) at least three additional indicators of student achievement to evaluate district and campus performance.



Amendment NO. _____

10 MAY 25 11:13 AM
HOUSE OF REPRESENTATIVES

BY: _____

1 Amend HB 5 (house committee report) on page 39 of the bill
2 by adding the following appropriately numbered SECTION and
3 renumbering subsequent SECTIONS accordingly:

4 SECTION _____. (a) Section 39.056, Education Code, is
5 amended to read as follows:

6 (d) The agency shall give written notice to the
7 superintendent and the board of trustees of a school district of
8 any impending investigation of the district's accreditation.

9 (e) The investigators shall report orally and in writing
10 to the board of trustees of the school district and, as
11 appropriate, to campus administrators and shall make
12 recommendations concerning any necessary improvements or sources
13 of aid such as regional education service centers.

14 (f) A district which takes action with regard to the
15 recommendations provided by the investigators as prescribed by
16 subsection (e) shall make a reasonable effort to seek assistance
17 from a third party in developing an action plan to improve
18 district performance using improvement techniques that are goal
19 oriented and research-based.



13 MAR 25 PM 12:46

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Mary E. Gonzalez

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Strike page 49, lines 14 through 17, and substitute the following:

(4) for each campus, the number of students, disaggregated by major student subpopulations, that:

(A) [~~agree under Section 28.025(b) to~~] take courses only under the foundation [minimum] high school program; or

(B) are enrolled in the curriculum requirements necessary to earn a distinguished level of achievement under the foundation high school program;

(2) On page 49, line 18, strike "[~~5~~]" and substitute "(5)".

(3) On page 50, line 1, strike "(5) [~~6~~]" and substitute "(6)".

(4) On page 50, line 4, strike "(6) [~~7~~]" and substitute "(7)".

(5) On page 50, line 8, strike "(7) [~~8~~]" and substitute "(8)".

(6) On page 50, line 10, strike "(8) [~~9~~]" and substitute "(9)".

(7) On page 50, line 13, strike "(9) [~~10~~]" and substitute "(10)".

(8) On page 50, line 15, strike "(10) [~~11~~]" and substitute "(11)".

(9) On page 50, line 18, strike "(11) [~~12~~]" and substitute "(12)".

(10) Strike page 50, line 24, through page 51, line 12, and renumber subsequent SECTIONS appropriately.



13 MAR 25 PM 12:45

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Mary E. Gonzalez

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 33, between lines 12 and 13, insert the following appropriately numbered SECTION:

SECTION _____. (a) Section 39.027, Education Code, is amended by adding Subsection (a-2) to read as follows:

(a-2) Unless a student is enrolled in a school in the United States for a period of at least 60 consecutive days during a year, the student may not be considered to be enrolled in a school in the United States for that year for the purpose of determining a number of years under Subsection (a)(1), (2), or (3).

(b) This section applies beginning with the 2013-2014 school year.

(2) On page 69, between lines 21 and 22, insert the following appropriately numbered SECTION:

SECTION _____. Section 39.027(a-2), Education Code, as added by this Act, applies to a student regardless of the date on which the student initially enrolled in a school in the United States.

(3) Renumber SECTIONS of the bill appropriately.



13 MAR 25 PM 12:43
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Mary E. Gonzalez

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter D, Chapter 25, Education
5 Code, is amended by adding Section 25.115 to read as follows:

6 Sec. 25.115. REPORT OF CLASS SIZE TO AGENCY. Not later than
7 October 1 of each school year, a school district shall report to the
8 agency the number of students enrolled as of September 1 in each
9 class of each grade level from kindergarten through grade 12 in the
10 district.

11 (b) This section applies beginning with the 2013-2014
12 school year.



13 MAR 25 PM 12:45
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Mary E. Gonzalez

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 4, line 23, between "(b-5)," and "(b-7)", insert
3 "(b-6),".

4 (2) On page 5, strike lines 11-25 and substitute the
5 following:

6 (b) A school district shall ensure that each student enrolls
7 in the courses necessary to complete the curriculum requirements
8 identified by the State Board of Education under Subsection (a) for
9 the distinguished level of achievement under the foundation
10 ~~[recommended or advanced]~~ high school program unless the student,
11 the student's parent or other person standing in parental relation
12 to the student, and a school counselor or school administrator
13 agree in writing signed by each party that the student should be
14 permitted to take courses under the foundation ~~[minimum]~~ high
15 school program ~~[and the student]~~.

16 ~~[(1) is at least 16 years of age,~~

17 ~~[(2) has completed two credits required for graduation~~
18 ~~in each subject of the foundation curriculum under Section~~
19 ~~28.002(a)(1), or~~

20 ~~[(3) has failed to be promoted to the tenth grade one~~
21 ~~or more times as determined by the school district].~~

22 (3) On page 9, between lines 1 and 2, insert the following:

23 (b-6) Before a student's parent or other person standing in
24 parental relation to the student may agree that the student be
25 permitted to take courses under the foundation ~~[minimum]~~ high
26 school program as provided by Subsection (b), a school district
27 must provide written notice to the parent or person standing in
28 parental relation explaining the benefits of the distinguished
29 level of achievement under the foundation ~~[recommended]~~ high school

1 program. The notice must include an explanation that a student must
2 successfully complete the curriculum requirements for the
3 distinguished level of achievement under the foundation high school
4 program to be eligible for automatic college admission under
5 Section 51.803 ~~[shall be developed by the agency and must,~~
6 ~~[(1) be printed in English and Spanish; and~~
7 ~~[(2) require that the student's parent or person~~
8 ~~standing in parental relation to the student sign a confirmation of~~
9 ~~receipt and return the confirmation to the student's campus].~~
10 (4) On page 69, line 5, strike "Sections 28.025(b-6),
11 (b-8)," and substitute "Sections 28.025(b-8)".



13 MAR 25 PM 12:43
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: May E. Gonzalez

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 33, between lines 12 and 13, insert the following appropriately numbered SECTION:

SECTION _____. (a) Section 39.027, Education Code, is amended by adding Subsection (a-2) to read as follows:

(a-2) Unless a student is enrolled in a school in the United States for a period of at least 60 consecutive days during a year, the student may not be considered to be enrolled in a school in the United States for that year for the purpose of determining a number of years under Subsection (a)(1), (2), or (3).

(b) This section applies beginning with the 2013-2014 school year.

(2) On page 36, lines 18 and 19, strike "Sections 39.054(a) and (b), Education Code, are amended" and substitute "Section 39.054, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (d-2)".

(3) On page 37, between lines 14 and 15, insert the following:

(d-2) In evaluating performance under Subsection (c), the commissioner may not lower a performance rating for purposes of this chapter based on unsatisfactory performance on an assessment instrument administered under Section 39.023(a), (b), (c), (1), or (n) to a student for a period of three years after the student's initial enrollment in a school in the United States if the student is a student of limited English proficiency, as defined by Section 29.052. Unless a student is enrolled in a school in the United States for a period of at least 60 consecutive days during a year, the student may not be considered to be enrolled in a school in the United States for that year for purposes of this subsection. This

1 subsection does not apply to a performance rating for purposes of:
2 (1) compliance monitoring under Section 7.028; or
3 (2) public school accountability under federal law.
4 (4) On page 69, between lines 21 and 22, insert the
5 following appropriately numbered SECTION:
6 SECTION _____. Sections 39.027(a-2) and 39.054(d-2),
7 Education Code, as added by this Act, apply to a student regardless
8 of the date on which the student initially enrolled in a school in
9 the United States.
10 (5) Renumber SECTIONS of the bill appropriately.



13 MAR 25 PM 12:44
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Mary E. Gonzalez

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 52, line 18, strike ", (b),".

(2) On page 53, line 8, strike "distinguished level of achievement under the".

(3) On page 53, line 12, strike "distinguished level of achievement under the".

(4) Strike page 53, line 23, through page 54, line 18 and substitute the following:

(d) For purposes of Subsection (c)(2), a student's official transcript or diploma must, not later than the end of the student's junior year, indicate[+

[~~(1)~~] whether the student has satisfied or is on schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or (ii), as applicable[~~, or~~

~~[(2) if Subsection (b) applies to the student, whether the student has completed the portion of the recommended or advanced curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student].~~

(5) On page 55, between lines 1 and 2, insert the following new SECTION, appropriately numbered:

SECTION _____. (a) Section 51.804, Education Code, is amended to read as follows:

Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED INSTITUTIONS. For each academic year, the governing board of each general academic teaching institution shall determine whether to adopt an admissions policy under which an applicant to the institution as a first-time freshman student, other than an applicant eligible for admission under Section 51.803, shall be admitted to the institution if the applicant:

1 (1) graduated from a public or private high school in
2 this state accredited by a generally recognized accrediting
3 organization with a grade point average in the top 25 percent of the
4 applicant's high school graduating class; and

5 (2) satisfies the requirements of:

6 (A) Section 51.803(a)(2)(A) or (B) [~~51.803(b),~~
7 ~~as applicable to the student, or Section 51.803 (a)(2)(B)]~~; and

8 (B) Sections 51.803(c)(2) and 51.803(d).

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 (6) On page 56, lines 14-16, strike "or the distinguished
12 level of achievement under the foundation high school program".

13 (7) On page 69, line 4, strike "and".

14 (8) On page 69, line 5, between "(g)" and the period, insert
15 the following:

16 ; and

17 (3) Section 51.803(b)

18 (9) Renumber subsequent SECTIONS of the bill appropriately.



13 MAR 25 PM 12:44
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Mary E. Gungor

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTION and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Section 28.0213, Education Code, is
5 amended by amending Subsection (b) and adding Subsection (b-1) to
6 read as follows:

7 (b) A school district or the committee established under
8 Subsection (b-1), if applicable, shall design the intensive program
9 of instruction described by Subsection (a) to:

10 (1) enable the student to:

11 (A) to the extent practicable, perform at the
12 student's grade level at the conclusion of the next regular school
13 term; ~~[or]~~

14 (B) attain a standard of annual growth specified
15 by the school district and reported by the district to the agency;
16 or

17 (C) perform satisfactorily on the end-of-course
18 assessment instrument required for graduation under Section 39.025
19 on which the student previously failed to perform satisfactorily;
20 and

21 (2) if applicable, carry out the purposes of Section
22 28.0211.

23 (b-1) When a student fails to perform satisfactorily on an
24 end-of-course assessment instrument required for graduation under
25 Section 39.025, the school district in which the student attends
26 school shall establish a committee to prescribe the intensive
27 program of instruction the district shall provide to the student
28 before the student is again administered the assessment instrument.
29 The committee shall be composed of the principal or the principal's

1 designee, the student's parent or guardian, and the teacher of the
2 subject of the end-of-course assessment instrument on which the
3 student failed to perform satisfactorily. The district shall notify
4 the parent or guardian of the time and place for convening the
5 committee and the purpose of the committee.

6 (b) This section applies beginning with the 2013-2014
7 school year.



13 MAR 25 PM 12:58
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 3, lines 13-14, between "may" and "~~[shall]~~",
- 3 insert "not".
- 4 (2) On page 22, line 21, strike "and may ~~[shall]~~" and
- 5 substitute ". A school district may not ~~[and shall]~~".



13 MAR 25 PM 12:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 22, line 11, strike "and (c-3)," and substitute
3 "(c-3), and (e),".

4 (2) On page 24, between lines 17 and 18, insert the
5 following:

6 (e) Under rules adopted by the State Board of Education,
7 each [~~every third~~] year, the agency shall release the questions and
8 answer keys to each assessment instrument administered under
9 Subsection (a), (b), (c), (d), or (1), excluding any assessment
10 instrument administered to a student for the purpose of retaking
11 the assessment instrument, after the last time the instrument is
12 administered for that school year. To ensure a valid bank of
13 questions for use each year, the agency is not required to release a
14 question that is being field-tested and was not used to compute the
15 student's score on the instrument. The agency shall also release,
16 under board rule, each question that is no longer being
17 field-tested and that was not used to compute a student's score.



FLOOR AMENDMENT NO. _____

BY: _____

Gooden

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Strike page 36, line 20, through page 37, line 7, and substitute the following:

(a) The commissioner shall adopt rules to evaluate and report school district and campus performance. Not ~~[and, not]~~ later than August 8 of each year, the commissioner shall assign each district and campus a performance rating that reflects acceptable performance or unacceptable performance and make the performance report required under this section publicly available as provided by rules adopted under Section 39.305(c). If a district or campus received a performance rating of unacceptable performance for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15.

(2) Strike page 37, line 19, through page 38, line 1, and substitute the following:

Sec. 39.0545. SCHOOL DISTRICT EVALUATION OF PERFORMANCE IN COMMUNITY AND STUDENT ENGAGEMENT; COMPLIANCE. (a) Each school district shall evaluate and report the district's performance and the performance of each campus in the district in community and student engagement and in compliance as provided by this section. Not later than July 1 of each year, the district shall submit the report to the agency. Not later than August 8 of each year, the district shall make the report publicly available as provided by Section 39.305(c).

(3) On page 38, line 2, strike "assigning the performance ratings" and substitute "the report".

(4) On page 41, line 6, strike "(g), (h), (h-1), and (i)" and substitute "(g), (g-1), and (h)".

(5) On page 42, strike lines 6-14.

1 (6) On page 42, line 15, strike "(f)" and substitute "(e)".
2 (7) On page 42, line 16, strike "a failing rating" and
3 substitute "a rating of substandard".
4 (8) On page 42, line 23, strike "(g)" and substitute "(f)".
5 (9) On page 43, line 7, strike "(h)" and substitute "(g)".
6 (10) On page 43, line 9, strike "(h-1)" and substitute
7 "(g-1)".
8 (11) On page 43, line 13, strike "(i)" and substitute "(h)".
9 (12) Strike page 50, line 24, through page 51, line 10, and
10 substitute the following:
11 SECTION 38. (a) Sections 39.305(b) and (c), Education
12 Code, are amended to read as follows:
13 (b) The report card shall include the following
14 information:
15 (1) where applicable, the student achievement
16 indicators described by Section 39.053(c) and the reporting
17 indicators described by Sections 39.301(c)(1) through (4) [~~(5)~~];
18 (2) average class size by grade level and subject;
19 (3) the administrative and instructional costs per
20 student, computed in a manner consistent with Section 44.0071;
21 [~~and~~]
22 (4) the district's instructional expenditures ratio
23 and instructional employees ratio computed under Section 44.0071,
24 and the statewide average of those ratios, as determined by the
25 commissioner;
26 (5) a one-page summary of the report required under
27 Section 39.054;
28 (6) a one-page summary of the report required under
29 Section 39.0545; and
30 (7) a one-page summary of the following information:
31 (A) campus characteristics and the statewide

1 average of those characteristics, including:

2 (i) the total number of students enrolled
3 at the campus;

4 (ii) the percentage of educationally
5 disadvantaged students enrolled at the campus;

6 (iii) the percentage of students enrolled
7 at the campus who are at risk of dropping out of school, as defined
8 by Section 29.081;

9 (iv) for a campus with students enrolled in
10 grades nine through 12, the completion rates for the campus for
11 grades nine through 12;

12 (v) for a campus with students enrolled in
13 grades nine through 12, the dropout rate of the campus; and

14 (vi) for a campus with students enrolled in
15 kindergarten through grade eight, student attendance rates for the
16 campus;

17 (B) campus academic accountability information,
18 including:

19 (i) a chart or graphical representation of
20 the percentage of students performing satisfactorily on an
21 assessment instrument adopted under Section 39.023 aggregated and
22 disaggregated by each ethnic subpopulation accounting for at least
23 20 percent of the student population, socioeconomic status, and
24 eligibility for special education services; and

25 (ii) instructions for locating additional
26 publicly available academic achievement information, including a
27 link to information available on the agency's Internet website; and

28 (C) financial accountability information for the
29 district in which the campus is located, including:

30 (i) the financial accountability rating
31 assigned under Section 39.082;

1 (ii) the district's fund balance to
2 district expenditures ratio represented as a percentage, and the
3 statewide average of that ratio;

4 (iii) whether the district's fund balance
5 complies with agency recommendations;

6 (iv) the district's tax rate and the
7 statewide average tax rate; and

8 (v) the average per student expenditure per
9 campus aggregated and disaggregated by local, state, and federal
10 funds, and the statewide average of those expenditures.

11 (c) The commissioner shall adopt rules requiring
12 dissemination of the information required under Subsections
13 (b)(4), (5), (6), and (7) [~~Subsection (b)(4)~~] and appropriate class
14 size and student performance portions of campus report cards
15 annually to the parent, guardian, conservator, or other person
16 having lawful control of each student at the campus. On written
17 request, the school district shall provide a copy of a campus report
18 card to any other party.

19 (13) Strike page 51, line 15, through page 52, line 1, and
20 substitute the following:

21 Sec. 39.363. NOTICE ON AGENCY WEBSITE. Not later than
22 August 31 of each year, the agency shall make the following
23 information available to the public on the agency's Internet
24 website:

25 (1) the performance rating assigned to each school
26 district and campus under Section 39.054 and each distinction
27 designation awarded to a school district or campus under Subchapter
28 G, Chapter 39;

29 (2) each school district and campus report required
30 under Section 39.0545; and

31 (3) the financial accountability rating assigned to

- 1 each school district and open-enrollment charter school under
- 2 Section 39.082.



13 MAR 25 AM 9:50
HOUSE OF REPRESENTATIVES

BY: 

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 36, lines 18 and 19, strike "Sections 39.054(a)
3 and (b), Education Code, are amended" and substitute "Section
4 39.054, Education Code, is amended by amending Subsections (a) and
5 (b) and adding Subsection (g)".

6 (2) On page 37, between lines 14 and 15, insert the
7 following:

8 (g) This subsection applies notwithstanding any other
9 provision of this chapter. This subsection applies only to a
10 student of limited English proficiency, as defined by Section
11 29.052, and only to an assessment instrument administered under
12 Section 39.023(a), (b), or (1). In evaluating school district and
13 campus performance under this section on the basis of the student
14 achievement indicator under Section 39.053(c)(1), the commissioner
15 may not consider performance on an assessment instrument
16 administered to a student for the first year after the student's
17 initial enrollment in a school in the United States. Unless a
18 student receives at least 90 days of instruction during a school
19 year, that school year is not considered for purposes of initial
20 enrollment. During each of the two years following the first year
21 after the student's initial enrollment in a school in the United
22 States, in evaluating performance under this section on the basis
23 of the student achievement indicator under Section 39.053(c)(1),
24 the commissioner shall consider the student as performing
25 satisfactorily on an assessment instrument if the student has shown
26 annual improvement in student achievement.



13 MAR 25 AM 9:56
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Roland Gutierrez

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) In this section, "agency" means the Texas
5 Education Agency.

6 (b) The agency shall conduct a study to determine if a cost
7 benefit or efficiency would result from the consolidation of school
8 districts in Bexar County. In conducting the study, the agency
9 shall consider the consolidation of all school districts with a
10 majority of district territory in Bexar County to:

11 (1) one school district; and

12 (2) five school districts.

13 (c) Not later than December 1, 2014, the agency shall:

14 (1) publish the results of the study on the agency's
15 Internet website; and

16 (2) deliver a written report of the results of the
17 study to:

18 (A) the governor, the lieutenant governor, the
19 speaker of the house of representatives, and the presiding officer
20 of each standing legislative committee with primary jurisdiction
21 over public education;

22 (B) the mayor of San Antonio; and

23 (C) the board of trustees of each school district
24 with a majority of territory in Bexar County.

25 (d) This section expires September 1, 2015.



13 MAR 25 AM 11:33
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Frederick H. Brown

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 34, line 12, strike "Section 39.053(c),
3 Education Code, is" and substitute "Sections 39.053(c) and (g-1),
4 Education Code, are".

5 (2) On page 35, between lines 23 and 24, insert the
6 following:

7 (g-1) In computing dropout and completion rates under
8 Subsection (c)(2), the commissioner shall exclude:

9 (1) students who are ordered by a court to attend a
10 high school equivalency certificate program but who have not yet
11 earned a high school equivalency certificate;

12 (2) students who were previously reported to the state
13 as dropouts, including a student who is reported as a dropout,
14 reenrolls, and drops out again, regardless of the number of times of
15 reenrollment and dropping out;

16 (3) students in attendance who are not in membership
17 for purposes of average daily attendance;

18 (4) students whose initial enrollment in a school in
19 the United States in grades 7 through 12 was as unschooled refugees
20 or asylees as defined by Section 39.027(a-1);

21 (5) students who are in the district exclusively as a
22 function of having been detained at a county detention facility but
23 are otherwise not students of the district in which the facility is
24 located; and

25 (6) students who are incarcerated in state jails and
26 federal penitentiaries as adults and as persons certified to stand
27 trial as adults.

28 (3) On page 37, between lines 16 and 17, add the following
29 appropriately numbered SECTION to the bill:

1 SECTION _____. (a) Subchapter C, Chapter 39, Education Code,
2 is amended by adding Section 39.0541 to read as follows:

3 Sec. 39.0541. STANDARDS FOR EVALUATING COMPLETION AND
4 DROPOUT RATES. For purposes of evaluating a school district or
5 campus or an open-enrollment charter school for adequate yearly
6 progress under the No Child Left Behind Act of 2001 (20 U.S.C.
7 Section 6301 et seq.) and, notwithstanding Section 39.053(c)(2),
8 for accountability under this chapter and for performance under an
9 agency performance-based monitoring analysis system:

10 (1) a student who graduates from a school district
11 campus or open-enrollment charter school is considered a high
12 school graduate of the campus or school regardless of whether the
13 student graduates with the student's ninth grade cohort; and

14 (2) consistent with Section 39.053(g-1)(2), a student
15 who was previously reported to the state as a dropout, including a
16 student who is reported as a dropout, reenrolls, and drops out
17 again, regardless of the number of times of reenrollment and
18 dropping out, shall be excluded in computing completion and dropout
19 rates.

20 (b) This section applies beginning with the 2013-2014
21 school year.

22 (4) Renumber SECTIONS of the bill appropriately.



13 MAR 25 AM 11:34
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Indira Harper Brown

1 Amend C.S.H.B. No. 5 (house committee printing) on page 37,
2 between lines 16 and 17, by adding the following appropriately
3 numbered SECTION to the bill and renumbering the subsequent
4 SECTIONS accordingly:

5 SECTION _____. (a) Subchapter C, Chapter 39, Education
6 Code, is amended by adding Section 39.0541 to read as follows:

7 Sec. 39.0541. EVALUATING OPEN-ENROLLMENT CHARTER SCHOOLS.
8 For purposes of evaluating an open-enrollment charter school for
9 adequate yearly progress under the No Child Left Behind Act of 2001
10 (20 U.S.C. Section 6301 et seq.) and, notwithstanding Section
11 39.053(c)(2), for accountability under this chapter and for
12 performance under an agency performance-based monitoring analysis
13 system, a student who graduates from the school is considered a high
14 school graduate regardless of whether the student graduates with
15 the student's ninth grade cohort.

16 (b) This section applies beginning with the 2013-2014
17 school year.



Anthony Luna

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding to
2 the bill the following appropriately numbered SECTIONS and
3 renumbering SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 39.026, Education Code, is amended
5 to read as follows:

6 Sec. 39.026. LOCAL OPTION. In addition to the assessment
7 instruments adopted by the agency and administered by the State
8 Board of Education, a school district may adopt and administer
9 criterion-referenced or norm-referenced assessment instruments, or
10 both, at any grade level beginning at the first grade level. A
11 norm-referenced assessment instrument adopted under this section
12 must be economical, nationally recognized, and state-approved.

13 (b) This section applies beginning with the 2013-2014
14 school year.

15 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
16 is amended by adding Section 39.0263 to read as follows:

17 Sec. 39.0263. RESTRICTION ON ASSESSMENT OF STUDENTS IN
18 CERTAIN GRADE LEVELS. (a) Except as provided by Subsection (b),
19 the agency, the State Board of Education, or a school district may
20 not require administration of a standardized criterion-referenced
21 or norm-referenced assessment instrument, including an achievement
22 test, to students in prekindergarten or kindergarten.

23 (b) Subsection (a) does not apply to:

24 (1) a reading instrument administered under Section
25 28.006;

26 (2) an English language proficiency test under Section
27 29.056(a);

28 (3) an assessment instrument administered to students
29 in one or more of a school's prekindergarten or kindergarten

1 classes to assess learning of specific instructional material, such
2 as a spelling test;

3 (4) assessment through naturalistic observation; or
4 (5) any authentic assessment or similar assessment in
5 which a student is required to apply real-world skills.

6 (b) This section applies beginning with the 2013-2014
7 school year.



13 MAR 25 1997
HOUSE STAFF, 400 N. YES

FLOOR AMENDMENT NO. _____

BY:

Abel Herrero

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 6, line 10, strike "three" and substitute
- 3 "four".
- 4 (2) On page 6, line 12, between "geometry," and "and",
- 5 insert "one credit in Algebra II,".
- 6 (3) On page 7, strike lines 22-24 and substitute "after the
- 7 successful completion of Algebra I and geometry and either after
- 8 the successful completion of or concurrently with Algebra II, and
- 9 for any advanced [~~or a~~] science course under Subsection".
- 10 (4) On page 15, strike lines 25 and 26 and substitute
- 11 "Algebra I and geometry and after successful completion of or
- 12 concurrently with Algebra II. The State Board of Education may".



Alfred Herrera

FLOOR AMENDMENT NO. _____

BY: _____

Amend CSHB 5 as follows:

- (1) In SECTION 2 of the bill, on page 2, line 11, between "business" and "and", insert ", labor".
- (2) In SECTION 5 of the bill, on page 12, line 26, between "business" and "and", insert ", labor".

HOUSE OF REPRESENTATIVES
JANUARY 17, 2017



FLOOR AMENDMENT NO. _____

BY: Alfred Herrero

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 44, line 18, strike "(a)".
- 3 (2) On page 44, strike lines 24-26.

SENATE JOURNAL
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HOUSE OF REPRESENTATIVES

Abel Herrero

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to read as follows and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Notwithstanding any other provision of
5 this Act, this Act takes effect only if:

6 (1) for the 2013-2014 and 2014-2015 school years:

7 (A) the basic allotment under Section 42.101(a),
8 Education Code, is at least \$4,765;

9 (B) the regular program adjustment factor under
10 Section 42.101(c-3), Education Code, is 1.0;

11 (C) the percentage specified under Section
12 42.2516(i), Education Code, is 100.00; and

13 (D) the dollar amount guaranteed level of state
14 and local funds per student of tax effort ("GL") under Section
15 42.302, Education Code, is at least the amount specified in that
16 section as it existed January 1, 2013; and

17 (2) the amount appropriated in the General
18 Appropriations Act to the Texas Education Agency for the Foundation
19 School Program for the state fiscal biennium ending August 31,
20 2015, is sufficient to provide the full amount of funding to which
21 school districts are entitled.

22 (b) If the conditions specified in Subsection (a) of this
23 section are not satisfied, this Act has no effect.



830306

BY: Alfred Herrero

FLOOR AMENDMENT NO. _____

12 MAR 25 11:50

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 12, line 26, strike "business and industry"

3 and substitute "business, union and industry."



FLOOR AMENDMENT NO. _____ 10 MAR 20 10:17

BY: Heel Herrero

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. 5 (house committee report) as follows:

2 (1) On page 41, line 16, strike "and", and substitute
3 "[and]".

4 (2) On page 41, between lines 19 and 20, insert the
5 following:

6 (c) prohibit a school voucher program or tax credit
7 scholarship on a school district or open-enrollment charter
8 school;



12 MAR 25 11:51
HARRERO

Aluel Harrero

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 20, strike lines 9 and 10, and substitute the
3 following:

4 SECTION 14. (a) Section 33.007, Education Code, is amended
5 by amending Subsections (a) and (b) and adding Subsection (d) to
6 read as follows:

7 (2) On page 21, between lines 21 and 22, insert the
8 following:

9 (d) The legislature shall appropriate sufficient funds for
10 school districts and open-enrollment charter schools to fulfill the
11 counseling requirements under this section. The commissioner shall
12 certify, not later than July 1 of each school year or as soon as
13 practicable thereafter, whether sufficient funds have been
14 appropriated statewide for the purpose of this section.



BY: Alfred Herrera

FLOOR AMENDMENT NO. _____

MAR 25 11:59

Amend CSHB 5 as follows:

HOUSE OF REPRESENTATIVES

- (1) In SECTION 25 of the bill, on page 35, line 23, between "achievement" and "to", insert "that are not based on indicators otherwise required under this subsection".
- (2) In SECTION 27 of the bill, on page 37, line 13, strike ", to the greatest extent possible,".



13 MAR 25 AM 9:55
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Dan A. Luby

1 Amend C.S.H.B. No. 5 (house committee report) on page 37,
2 line 25, between "F" and "." by inserting "for both overall
3 performance and each individual evaluation factor listed under
4 Subsection (b)".



13 MAR 25 AM 10:40
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Phil King

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 39.026, Education Code, is
5 amended to read as follows:

6 Sec. 39.026. LOCAL OPTION. (a) In addition to the
7 assessment instruments adopted by the agency and administered by
8 the State Board of Education, a school district may adopt and
9 administer criterion-referenced or norm-referenced assessment
10 instruments, or both, at any grade level. A norm-referenced
11 assessment instrument adopted under this section must be
12 economical, nationally recognized, and state-approved.

13 (b) This subsection applies only to administration of
14 assessment instruments to students at the third, fourth, fifth,
15 sixth, seventh, or eighth grade level. Notwithstanding any other
16 provision of this title, the board of trustees of a school district
17 may provide for limiting administration to district students of
18 assessment instruments required under Section 39.023 to only those
19 subjects and only at those grade levels required by federal law.

20 (c) This subsection applies only to administration of
21 assessment instruments to students at the third, fourth, fifth,
22 sixth, seventh, or eighth grade level. Notwithstanding any other
23 provision of this title, subject to approval by the commissioner,
24 the board of trustees of a school district may adopt and provide for
25 administration of an economical criterion-referenced assessment
26 instrument in place of any assessment instrument required under
27 Section 39.023 that is adopted by the agency.

28 (d) If there is a conflict between this section and federal
29 law or regulations, the agency shall seek a waiver from the

1 application of conflicting federal law or regulations.

2 (e) The commissioner may adopt rules as necessary to
3 administer this section.

4 (b) This section applies beginning with the 2013-2014
5 school year. .



13 MAR 25 AM 9:48
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Lois W. Kellie

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 22, lines 11-12, strike "Sections 39.023(c), (c-2), and (c-3), Education Code, are amended" and substitute "Section 39.023, Education Code, is amended by amending Subsections (c), (c-2), and (c-3) and adding Subsection (b-1)".

(2) On page 22, between lines 12 and 13, insert the following:

(b-1) A teacher may not be required to prepare assessment tasks or materials for a student who will be administered an alternative assessment instrument developed or adopted as required under Subsection (b). A teacher shall provide presentation supports in the administration of an assessment instrument described by this subsection.



830241

FLOOR AMENDMENT NO. 13 MAR 25 PM 12:41
HOUSE OF REPRESENTATIVES

BY: Matt Krause

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following section to the bill, numbered appropriately:

3 SECTION _____. (a) The legislature finds that a school
4 district that denies an organization access to its limited
5 public forum on the grounds that the organization is religious
6 in nature, or that the viewpoints expressed by the organization
7 are religious in nature, is violating the organization's free
8 speech rights. To protect those rights, this Act intends to
9 codify the supporting language of the United States Supreme
10 Court in Good News Club v. Milford Central School, 533 U.S. 98
11 (2001), and Lamb's Chapel v. Center Moriches Union Free School
12 District, 508 U.S. 384 (1993).

13 (b) Subchapter D, Chapter 11, Education Code, is amended
14 by adding Section 11.1651 to read as follows:

15 Sec. 11.1651. PROHIBITION OF DISPARATE TREATMENT IN
16 ALLOWING ACCESS TO SCHOOL CAMPUSES DURING NON-INSTRUCTIONAL TIME
17 BASED ON RELIGIOUS NATURE OF ORGANIZATION. If the board of
18 trustees of an independent school district allows noncurricular
19 community organizations not organized or operated primarily by
20 students access to district school campuses during non-
21 instructional time, the district must provide religious
22 organizations the same access to school campuses during non-
23 instructional time as is given to other noncurricular
24 organizations without discrimination based on any religious
25 nature of an organization or on an organization's activities on
26 campus, including expression of religious viewpoints.



10-10-20
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: George Savender

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 2, line 20, strike "28.014(a), (c), and (f)" and
3 substitute "28.014(a) and (f)".

4 (2) On page 3, line 2, strike "end-of-course" and substitute
5 "[~~end-of-course~~]".

6 (3) On page 3, lines 3 and 4, strike "or an end-of-course
7 assessment instrument adopted under Section 39.023(c-2)".

8 (4) On page 3, strike lines 7-21.

9 (5) On page 8, line 19, strike "end-of-course" and
10 substitute "[~~end-of-course~~]".

11 (6) On page 18, line 1, strike "end-of-course" and
12 substitute "[~~end-of-course~~]".

13 (7) Strike page 21, line 24, through page 34, line 11, and
14 substitute the following:

15 SECTION _____. (a) Sections 39.023(a), (b), (c), (c-3), and
16 (n), Education Code, are amended to read as follows:

17 (a) The agency shall adopt the Iowa Test of Basic Skills
18 (ITBS) [~~or develop appropriate criterion-referenced assessment~~
19 ~~instruments designed~~] to assess essential knowledge and skills in
20 reading, writing, mathematics, social studies, and science. All
21 [~~Except as provided by Subsection (a-2), all~~] students, other than
22 students assessed under Subsection (b) or (1) or exempted under
23 Section 39.027, shall be assessed annually in grades three through
24 eight using that assessment instrument[+]

25 [~~(1) mathematics, annually in grades three through~~
26 ~~seven without the aid of technology and in grade eight with the aid~~
27 ~~of technology on any assessment instrument that includes algebra,~~

28 [~~(2) reading, annually in grades three through eight,~~

29 [~~(3) writing, including spelling and grammar, in~~

1 ~~grades four and seven,~~

2 ~~[(4) social studies, in grade eight,~~

3 ~~[(5) science, in grades five and eight,]~~ and in

4 ~~[(6)]~~ any other subject and grade as required by
5 federal law.

6 (b) The agency shall develop or adopt appropriate
7 ~~[criterion-referenced]~~ alternative assessment instruments to be
8 administered to each student in a special education program under
9 Subchapter A, Chapter 29, for whom the ~~[an]~~ assessment instrument
10 adopted under Subsection (a), even with allowable accommodations,
11 would not provide an appropriate measure of student achievement, as
12 determined by the student's admission, review, and dismissal
13 committee.

14 (c) The agency shall administer to students in grade 11 the
15 American College Test (ACT) or the Scholastic Assessment Test (SAT)
16 and the SAT Subject Test in Biology. A student may select whether
17 to be administered the American College Test (ACT) or the
18 Scholastic Assessment Test (SAT) and the SAT Subject Test in
19 Biology ~~[also adopt end-of-course assessment instruments for~~
20 ~~secondary-level courses in Algebra I, Algebra II, geometry,~~
21 ~~biology, chemistry, physics, English I, English II, English III,~~
22 ~~world geography, world history, and United States history. The~~
23 ~~Algebra I, Algebra II, and geometry end-of-course assessment~~
24 ~~instruments must be administered with the aid of technology]~~. A
25 school district shall comply with State Board of Education rules
26 regarding administration of the assessment instruments listed in
27 this subsection ~~[and shall adopt a policy that requires a student's~~
28 ~~performance on an end-of-course assessment instrument for a course~~
29 ~~listed in this subsection in which the student is enrolled to~~
30 ~~account for 15 percent of the student's final grade for the~~
31 ~~course. If a student retakes an end-of-course assessment~~

1 ~~instrument for a course listed in this subsection, as provided by~~
2 ~~Section 39.025, a school district is not required to use the~~
3 ~~student's performance on the subsequent administration or~~
4 ~~administrations of the assessment instrument to determine the~~
5 ~~student's final grade for the course]. If a student is in a special~~
6 education program under Subchapter A, Chapter 29, the student's
7 admission, review, and dismissal committee shall determine whether
8 any allowable modification is necessary in administering to the
9 student an assessment instrument required under this subsection.
10 ~~[The State Board of Education shall administer the assessment~~
11 ~~instruments. The State Board of Education shall adopt a schedule~~
12 ~~for the administration of end-of-course assessment instruments~~
13 ~~that complies with the requirements of Subsection (c-3).]~~

14 (c-3) In adopting a schedule for the administration of
15 assessment instruments under this section, the State Board of
16 Education shall require[+

17 [~~(1)~~] assessment instruments administered under
18 Subsection (a) to be administered on a schedule so that the first
19 assessment instrument is administered at least two weeks later than
20 the date on which the first assessment instrument was administered
21 under Subsection (a) during the 2006-2007 school year[~~, and~~

22 [~~(2) the spring administration of end-of-course~~
23 ~~assessment instruments under Subsection (c) to occur in each school~~
24 ~~district not earlier than the first full week in May, except that~~
25 ~~the spring administration of the end-of-course assessment~~
26 ~~instruments in English I, English II, and English III must be~~
27 ~~permitted to occur at an earlier date].~~

28 (n) This subsection applies only to a student who is
29 determined to have dyslexia or a related disorder and who is an
30 individual with a disability under 29 U.S.C. Section 705(20) and
31 its subsequent amendments. The agency shall adopt or develop

1 appropriate ~~[criterion-referenced]~~ assessment instruments
2 designed to assess the ability of and to be administered to each
3 student to whom this subsection applies for whom the assessment
4 instruments adopted under Subsection (a), even with allowable
5 modifications, would not provide an appropriate measure of student
6 achievement, as determined by the committee established by the
7 board of trustees of the district to determine the placement of
8 students with dyslexia or related disorders. The committee shall
9 determine whether any allowable modification is necessary in
10 administering to a student an assessment instrument required under
11 this subsection. The assessment instruments required under this
12 subsection shall be administered on the same schedule as the
13 assessment instruments administered under Subsection (a).

14 (b) This section applies beginning with the 2013-2014
15 school year.

16 SECTION _____. (a) Sections 39.025(a) and (b), Education
17 Code, are amended to read as follows:

18 (a) ~~[The commissioner shall adopt rules requiring a student~~
19 ~~participating in the recommended or advanced high school program to~~
20 ~~be administered each end-of-course assessment instrument listed in~~
21 ~~Section 39.023(c) and requiring a student participating in the~~
22 ~~minimum high school program to be administered an end-of-course~~
23 ~~assessment instrument listed in Section 39.023(c) only for a course~~
24 ~~in which the student is enrolled and for which an end-of-course~~
25 ~~assessment instrument is administered.]~~ A student is required to
26 achieve on an assessment instrument administered under Section
27 39.023(c) ~~[, in each subject in the foundation curriculum under~~
28 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~
29 ~~the product of the number of end-of-course assessment instruments~~
30 ~~administered to the student in that subject and]~~ a [scale] score
31 that indicates satisfactory performance in mathematics and

1 satisfactory performance in English language arts, as determined by
2 the commissioner under Section 39.0241(a). [~~A student must~~
3 ~~achieve a minimum score as determined by the commissioner to be~~
4 ~~within a reasonable range of the scale score under Section~~
5 ~~39.0241(a) on an end-of-course assessment instrument for the score~~
6 ~~to count towards the student's cumulative score. For purposes of~~
7 ~~this subsection, a student's cumulative score is determined using~~
8 ~~the student's highest score on each end-of-course assessment~~
9 ~~instrument administered to the student.] A student may not receive
10 a high school diploma until the student has performed
11 satisfactorily on the [~~end-of-course~~] assessment instruments in
12 the manner provided under this subsection. This subsection does
13 not require a student to demonstrate readiness to enroll in an
14 institution of higher education.~~

15 (b) Each time an [~~end-of-course~~] assessment instrument is
16 administered, a student who failed to perform satisfactorily
17 [~~achieve a minimum score~~] under Subsection (a) shall retake the
18 assessment instrument. A [~~student who fails to perform~~
19 ~~satisfactorily on an Algebra II or English III end-of-course~~
20 ~~assessment instrument under the college readiness performance~~
21 ~~standard, as provided under Section 39.024(b), may retake the~~
22 ~~assessment instrument. Any other~~] student may retake an
23 [~~end-of-course~~] assessment instrument for any reason. [~~A student~~
24 ~~is not required to retake a course as a condition of retaking an~~
25 ~~end-of-course assessment instrument.~~]

26 (b) This section applies beginning with the 2013-2014
27 school year.

28 SECTION _____. (a) Section 39.0261(a), Education Code, is
29 amended to read as follows:

30 (a) In addition to the assessment instruments otherwise
31 authorized or required by this subchapter:

1 (1) each school year and at state cost, a school
2 district shall administer to students in the spring of the eighth
3 grade an established, valid, reliable, and nationally
4 norm-referenced preliminary college preparation assessment
5 instrument for the purpose of diagnosing the academic strengths and
6 deficiencies of students before entrance into high school; and

7 (2) each school year and at state cost, a school
8 district shall administer to students in the 10th grade an
9 established, valid, reliable, and nationally norm-referenced
10 preliminary college preparation assessment instrument for the
11 purpose of measuring a student's progress toward readiness for
12 college and the workplace[~~, and~~

13 [~~(3) high school students in the spring of the 11th~~
14 ~~grade or during the 12th grade may select and take once, at state~~
15 ~~cost, one of the valid, reliable, and nationally norm-referenced~~
16 ~~assessment instruments used by colleges and universities as part of~~
17 ~~their undergraduate admissions processes].~~

18 (b) This section applies beginning with the 2013-2014
19 school year.

20 (8) On page 46, lines 18-19, strike "or on end-of-course
21 assessment instruments adopted under Section 39.023(c-2)".

22 (9) On page 46, lines 23-25, strike "or on end-of-course
23 assessment instruments adopted under Section 39.023(c-2)".

24 (10) On page 48, line 15, strike "end-of-course" and
25 substitute "[~~end-of-course~~"]".

26 (11) On page 52, strike lines 4-16.

27 (12) On page 58, line 9, strike "51.3062(p), (q), or (q-1)"
28 and substitute "51.3062(p) or[~~7~~] (q)[~~7 or (q-1)~~]".

29 (13) Strike page 68, line 26, through page 69, line 1, and
30 substitute the following:

31 (1) Section 28.014(c);

1 (2) Section 39.022;
2 (3) Sections 39.023(a-1), (a-2), (c-1), (c-2), (c-4),
3 (c-5), (c-6), (e), (f), (g), (i), and (o);
4 (4) Section 39.0232;
5 (5) Section 39.0233;
6 (6) Sections 39.024(b), (c), (d), (e), (f), (g), (h),
7 and (i);
8 (7) Section 39.0241(a-2);
9 (8) Section 39.0242;
10 (9) Sections 39.025(a-1), (a-2), (a-3), (b-1), (b-2),
11 (e-1), (f), and (g);
12 (10) Section 39.0822;
13 (11) Sections 39.0823(b) and (c); and
14 (12) Section 51.3062(q-1).
15 (14) On page 69, strike lines 6-21, and substitute the
16 following:
17 SECTION _____. Section 39.025, Education Code, as amended by
18 this Act, as related to reducing testing requirements applies only
19 to students who have entered or will enter the ninth grade during
20 the 2011-2012 school year or a later school year.
21 (15) Renumber SECTIONS of the bill accordingly.



13MAR 25 PM12:24
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 4, line 24, between "(b-14)," and "(c-1)",
3 insert "(b-15),".

4 (2) On page 11, between lines 25 and 26, insert the
5 following:

6 (b-15) In adopting rules under Subsection (b-1), the State
7 Board of Education shall allow a student to comply with the
8 curriculum requirements under Subsection (b-1) by successfully
9 completing a dual credit course.



13 MAR 25 AM 9:09
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Lddie Luciani

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 7, line 3, strike "seven" and substitute "six
3 and one-half".

4 (2) On page 7, line 15, strike "credit" and substitute "and
5 one-half credits [~~credit~~]".

6 (3) On page 10, line 5, strike "credit" and substitute "and
7 one-half credits [~~credit~~]".

8 (4) On page 10, line 6, strike "credit" and substitute "and
9 one-half credits".

10 (5) On page 10, lines 7-8, strike "one academic elective
11 credit for the physical education credit" and substitute "one and
12 one-half academic elective credits [~~credit~~] for the physical
13 education credits [~~credit~~]".

14 (6) On page 10, line 9, strike "A credit" and substitute
15 "Credits [~~A credit~~]".

16 (7) On page 10, line 12, strike "credit" and substitute
17 "credits [~~credit~~]".



13 MAR 25 AM 9:09
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Eddie Lucena

- 1 Amend C.S.H.B. No. 5 (house committee report) as follows:
2 (1) On page 7, line 3, strike "seven" and substitute "six
3 and one-half".
4 (2) On page 7, line 13, strike "and" and substitute "[~~and~~"].
5 (3) On page 7, line 15, strike the period and substitute ";
6 and".
7 (4) On page 7, between lines 15 and 16, insert the
8 following:
9 (9) one-half credit in health under Section
10 28.002(a)(2)(B).



13 MAR 25 AM 9:10
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 7, line 3, strike "seven" and substitute "six
3 and one-half".

4 (2) On page 7, line 12, strike "credit" and substitute "and
5 one-half credits [~~credit~~]".



13 MAR 22 PM 3:03
HOUSE OF REPRESENTATIVES

Marise Marquez

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 as follows:

2 (1) Add the following appropriately numbered SECTIONS to
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 11.064, Education Code, is amended by
5 amending Subsections (a), (b), and (c) and adding Subsection (d) to
6 read as follows:

7 (a) Each member of the ~~[The]~~ board of trustees of an
8 independent school district shall ~~[by resolution adopted by~~
9 ~~majority vote may require each member of the board to]~~ file a [the]
10 financial statement ~~[required of state officers under Subchapter B,~~
11 ~~Chapter 572, Government Code,]~~ with:

12 (1) the board of trustees; and

13 (2) the commissioners court of the county in which the
14 schools district's central administrative office is located ~~[Texas~~
15 ~~Ethics Commission]~~.

16 (b) The provisions of Subchapter B, Chapter 572, Government
17 Code, governing [+

18 ~~[(1) applies to a trustee subject to this section as if~~
19 ~~the trustee were a state officer; and~~

20 ~~[(2) governs]~~ the contents, timeliness of filing, and
21 public inspection of a statement apply to a statement filed under
22 this section as if the trustee were a state officer and the
23 commissioners court of the county were the Texas Ethics Commission.

24 (c) A trustee ~~[serving in a school district that has adopted~~
25 ~~a resolution under Subsection (a) or that is subject to an order~~
26 ~~issued under Subsection (a-3)]~~ commits an offense if the trustee
27 fails to file the statement required by this section ~~[the~~
28 ~~resolution or order]~~. An offense under this section is a Class B
29 misdemeanor.

1 (d) The commissioners court of a county shall determine from
2 any available evidence whether a statement required to be filed
3 under this section is late. On making a determination that the
4 statement is late, the commissioners court shall immediately mail a
5 notice of the determination to the individual responsible for
6 filing the statement. If a statement is determined to be late, the
7 individual responsible for filing the statement is liable to the
8 county for a civil penalty of \$500. If a statement is more than 30
9 days late, the commissioners court shall issue a warning of
10 liability by registered mail to the individual responsible for the
11 filing. If the penalty is not paid before the 10th day after the
12 date on which the warning is received, the individual is liable for
13 a civil penalty in an amount determined by the commissioners court,
14 but not to exceed \$10,000.

15 SECTION _____. (a) The changes in law made by this Act to
16 Section 11.064, Education Code, apply beginning January 1, 2015. A
17 trustee who, before the effective date of this Act, was not required
18 to file a financial statement under Section 11.064, Education Code,
19 is not required to include financial activity occurring before
20 January 1, 2014, in a statement filed under that section.

21 (b) The change in law made by this Act to Section 11.064(c),
22 Education Code, applies only to an offense committed on or after
23 January 1, 2014. For purposes of this subsection, an offense is
24 committed before January 1, 2014, if any element of the offense
25 occurs before that date. An offense committed before January 1,
26 2014, is covered by the law in effect when the offense was
27 committed, and the former law is continued in effect for that
28 purpose.

29 (2) On page 68, between lines 25 and 26, insert the
30 following:

31 (1) Sections 11.064(a-1), (a-2), (a-3), and (a-4);

- 1 (3) On page 68, line 26, strike "(1)" and substitute "(2)".
- 2 (4) On page 68, line 27, strike "(2)" and substitute "(3)".
- 3 (5) On page 69, line 1, strike "(3)" and substitute "(4)".



13 MAR 22 PM 3:04

HOUSE OF REPRESENTATIVES

Marise Marquez

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 7, Education Code,
5 is amended by adding Section 7.038 to read as follows:

6 Sec. 7.038. EXIT AUDIT OF SCHOOL DISTRICT ON DEPARTURE OF
7 SUPERINTENDENT. (a) For each exit interview questionnaire for a
8 superintendent submitted to the commissioner under Section
9 11.2011(d), the agency shall make a determination whether an exit
10 audit of the school district that employed the superintendent is
11 necessary based on:

12 (1) the agency's evaluation of the exit interview
13 questionnaire; and

14 (2) whether, during the employment of the
15 superintendent, any complaints were made about the superintendent,
16 the district, or an employee of the district that relate to equal
17 opportunity for persons of all ethnic groups, for women, or for
18 persons with disabilities.

19 (b) In conducting an exit audit under this section, the
20 agency shall assess the condition of the district at the time the
21 superintendent leaves employment according to criteria established
22 by the agency.

23 (b) This section takes effect September 1, 2013.

24 SECTION _____. (a) Subchapter E, Chapter 11, Education
25 Code, is amended by adding Section 11.2011 to read as follows:

26 Sec. 11.2011. SUPERINTENDENT EXIT INTERVIEW. (a) The
27 board of trustees of a school district shall conduct an exit
28 interview with a superintendent who leaves the employment of the
29 district by resignation, by nonrenewal of a term contract under

1 Section 21.212, or by termination.

2 (b) The agency shall develop an exit interview
3 questionnaire for use under this section. The agency may base the
4 questionnaire on the questionnaire developed by the state auditor
5 under Section 651.007, Government Code.

6 (c) The board of trustees of a school district may not pay a
7 superintendent who leaves the employment of the district a
8 severance payment, as described in Section 11.201(c), or an amount
9 that represents leave accrued but not taken by the superintendent
10 during employment, before the superintendent completes the exit
11 interview conducted under this section.

12 (d) The board of trustees of a school district shall submit
13 to the commissioner a copy of the completed exit interview
14 questionnaire administered in accordance with this section.

15 (b) This section takes effect September 1, 2013.



13 MAR 22 PM 3:03

HOUSE OF REPRESENTATIVES

BY: Marise Marquez

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTION and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Chapter 11, Education Code, is amended by
5 adding Subchapter I to read as follows:

6 SUBCHAPTER I. RECALL OF MEMBERS OF BOARDS OF TRUSTEES

7 Sec. 11.401. DEFINITION. In this subchapter, "recall
8 election" means an election conducted under this subchapter to
9 recall a member of a school district board of trustees.

10 Sec. 11.402. ORDERING ELECTION. Except as otherwise
11 provided by this subchapter, the board of trustees of a school
12 district shall order a recall election for a trustee if the board is
13 presented with a petition that:

14 (1) meets the requirements of Section 11.403; and

15 (2) is certified as valid under Section 11.404.

16 Sec. 11.403. PETITION. (a) A petition for a recall
17 election must have a statement substantially as follows preceding
18 the space reserved for signatures on each page: "This petition is to
19 require that an election be held in (name of school district) on the
20 recall of trustee (name of trustee)."

21 (b) A petition may not name more than one trustee.

22 (c) To be considered valid under Section 11.404, a petition
23 must be signed by a number of registered voters residing in the
24 school district equal to or greater than 20 percent of the number of
25 votes cast in the most recent general election for trustees in the
26 district.

27 (d) Each person signing a petition must enter beside the
28 person's signature the date the voter signs the petition. A
29 signature may not be counted if the date of signature is earlier

1 than:

2 (1) the 180th day after the date the trustee's current
3 term began; or

4 (2) the 90th day before the date the petition is
5 submitted to the board of trustees.

6 (e) Each person signing a petition must provide the person's
7 current voter registration number, printed name, and residential
8 address, including zip code.

9 Sec. 11.404. VERIFICATION OF PETITION. (a) Not later than
10 the fifth day after the date a petition for a recall election is
11 received in the office of the board of trustees, the board shall
12 submit the petition to the secretary of the board for verification.
13 If the petition is to require a recall election for the trustee who
14 serves as secretary, the board shall appoint an acting secretary to
15 perform the secretary's duties under this section.

16 (b) The secretary shall determine whether the petition is
17 signed by the required number of registered voters in the school
18 district as provided by Section 11.403(c). Not later than the 30th
19 day after the date the petition is submitted, the secretary shall
20 certify in writing to the board of trustees whether the petition is
21 valid or invalid. If the secretary determines the petition is
22 invalid, the secretary shall state each reason for that
23 determination.

24 Sec. 11.405. DATE OF ELECTION; ORDER. (a) If the secretary
25 certifies that a petition is valid, the board of trustees shall, not
26 later than the 30th day after the date of certification, order that
27 an election be held in the school district on the first Saturday
28 after the 62nd day following the date the board orders the election.
29 Section 41.001(a), Election Code, does not apply to an election
30 ordered under this subchapter.

31 (b) If the term of the trustee to whom the petition relates

1 expires before the first anniversary of the date the secretary
2 certifies the petition is valid, the board may not order the
3 election.

4 (c) The board shall state in the order the issue to be voted
5 on at the election.

6 (d) The board of trustees is not required under Subsection
7 (a) to order an election if the trustee to whom the petition relates
8 resigns the office of trustee. If the trustee resigns after the
9 board orders the election but before the election is held, the board
10 may cancel the election.

11 Sec. 11.406. BALLOT PROPOSITION. The ballot in a recall
12 election must be printed to provide for voting for or against the
13 proposition: "Recalling (name of school district) trustee (name of
14 trustee)."

15 Sec. 11.407. RESULTS OF ELECTION; VACANCY. (a) If the
16 majority of votes received in a recall election are for the recall
17 of the trustee, the office held by the trustee becomes vacant
18 immediately on the canvassing of the votes. The vacancy shall be
19 filled as provided by Section 11.060, except as provided by
20 Subsection (c).

21 (b) Notwithstanding Subsection (a), a trustee recalled
22 under this subchapter continues to serve in accordance with Section
23 17, Article XVI, Texas Constitution, until the trustee's successor
24 qualifies for the office of trustee.

25 (c) If a majority of the members of the board of trustees are
26 recalled in a single recall election under this subchapter, the
27 board of trustees shall, not later than the 30th day after the date
28 on which the vacancies on the board occur as a result of the recall
29 election, order a special election to be held on a date specified in
30 the order to fill the vacancies. If the board fails to comply with
31 this subsection, the county judge of the county in which the school

1 district is primarily located shall order the special election.
2 The expenses of the special election shall be paid by the district,
3 regardless of whether the election is ordered by the board or the
4 county judge.

5 Sec. 11.408. MULTIPLE RECALL ATTEMPTS PROHIBITED. The
6 board of trustees may not order a recall election for a trustee who
7 has been the subject of a previous recall election during the
8 trustee's current term.

9 (b) This section takes effect January 1, 2014, but only if
10 the constitutional amendment proposed by the 83rd Legislature,
11 Regular Session, 2013, authorizing elections for the recall of
12 independent school district trustees, is approved by the voters.
13 If that amendment is not approved by the voters, this section has no
14 effect.



HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 5, strike lines 11-25 and substitute the following:

(b) A school district shall ensure that each student enrolls in the courses necessary to complete the curriculum requirements identified by the State Board of Education under Subsection (a) for the foundation [~~recommended or advanced~~] high school program. The [~~unless the~~] student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator must agree in writing signed by each party that the student [~~should~~] be permitted to take courses under the foundation [~~minimum~~] high school program without enrolling in the curriculum requirements necessary to earn an endorsement under Subsection (c-1). The [~~and the~~] student must:

(1) be [~~is~~] at least 16 years of age;

(2) have [~~has~~] completed two credits required for graduation in each subject of the foundation curriculum under Section 28.002(a)(1); or

(3) have [~~has~~] failed to be promoted to the tenth grade one or more times as determined by the school district.

(2) On page 6, line 10, strike "three" and substitute "four".

(3) On page 6, line 12, between "geometry," and "and", insert "one credit in Algebra II or in an equivalent course authorized under Subsection (b-2) or Subsection 28.002 (f) as amended,".

(4) On page 6, line 14, strike "three" and substitute "four".

(5) On page 6, line 15, strike "one credit in any" and substitute "two credits in any".

(6) On page 53, strike lines 6-13 and substitute the following:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the foundation ~~[recommended or advanced]~~ high school program with an endorsement; or

(ii) at a high school to which Section 28.025 does not apply, a curriculum that is equivalent in content and rigor to the foundation ~~[recommended or advanced]~~ high school program with an endorsement; or

(7) On page 53, lines 26-27, strike "distinguished level of achievement under the foundation high school program" and substitute "foundation high school program with an endorsement".

(8) On page 54, lines 15-16, strike "distinguished level of achievement under the foundation high school program" and substitute "foundation high school program with an endorsement".

(9) Amend C.S.H.B. No. 5 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 28.0252, Education Code, is amended by amending Subsection (b) and adding Subsection (d), (d-1), (d-2), (d-3) to read as follows:

(b) Except as provided by Subsection (d), if [if] the commissioner develops a standard method under this section, a school district shall use the standard method to compute a student's high school grade point average.

(d) A school district may adopt a policy for computing a student's high school grade point average using a method that

provides for additional weight to be given to any of the following types of courses:

(1) an honors course;

(2) an advanced placement course

(3) a dual credit course other than a physical education course;

(4) a fourth year advanced course in science; or

(5) a fourth year advanced course in mathematics.

(d-1) A school district may not provide additional weight for a dual credit physical education course.

(d-2) Any additional weight determined by the district as provided by Subsection (d) shall be used in determining the student's eligibility for automatic college admission under Sections 51.803 and 51.804.

(d-3) A school district that computes a student's high school grade point average in a manner as provided by Subsection (d) shall provide for the same weight to be given to all courses in Subsection (d) completed by a student.

(b) This section applies beginning with the 2013-2014 school year.



13 MAR 25 PM 1:48
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 3, lines 13-14, between "may" and "~~[shall]~~",
- 3 insert "not".
- 4 (2) On page 22, line 21, strike "and may ~~[shall]~~" and
- 5 substitute ". A school district may not ~~[and shall]~~".



13 MAR 25 PM 1:49
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter D, Chapter 11, Education
5 Code, is amended by adding Section 11.1561 to read as follows:

6 Sec. 11.1561. REPORT OF DONATIONS. (a) In the manner
7 specified by the commissioner, a school district or open-enrollment
8 charter school shall annually report each monetary donation
9 received by the district or a campus in the district or by the
10 school from a donor that exceeds \$5,000. The report must be
11 submitted through the Public Education Information Management
12 System (PEIMS) and include a statement of:

13 (1) the name of the donor, except as provided by
14 Subsection (c);

15 (2) the amount of the monetary donation;

16 (3) the name and location of the school campus, if the
17 donation was made to a campus;

18 (4) any restrictions or conditions placed on the
19 donation by the donor; and

20 (5) the designated purpose of the donation.

21 (b) Subsection (a) does not require a report regarding
22 multiple monetary donations from a donor that in the aggregate
23 exceed \$5,000 if the amount of each single donation is \$5,000 or
24 less.

25 (c) A report made under Subsection (a) may not include the
26 name of the donor if the donor requests that the donor's name be
27 withheld.

28 (d) A report under this section must be posted on the
29 Internet website of the school district, campus, or open-enrollment

1 charter school, as applicable.

2 (e) Not later than December 1 of each even-numbered year,
3 the comptroller shall review the reports made under this section
4 and report to the legislature the differences in the amounts and
5 number of monetary donations received by:

6 (1) inner-urban school districts;

7 (2) small and rural school districts;

8 (3) fast-growth school districts;

9 (4) suburban school districts;

10 (5) open-enrollment charter schools;

11 (6) property-wealthy school districts; and

12 (7) property-poor school districts.

13 (f) The comptroller by rule shall establish criteria for the
14 categories specified by Subsection (e).

15 (b) This section applies beginning with the 2013-2014
16 school year.



830294

FLOOR AMENDMENT NO. _____ 13 MAR 25 PM 1:49

BY: _____

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Section 29.081, Education Code, is amended by
5 adding Subsections (b-1), (b-2), and (b-3) to read as follows:

6 (b-1) Each district shall offer additional accelerated
7 instruction to each student in any subject in which that student
8 has failed an end-of-course assessment that the student is
9 required to pass in order to graduate before the next scheduled
10 test administration without any cost to the student.

11 (b-2) A district which is required to provide accelerated
12 instruction under Subsection (b-1) shall separately budget
13 sufficient funds, including funds under Section 42.152, for that
14 purpose. A district may not budget funds received under Section
15 42.152 for any other purpose until it has adopted a budget to
16 support additional accelerated instruction under Subsection (b-
17 1).

18 (b-3) A district shall evaluate the effectiveness of
19 accelerated instruction programs under Subsection (b-1) and hold
20 a public hearing once each year to consider the results.



13 MAR 25 PM 1:49
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) Strike page 1, line 5, through page 2, line 19.

(2) On page 4, strike lines 12-20.

(3) On page 4, strike lines 22-24 and substitute "by adding Subsections (c-1), (c-2), (c-3), and (e-1)".

(4) Strike page 4, line 26, through page 11, line 25.

(5) On page 13, strike lines 12-19.

(6) On page 13, lines 20-22, strike "a distinguished level of achievement under the foundation high school program as described by Subsection (b)(14),".

(7) On page 13, line 23, between "(c-1)" and "and", strike "1".

(8) On page 14, strike lines 1-25.

(9) Strike page 15, line 1, through page 16, line 4.

(10) Strike page 16, line 14, through page 19, line 17.

(11) On page 21, lines 1-3, strike "distinguished level of achievement under the foundation [~~recommended or advanced~~] high school program [~~adopted~~] under Section 28.025 [~~28.025(a)~~]" and substitute "recommended or advanced high school program adopted under Section 28.025(a)".

(12) Strike page 32, line 4, through page 33, line 12.

(13) Strike page 35, line 26, through page 36, line 17.

(14) Strike page 39, line 5, through page 41, line 3.

(15) Strike page 48, line 25, through page 49, line 3, and substitute the following:

(A) the minimum high school program;

(B) [~~7~~] the recommended high school program;

(C) [~~7~~, ~~and~~] the advanced high school program; and

(D) each endorsement described by Section

1 28.025(c-1);
2 (16) On page 49, strike lines 14-17 and substitute the
3 following:
4 (4) for each campus, the number of students,
5 disaggregated by major student subpopulations, that agree under
6 Section 28.025(b) to take courses under the minimum high school
7 program;
8 (17) On page 49, line 18, strike "~~(5)~~" and substitute
9 "(5)".
10 (18) On page 50, line 1, strike "(5) ~~[(6)]~~" and substitute
11 "(6)".
12 (19) On page 50, line 4, strike "(6) ~~[(7)]~~" and substitute
13 "(7)".
14 (20) On page 50, line 8, strike "(7) ~~[(8)]~~" and substitute
15 "(8)".
16 (21) On page 50, line 10, strike "(8) ~~[(9)]~~" and substitute
17 "(9)".
18 (22) On page 50, line 13, strike "(9) ~~[(10)]~~" and substitute
19 "(10)".
20 (23) On page 50, line 15, strike "(10) ~~[(11)]~~" and
21 substitute "(11)".
22 (24) On page 50, line 18, strike "(11) ~~[(12)]~~" and
23 substitute "(12)".
24 (25) Strike page 50, line 24, through page 51, line 12.
25 (26) Strike page 52, line 4, through page 68, line 23.
26 (27) On page 68, line 24, strike "(a)".
27 (28) On page 69, strike lines 2-5.
28 (29) On page 69, line 6, strike "(a)".
29 (30) On page 69, line 8, strike "Sections 21 and 22" and
30 substitute "Section 21".
31 (31) On page 69, strike lines 12-21.

1 (32) Renumber SECTIONS of the bill appropriately.



13 MAR 25 PM 1:49
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 25.112, Education Code, is
5 amended by amending Subsection (d) and adding Subsection (d-1) to
6 read as follows:

7 (d) Except as provided by Subsection (d-1), on [On]
8 application of a school district, the commissioner may except the
9 district from the limit in Subsection (a) if the commissioner finds
10 the limit works an undue hardship on the district. A school
11 district excepted from the limit may not enroll more than 25
12 students in a kindergarten, first, second, third, or fourth grade
13 class. An exception expires at the end of the school year for which
14 it is granted.

15 (d-1) A school district may not apply an exception granted
16 under Subsection (d) to a campus that is assigned an unacceptable
17 performance rating.

18 (b) This section applies beginning with the 2014-2015
19 school year.



13 MAR 22 PM 3:36
HOUSE OF REPRESENTATIVES

Ruth McClendon
BY: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter Z, Chapter 33, Education
5 Code, is amended by adding Section 33.907 to read as follows:

6 Sec. 33.907. LICENSED PSYCHOLOGIST OR PROFESSIONAL
7 COUNSELOR. (a) A school district shall assign a full-time
8 psychologist licensed under Chapter 501, Occupations Code, a
9 full-time licensed clinical social worker or a full-time
10 professional counselor licensed under Chapter 503, Occupations
11 Code, at each campus in the district.

12 (b) The primary responsibility of a psychologist, licensed
13 clinical social worker or professional counselor assigned under
14 this section is to assist students in confidential counseling
15 matters.

16 (c) A psychologist, licensed clinical social worker or
17 professional counselor assigned under this section may not
18 consult with a student without the permission of the student's
19 parent or guardian unless:

20 (1) the safety of the student is at issue;

21 (2) the student is at risk of being involved in domestic
22 violence; or

23 (3) a court order allows or requires the consultation
24 without the permission.

25 (b) This section applies beginning with the 2013-2014

1 school year.

2 SECTION _____. (a) Subchapter E, Chapter 42, Education
3 Code, is amended by adding Section 42.25191 to read as follows:

4 Sec. 42.25191. ADDITIONAL STATE AID FOR LICENSED
5 PSYCHOLOGISTS, LICENSED CLINICAL SOCIAL WORKERS OR PROFESSIONAL
6 COUNSELORS. (a) For each school year, from funds that may be
7 used for the purpose, a school district is entitled to state aid
8 in an amount, as determined by the commissioner, sufficient to
9 assist the district in employing the number of licensed
10 psychologists, licensed clinical social workers or professional
11 counselors required by Section 33.907.

12 (b) The amount of state aid to which a school district is
13 entitled under this section is in addition to the amount of
14 revenue to which the district is entitled under Section
15 42.2516(b). This subsection expires September 1, 2017.

16 (c) The commissioner shall adopt rules as necessary to
17 administer this section.

18 (b) This section applies beginning with the 2013-2014
19 school year.

20 SECTION _____. Section 466.408(b), Government Code, is
21 amended to read as follows:

22 (b) If a claim is not made for prize money on or before
23 the 180th day after the date on which the winner was selected,
24 the prize money shall be used in the following order of
25 priority:

26 (1) subject to legislative appropriation, not more than
27 \$20 million in prize money each year may be deposited to or
28 appropriated from the ~~[Texas]~~ Department of State Health
29 Services state-owned multicategorical teaching hospital account,
30 which is an account in the general revenue fund;

31 (2) not more than \$5 million in prize money each year may

1 be appropriated to the Health and Human Services Commission and
2 shall be used to support the provision of inpatient hospital
3 services in hospitals located in the 15 counties that comprise
4 the Texas-Mexico border area, with payment for those services to
5 be not less than the amount established under the Tax Equity and
6 Fiscal Responsibility Act of 1982 (TEFRA) cost reimbursement
7 methodology for the hospital providing the services;

8 (3) not more than ~~[the remaining amount, not to exceed]~~ \$5
9 million in prize money in each state fiscal year less any amount
10 deposited in the fund in that year attributable to the lottery
11 game operated under Section 466.027, shall be deposited to the
12 fund for veterans' assistance; ~~[and]~~

13 (4) subject to legislative appropriation, the amount
14 determined by the legislature of prize money in each state
15 fiscal year may be appropriated to the Texas Education Agency
16 for purposes of providing additional state aid to school
17 districts for employment of licensed psychologists, licensed
18 clinical social workers and professional counselors as provided
19 by Section 42.25191, Education Code; and

20 (5) all prize money subject to this section and not
21 appropriated or deposited as provided by Subdivision (1), (2),
22 (3), or (4) ~~[from the Texas Department of Health state-owned~~
23 ~~multicategorical teaching hospital account, not appropriated to~~
24 ~~the Health and Human Services Commission for the purpose~~
25 ~~specified in Subdivision (2), and not deposited under~~
26 ~~Subdivision (3),]~~ shall be deposited in the general revenue fund
27 and may be appropriated for any purpose as determined by the
28 legislature, including the provision of indigent health care
29 services as specified in Chapter 61, Health and Safety Code.

30 SECTION _____. The change in law made by this Act to
31 Section 466.408(b), Government Code, applies only to a prize for

1 which the winner is selected on or after September 1, 2013. A
2 prize for which the winner was selected before September 1,
3 2013, is governed by the law as it existed immediately before
4 the effective date of this Act, and that law is continued in
5 effect for that purpose.

13 MAR 02 PM 3:36
HOUSE OF REPRESENTATIVES



Ruth McClendon
BY: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter Z, Chapter 33, Education
5 Code, is amended by adding Section 33.907 to read as follows:

6 Sec. 33.907. LICENSED PSYCHOLOGIST OR PROFESSIONAL
7 COUNSELOR. (a) A school district shall assign a full-time
8 psychologist licensed under Chapter 501, Occupations Code, or
9 full-time professional counselor licensed under Chapter 503,
10 Occupations Code, at each campus in the district.

11 (b) The primary responsibility of a psychologist or
12 professional counselor assigned under this section is to assist
13 students in confidential counseling matters.

14 (c) A psychologist or professional counselor assigned under
15 this section may not consult with a student without the permission
16 of the student's parent or guardian unless:

17 (1) the safety of the student is at issue;

18 (2) the student is at risk of being involved in
19 domestic violence; or

20 (3) a court order allows or requires the consultation
21 without the permission.

22 (b) This section applies beginning with the 2013-2014
23 school year.

24 SECTION _____. (a) Subchapter E, Chapter 42, Education
25 Code, is amended by adding Section 42.25191 to read as follows:

26 Sec. 42.25191. ADDITIONAL STATE AID FOR LICENSED
27 PSYCHOLOGISTS OR PROFESSIONAL COUNSELORS. (a) For each school
28 year, from funds that may be used for the purpose, a school district
29 is entitled to state aid in an amount, as determined by the

1 commissioner, sufficient to assist the district in employing the
2 number of licensed psychologists or professional counselors
3 required by Section 33.907.

4 (b) The amount of state aid to which a school district is
5 entitled under this section is in addition to the amount of revenue
6 to which the district is entitled under Section 42.2516(b). This
7 subsection expires September 1, 2017.

8 (c) The commissioner shall adopt rules as necessary to
9 administer this section.

10 (b) This section applies beginning with the 2013-2014
11 school year.

12 SECTION _____. Section 466.408(b), Government Code, is
13 amended to read as follows:

14 (b) If a claim is not made for prize money on or before the
15 180th day after the date on which the winner was selected, the prize
16 money shall be used in the following order of priority:

17 (1) subject to legislative appropriation, not more
18 than \$20 million in prize money each year may be deposited to or
19 appropriated from the ~~[Texas]~~ Department of State Health Services
20 state-owned multicategorical teaching hospital account, which is
21 an account in the general revenue fund;

22 (2) not more than \$5 million in prize money each year
23 may be appropriated to the Health and Human Services Commission and
24 shall be used to support the provision of inpatient hospital
25 services in hospitals located in the 15 counties that comprise the
26 Texas-Mexico border area, with payment for those services to be not
27 less than the amount established under the Tax Equity and Fiscal
28 Responsibility Act of 1982 (TEFRA) cost reimbursement methodology
29 for the hospital providing the services;

30 (3) not more than ~~[the remaining amount, not to~~
31 ~~exceed]~~ \$5 million in prize money in each state fiscal year less any

1 amount deposited in the fund in that year attributable to the
2 lottery game operated under Section 466.027, shall be deposited to
3 the fund for veterans' assistance; ~~and~~

4 (4) subject to legislative appropriation, the amount
5 determined by the legislature of prize money in each state fiscal
6 year may be appropriated to the Texas Education Agency for purposes
7 of providing additional state aid to school districts for
8 employment of licensed psychologists and professional counselors
9 as provided by Section 42.25191, Education Code; and

10 (5) all prize money subject to this section and not
11 appropriated or deposited as provided by Subdivision (1), (2), (3),
12 or (4) [from the Texas Department of Health state-owned
13 multicategorical teaching hospital account, not appropriated to
14 the Health and Human Services Commission for the purpose specified
15 in Subdivision (2), and not deposited under Subdivision (3),] shall
16 be deposited in the general revenue fund and may be appropriated for
17 any purpose as determined by the legislature, including the
18 provision of indigent health care services as specified in Chapter
19 61, Health and Safety Code.

20 SECTION _____. The change in law made by this Act to Section
21 466.408(b), Government Code, applies only to a prize for which the
22 winner is selected on or after September 1, 2013. A prize for which
23 the winner was selected before September 1, 2013, is governed by the
24 law as it existed immediately before the effective date of this Act,
25 and that law is continued in effect for that purpose.



Engh
Ruth J. McClendon
BY: _____

FLOOR AMENDMENT NO. _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Strike the recital to SECTION 2 (page 2, lines 1-2) and substitute the following:

SECTION 2. (a) Sections 28.002(a) and (f), Education Code, are amended to read as follows:

(a) Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum:

(1) a foundation curriculum that includes:

(A) English language arts;

(B) mathematics;

(C) science; ~~and~~

(D) social studies, consisting of Texas, United States, and world history, government, economics; with emphasis on the free enterprise system and its benefits, and geography; and

(E) adult responsibility education; and

(2) an enrichment curriculum that includes:

(A) to the extent possible, languages other than English;

(B) health, with emphasis on the importance of proper nutrition and exercise;

(C) physical education;

(D) fine arts;

(E) career and technology education;

(F) technology applications; and

(G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

1 SECTION _____. Subchapter A, Chapter 28, Education Code, is
2 amended by adding Section 28.0028 to read as follows:

3 Sec. 28.0028. ADVISORY PANEL REQUIRED TO DEVELOP CURRICULUM
4 FOR ADULT RESPONSIBILITY. (a) Not later than January 1, 2014, the
5 agency shall establish an advisory panel under this section to
6 develop the required foundation curriculum to teach students skills
7 in social, emotional, and behavioral interaction to prepare
8 students for adult responsibility. A primary purpose of the adult
9 responsibility curriculum is to teach students advanced methods of
10 thinking, speaking, learning, and reasoning, including methods
11 for:

12 (1) effective, nonviolent communication;
13 (2) problem solving;
14 (3) setting appropriate boundaries and priorities;
15 and
16 (4) creative decision making.

17 (b) The commissioner shall appoint members to the advisory
18 panel after consulting with the lieutenant governor, speaker of the
19 house of representatives, and the chairs of standing committees of
20 the senate and the house of representatives with primary
21 jurisdiction over public education. The advisory panel shall
22 consist of nine members as follows:

23 (1) three members who have professional or practical
24 expertise or experience in social and emotional development and
25 education;
26 (2) three members who are active educators; and
27 (3) three members who are business representatives or
28 members of the community.

29 (c) The appointed members of the advisory panel serve
30 staggered three-year terms. The commissioner shall appoint the
31 initial members to a three-year term. Following the initial term,

1 the commissioner shall appoint the members to terms of one, two, or
2 three years as necessary so that one-third of the appointed
3 advisory panel members' terms expire each year.

4 (d) The commissioner shall designate one member of the
5 advisory panel as the presiding officer.

6 (e) A member of the advisory panel serves on a voluntary
7 basis without compensation.

8 (f) The advisory panel may begin meeting after the
9 commissioner appoints at least five members to the panel.

10 (g) Not later than January 1, 2015, the advisory panel shall
11 develop the curriculum as required by this section and report to the
12 commissioner and the legislature as provided by this subsection.
13 The report must include recommendations regarding:

14 (1) whether the adult responsibility curriculum
15 should be incorporated into existing classes or provided in
16 separate classes before, during, or after the school day;

17 (2) the professional requirements for educators who
18 provide adult responsibility curriculum instruction;

19 (3) appropriate testing practices for measuring
20 student progress in the adult responsibility curriculum; and

21 (4) other considerations as determined appropriate by
22 the advisory panel.

23 (h) The commissioner shall report the recommendations
24 provided under Subsection (g) to the State Board of Education.

25 (i) Not later than September 1, 2015, the State Board of
26 Education by rule shall revise the essential knowledge and skills
27 as provided by Section 28.002(c) to include the adult
28 responsibility curriculum developed under this section based on the
29 recommendations of the advisory panel under Subsection (g). The
30 State Board of Education shall require school districts to provide
31 instruction in the adult responsibility curriculum for:

1 (1) kindergarten through grade five beginning with the
2 2016-2017 school year;
3 (2) grade six through grade eight beginning with the
4 2018-2019 school year; and
5 (3) grade nine through grade 12 beginning with the
6 2020-2021 school year.
7 (j) The advisory panel shall deliver a biennial report to
8 the commissioner and the legislature that:
9 (1) assesses the state's progress in meeting the goals
10 stated in the curriculum plans developed under this section; and
11 (2) recommends legislative action to assist the state
12 in meeting those goals.
13 (k) This section expires September 1, 2022.



Art Menendez

FLOOR AMENDMENT NO. _____

BY: Menendez

- 1 Amend CSHB5 SECTION 28 by adding the following on page 39
2 line 4: (c) This section does not apply unless the legislature
3 appropriates sufficient funds from general revenue to the Texas
4 Education Agency for a statewide application.

13 MAR 25 AM 9:12
HOUSE OF REPRESENTATIVES



Joe Menendez

FLOOR AMENDMENT NO. _____

BY: MENENDEZ

Amend Section 39.023 on page 22 by adding:

Sec. 39.023. ADOPTION AND ADMINISTRATION OF INSTRUMENTS.

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

~~(1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;~~

~~(2) reading, annually in grades three through eight;~~

~~(3) writing, including spelling and grammar, in grades four and seven;~~

~~(4) social studies, in grade eight;~~

~~(5) science, in grades five and eight; and~~

any other subject and grade required by federal law.

13MAR 25 AM 9:13
HOUSE OF REPRESENTATIVES



Joe Menendez

FLOOR AMENDMENT NO. _____

BY: MENENDEZ

1 Amend Section 16 on page 24 add the following: (b) The
2 Texas Education Agency must disclose to teachers the results of
3 their end-of-course assessment scores no later than Aug 8th of
4 the following school year. And renumber the remaining sections
5 accordingly.
6
7

13 MAR 25 AM 9:13
HOUSE OF REPRESENTATIVES



Joe Menendez

FLOOR AMENDMENT NO. _____

BY: Menendez

1 Amend CSHB5 SECTION 30 by adding the following on page 43,
2 line 20: (c) This section does not apply unless the legislature
3 appropriates sufficient funds from general revenue to the Texas
4 Education Agency for a statewide application.

13 MAR 25 AM 9:14
HOUSE OF REPRESENTATIVES



José Menéndez

FLOOR AMENDMENT NO. _____

BY: MENENDEZ

1 Amend Section 23 on page 33 subsection c line 22,
2 immediately before the words 'to determine' insert: in
3 combination with an average grade in foundation classes.

13MAR25 AM 9:14
HOUSE OF REPRESENTATIVES



HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Moody

Amend C.S.H.B. No. 5 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Chapter 39, Education Code, is amended by adding Subchapter A to read as follows:

SUBCHAPTER A. ASSESSMENT INSTRUMENT ADVISORY COUNCIL

Sec. 39.001. DEFINITIONS. In this subchapter:

(1) "Assessment instrument" means a test required to be adopted or developed under Section 39.023.

(2) "Council" means the assessment instrument advisory council.

(3) "Design" means the development of content and reliability testing and validation of an assessment instrument.

(4) "Funding" means all mechanisms involving the granting, withholding, accumulating, spending, appropriating, or designating of state, federal, and private money, including mechanisms connecting money to student test scores or involving contracting, outsourcing, or other public-private partnerships.

Sec. 39.002. ASSESSMENT INSTRUMENT ADVISORY COUNCIL. (a) The assessment instrument advisory council is established to identify strategic priorities for and make recommendations on:

(1) the best practices for evidence-centered assessment instrument design and implementation;

(2) teacher and administrator training regarding assessment instruments;

(3) the proper use of student scores on assessment instruments;

(4) student preparation for assessment instruments;
and

1 (5) the funding of assessment instruments.

2 (b) The council is composed of:

3 (1) the commissioner of education;

4 (2) the commissioner of higher education;

5 (3) three members appointed by the commissioner of
6 education who:

7 (A) are educational research or implementation
8 scientists, psychometricians, or assessment experts; and

9 (B) have distinguished experience in
10 evidence-centered assessment instrument design, educational
11 research, or implementation science; and

12 (4) 31 members appointed by the commissioner of
13 education in the manner described by Subsection (c).

14 (c) In making appointments required by Subsection (b)(4),
15 the commissioner of education shall appoint one member who is a
16 classroom teacher in a public school from each senate district on
17 the nomination of the senator representing the district.

18 (d) In making nominations under Subsection (c), senators
19 shall nominate persons who have distinguished experience in:

20 (1) developing and implementing public school reform
21 strategies; and

22 (2) designing or administering assessment instruments
23 or classroom-based assessments or appraisals of student
24 performance.

25 Sec. 39.003. TERMS. Members of the council serve terms of
26 two years and may be reappointed for additional terms.

27 Sec. 39.004. PRESIDING OFFICER. The commissioner of
28 education serves as the presiding officer of the council.

29 Sec. 39.005. COMPENSATION AND REIMBURSEMENT. A member of
30 the council is not entitled to compensation for service on the
31 council but is entitled to reimbursement for actual and necessary

1 expenses incurred in performing council duties.

2 Sec. 39.006. COUNCIL STAFF AND COSTS. (a) Except as
3 otherwise provided, staff members of the agency, with the
4 assistance of the Texas Higher Education Coordinating Board, shall
5 provide administrative support for the council.

6 (b) Costs of the administrative and operational expenses of
7 the council shall be provided by appropriation to the agency for
8 that purpose and by gifts, grants, and donations solicited and
9 accepted by the agency for that purpose.

10 Sec. 39.007. COUNCIL BUSINESS. (a) The commissioner of
11 education shall make reasonable efforts to schedule meetings and
12 other business of the council outside the time during which the
13 school districts of council members appointed under Section
14 39.002(b)(4) are providing instruction for students.

15 (b) Council meetings and other business may, as the
16 commissioner of education considers appropriate to minimize costs
17 and increase accessibility, be conducted by or incorporate
18 telephone, electronic means, or another manner of remote
19 communication.

20 Sec. 39.008. STRATEGIC PLAN. (a) The council shall adopt a
21 strategic plan under this subchapter to:

22 (1) investigate and evaluate the design,
23 implementation, use of student scores, teacher and administrator
24 training, and student preparation strategies associated with
25 existing assessment instruments;

26 (2) investigate and evaluate funding of existing
27 assessment instruments;

28 (3) specify strategies for the design and
29 implementation of assessment instruments for public schools;

30 (4) specify strategies for the use of student scores
31 on assessment instruments;

1 (5) specify strategies for teacher and administrator
2 training associated with assessment instruments;

3 (6) specify strategies, including limitations, for
4 curricular and procedural student preparation for assessment
5 instruments;

6 (7) specify strategies for the funding of assessment
7 instruments; and

8 (8) identify key objectives for appropriate research
9 and program evaluation conducted as provided by this subchapter.

10 (b) The commissioner of education and the commissioner of
11 higher education shall adopt rules as necessary to administer the
12 strategic plan adopted by the council under this section.

13 (c) The commissioner of education and the commissioner of
14 higher education shall consider the strategic plan in spending
15 money, awarding grants, or entering into contracts in connection
16 with a program relating to assessment instruments.

17 Sec. 39.009. OUTSIDE CONSULTATION; USE OF FUNDS; GIFTS AND
18 GRANTS. (a) The commissioner of education or the commissioner of
19 higher education, as appropriate, and the council may coordinate
20 and consult with private and nonprofit entities that have expertise
21 related to evidence-centered assessment instruments.

22 (b) The commissioner of education or the commissioner of
23 higher education, as appropriate, may expend funds appropriated for
24 assessment instruments for the council to fund an investigation,
25 evaluation, or other expense related to the development of a
26 strategic plan, recommendation, or report under this subchapter.

27 (c) The commissioner of education or the commissioner of
28 higher education, as appropriate, may accept gifts, grants, or
29 donations to fund an investigation, evaluation, or other expense
30 related to the development of a strategic plan, recommendation, or
31 report under this subchapter.

1 Sec. 39.010. COUNCIL RECOMMENDATIONS. (a) Based on the
2 strategic plan adopted under this subchapter, the council shall
3 make recommendations to the commissioner of education or the
4 commissioner of higher education, as applicable, for the use of
5 federal and state funds appropriated or received for assessment
6 instruments, including grants.

7 (b) The council shall include recommendations under this
8 section for best practices and key elements of proper:

- 9 (1) assessment instrument design;
10 (2) assessment instrument implementation;
11 (3) use of student scores on assessment instruments;
12 (4) training initiatives for teachers and
13 administrators associated with assessment instruments;
14 (5) initiatives, including limitations, for
15 curricular and procedural student preparation for assessment
16 instruments;
17 (6) funding of assessment instruments; and
18 (7) powers, duties, structure, and future initiatives
19 of the council.

20 (c) The commissioner of education or the commissioner of
21 higher education, as applicable, shall consider the council's
22 recommendations and based on those recommendations may award grants
23 to school districts, open-enrollment charter schools, institutions
24 of higher education, regional education service centers, and
25 nonprofit organizations to meet the goals of the council's
26 strategic plan, including establishing pilot programs and imposing
27 additional reporting requirements.

28 (d) The commissioner of education or the commissioner of
29 higher education, as applicable:

- 30 (1) is not required under this section to allocate
31 funds to a program or initiative recommended by the council; and

1 (2) may not initiate a program funded under this
2 section that does not conform to the recommended use of funds as
3 provided under Subsections (a) and (b).

4 Sec. 39.011. REPORTS. (a) Not later than December 1 of each
5 even-numbered year, the agency shall prepare and deliver a report
6 to the legislature describing any statutory changes the council
7 considers appropriate to improve any matter associated with
8 assessment instruments.

9 (b) The report under Subsection (a) may include
10 recommendations intended for release to the United States
11 Department of Education or other entities of the federal
12 government.

13 Sec. 39.012. RULES. The commissioner of education and the
14 commissioner of higher education shall adopt rules as necessary to
15 administer this subchapter and any programs under the authority of
16 the commissioner of education or the commissioner of higher
17 education and the council under this subchapter.

18 (b) As soon as practicable after the effective date of this
19 Act, the commissioner of education shall appoint members of the
20 assessment instrument advisory council as required by Section
21 39.002, Education Code, as added by this Act.



2018 MAR 25 11:00
COMMERCIAL

FLOOR AMENDMENT NO. _____

BY: _____

Moody

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTIONS and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Subchapter I, Chapter 21, Education
5 Code, is amended by adding Section 21.418 to read as follows:

6 Sec. 21.418. CERTAIN INCENTIVES AND SALARY CONTINGENCIES
7 PROHIBITED. (a) Subject to Subsection (b), a school district may
8 not:

9 (1) offer or reward a financial incentive to an
10 educator that is contingent on student performance on an assessment
11 instrument administered under Chapter 39; or

12 (2) make any portion of an educator's salary
13 contingent on student performance on an assessment instrument
14 administered under Chapter 39.

15 (b) This section does not affect the use of any federal
16 funds disbursed for a purpose otherwise prohibited under Subsection
17 (a).

18 (b) This section applies beginning with the 2013-2014
19 school year.

20 SECTION _____. (a) Section 21.702(b), Education Code, is
21 amended to read as follows:

22 (b) In establishing the program, the commissioner shall
23 adopt program guidelines in accordance with this subchapter for a
24 school district to follow in developing a local awards plan under
25 Section 21.704. The guidelines must prohibit a school district
26 from making awards on the basis of student performance on an
27 assessment instrument administered under Chapter 39, as prohibited
28 under Section 21.418.

29 (b) This section applies beginning with the 2013-2014

1 school year.



SEPT 25 11:30
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Moody

1 Amend C.S.H.B. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.038 to read as follows:

6 Sec. 39.038. AUDIT OF ASSESSMENT INSTRUMENT DEVELOPERS. (a)
7 The state auditor shall conduct a review of the qualifications of
8 each person who develops assessment instruments under this
9 subchapter.

10 (b) The review must evaluate the suitability of the person
11 to develop assessment instruments, including by:

12 (1) examining the education qualifications of the
13 developers and person grading the exams; and

14 (2) identifying potential conflicts of interest
15 between the employees, consultants, or registered lobbyists of the
16 person and:

17 (A) the agency;

18 (B) the Texas Higher Education Coordinating
19 Board; or

20 (C) State Board of Education committees, task
21 forces, or review boards.

22 (b) This section applies beginning with the 2013-2014
23 school year.



FLOOR AMENDMENT NO. _____

BY: _____

Moody

Amend CSHB 5 as follows:

- (1) In SECTION 25 of the bill, on page 35, line 23, between "achievement" and "to", insert "that are not based on indicators otherwise required under this subsection".
- (2) In SECTION 27 of the bill, on page 37, line 13, strike "to the greatest extent possible,".

10/03/25 PM 1:43
HOUSE OF REPRESENTATIVES



13 MAR 22 PM 4:58
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Shane Patrick

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 35, strike lines 22-23 and substitute the following:

(4) at least three additional indicators of student achievement, other than through statewide assessment, to evaluate district and campus performance.



13 MAR 22 PM 4:58

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Diane Patrick

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 35, strike lines 22-23 and substitute the following:

(4) at least three additional indicators of student achievement, other than through statewide assessment, to evaluate district and campus performance which may include career and technology licenses or certifications, associate degrees, and dual credits earned.



FLOOR AMENDMENT NO. _____

BY: Diane Patrick

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 2, line 20, strike "Sections 28.014(a), (c)," and substitute "Sections 28.014(c)".

(2) Strike page 2, line 22, through page 3, line 6.

(3) Strike page 21, line 24, through page 22, line 10, and renumber subsequent SECTIONS of the bill accordingly.

(4) On page 22, line 11, strike ", (c-2),".

(5) On page 23, line 12, strike "specified in this subsection and Subsection (c-2)".

(6) Strike page 23, line 14, through page 24, line 17, and substitute the following:

(c-3) In adopting a schedule for the administration of assessment instruments under this section, the State Board of Education shall require:

(1) assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year; and

(2) the spring administration of end-of-course assessment instruments under Subsection (c) or an assessment instrument under Section 39.02611 to occur in each school district not earlier than the first full week in May, except that the spring administration of the end-of-course assessment instrument ~~[instruments]~~ in ~~[English I,]~~ English II~~[, and English III]~~ must be permitted to occur at an earlier date.

(7) On page 24, lines 20-21, strike "Sections 39.0233(a) and (b), Education Code, are" and substitute "Section 39.0233(a), Education Code, is".

1 (8) On page 24, line 25, strike "Sections [~~Section~~]
2 39.023(c) and (c-2)" and substitute "Section 39.023(c)".

3 (9) On page 25, strike lines 3-14.

4 (10) Strike page 25, line 17, through page 28, line 11, and
5 renumber subsequent SECTIONS of the bill accordingly.

6 (11) On page 31, strike lines 3-8 and substitute the
7 following:

8 (a) may [~~shall~~] retake the assessment instrument. [~~A student who~~
9 ~~fails to perform satisfactorily on an Algebra II or English III~~
10 ~~end-of-course assessment instrument under the college readiness~~
11 ~~performance standard, as provided under Section 39.024(b), may~~
12 ~~retake the assessment instrument. Any other student may retake an~~
13 ~~end-of-course assessment instrument for any reason.~~] A student is

14 (12) On page 33, between lines 12 and 13, insert the
15 following appropriately numbered SECTION and renumber subsequent
16 SECTIONS of the bill accordingly:

17 SECTION _____. (a) Subchapter B, Chapter 39, Education
18 Code, is amended by adding Section 39.02611 to read as follows:

19 Sec. 39.02611. ADDITIONAL OPTIONAL COLLEGE PREPARATION
20 ASSESSMENT. (a) In addition to the college preparation assessment
21 instruments authorized or required by Section 39.0261, the agency,
22 in consultation with the Texas Higher Education Coordinating Board,
23 shall coordinate the administration to a student at the student's
24 option of an assessment designated under Section 51.3062(c) for
25 purposes of determining the student's readiness to enroll in
26 freshman-level academic coursework at an institution of higher
27 education.

28 (b) If a student fails to satisfy the applicable college
29 readiness benchmarks prescribed by the Texas Higher Education
30 Coordinating Board under Section 51.3062(f), the school district or
31 open-enrollment charter school in which the student is enrolled

1 may, in consultation with an institution of higher education,
2 develop a plan to prepare the student for success in performing
3 freshman-level academic coursework.

4 (c) A student's performance on an assessment instrument
5 administered under this section may not be used:

6 (1) for the purpose of determining admission into an
7 institution of higher education; or

8 (2) in determining a student's class rank for the
9 purpose of high school graduation.

10 (b) This section applies beginning with the 2013-2014
11 school year.

12 (13) Strike page 33, line 13, through page 34, line 11, and
13 renumber subsequent SECTIONS of the bill accordingly.

14 (14) On page 46, lines 18-19 and lines 23-25, strike "or on
15 end-of-course assessment instruments adopted under Section
16 39.023(c-2)" each place it appears.

17 (15) On page 52, lines 4-5, strike "Section 51.3062(q-1),
18 Education Code, is amended" and substitute "Section 51.3062,
19 Education Code, is amended by amending Subsection (i) and adding
20 Subsection (q-2)".

21 (16) On page 52, strike lines 6-16 and substitute the
22 following:

23 (i) The institution of higher education may refer a student
24 to developmental coursework as considered necessary by the
25 institution to address a student's deficiencies in the student's
26 readiness to perform freshman-level academic coursework, except
27 that the institution may not require enrollment in developmental
28 coursework with respect to a student [~~previously determined under~~
29 ~~Subsection (q-1) or~~] determined by any institution of higher
30 education to have met college-readiness standards. An institution
31 that requires a student to enroll in developmental coursework must

1 offer a range of developmental coursework, including online
2 coursework, or instructional support that includes the integration
3 of technology to efficiently address the particular developmental
4 needs of the student.

5 (q-2) A student who satisfies the applicable college
6 readiness benchmarks prescribed by the board under Subsection (f)
7 on an assessment administered under Section 39.02611 is exempt from
8 the requirements of this section with respect to the applicable
9 content area. The commissioner of higher education by rule shall
10 establish the period for which an exemption under this subsection
11 is valid.

12 (b) This section applies beginning with the 2013-2014
13 school year.

14 (17) On page 58, line 9, strike "51.3062(p), (q), or (q-1)"
15 and substitute "51.3062(p) or ~~(q)~~ ~~[, or (q-1)]~~".

16 (18) Strike page 68, line 26, through page 69, line 1, and
17 substitute the following:

18 (1) Sections 39.024(b), (c), (d), (e), (f), (g), (h),
19 and (i);

20 (2) Section 39.0241(a-2);

21 (3) Section 39.0242;

22 (4) Section 39.025(a-2), (a-3), and (c-2);

23 (5) Section 39.0822;

24 (6) Sections 39.0823(b) and (c); and

25 (7) Section 51.3062(q-1).



FLOOR AMENDMENT NO. _____

BY: _____

Diane Patrick

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) Insert the following appropriately numbered SECTION:

SECTION _____. (a) Section 39.0232, Education Code, is amended to read as follows:

Sec. 39.0232. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS PLACEMENT INSTRUMENT; CERTAIN USES PROHIBITED. (a) To the extent practicable, the agency shall ensure that any high school end-of-course assessment instrument developed by the agency is developed in such a manner that the assessment instrument may be used to determine the appropriate placement of a student in a course of the same subject matter at an institution of higher education.

(b) A student's performance on an end-of-course assessment instrument may not be used:

(1) in determining the student's class ranking for any purpose, including entitlement to automatic college admission under Section 51.803 or 51.804; or

(2) as a sole criterion in the determination of whether to admit the student to a general academic teaching institution in this state.

(c) Subsection (b)(2) does not prohibit a general academic teaching institution from implementing an admission policy that takes into consideration a student's performance on an end-of-course assessment instrument in addition to other criteria.

(d) In this section, "general academic teaching institution" has the meaning assigned by Section 61.003.

(b) This section applies beginning with the 2013-2014 school year.

(2) On page 55, line 3, strike "Subsection (g)" and substitute "Subsections (a-1) and (g)".

1 (3) On page 55, between lines 21 and 22, insert the
2 following:

3 (a-1) Notwithstanding Subsection (a) or any other provision
4 of this section, a student is not required to perform at or above a
5 satisfactory level on end-of-course assessment instruments adopted
6 under Section 39.023(c) or (c-2) in order to be eligible to apply to
7 a general academic teaching institution.

8 (4) Renumber subsequent SECTIONS accordingly.



13 MAR 22 PM 4:58
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Shirley Patterson

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 4, line 23, between "(b-5)," and "(b-7)", insert
3 "(b-6),".

4 (2) On page 9, between lines 1 and 2, insert the following:

5 (b-6) The State Board of Education by rule shall require
6 that one or more credits offered in the required curriculum under
7 Subsection (b-1) include a research writing component. [Before a
8 student's parent or other person standing in parental relation to
9 the student may agree that the student be permitted to take courses
10 under the minimum high school program as provided by Subsection
11 (b), a school district must provide written notice to the parent or
12 person standing in parental relation explaining the benefits of the
13 recommended high school program. The notice shall be developed by
14 the agency and must:

15 ~~[(1) be printed in English and Spanish, and~~

16 ~~[(2) require that the student's parent or person~~
17 ~~standing in parental relation to the student sign a confirmation of~~
18 ~~receipt and return the confirmation to the student's campus.]~~

19 (3) On page 22, lines 11-12, strike "Sections 39.023(c),
20 (c-2), and (c-3), Education Code, are amended" and substitute
21 "Section 39.023, Education Code, is amended by amending Subsections
22 (c), (c-2), and (c-3) and adding Subsection (c-7)".

23 (4) On page 24, between lines 17 and 18, insert the
24 following:

25 (c-7) The English II end-of-course assessment instrument
26 required under Subsection (c) may assess only reading unless
27 assessment of writing also is required by federal law.

28 (5) On page 69, line 5, strike "Sections 28.025(b-6),
29 (b-8)," and substitute "Sections 28.025(b-8)".

12 MAR 25 PM 4:19
HOUSE OF REPRESENTATIVES



Diane Patrick

FLOOR AMENDMENT NO. _____

BY: _____

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 11, line 21, immediately following the
- 3 semicolon, insert "and".
- 4 (2) On page 11, line 23, strike "; and" and substitute an
- 5 underlined period.
- 6 (3) On page 11, lines 24-25, strike "(4) the curriculum
- 7 requirements for at least one endorsement under Subsection (c-1)."



13 MAR 25 AM 10:07
HOUSE OF REPRESENTATIVES

BY: James Phillips

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education
5 Code, is amended by adding Section 39.0237 to read as follows:

6 Sec. 39.0237. PROHIBITED SCHOOL DISTRICT ACTION DURING
7 ADMINISTRATION OF ASSESSMENT INSTRUMENTS. On a date on which an
8 assessment instrument under Section 39.023 is administered, a
9 school district may not:

10 (1) excuse or dismiss from school a student who is not
11 administered an assessment instrument on that date;

12 (2) restrict the recess of a student who is not
13 administered an assessment instrument on that date; or

14 (3) prohibit a student who is not administered an
15 assessment instrument on that date from speaking during the
16 student's lunch period, unless the district has adopted a policy
17 that prohibits all students from speaking during the lunch period
18 every day.

19 (b) This section applies beginning with the 2013-2014
20 school year.



13 MAR 25 AM 10:08
HOUSE OF REPRESENTATIVES

James Phillips

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 28, line 14, strike "Subsection (a-4)" and substitute "Subsections (a-4) and (a-5)".

(2) On page 30, between lines 26 and 27, insert the following:

(a-5) For purposes of this subsection, English II Reading and English II Writing are considered to be separate assessment instruments. The board of trustees of a school district may grant a high school diploma to a student who performs satisfactorily on all but one of the required end-of-course assessment instruments if:

(1) the student's 'combined average score on all required end-of-course assessment instruments is equal to a scale score of at least 75;

(2) the student has received accelerated instruction in the subject assessed by the assessment instrument for which the student failed to perform satisfactorily, has retaken the assessment instrument, and has again failed to perform satisfactorily; and

(3) the student's school records do not indicate any negative attendance or behavioral history.



13 MAR 25 AM 10:09
HOUSE OF REPRESENTATIVES

BY: James Phillips

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.0236 to read as follows:

6 Sec. 39.0236. SAMPLE OF END-OF-COURSE ASSESSMENT
7 INSTRUMENT. (a) The agency shall provide samples of representative
8 portions of each assessment instrument adopted under Section
9 39.023(c) to a school district or open-enrollment charter school
10 before the beginning of the school year in which the assessment
11 instrument is to be administered.

12 (b) If the agency contracts with a vendor to develop an
13 assessment instrument to be adopted by the agency under Section
14 39.023(c), the agency shall require the vendor under the contract
15 to meet the requirement of Subsection (a).

16 (b) This section applies beginning with the 2013-2014
17 school year.



13 MAR 25 AM 10:09
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: James Phillips

1 Amend C.S.H.B. No. 5 (house committee printing) on page 45,
2 between lines 17 and 18, by adding the following appropriately
3 numbered SECTION to the bill and renumbering subsequent SECTIONS of
4 the bill accordingly:

5 SECTION ____ (a) Section 39.116, Education Code, is amended by
6 amending Subsection (g) and adding Subsection (h) to read as
7 follows:

8 (g) Subsections (a)-(f) and this subsection expire [~~This~~
9 ~~section expires~~] September 1, 2014.

10 (h) For any period during which the commissioner suspends
11 assignment of accreditation statuses and performance ratings, the
12 commissioner shall:

13 (1) continue to implement interventions and sanctions
14 for districts and campuses identified as having unacceptable
15 performance for the school year in which accreditation statuses and
16 performance ratings were last assigned; and

17 (2) increase or decrease the level of interventions
18 and sanctions during the period of suspension based on periodic
19 evaluations of the performance of the district or campus.

20 (b) This section applies beginning with the 2013-2014
21 school year.



13 MAR 25 AM 10:10
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: James Phillips

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 36, line 22, strike "of".
- 3 (2) On page 36, strike lines 23-25.
- 4 (3) On page 36, strike lines 26-27 and substitute the
- 5 following:
- 6 that reflects exemplary, recognized, acceptable, [performance] or
- 7 (4) On page 37, lines 24-25, strike "an acceptable
- 8 performance rating of A, B, or C, or an unacceptable performance
- 9 rating of F" and substitute "a performance rating that reflects
- 10 exemplary, recognized, acceptable, or unacceptable performance".
- 11 (5) On page 42, strike lines 9-14 and substitute the
- 12 following:
- 13 financial accountability rating that reflects exemplary,
- 14 recognized, acceptable, or unacceptable performance.
- 15 (6) On page 42, line 16, strike "a failing" and substitute
- 16 "an unacceptable".
- 17 (7) On page 44, line 19, strike "a failing" and substitute
- 18 "an unacceptable".



13 MAR 25 AM 9:04
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTIONS and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) Sections 45.103(a) and (c), Education
5 Code, are amended to read as follows:

6 (a) Any school district in need of funds to construct,
7 repair, or renovate school buildings, purchase school buildings and
8 school equipment, or equip school properties with necessary
9 heating, water, sanitation, lunchroom, or electric facilities or in
10 need of funds with which to employ a person who has special skill
11 and experience to compile taxation data and that is financially
12 unable out of available funds to construct, repair, renovate, or
13 purchase school buildings, purchase school equipment, or equip
14 school properties with necessary heating, water, sanitation,
15 lunchroom, or electric facilities or is unable to pay the person for
16 compiling taxation data, may, subject to this section, issue
17 interest-bearing time warrants, in amounts sufficient to
18 construct, purchase, equip, or improve school buildings and
19 facilities or to pay all or part of the compensation of the person
20 to compile taxation data, any law to the contrary notwithstanding.
21 The warrants shall mature in serial installments of not more than 15
22 [~~five~~] years from their date of issue. The warrants on maturity may
23 be payable out of any available funds of the school district in the
24 order of their maturity dates. Any interest-bearing time warrants
25 may be issued and sold by the district for not less than their face
26 value, and the proceeds used to provide funds required for the
27 purpose for which they are issued. The warrants shall be entitled
28 to first payment out of any available funds of the district as they
29 become due. Included in the purposes for which interest-bearing

1 time warrants may be issued is the payment of any amounts owed by
2 the school district that was incurred in carrying out any of those
3 purposes.

4 (c) A school district may not issue interest-bearing time
5 warrants in excess of five percent of the assessed valuation of the
6 district for the year in which the warrants are issued. The payment
7 of interest-bearing time warrants in any one year may not exceed the
8 anticipated surplus income of the district for the year in which the
9 warrants are issued, based on the budget of the district for that
10 year. The anticipated income computed under this section is
11 exclusive of all bond taxes. A school district may not have
12 outstanding at any one time warrants totaling in excess of \$1
13 million [~~\$500,000~~] under this section.

14 (b) This section takes effect September 1, 2013.

15 SECTION _____. (a) Section 45.108(a), Education Code, is
16 amended to read as follows:

17 (a) Independent or consolidated school districts may borrow
18 money for the purpose of paying maintenance expenses and may
19 evidence those loans with negotiable or nonnegotiable notes, except
20 that the loans may not at any time exceed 75 percent of the previous
21 year's income. The notes may be payable from and secured by a lien
22 on and pledge of any available funds of the district, including
23 proceeds of a maintenance tax. The term "maintenance expenses" or
24 "maintenance expenditures" as used in this section means any lawful
25 expenditure of the school district other than payment of principal
26 of and interest on bonds. The term includes expenditures relating
27 to notes issued to refund notes previously issued under this
28 section if the refunding notes are coterminous with the refunded
29 obligation. The term also includes all costs incurred in
30 connection with environmental cleanup and asbestos cleanup and
31 removal programs implemented by school districts or in connection

1 with the maintenance, repair, rehabilitation, or replacement of
2 heating, air conditioning, water, sanitation, roofing, flooring,
3 electric, or other building systems of existing school properties.
4 Notes issued pursuant to this section may be issued to mature in not
5 more than 20 years from their date. Notes issued for a term longer
6 than one year must be treated as "debt" as defined in Section
7 26.012(7), Tax Code.

8 (b) This section takes effect September 1, 2013.

9 SECTION _____. (a) Section 1202.007(a), Government Code, is
10 amended to read as follows:

11 (a) The following are exempt from the approval and
12 registration requirements of this chapter:

13 (1) a public security that is:

14 (A) not subject to mandatory renewal or renewal
15 at the option of any person, including the issuer, a holder, or a
16 bearer; and

17 (B) payable only out of:

18 (i) current revenues or taxes collected in
19 the year the public security is issued; or

20 (ii) the proceeds of other public
21 securities;

22 (2) a certificate in evidence of benefit assessments;

23 (3) a certificate of obligation, including a claim or
24 account that represents an undivided interest in a certificate of
25 obligation, that under Subchapter C, Chapter 271, Local Government
26 Code, an issuer is authorized to deliver to a contractor;

27 (4) a time warrant issued under Chapter 252 or 262,
28 Local Government Code;

29 (5) a public security authorized by Chapter 1371;

30 (6) a lease, lease-purchase, or installment sale
31 obligation, except as provided by other law; ~~and~~

1 (7) a public security that by rule the attorney
2 general exempts because it is not practical to require approval
3 before the public security's issuance; and

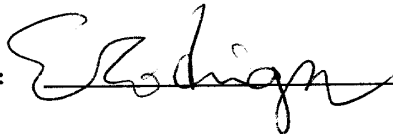
4 (8) a nonnegotiable note issued under Section 45.108,
5 Education Code, in a principal amount that does not exceed \$1
6 million.

7 (b) This section takes effect September 1, 2013.



13438 25
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS accordingly:

4 SECTION _____. INTERIM STUDY REGARDING HIGH SCHOOL STUDENTS'
5 TRANSITION TO CAREER OR TRADE. (a) A select interim committee is
6 created to conduct a study to evaluate the transition of a high
7 school student to a career or trade by enrolling in career and
8 technical courses offered in secondary and postsecondary settings.

9 (b) The study must consider:

10 (1) the feasibility of offering a high school student
11 the opportunity to obtain industry licensure or certification
12 before the student graduates by increasing access to community
13 college or postsecondary technical school courses;

14 (2) the extent to which a high school student may
15 transfer course credits earned while in high school to a
16 postsecondary institution for credit toward an industry licensure
17 or certification;

18 (3) the extent to which a high school student may
19 satisfy high school graduation requirements by enrolling in a
20 career and technical course offered by a postsecondary institution;
21 and

22 (4) whether courses offered in secondary and
23 postsecondary settings are tailored to occupations needed in a
24 particular region.

25 (c) The committee is composed of members appointed by the
26 speaker of the house of representatives. The speaker may appoint as
27 many members as necessary to accomplish the purposes of the
28 committee.

29 (d) The speaker of the house of representatives shall

1 designate a committee chair and a committee vice-chair from among
2 the committee members.

3 (e) The committee shall convene at the call of the chair.

4 (f) The committee has all other powers and duties provided
5 to a special or select committee by the rules of the house of
6 representatives, by Subchapter B, Chapter 301, Government Code, and
7 by policies of the house committee on administration.

8 (g) Not later than December 1, 2014, the committee shall
9 report the committee's findings and recommendations to the
10 legislature. The committee shall include in its recommendations
11 specific statutory and rule changes that appear necessary from the
12 results of the committee's study under Subsection (b) of this
13 section.

14 (h) Not later than the 60th day after the effective date of
15 this Act, the speaker of the house of representatives shall appoint
16 the members of the committee created under this section and
17 designate the committee's chair and vice-chair.

18 (i) The Texas Legislative Council shall provide any
19 necessary staff and resources to the committee created under this
20 section.

21 (j) The committee is abolished December 21, 2014.

22 (k) This section expires December 21, 2014.



13 MAR 25 11:11:10
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: E. Rodriguez

1 Amend C.S.H.B. No. 5 (house committee report) on page 35,
2 line 23, between "performance" and the period by inserting ", which
3 must include either:

4 (A) the percentage of students who satisfy the
5 Texas Success Initiative (TSI) college readiness benchmarks
6 prescribed by the Texas Higher Education Coordinating Board under
7 Section 51.3062(f) on an assessment instrument in reading,
8 writing, or mathematics designated by the Texas Higher Education
9 Coordinating Board under Section 51.3062(c); or

10 (B) the number of students who earn:

11 (i) at least 12 hours of postsecondary
12 credit required for the foundation high school program under
13 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

14 (ii) at least 30 hours of postsecondary
15 credit required for the foundation high school program under
16 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

17 (iii) an associate's degree; or

18 (iv) an industry certification".



COMMITTEE REPORT
HOUSE OF REPRESENTATIVES

Jan Branch
E. Brinkley

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) Strike page 2, line 20, through page 4, line 18, and substitute the following appropriately numbered SECTION:

SECTION _____. (a) Section 28.014, Education Code, is amended to read as follows:

Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Each school district shall partner with at least one institution of higher education to develop and provide ~~[The commissioner of education and the commissioner of higher education shall develop and recommend to the State Board of Education for adoption under Section 28.002 the essential knowledge and skills of]~~ courses in college preparatory mathematics~~[, science, social studies,]~~ and English language arts. The courses must be designed:

(1) for students at the 12th grade level whose performance on:

(A) ~~[who do not meet college readiness standards on]~~ an end-of-course assessment instrument required under Section 39.023(c) or an end-of-course assessment instrument adopted under Section 39.023(c-2) does not meet college readiness standards; or

(B) coursework, a college entrance examination, or an assessment instrument designated under Section 51.3062(c) indicates that the student is not ready to perform entry-level college coursework; and

(2) to prepare students for success in entry-level college courses.

(b) A course developed under this section must be provided:

(1) on the campus of the high school offering the course; or

(2) as an online course through an institution of

1 higher education with which the school district partners as
2 provided by Subsection (a).

3 (c) Appropriate faculty of each high school offering
4 courses under this section and appropriate faculty of each
5 institution of higher education with which the school district
6 partners shall meet regularly as necessary to ensure that each
7 course is aligned with college readiness expectations. The
8 commissioner of education, in coordination with the commissioner of
9 higher education, may adopt rules to administer this subsection.

10 (d) Each school district shall provide a notice to each
11 district student to whom Subsection (a) applies and the student's
12 parent or guardian regarding the benefits of enrolling in a course
13 under this section.

14 (e) A student who successfully completes an English
15 language arts [a] course developed under this section may use the
16 credit earned in the course toward satisfying the advanced English
17 language arts [applicable mathematics or science] curriculum
18 requirement for the foundation [recommended or advanced] high
19 school program under Section 28.025(b-1)(1) [28.025]. A student
20 who successfully completes a mathematics course developed under
21 this section may use the credit earned in the course toward
22 satisfying an advanced mathematics curriculum requirement under
23 Section 28.025 after completion of the mathematics curriculum
24 requirements for the foundation high school program under Section
25 28.025(b-1)(2).

26 (f) A course provided under this section may be offered for
27 dual credit at the discretion of the institution of higher
28 education with which a school district partners under this section.

29 (g) Each school district, in consultation with each
30 institution of higher education with which the district partners,
31 shall develop or purchase [(c) The agency, in consultation with

1 ~~the Texas Higher Education Coordinating Board, shall adopt an~~
2 ~~end-of-course assessment instrument for each course developed~~
3 ~~under this section to ensure the rigor of the course. A school~~
4 ~~district shall, in accordance with State Board of Education rules,~~
5 ~~administer the end-of-course assessment instrument to a student~~
6 ~~enrolled in a course developed under this section. Each school~~
7 ~~district shall adopt a policy that requires a student's performance~~
8 ~~on the end-of-course assessment instrument to account for 15~~
9 ~~percent of the student's final grade for the course. A student's~~
10 ~~performance on an end-of-course assessment instrument administered~~
11 ~~under this subsection may be used, on a scale of 0-40, in~~
12 ~~calculating whether the student satisfies the graduation~~
13 ~~requirements established under Section 39.025.~~

14 ~~[(d) The agency, in coordination with the Texas Higher~~
15 ~~Education Coordinating Board, shall adopt a series of questions to~~
16 ~~be included in an end-of-course assessment instrument administered~~
17 ~~under Subsection (c) to be used for purposes of Section~~
18 ~~51.3062. The questions must be developed in a manner consistent~~
19 ~~with any college readiness standards adopted under Sections 39.233~~
20 ~~and 51.3062.~~

21 ~~[(e) The State Board of Education shall adopt]~~
22 ~~instructional materials for a course developed under this section~~
23 ~~consistent [in accordance] with Chapter 31. The instructional~~
24 ~~materials must include technology resources that enhance the~~
25 ~~effectiveness of the course and draw on established best practices.~~

26 ~~(h) [(f)] To the extent applicable, a district [the~~
27 ~~commissioner] shall draw from curricula and instructional~~
28 ~~materials developed under Section [Sections] 28.008 [and 61.0763]~~
29 ~~in developing a course and related instructional materials under~~
30 ~~this section. A [Not later than September 1, 2010, the State Board~~
31 ~~of Education shall adopt essential knowledge and skills for each~~

1 ~~course developed under this section. The State Board of Education~~
2 ~~shall make each]~~ course developed under this section and the
3 related instructional materials shall be made available to students
4 ~~[school districts]~~ not later than the 2014-2015 school year. ~~[As~~
5 ~~required by Subsection (c), a school district shall adopt a policy~~
6 ~~requiring a student's performance on an end-of-course assessment~~
7 ~~instrument administered under that subsection to account for 15~~
8 ~~percent of the student's grade for a course developed under this~~
9 ~~section not later than the 2014-2015 school year.]~~ This subsection
10 expires September 1, 2015.

11 (2) On page 4, line 19, strike "2014-2015" and substitute
12 "2013-2014".

13 (3) On page 20, between lines 2 and 3, insert the following
14 appropriately numbered SECTIONS:

15 SECTION _____. (a) Section 31.0211(c), Education Code, is
16 amended to read as follows:

17 (c) Subject to Subsection (d), funds allotted under this
18 section may be used to:

19 (1) purchase:

20 (A) materials on the list adopted by the
21 commissioner, as provided by Section 31.0231;

22 (B) instructional materials, regardless of
23 whether the instructional materials are on the list adopted under
24 Section 31.024;

25 (C) consumable instructional materials,
26 including workbooks;

27 (D) instructional materials for use in bilingual
28 education classes, as provided by Section 31.029;

29 (E) instructional materials for use in college
30 preparatory courses under Section 28.014, as provided by Section
31 31.031;

1 (F) supplemental instructional materials, as
2 provided by Section 31.035;

3 (G) [~~F~~] state-developed open-source
4 instructional materials, as provided by Subchapter B-1;

5 (H) [~~G~~] instructional materials and
6 technological equipment under any continuing contracts of the
7 district in effect on September 1, 2011; and

8 (I) [~~H~~] technological equipment necessary to
9 support the use of materials included on the list adopted by the
10 commissioner under Section 31.0231 or any instructional materials
11 purchased with an allotment under this section; and

12 (2) pay:

13 (A) for training educational personnel directly
14 involved in student learning in the appropriate use of
15 instructional materials and for providing for access to
16 technological equipment for instructional use; and

17 (B) the salary and other expenses of an employee
18 who provides technical support for the use of technological
19 equipment directly involved in student learning.

20 (b) This section applies beginning with the 2014-2015
21 school year.

22 SECTION _____. (a) Subchapter B, Chapter 31, Education Code,
23 is amended by adding Section 31.031 to read as follows:

24 Sec. 31.031. COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

25 (a) A school district may purchase with the district's
26 instructional materials allotment or otherwise acquire
27 instructional materials for use in college preparatory courses
28 under Section 28.014.

29 (b) The commissioner shall adopt rules regarding the
30 purchase of instructional materials under this section.

31 (b) This section applies beginning with the 2014-2015

1 school year.

2 (4) On page 29, line 20, between "(a-1)" and "The" insert
3 the following:

4 A student enrolled in a college preparatory course under Section
5 28.014 who satisfies the Texas Success Initiative (TSI) college
6 readiness benchmarks prescribed by the Texas Higher Education
7 Coordinating Board under Section 51.3062(f) on an assessment
8 instrument designated by the Texas Higher Education Coordinating
9 Board under Section 51.3062(c) administered at the end of the
10 college preparatory course satisfies the requirements concerning
11 an end-of-course assessment in an equivalent course as prescribed
12 by Subsection (a).

13 (5) On page 34, lines 12-13, strike "Section 39.053(c),
14 Education Code, is amended" and substitute "Section 39.053,
15 Education Code, is amended by amending Subsection (c) and adding
16 Subsection (c-1)".

17 (6) On page 35, between lines 23 and 24, insert the
18 following:

19 (c-1) The commissioner by rule shall determine a method by
20 which a student's performance may be included in determining the
21 performance rating of a school district or campus under Section
22 39.054 if, before the student graduates, the student:

23 (1) satisfies the Texas Success Initiative (TSI)
24 college readiness benchmarks prescribed by the Texas Higher
25 Education Coordinating Board under Section 51.3062(f) on an
26 assessment instrument designated by the Texas Higher Education
27 Coordinating Board under Section 51.3062(c); or

28 (2) performs satisfactorily on an assessment
29 instrument under Section 39.023(c), notwithstanding Subsection
30 (d).

31 (7) On page 52, lines 4-5, strike "Section 51.3062(q-1),

1 Education Code, is amended" and substitute "Section 51.3062,
2 Education Code, is amended by amending Subsection (q-1) and adding
3 Subsection (q-2)".

4 (8) On page 52, between lines 14 and 15, insert the
5 following:

6 (q-2) A student who successfully completes a college
7 preparatory course under Section 28.014 is exempt from the
8 requirements of this section with respect to the content area of the
9 course. The commissioner of higher education by rule shall
10 establish the period for which an exemption under this subsection
11 is valid.

12 (9) Renumber SECTIONS of the bill appropriately.



12 MAR 25 AM 11:16
HOUSE OF REPRESENTATIVES

Don Branch
Chairman

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) Add the following appropriately numbered SECTIONS to
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Section 7.010(c), Education Code, is
5 amended to read as follows:

6 (c) The electronic student records system must permit an
7 authorized state or district official or an authorized
8 representative of an institution of higher education to
9 electronically transfer to and from an educational institution in
10 which the student is enrolled and retrieve student transcripts,
11 including information concerning a student's:

12 (1) course or grade completion;

13 (2) teachers of record;

14 (3) assessment instrument results;

15 (4) receipt of special education services, including
16 placement in a special education program and the individualized
17 education program developed; and

18 (5) personal graduation plan as described by Section
19 28.0212 or 28.02121, as applicable.

20 (b) This section applies beginning with the 2014-2015
21 school year.

22 SECTION _____. (a) Section 12.111(b), Education Code, is
23 amended to read as follows:

24 (b) A charter holder of an open-enrollment charter school
25 shall consider including in the school's charter a requirement that
26 the school develop and administer personal graduation plans under
27 Sections [Section] 28.0212 and 28.02121.

28 (b) This section applies beginning with the 2014-2015
29 school year.

1 SECTION _____. (a) The heading to Section 28.0212, Education
2 Code, is amended to read as follows:

3 Sec. 28.0212. JUNIOR HIGH OR MIDDLE SCHOOL PERSONAL
4 GRADUATION PLAN.

5 (b) This section applies beginning with the 2014-2015
6 school year.

7 SECTION _____. (a) Sections 28.0212(a) and (b), Education
8 Code, are amended to read as follows:

9 (a) A principal of a junior high or middle school shall
10 designate a guidance counselor, teacher, or other appropriate
11 individual to develop and administer a personal graduation plan for
12 each student enrolled in the ~~[a]~~ junior high or ~~[r]~~ middle ~~[r, or high]~~
13 school who:

14 (1) does not perform satisfactorily on an assessment
15 instrument administered under Subchapter B, Chapter 39; or

16 (2) is not likely to receive a high school diploma
17 before the fifth school year following the student's enrollment in
18 grade level nine, as determined by the district.

19 (b) A personal graduation plan under this section must:

20 (1) identify educational goals for the student;

21 (2) include diagnostic information, appropriate
22 monitoring and intervention, and other evaluation strategies;

23 (3) include an intensive instruction program
24 described by Section 28.0213;

25 (4) address participation of the student's parent or
26 guardian, including consideration of the parent's or guardian's
27 educational expectations for the student; and

28 (5) provide innovative methods to promote the
29 student's advancement, including flexible scheduling, alternative
30 learning environments, on-line instruction, and other
31 interventions that are proven to accelerate the learning process

1 and have been scientifically validated to improve learning and
2 cognitive ability.

3 (b) This section applies beginning with the 2014-2015
4 school year.

5 SECTION _____. (a) Subchapter B, Chapter 28, Education Code,
6 is amended by adding Section 28.02121 to read as follows:

7 Sec. 28.02121. HIGH SCHOOL PERSONAL GRADUATION PLAN. (a)
8 The agency, in consultation with the Texas Workforce Commission and
9 the Texas Higher Education Coordinating Board, shall prepare and
10 make available to each school district in English and Spanish
11 information that explains the advantages of the distinguished level
12 of achievement described by Section 28.025(b-14) and each
13 endorsement described by Section 28.025(c-1).

14 (b) A school district shall publish the information
15 provided to the district under Subsection (a) on the Internet
16 website of the district and ensure that the information is
17 available to students in grades nine and above and the parents or
18 legal guardians of those students.

19 (c) A principal of a high school shall designate a guidance
20 counselor or school administrator to review personal graduation
21 plan options with each student entering grade nine together with
22 that student's parent or guardian. The personal graduation plan
23 options reviewed must include the distinguished level of
24 achievement described by Section 28.025(b-14) and the endorsements
25 described by Section 28.025(c-1). Before the conclusion of the
26 school year, the student and the student's parent or guardian must
27 confirm and sign a personal graduation plan for the student.

28 (d) A personal graduation plan under Subsection (c) must
29 identify a course of study that:

30 (1) promotes:

31 (A) college and workforce readiness; and

1 (B) career placement and advancement; and
2 (2) facilitates the student's transition from
3 secondary to postsecondary education.
4 (e) A school district may not prevent a student and the
5 student's parent or guardian from confirming a personal graduation
6 plan that includes pursuit of a distinguished level of achievement
7 or an endorsement.
8 (f) A student may amend the student's personal graduation
9 plan after the initial confirmation of the plan under this section.
10 (b) This section applies beginning with the 2014-2015
11 school year.
12 SECTION _____. (a) Section 39.235(b), Education Code, is
13 amended to read as follows:
14 (b) Before awarding a grant under this section, the
15 commissioner may require a campus or school district to:
16 (1) obtain local matching funds; or
17 (2) meet other conditions, including developing a
18 personal graduation plan under Section 28.0212 for each student
19 enrolled at the campus or in a district middle or [7] junior high [7
20 ~~or high~~] school.
21 (b) This section applies beginning with the 2014-2015
22 school year.
23 (2) On page 69, line 4, strike "and".
24 (3) On page 69, line 5, between "(2)" and "Sections
25 28.025(b-6)", insert the following:
26 Sections 28.0212(e) and (g); and
27 (3)



13 MAR 25 11:11 AM
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 as follows:

(1) Strike page 20, lines 9 and 10, and substitute the following:

SECTION 14. (a) Section 33.007, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (b-1) and (b-2) to read as follows:

(2) On page 21, between lines 21 and 22, insert the following:

(b-1) A school district shall obtain from each parent or guardian to whom information is provided under Subsection (b) a written acknowledgment of the parent's or guardian's receipt of the information.

(b-2) The commissioner by rule shall prescribe uniform requirements for:

(1) the provision of information under Subsection (b);
and

(2) the written acknowledgment required by Subsection (b-1).



13 MAR 25 11 11 AM
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 2, line 1, strike "Section 28.002(f), Education Code, is", and substitute "Sections 28.002(c) and (f), Education Code, are".

(2) On page 2, between lines 2 and 3, insert the following:

(c) The State Board of Education, with the direct participation of educators, parents, business and industry representatives, and employers shall by rule identify the essential knowledge and skills of each subject of the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials under Chapter 31 and addressed on the assessment instruments required under Subchapter B, Chapter 39. As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.



12-12-25 1:23
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 12, line 26, strike "representatives" and insert "representatives, and shall require each school district to report to the agency the categories of endorsements under Subsection (c-1) for which the district offers all courses for curriculum requirements, as determined by board rule".

(2) Add the appropriately numbered SECTION to the bill and renumber subsequent SECTIONS in the bill accordingly:

SECTION _____. (a) Section 39.332(b), Education Code, is amended by amending Subdivision (23) and adding Subdivision (24) to read as follows:

(23) The report must contain an evaluation of the availability of categories of endorsements under Section 28.025(c-1), including the following information for each school district:

(A) the categories of endorsements under Section 28.025(c-1) for which the district offers all courses for curriculum requirements as determined by board rule; and

(B) the district's economic, geographic, and demographic information, as determined by the commissioner.

(24) The report must contain any additional information considered important by the commissioner or the State Board of Education.

(b) This section applies beginning with the 2014-2015 school year.



13 MAR 22 PM 1:43
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: M. Sch

1 Amend C.S.H.B. No. 5 (House committee report) by inserting
2 the following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS accordingly:

4 SECTION _____. (a) Section 21.055, Education Code, is
5 amended by adding Subsection (d-1) to read as follows:

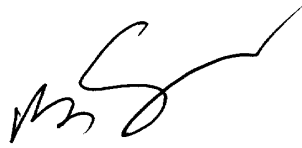
6 (d-1) Subsections (c) and (d) do not apply to a person who
7 teaches only career and technology education classes. With the
8 approval of the superintendent of the school district, a district
9 may issue to the person a school district teaching permit without
10 any action by the commissioner. .

11 (b) This section applies beginning with the 2013-2014
12 school year.



13 MAR 25 1:11
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

Amend C.S.H.B. 5 as follows:

(1) On page 22, line 11, strike "39.023(c)," and substitute "39.023(b), (c),".

(2) On page 22, between lines 12 and 13, insert the following:

(b) Each ~~[The agency shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each]~~ student in a special education program under Subchapter A, Chapter 29, for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee, shall be administered appropriate assessment instruments, including assessment instruments approved by the commissioner that measure growth as determined by the student's individualized education program.



13 MAR 22 PM 2:11
HOUSE OF REPRESENTATIVES

Sen Branch
Mark Strana
Luc Berman

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 4, line 23, between "(b-5)," and "(b-7)", insert
3 "(b-6),".

4 (2) On page 5, strike lines 11-25 and substitute the
5 following:

6 (b) A school district shall ensure that each student enrolls
7 in the courses necessary to complete the curriculum requirements
8 identified by the State Board of Education under Subsection (a) for
9 the distinguished level of achievement under the foundation
10 ~~[recommended or advanced]~~ high school program unless the student,
11 the student's parent or other person standing in parental relation
12 to the student, and a school counselor or school administrator
13 agree in writing signed by each party that the student should be
14 permitted to take courses under the foundation ~~[minimum]~~ high
15 school program and the student:

16 (1) is at least 16 years of age;

17 (2) has completed two credits required for graduation
18 in each subject of the foundation curriculum under Section
19 28.002(a)(1); or

20 (3) has failed to be promoted to the tenth grade one or
21 more times as determined by the school district.

22 (3) On page 9, between lines 1 and 2, insert the following:

23 (b-6) Before a student's parent or other person standing in
24 parental relation to the student may agree that the student be
25 permitted to take courses under the foundation ~~[minimum]~~ high
26 school program as provided by Subsection (b), a school district
27 must provide written notice to the parent or person standing in
28 parental relation explaining the benefits of the distinguished
29 level of achievement under the foundation ~~[recommended]~~ high school

1 program. The notice shall be developed by the agency and must:

2 (1) be printed in English and Spanish; and

3 (2) require that the student's parent or person
4 standing in parental relation to the student sign a confirmation of
5 receipt and return the confirmation to the student's campus.

6 (4) On page 69, line 5, strike "Sections 28.025(b-6),
7 (b-8)," and substitute "Sections 28.025(b-8)".



13 MAR 22 PM 2:12
HOUSE OF REPRESENTATIVES

Mark Strane

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 22, strike lines 11 and 12 and substitute the
3 following:

4 SECTION 16. (a) Section 39.023, Education Code, is amended
5 by amending Subsections (c), (c-2), (c-3), and (e) and adding
6 Subsections (e-1), (e-2), (e-3), and (e-4) to read as follows:

7 (2) On page 24, between lines 17 and 18, insert the
8 following:

9 (e) Under rules adopted by the State Board of Education,
10 beginning with the 2014-2015 school year, as possible [~~every third~~
11 ~~year~~], the agency each year shall release the questions and answer
12 keys to each assessment instrument administered under Subsection
13 (a), (b), (c), (c-2), (d), or (l), excluding any assessment
14 instrument administered to a student for the purpose of retaking
15 the assessment instrument, after the last time the instrument is
16 administered for that school year.

17 (e-1) Under rules adopted by the State Board of Education,
18 for the 2012-2013 school year, the agency each year shall release
19 the questions and answer keys to each assessment instrument
20 administered under Subsection (a), (c), (d), or (l), excluding any
21 assessment instrument administered to a student for the purpose of
22 retaking the assessment instrument, after the last time the
23 instrument is administered for that school year. This subsection
24 expires December 31, 2013.

25 (e-2) Under rules adopted by the State Board of Education,
26 for the 2013-2014 school year, the agency each year shall release
27 the questions and answer keys to each assessment instrument
28 administered under Subsection (b), (c), (c-2), or (l), excluding
29 any assessment instrument administered to a student for the purpose

1 of retaking the assessment instrument and any assessment instrument
2 covering a subject or course for which the questions and answer keys
3 for the 2012-2013 assessment instrument covering that subject or
4 course were released, after the last time the instrument is
5 administered for the 2013-2014 school year. This subsection expires
6 December 31, 2014.

7 (e-3) Under rules adopted by the State Board of Education,
8 for the 2013-2014 school year, the agency each year shall release
9 the questions and answer keys to each assessment instrument
10 administered under Subsection (a), (b), (c), (d), or (l) during the
11 2011-2012 school year after the last time any assessment instrument
12 is administered for the 2013-2014 school year. This subsection
13 expires December 31, 2014.

14 (e-4) To ensure a valid bank of questions for use each year,
15 the agency is not required to release a question that is being
16 field-tested and was not used to compute the student's score on the
17 instrument. The agency shall also release, under board rule, each
18 question that is no longer being field-tested and that was not used
19 to compute a student's score.

13 MAR 22 PM 2:50
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: _____

Mark Strana

1 Amend C.S.H.B. No. 5 (house committee printing) on page 25,
2 between lines 16 and 17, by adding the following appropriately
3 numbered SECTION to the bill and renumbering subsequent SECTIONS of
4 the bill accordingly:

5 SECTION _____. (a) Section 39.0234, Education Code, is
6 amended to read as follows:

7 Sec. 39.0234. ADMINISTRATION OF ASSESSMENT INSTRUMENTS BY
8 COMPUTER. (a) The agency shall ensure that assessment instruments
9 required under Section 39.023 are capable of being administered by
10 computer. Except as provided by Subsection (b), the [The]
11 commissioner may not require a school district or open-enrollment
12 charter school to administer an assessment instrument by computer.

13 (b) A school district, including a disciplinary alternative
14 education program provided by the district, or a juvenile justice
15 alternative education program shall provide to a student eligible
16 to retake an end-of-course assessment instrument the opportunity to
17 retake that assessment instrument by computer at any reasonable
18 time. The commissioner may adopt rules as necessary to administer
19 this subsection.

20 (b) This section applies beginning with the 2013-2014
21 school year.



13 MAR 25 AM 10:24
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Mark Strana

- 1 Amend C.S.H.B. No. 5 (house committee printing) on page 29,
- 2 line 23, between "ACT," and "or", by inserting "a Common Core State
- 3 Standards assessment instrument,".



13 MAR 25 AM 11:45
HOUSE OF REPRESENTATIVES

Jose M. Menendez
Mark Strano

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 22, line 11, strike "and (c-3)" and substitute "(c-3), and (h)".

(2) On page 24, lines 11-12, strike "not earlier than the first full week in May" and substitute "during the latest practicable [not earlier than the first full] week as determined by the commissioner, but no earlier than the third full week in May".

(3) On page 24, line 13, strike "English II" and substitute "English II Writing".

(4) On page 24, line 16, strike "English III" and substitute "English III Writing".

(5) On page 24, line 17, strike "first full week in May" and substitute "final week of the school year".

(6) On page 24, between lines 17 and 18, insert the following:

(h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section [~~at the earliest possible date determined by the State Board of Education but~~] not later than the 21st day after the date the assessment instrument is administered [~~beginning of the subsequent school year~~].



13 MAR 25 PM 12:42

HOUSE OF REPRESENTATIVES

Mark Starna

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Strike page 49, lines 14 through 17, and substitute the following:

(4) for each campus, the number of students, disaggregated by major student subpopulations, that ~~[agree under Section 28.025(b) to take courses]~~ graduate under the foundation ~~[minimum]~~ high school program without earning a distinguished level of achievement under Section 28.025 (b-14) or an endorsement under Section 28.025 (c-1);

(2) On page 49, line 18, strike "~~(4)~~" and substitute "(5)".

(3) On page 50, line 1, strike "~~(5)~~ ~~(6)~~" and substitute "(6)".

(4) On page 50, line 4, strike "~~(6)~~ ~~(7)~~" and substitute "(7)".

(5) On page 50, line 8, strike "~~(7)~~ ~~(8)~~" and substitute "(8)".

(6) On page 50, line 10, strike "~~(8)~~ ~~(9)~~" and substitute "(9)".

(7) On page 50, line 13, strike "~~(9)~~ ~~(10)~~" and substitute "(10)".

(8) On page 50, line 15, strike "~~(10)~~ ~~(11)~~" and substitute "(11)".

(9) On page 50, line 18, strike "~~(11)~~ ~~(12)~~" and substitute "(12)".

(10) Strike page 50, line 24, through page 51, line 12, and renumber subsequent SECTIONS appropriately.



FLOOR AMENDMENT NO. _____

BY: _____

Mark Starnes

Amend C.S.H.B. No. 5 (house committee printing) as follows:

(1) On page 3, lines 3-4, strike "an end-of-course assessment instrument adopted under Section 39.023".

(2) On page 23, strike lines 14-25 and substitute the following:

(c-2) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra II, geometry, chemistry, physics, English I, English III, world geography, and world history. The Algebra II and geometry end-of-course assessment instruments must be administered with the aid of technology. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments. The State Board of Education shall administer the assessment instruments primarily for the purpose of diagnosing the academic strengths and deficiencies of students. [The agency may adopt end-of-course assessment instruments for courses not listed in Subsection (c).] A district may require a student's performance on an end-of-course assessment instrument adopted under this subsection to be [is not] subject to the performance requirements established under Subsection (c) [or Section 39.025].

(3) On page 24, lines 9-10, strike "the end-of-course assessment instrument in Algebra II under Subsection".

(4) On page 24, lines 13-14, strike "[~~English I,~~ English II[, ~~and English III~~]" and substitute "English I, English II, and English III".

(5) On page 24, line 14, strike "; and" and substitute ".".

(6) On page 24, strike lines 15-17.

(7) On page 25, line 21, strike "adopted [~~required~~]" and substitute "required".

(8) Strike page 25, line 27, through page 28, line 11.

(9) On page 28, line 13, between "(a-1)," and "(b)", insert "(a-2),".

(10) On page 30, between lines 21 and 22, insert the following:

(a-2) The commissioner shall adopt rules requiring a student participating in the recommended or advanced high school program to be administered each end-of-course assessment instrument listed in Section 39.023(c-2) and requiring a student participating in the minimum high school program to be administered an end-of-course assessment instrument listed in Section 39.023(c-2) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. For each scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on an assessment instrument administered under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. Performance on an assessment instrument under this subsection may not be used as a condition for graduation. [~~In addition to the cumulative score requirements under Subsection (a), a student must achieve a score that meets or exceeds the score determined by the commissioner under Section 39.0241(a) for English III and Algebra II end-of-course assessment instruments to graduate under the recommended high school program.]~~

(11) On page 32, lines 4-5, strike "Section 39.025(a),

Education Code, is amended" and substitute "Sections 39.025(a) and (a-2), Education Code, are amended".

(12) On page 33, between lines 10 and 11, insert the following:

(a-2) The commissioner shall adopt rules requiring a student participating in the foundation high school program under Section 28.025 to be administered an end-of-course assessment instrument listed in Section 39.023(c-2) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. For each scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a), on an assessment instrument administered under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. Performance on an assessment instrument under this subsection may not be used as a condition for graduation. [In addition to the cumulative score requirements under Subsection (a), a student must achieve a score that meets or exceeds the score determined by the commissioner under Section 39.0241(a) for English III and Algebra II end-of-course assessment instruments to graduate under the recommended high school program.]

(13) On page 34, between lines 11 and 12, insert the following appropriately numbered section:

SECTION _____. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.038 to read as follows:

Sec. 39.038. ASSESSMENT INSTRUMENTS CONTRACT. The commissioner shall review the contract with the current provider of

assessment instruments and shall determine whether to terminate, rebid or renegotiate the contract based on public input.

(14) Strike page 33, line 13, through page 34, line 2.

(15) On page 34, line 17, between "(c)," and "and", insert "(c-2),".

(16) On page 46, lines 18-19, strike "or (1) or on end-of-course assessment instruments adopted under Section 39.023(c-2)," and substitute "(c-2), or (1),".

(17) On page 46, lines 23-25, strike "or (1) or on end-of-course assessment instruments adopted under Section 39.023(c-2)," and substitute "(c-2), or (1),".

(18) On page 68, line 26, strike "Sections 39.025(a-2) and (a-3)" and substitute "Section 39.025(a-3)".

(19) Renumber SECTIONS of the bill appropriately.



13 MAR 25 AM 8:32
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Van Taylor

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS accordingly:

4 SECTION _____. (a) Section 25.081, Education Code, is
5 amended to read as follows:

6 Sec. 25.081. OPERATION OF SCHOOLS. (a) Except as
7 authorized under Subsection (b) of this section, Section 25.084, or
8 Section 29.0821, for each school year each school district must
9 operate so that the district provides for at least 1,260 hours [~~180~~
10 ~~days~~] of instruction for students.

11 (b) The commissioner may approve the instruction of
12 students for fewer than the number of hours [~~days~~] required under
13 Subsection (a) if disaster, flood, extreme weather conditions, fuel
14 curtailment, or another calamity causes the closing of schools.

15 (c) A reference in law to the minimum number of days of
16 instruction for students required under this section means 1,260
17 hours.

18 (b) This section applies beginning with the 2013-2014
19 school year.



13 MAR 25 AM 8:32
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Van Tylor

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 1, between lines 4 and 5, insert the following
3 appropriately numbered SECTION:

4 SECTION _____. (a) Section 7.056(e), Education Code, is
5 amended to read as follows:

6 (e) Except as provided by Subsection (f), a school campus or
7 district may not receive an exemption or waiver under this section
8 from:

9 (1) a prohibition on conduct that constitutes a
10 criminal offense;

11 (2) a requirement imposed by federal law or rule,
12 including a requirement for special education or bilingual
13 education programs; or

14 (3) a requirement, restriction, or prohibition
15 relating to:

16 (A) essential knowledge or skills under Section
17 28.002 or high school graduation requirements under Section 28.025;

18 (B) public school accountability as provided by
19 Subchapters B, C, D, E, F, and J, Chapter 39;

20 (C) extracurricular activities under Section
21 33.081 or participation in a University Interscholastic League
22 area, regional, or state competition under Section 33.0812;

23 (D) health and safety under Chapter 38;

24 (E) purchasing under Subchapter B, Chapter 44;

25 (F) elementary school class size limits, except
26 as provided by Section 25.112;

27 (G) removal of a disruptive student from the
28 classroom under Subchapter A, Chapter 37;

29 (H) at-risk programs under Subchapter C, Chapter

1 29;

2 (I) prekindergarten programs under Subchapter E,
3 Chapter 29;

4 (J) educator rights and benefits under
5 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter
6 A, Chapter 22;

7 (K) special education programs under Subchapter
8 A, Chapter 29; or

9 (L) bilingual education programs under
10 Subchapter B, Chapter 29[~~+~~ ~~or~~

11 [~~(M) the requirements for the first day of~~
12 ~~instruction under Section 25.0811~~].

13 (b) This section takes effect September 1, 2013.

14 (2) On page 1, immediately following line 24, insert the
15 following appropriately numbered SECTION:

16 SECTION _____. (a) Section 25.084(a), Education Code, is
17 amended to read as follows:

18 (a) A school district may operate its schools year-round on
19 either a single-track or a multitrack calendar. If a school
20 district adopts a year-round system, the district may modify:

21 (1) the number of contract days of employees and the
22 number of days of operation, including any time required for staff
23 development, planning and preparation, and continuing education,
24 otherwise required by law;

25 (2) testing dates, data reporting, and related
26 matters; and

27 (3) [~~the date of the first day of instruction of the~~
28 ~~school year under Section 25.0811 for a school that was operating~~
29 ~~year-round for the 2000-2001 school year, and~~

30 [~~4~~] a student's eligibility to participate in
31 extracurricular activities when the student's calendar track is not

1 in session.

2 (b) This section takes effect September 1, 2013.

3 (3) On page 68, between lines 23 and 24, insert the
4 following appropriately numbered SECTION:

5 SECTION _____. (a) Section 151.326(a), Tax Code, is amended
6 to read as follows:

7 (a) The sale of an article of clothing or footwear designed
8 to be worn on or about the human body is exempted from the taxes
9 imposed by this chapter if:

10 (1) the sales price of the article is less than \$100;
11 and

12 (2) the sale takes place during a period beginning at
13 12:01 a.m. on the third Friday in August [~~before the eighth day~~
14 ~~preceding the earliest date on which any school district, other~~
15 ~~than a district operating a year-round system, may begin~~
16 ~~instruction for the school year as prescribed by Section~~
17 ~~25.0811(a), Education Code,~~] and ending at 12 midnight on the
18 following Sunday.

19 (b) This section takes effect September 1, 2013.

20 (4) On page 68, between lines 25 and 26, insert the
21 following:

22 (1) Section 25.0811;

23 (5) On page 68, line 26, strike "(1)" and substitute "(2)".

24 (6) On page 68, line 27, strike "(2)" and substitute "(3)".

25 (7) On page 69, line 1, strike "(3)" and substitute "(4)".

26 (8) Renumber SECTIONS of the bill appropriately.



13 MAR 25 AM 8:33
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Van Tylor

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter C, Chapter 7, Education Code,
5 is amended by adding Section 7.064 to read as follows:

6 Sec. 7.064. ANNUAL REPORT CONCERNING STUDENT HOURS. (a)
7 For each school year, the commissioner shall prepare a report that
8 compiles the information submitted to the commissioner by school
9 districts and open-enrollment charter schools under Sections
10 11.179 and 12.104(b-1), respectively.

11 (b) Not later than August 1 of each year, the commissioner
12 shall submit the report prepared under Subsection (a) to the:

13 (1) governor;

14 (2) lieutenant governor;

15 (3) speaker of the house of representatives; and

16 (4) presiding officers of the standing committees of
17 the senate and house of representatives having primary jurisdiction
18 over primary and secondary education.

19 (b) Not later than August 1, 2014, the commissioner of
20 education shall submit a report concerning the 2012-2013 school
21 year, as required by Section 7.064, Education Code, as added by this
22 Act.

23 (c) This section takes effect September 1, 2013.

24 SECTION _____. (a) Subchapter D, Chapter 11, Education Code,
25 is amended by adding Section 11.179 to read as follows:

26 Sec. 11.179. STUDENT HOURS REPORTING REQUIREMENT. (a) Not
27 later than July 1 of each year, the board of trustees of an
28 independent school district shall prepare and submit to the
29 commissioner a report for the school year that ended during the

preceding calendar year that, for each class and for each grade level at each district campus, indicates the average and total number of hours students spent on campus:

(1) receiving classroom instruction;

(2) receiving special instruction, disaggregated by the type of instruction; and

(3) participating in school-sponsored or school-related activities, disaggregated by the type of activity in which the students engaged.

(b) The commissioner may adopt rules as necessary for purposes of this section.

(b) Not later than July 1, 2014, the board of trustees of a school district shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required by Section 11.179, Education Code, as added by this Act.

(c) This section takes effect September 1, 2013.

SECTION _____. (a) Section 12.104, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The governing body of an open-enrollment charter school shall comply with the student hours reporting requirement as provided by Section 11.179 as though:

(1) the open-enrollment charter school were an independent school district; and

(2) an open-enrollment charter school campus were a school district campus.

(b) Not later than July 1, 2014, the governing body of an open-enrollment charter school shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required under Section 12.104(b-1), Education Code, as added by this Act.

(c) This section takes effect September 1, 2013.



13 MAR 25 AM 10:50
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Chris Turner

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 39, Education Code, is
5 amended by adding Section 39.038 to read as follows:

6 Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY
7 COMMITTEES. The commissioner may not appoint a person to a
8 committee or panel that advises the commissioner or agency
9 regarding state accountability systems under this title or the
10 content or administration of an assessment instrument if the person
11 is reimbursed, retained, or employed by an assessment instrument
12 vendor.

13 SECTION _____. If, on September 1, 2013, a person is serving
14 on a committee or panel that advises the commissioner of education
15 or the Texas Education Agency who would not be eligible for
16 appointment under Section 39.038, Education Code, as added by this
17 Act, the person's position on the committee or panel becomes vacant
18 and shall be filled in accordance with applicable law.



13 MAR 25 AM 10:49
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Chris T.

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS in the bill accordingly:

4 SECTION _____. Section 29.182(b), Education Code, is amended
5 to read as follows:

6 (b) The state plan must include procedures designed to
7 ensure that:

8 (1) all secondary and postsecondary students have the
9 opportunity to participate in career and technology education
10 programs;

11 (2) the state complies with requirements for
12 supplemental federal career and technology education funding;
13 ~~and~~

14 (3) career and technology education is established as
15 a part of the total education system of this state and constitutes
16 an option for student learning that provides a rigorous course of
17 study consistent with the required curriculum under Section 28.002
18 and under which a student may receive specific education in a career
19 and technology program that:

20 (A) incorporates competencies leading to
21 academic and technical skill attainment;

22 (B) leads to:

23 (i) an industry-recognized license,
24 credential, or certificate; or

25 (ii) at the postsecondary level, an
26 associate or baccalaureate degree;

27 (C) includes opportunities for students to earn
28 college credit for coursework; and

29 (D) includes, as an integral part of the program,

1 participation by students and teachers in activities of career and
2 technical student organizations supported by the agency and the
3 State Board of Education; and

4 (4) a school district provides, to the greatest extent
5 possible, to a student participating in a career and technology
6 education program opportunities to enroll in dual credit courses as
7 part of the program.



13 MAR 25 AM 10:50
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:



1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter Z, Chapter 29, Education Code,
5 is amended by adding Section 29.919 to read as follows:

6 Sec. 29.919. PRIVATE SCHOOL EQUALIZATION. A private school
7 that accepts a student with a voucher, tax credit scholarship, or
8 any other funding that would otherwise have been part of the
9 foundation school fund is subject to public school accountability
10 under Subchapters B, C, D, E, and J, Chapter 39, as if the private
11 school were a public school campus.

12 (b) This section applies beginning with the 2013-2014
13 school year.



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P. 88

13 MAR 25 AM 10:51
HOUSE OF REPRESENTATIVES

BY:

For W. Hall
Chris T.

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 22, lines 11-12, strike "Sections 39.023(c),
3 (c-2), and (c-3), Education Code, are amended" and substitute
4 "Section 39.023, Education Code, is amended by amending Subsections
5 (c), (c-2), and (c-3) and adding Subsection (b-1)".

6 (2) On page 22, between lines 12 and 13, insert the
7 following:

8 (b-1) A teacher may not be required to prepare assessment
9 tasks or materials for a student who will be administered an
10 alternative assessment instrument developed or adopted as required
11 under Subsection (b). A teacher shall provide presentation
12 supports in the administration of an assessment instrument
13 described by this subsection.



FLOOR AMENDMENT NO. _____

BY: _____

Chris T...

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 7, line 3, strike "seven" and substitute "six and one-half".

(2) On page 7, line 13, strike "and" and substitute "[~~and~~]".

(3) On page 7, line 15, strike the period and substitute "; and".

(4) On page 7, between lines 15 and 16, insert the following:

(9) one-half credit in health under Section 28.002(a)(2)(B).

(5) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 28.004(e), Education Code, is amended to read as follows:

(e) Any course materials and instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome shall be selected by the board of trustees with the advice of the local school health advisory council and must:

(1) present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;

(2) devote more attention to abstinence from sexual activity than to any other behavior;

(3) emphasize that abstinence from sexual activity, if used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with human immunodeficiency virus or acquired immune deficiency syndrome, and the emotional trauma associated

1 with adolescent sexual activity;

2 (4) direct adolescents to a standard of behavior in
3 which abstinence from sexual activity before marriage is the most
4 effective way to prevent pregnancy, sexually transmitted diseases,
5 and infection with human immunodeficiency virus or acquired immune
6 deficiency syndrome; ~~and~~

7 (5) teach contraception and condom use in terms of
8 human use reality rates instead of theoretical laboratory rates, if
9 instruction on contraception and condoms is included in curriculum
10 content; and

11 (6) contain only information verified or supported by
12 research that is:

13 (A) conducted in compliance with accepted
14 scientific methods;

15 (B) published in peer-reviewed journals, if
16 appropriate;

17 (C) recognized as medically accurate, objective,
18 and complete by mainstream professional organizations and agencies
19 with expertise in the relevant field, including the federal Centers
20 for Disease Control and Prevention and the United States Department
21 of Health and Human Services; and

22 (D) proven through rigorous, scientific
23 evaluation to achieve positive outcomes on measures of sexual risk
24 behavior or its health consequences.

25 (b) This section applies beginning with the 2013-2014
26 school year.

13 MAR 25 PM 12:46
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 45, between lines 17 and 18, insert the
3 following appropriately numbered SECTION to the bill:

4 SECTION _____. Sections 39.116(a), (b), (e), (f), and (g),
5 Education Code, are amended to read as follows:

6 (a) During the period of transition to the accreditation
7 system established under H.B. No. 3, Acts of the 81st Legislature,
8 Regular Session, 2009, to be implemented in August 2013, the
9 commissioner may suspend assignment of accreditation statuses and
10 performance ratings for the 2011-2012 and 2012-2013 school years
11 [~~year~~].

12 (b) As soon as practicable following the 2012-2013
13 [~~2011-2012~~] school year, the commissioner shall report district and
14 campus performance under the student achievement indicators under
15 Sections 39.053(c)(1)(A) and (B).

16 (e) During the 2011-2012, [~~and~~] 2012-2013, and 2013-2014
17 school years, the commissioner shall continue to implement
18 interventions and sanctions for districts and campuses identified
19 as having unacceptable performance in the 2010-2011 school year in
20 accordance with the performance standards applicable during the
21 2010-2011 school year and may increase or decrease the level of
22 interventions and sanctions based on an evaluation of the
23 district's or campus's performance.

24 (f) For purposes of determining multiple years of
25 unacceptable performance and required district and campus
26 interventions and sanctions under this subchapter, the performance
27 ratings and accreditation statuses issued in the 2010-2011 and
28 2013-2014 [~~2012-2013~~] school years shall be considered
29 consecutive.

- 1 (g) This section expires September 1, 2015 [~~2014~~].
- 2 (2) On page 68, line 24, between "(a)" and "Effective",
- 3 insert the following:
- 4 Section 39.116(c), Education Code, is repealed.
- 5 (b)
- 6 (3) On page 69, line 2, strike "(b)" and substitute "(c)".
- 7 (4) Renumber SECTIONS of the bill appropriately.



13 MAR 25 AM 9:18
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 53, line 8, strike "distinguished level of achievement under the".

(2) On page 53, line 12, strike "distinguished level of achievement under the".

(3) On page 53, lines 26-27, strike "distinguished level of achievement under the".

(4) On page 54, lines 15-16, strike "distinguished level of achievement under the".

(5) On page 56, line 15, strike "distinguished level of achievement under the".



13 MAR 25 AM 9:18
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) by striking
2 page 5, lines 11-25, and substituting the following:

3 (b) A school district shall ensure that each student enrolls
4 in the courses necessary to complete the curriculum requirements
5 identified by the State Board of Education under Subsection (a) for
6 the distinguished level of achievement under the foundation
7 ~~[recommended or advanced]~~ high school program unless the student
8 and ~~[,]~~ the student's parent or other person standing in parental
9 relation to the student ~~[, and a school counselor or school~~
10 ~~administrator]~~ agree in writing signed by each party that the
11 student should be permitted to take courses under the foundation
12 ~~[minimum]~~ high school program ~~[and the student,~~
13 ~~[(1) is at least 16 years of age,~~
14 ~~[(2) has completed two credits required for graduation~~
15 ~~in each subject of the foundation curriculum under Section~~
16 ~~28.002(a)(1), or~~
17 ~~[(3) has failed to be promoted to the tenth grade one~~
18 ~~or more times as determined by the school district].~~



FLOOR AMENDMENT NO. _____

13 MAR 25 PM 1:50

BY: _____

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 36, line 23, between "C," and "or", insert
3 "D,".

4 (2) On page 36, line 27, strike "F letter performance
5 rating" and substitute "D and F letter performance ratings".

6 (3) On page 37, line 25, between "rating of" and "F",
7 insert "D or F".

8 (4) On page 42, line 9, between "C," and "or", insert "D,".

9 (5) On page 42, lines 13-14, strike "F letter performance
10 rating as a failing rating" and substitute "D and F letter
11 performance ratings as failing ratings".

13 MAR 22 PM 3:38
HOUSE OF REPRESENTATIVES



Don Bonnell
Mike Villanueva

FLOOR AMENDMENT NO. _____

BY: _____

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 9, strike lines 2 through 10 and substitute the following:

(b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation ~~[minimum, recommended, or advanced]~~ high school program or for an endorsement under Subsection (c-1) [for each subject of the foundation curriculum under Section 28.002(a)(1) and for languages other than English under Section 28.002(a)(2)(A)] by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section 61.822. Notwithstanding Subsection (b-14) or (c) of this section, Section 39.025, or any other provision of this code and notwithstanding any school district policy, a student who has completed the core curriculum of an institution of higher education under Section 61.822, as certified by the institution in accordance with commissioner rule, is considered to have earned a distinguished level of achievement under the foundation high school program and is entitled to receive a high school diploma from the appropriate high school as that high school is determined in accordance with commissioner rule. A student who is considered to have earned a distinguished level of achievement under the foundation high school program under this subsection may apply for admission to an institution of higher education for the first semester or other academic term after the semester or other academic term in which the student completes the core curriculum.

(2) On page 15, line 4, strike "completed" and substitute "earned a distinguished level of achievement under [completed]".

1 (3) On page 15, line 9, immediately after the period, insert
2 the following:

3 The student may apply for admission to an institution of
4 higher education for the first semester or other academic term
5 after the semester or other academic term in which the student earns
6 a diploma through the pilot program.

13 MAR 22 PM 3:38
HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: _____

Mike Villanueva

1 Amend C.S.H.B. 5 by adding the following appropriately
2 numbered SECTION and renumbering subsequent SECTIONS of the bill
3 accordingly:

4 SECTION _____. (a) The Texas Education Agency, in
5 collaboration with the Texas Higher Education Coordinating Board
6 and the Texas Workforce Commission, shall review implementation of
7 the changes made by this Act to the curriculum requirements for high
8 school graduation. The review must include an evaluation of the
9 effect of the changes on high school graduation rates, college
10 readiness, college admissions, college completion, obtainment of
11 workforce certificates, employment rates, and earnings.

12 (b) The commissioner of education shall submit an initial
13 report regarding the review to the governor, lieutenant governor,
14 and members of the legislature not later than December 1, 2015. The
15 commissioner of education shall submit a final report regarding
16 the review to the governor, lieutenant governor, and members of the
17 legislature not later than December 1, 2017.



13 MAR 25 AM 10:15
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Mike Villanueva

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS and renumbering SECTIONS
3 of the bill accordingly:

4 SECTION _____. (a) Section 29.062, Education Code, is amended
5 by amending Subsections (a) and (b) and adding Subsections (b-1)
6 and (b-2) to read as follows:

7 (a) The legislature recognizes that compliance with this
8 subchapter is an imperative public necessity. Therefore, in
9 accordance with the policy of the state, the agency shall evaluate
10 the effectiveness of programs under this subchapter based on the
11 following data, disaggregated by campus and school district or
12 open-enrollment charter school, which each district and
13 open-enrollment charter school shall collect and provide to the
14 agency:

15 (1) the student achievement indicators adopted under
16 Section 39.053, including the results of assessment instruments;

17 (2) the difference in grade-level retention rates
18 between students of limited English proficiency and students who
19 are not students of limited English proficiency;

20 (3) any significant difference in performance on
21 assessment instruments required under Sections 39.023(a), (c), and
22 (1), as applicable, between students of limited English proficiency
23 at the campus or in the district or open-enrollment charter school
24 being evaluated and the state average performance on those
25 assessment instruments of students who are not students of limited
26 English proficiency; and

27 (4) any significant difference in the dropout rate for
28 grade levels 9 through 12 between students of limited English
29 proficiency at the campus or in the district or open-enrollment

1 charter school being evaluated and the state average dropout rate
2 of students who are not students of limited English proficiency.

3 (b) Notwithstanding Subsection (a), for a school district
4 campus with fewer than 30 students enrolled in bilingual education
5 or English as a second language or other special language programs,
6 the agency shall evaluate information specified under Subsection
7 (a) only at the district level.

8 (b-1) The agency may combine but may not replace evaluations
9 under this section with federal accountability measures concerning
10 students of limited English proficiency.

11 (b-2) Each person considered by the agency to be the lead
12 monitor evaluating the effectiveness of programs under this
13 subchapter must be appropriately certified by the State Board for
14 Educator Certification as provided for under Section 29.061 for
15 teaching English as a second language. An emergency endorsement
16 issued under Section 29.061(a) is not considered appropriate
17 certification for purposes of this subsection. ~~[(b) The areas to~~
18 ~~be monitored shall include:~~

19 ~~[(1) program content and design,~~

20 ~~[(2) program coverage,~~

21 ~~[(3) identification procedures,~~

22 ~~[(4) classification procedures,~~

23 ~~[(5) staffing,~~

24 ~~[(6) learning materials,~~

25 ~~[(7) testing materials,~~

26 ~~[(8) reclassification of students for either entry~~
27 ~~into regular classes conducted exclusively in English or reentry~~
28 ~~into a bilingual education or special education program, and~~

29 ~~[(9) activities of the language proficiency~~
30 ~~assessment committees.]~~

31 (b) This section applies beginning with the 2014-2015

1 school year.

2 SECTION _____. (a) Section 42.006, Education Code, is amended
3 by adding Subsection (e) to read as follows:

4 (e) The commissioner shall adopt rules to ensure that,
5 through the Public Education Information Management System, the
6 agency collects and maintains data regarding:

7 (1) whether a student is or while enrolled in a public
8 school in this state has ever been classified as a student of
9 limited English proficiency;

10 (2) the school year in which a student described by
11 Subdivision (1) first entered ninth grade; and

12 (3) the status of a student described by Subdivision
13 (1) as:

14 (A) a continuing student;

15 (B) a high school graduate;

16 (C) a recipient of a high school equivalency
17 certificate; or

18 (D) a dropout.

19 (b) This section applies beginning with the 2014-2015
20 school year.



13 MAR 25 AM 11:50

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Mike Villanueva

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill:

SECTION _____. Section 28.023, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) A school district shall give a student in grade level nine or above credit for a course, including a course that satisfies a curriculum requirement under Section 28.025(b-1), on the basis of a commissioner-approved examination for credit for the course if the student achieves a passing score on the examination, as determined by the commissioner. In approving an examination for credit under this subsection, the commissioner shall ensure that the examination for each course thoroughly tests, at the applicable grade level, mastery of the skills taught or comprehension of the information presented in the course. If a student is given credit for a course on the basis of an examination under this subsection, the district shall enter the examination score as passed on the student's transcript.

(2) On page 5, line 11, strike "A school district" and substitute "Except as provided by Section 28.023(c-1), a [A] school district".

(3) On page 5, line 26, strike "The State Board of Education" and substitute "Except as provided by Section 28.023(c-1), the [The] State Board of Education".

(4) Renumber subsequent SECTIONS of the bill accordingly.



13 MAR 25 AM 11:50
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

Mike Villanueva

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.0263 to read as follows:

6 Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED
7 BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR
8 STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (a) In this section,
9 "benchmark assessment instrument" means a district-required
10 assessment instrument designed to prepare students for a
11 corresponding state-administered assessment instrument.

12 (b) Except as provided by Subsection (c), a school district
13 may not administer to any student more than two benchmark
14 assessment instruments to prepare the student for a corresponding
15 state-administered assessment instrument.

16 (c) The prohibition prescribed by this section does not
17 apply to the administration of a college preparation assessment
18 instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT,
19 an advanced placement test, an international baccalaureate
20 examination, or an independent classroom examination designed or
21 adopted and administered by a classroom teacher.

22 (d) A parent of or person standing in parental relation to a
23 student who has special needs, as determined in accordance with
24 commissioner rule, may request administration to the student of
25 additional benchmark assessment instruments.

26 (b) This section applies beginning with the 2013-2014
27 school year.



13 MAR 25 PM 1:39
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 38, line 11, strike "and".

3 (2) On page 38, line 14, strike the underlined period and
4 substitute "; and".

5 (3) On page 38, between lines 14 and 15, insert the
6 following:

7 (3) the methods employed and extent of the efforts
8 made by each campus to inform parents concerning and encourage
9 parents to attend meetings conducted at each campus during the
10 school year.

11 (b-1) The commissioner by rule shall define "meetings" for
12 purposes of this section. The definition may include a:

13 (1) meeting of a parent-teacher association;

14 (2) meeting of the board of trustees of the school
15 district;

16 (3) parent-teacher conference;

17 (4) campus open house event;

18 (5) school-sponsored entertainment event featuring
19 students, such as an orchestra or band concert, theater production,
20 or athletic event; and

21 (6) University Interscholastic League competition.

22 (4) On page 39, between lines 2 and 3, insert the following:

23 (e) A school district shall collect from each district
24 campus the information described by Subsection (b)(3) and data on
25 the number of parents who have attended campus meetings during the
26 school year and shall submit a report concerning that information
27 to the commissioner. The information provided to the commissioner
28 under this subsection must be used in developing criteria under
29 Subsection (d)(1) with respect to evaluating a campus under

1 Subsection (b)(3).



13 MAR 25 PM 4:43
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: A.P. Walle

1 Amend C.S.H.B. No. 5 as follows:

2 (1) On page 40, line 26, between the semicolon and "or",
3 insert the following:

4 (12) when a disproportionate number of students of a
5 particular race or economic subpopulation are graduating with a
6 particular category of endorsement under Section 28.025(c-1);

7 (2) On page 40, line 27, strike "(12) [~~(13)~~]" and substitute
8 "(13)".

9 (3) On page 50, line 17, strike "and" and substitute
10 "[~~and~~]".

11 (4) On page 50, line 21, between "course" and the period
12 insert the following:

13 ; and

14 (12) the number and percentage of students of a
15 particular race or economic subpopulation graduating with a
16 particular category of endorsement under Section 28.025(c-1)



HOUSE OF REPRESENTATIVES

A.P. Wall

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 52, line 18, strike ", (b),".

3 (2) On page 53, line 8, strike "distinguished level of
4 achievement under the".

5 (3) On page 53, line 12, strike "distinguished level of
6 achievement under the".

7 (4) Strike page 53, line 23, through page 54, line 18 and
8 substitute the following:

9 (d) For purposes of Subsection (c)(2), a student's official
10 transcript or diploma must, not later than the end of the student's
11 junior year, indicate[+]

12 [~~(1)~~] whether the student has satisfied or is on
13 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
14 (ii), as applicable[~~, or~~

15 [~~(2) if Subsection (b) applies to the student, whether~~
16 ~~the student has completed the portion of the recommended or~~
17 ~~advanced curriculum or of the curriculum equivalent in content and~~
18 ~~rigor, as applicable, that was available to the student]~~.

19 (5) On page 55, between lines 1 and 2, insert the following
20 new SECTION, appropriately numbered:

21 SECTION _____. (a) Section 51.804, Education Code, is
22 amended to read as follows:

23 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
24 INSTITUTIONS. For each academic year, the governing board of each
25 general academic teaching institution shall determine whether to
26 adopt an admissions policy under which an applicant to the
27 institution as a first-time freshman student, other than an
28 applicant eligible for admission under Section 51.803, shall be
29 admitted to the institution if the applicant:

1 (1) graduated from a public or private high school in
2 this state accredited by a generally recognized accrediting
3 organization with a grade point average in the top 25 percent of the
4 applicant's high school graduating class; and

5 (2) satisfies the requirements of:

6 (A) Section 51.803(a)(2)(A) or (B) ~~[51.803(b),~~
7 ~~as applicable to the student, or Section 51.803 (a)(2)(B)]~~; and

8 (B) Sections 51.803(c)(2) and 51.803(d).

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 (6) On page 56, lines 14-16, strike "or the distinguished
12 level of achievement under the foundation high school program".

13 (7) On page 69, line 4, strike "and".

14 (8) On page 69, line 5, between "(g)" and the period, insert
15 the following:

16 ; and

17 (3) Section 51.803(b)

18 (9) Renumber subsequent SECTIONS of the bill appropriately.



MAR 05 11 11 AM
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

A.P. Wall

1 Amend C.S.H.B. 5 (house committee printing) as follows:

2 (1) On page 40, line 26, strike "or" and substitute "[~~or~~]".

3 (2) Strike page 40, line 27, through page 41, line 1, and
4 substitute the following:

5 (12) when a disproportionate number of students of a
6 particular demographic group is graduating with a particular
7 category of endorsement under Section 28.025(c-1);

8 (13) when an excessive number of students is
9 graduating with a particular category of endorsement under Section
10 28.025(c-1); or

11 (14) [~~(13)~~] as the commissioner otherwise determines
12 necessary.



MAR 25 PM 1:44
HOUSE OF REPRESENTATIVES

A.P. Waller

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 (house committee report) as follows:

2 (1) On page 52, line 18, strike ", (b),".

3 (2) On page 53, strike lines 6-13 and substitute the
4 following:

5 (i) at a public high school, the curriculum
6 requirements established under Section 28.025 for the foundation
7 ~~[recommended or advanced]~~ high school program and demonstrated the
8 performance standard for college readiness as provided by Section
9 39.024 on the Algebra II and English III end-of-course assessment
10 instruments; or

11 (ii) at a high school to which Section
12 28.025 does not apply, a curriculum that is equivalent in content
13 and rigor to the foundation ~~[recommended or advanced]~~ high school
14 program and that includes Algebra II; or

15 (3) Strike page 53, line 23, through page 54, line 18, and
16 substitute the following:

17 (d) For purposes of Subsection (c)(2), a student's official
18 transcript or diploma must, not later than the end of the student's
19 junior year, indicate[+

20 ~~[-]]~~ whether the student has satisfied or is on
21 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
22 (ii), as applicable[+, or

23 ~~[-]]~~ if Subsection (b) applies to the student, whether
24 the student has completed the portion of the recommended or
25 advanced curriculum or of the curriculum equivalent in content and
26 rigor, as applicable, that was available to the student].

27 (4) Add the following appropriately numbered SECTION and
28 renumber SECTIONS of the bill accordingly:

29 SECTION _____. (a) Section 51.804, Education Code, is

1 amended to read as follows:

2 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
3 INSTITUTIONS. For each academic year, the governing board of each
4 general academic teaching institution shall determine whether to
5 adopt an admissions policy under which an applicant to the
6 institution as a first-time freshman student, other than an
7 applicant eligible for admission under Section 51.803, shall be
8 admitted to the institution if the applicant:

9 (1) graduated from a public or private high school in
10 this state accredited by a generally recognized accrediting
11 organization with a grade point average in the top 25 percent of the
12 applicant's high school graduating class; and

13 (2) satisfies the requirements of:

14 (A) Section 51.803(a)(2)(A) or (B) [51.803(b)]
15 ~~as applicable to the student, or Section 51.803(a)(2)(B)]~~; and

16 (B) Sections 51.803(c)(2) and 51.803(d).

17 (b) This section applies beginning with the 2014-2015
18 school year.

19 (5) On page 56, lines 14-16, strike "or the distinguished
20 level of achievement under the foundation high school program".

21 (6) On page 69, line 4, strike "and".

22 (7) On page 69, line 5, between "(g)" and the period, insert
23 the following:

24 ; and

25 (3) Section 51.803(b)

26 (8) Renumber subsequent SECTIONS of the bill appropriately.



13 MAR 25 11 11 AM
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

A.P. Walle

1 Amend C.S.H.B. 5 (house committee printing) as follows:
2 (1) On page 50, line 17, strike "and" and substitute
3 "[~~and~~]".
4 (2) On page 50, line 21, between "course" and the period
5 insert:
6 ; and
7 (12) for each campus, the number of students,
8 disaggregated by major student subpopulations, that graduate:
9 (A) under the foundation high school program;
10 (B) under the distinguished level of achievement
11 under the foundation high school program; and
12 (C) with each category of endorsement under
13 Section 28.025(c-1)



10/12/25 PM 12:55
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY

Amend C.S.H.B. No. 5 (house committee report) as follows:

(1) On page 28, strike line 14, and substitute "Subsections (a-4) and (a-5) to read as follows:".

(2) Strike page 29, line 20, through page 30, line 21, and substitute the following:

(a-1) The commissioner by rule shall determine a method by which a student's satisfactory performance on an ~~[advanced placement test]~~ international baccalaureate examination~~[, an SAT Subject Test]~~ or another assessment instrument determined by the commissioner to be at least as rigorous as an end-of-course assessment instrument adopted under Section 39.023(c) may be used as a factor in determining whether the student satisfies the requirements of Subsection (a), including the cumulative score requirement of that subsection. The commissioner by rule may determine a method by which a student's satisfactory performance on a Preliminary Scholastic Assessment Test (PSAT) ~~[assessment]~~ or a preliminary American College Test (ACT) ~~[assessment]~~ may be used as a factor in determining whether the student satisfies the requirements of Subsection (a).

(3) On page 30, between lines 26 and 27, insert the following:

(a-5) The commissioner shall determine a method by which a student's satisfactory performance on an SAT Subject Test or successful completion of a dual credit course, as determined in accordance with commissioner rule, may be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent subject as prescribed by Subsection (a), including the cumulative score requirement of that subsection. The commissioner shall determine a method by which a student's score of

1 three or higher on an advanced placement test in a subject may be
2 used to satisfy the requirements concerning an end-of-course
3 assessment instrument in an equivalent subject as prescribed by
4 Subsection (a), including the cumulative score requirement of that
5 subsection. The commissioner shall determine a method by which a
6 student's overall score on or score on a portion of the Scholastic
7 Assessment Test (SAT) or American College Test (ACT), determined by
8 the commissioner in consultation with the commissioner of higher
9 education to be equal to or higher than the minimum score acceptable
10 for admission to a public institution of higher education in this
11 state, may be used to satisfy the requirements concerning an
12 end-of-course assessment instrument in one or more appropriate
13 subjects as prescribed by Subsection (a), including the cumulative
14 score requirement of that subsection. The commissioner shall adopt
15 rules as necessary for the administration of this subsection.

16 (4) Add the following appropriately numbered SECTION to the
17 bill and renumber other SECTIONS of the bill accordingly:

18 SECTION _____. Section 39.023(o), Education Code, is
19 repealed.

20 (5) On page 69, line 6, strike "Subsection (b)" and
21 substitute "Subsections (b) and (c)".

22 (6) On page 69, between lines 21 and 22, insert the
23 following:

24 (c) Section 39.025(a-1), Education Code, as amended by this
25 Act, and Section 39.025(a-5), Education Code, as added by this Act,
26 apply beginning with the 2013-2014 school year.



13 MAR 25 PM 12:56
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

Amend C.S.H.B. No. 5 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering other SECTIONS of the bill accordingly:

SECTION _____. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.038 to read as follows:

Sec. 39.038. ASSESSMENT INSTRUMENT REVIEW; REPORTING. (a)
To ensure the validity and reliability of an assessment instrument
administered under Section 39.023, the agency shall evaluate the
assessment instrument:

(1) before the assessment instrument is first
administered; and

(2) periodically during the period the assessment
instrument is administered.

(b) The commissioner by rule shall adopt, for purposes of
this section, standards for the validity and reliability of
assessment instruments administered under Section 39.023 and
procedures to conduct evaluations of those assessment instruments.

(c) The agency shall post on the agency's Internet website
the results of evaluations conducted under this section.

(d) The commissioner shall adopt rules to administer this
section.

(b) Not later than January 1, 2014, the commissioner of education shall adopt rules as provided by Section 39.038, Education Code, as added by this section.

(c) Notwithstanding Section 39.038(a)(1), Education Code, as added by this section, if an assessment instrument administered under Section 39.023, Education Code, was first administered before the 2014-2015 school year, the Texas Education Agency shall evaluate the assessment instrument as provided by Section 39.038,

1 Education Code, as added by this section, before September 1, 2014.
2 (d) Section 39.038(a), Education Code, as added by this
3 section, applies to administration of assessment instruments under
4 Section 39.023, Education Code, beginning with the 2014-2015 school
5 year.



FLOOR AMENDMENT NO. _____

BY: _____

CHRB 25 11:00

HT 10581 1000

- 1 Amend HB 5 (house committee report) on page 9, line 8 by
- 2 striking "business and industry" and substituting "applied
- 3 science".



13 MAR 25 1 17 2
HOUSE OF REPRESENTATIVES

Engel
By: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 37, line 2, between "campus" and "shall", insert
3 "and any distinction designations awarded to the district under
4 Section 39.2021 or to the campus under Section 39.203

5 (2) Insert the following appropriately numbered SECTION to
6 the bill and redesignate subsequent SECTIONS of the bill
7 accordingly:

8 SECTION _____. (a) Subchapter G, Chapter 39, Education Code,
9 is amended by adding Section 39.2021 to read as follows:

10 Sec. 39.2021. DISTINCTION DESIGNATION FOR CERTAIN
11 LOW-PERFORMING DISTRICTS. The commissioner shall award a school
12 district that receives a performance rating of F under Section
13 39.054(a) for a school year a distinction designation if, among
14 districts that also received a performance rating of F for that
15 school year, the district ranks in the top 50 percent of districts
16 for:

17 (1) student achievement, as described under Section
18 39.034;

19 (2) eliminating performance differentials between
20 student subpopulations in accordance with rules adopted for the
21 campus distinction designation under Section 39.203(b); and

22 (3) the college readiness performance standards as
23 described under Section 39.0241.

24 (b) This section applies beginning with the 2013-2014
25 school year.

26 (3) On page 48, between lines 16 and 17, insert the
27 following.

1 designation for outstanding performance in student improvement to a
2 campus that is ranked in the top 25 percent of campuses in this
3 state for annual student improvement, as measured under Section
4 39.034.

5 (f) In addition to the distinction designations otherwise
6 described by this section, the commissioner shall award a campus
7 that receives a performance rating of F under Section 39.054(a) for
8 a school year a distinction designation if, among campuses that
9 also received a performance rating of F for that school year, the
10 campus ranks in the top 50 percent of campuses for:

11 (1) student achievement, as described under Section
12 39.034;

13 (2) eliminating performance differentials between
14 student subpopulations in accordance with rules adopted for the
15 campus distinction designation under Section 39.203(b); and

16 (3) the college readiness performance standards as
17 described under Section 39.0241.



13 MAR 25 PM 12:12

HOUSE OF REPRESENTATIVES

William W. Rader
BY: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee printing) on page 52,
2 between lines 3 and 4, by adding the following appropriately
3 numbered SECTION to the bill and renumbering subsequent SECTIONS of
4 the bill accordingly:

5 SECTION _____. Subchapter A, Chapter 44, Education Code, is
6 amended by adding Sections 44.0031 through 44.0035 to read as
7 follows:

8 Sec. 44.0031. ELECTRONIC CHECKING ACCOUNT TRANSACTION
9 REGISTER. (a) A school district shall maintain the transaction
10 register for the district's checking account in a searchable
11 electronic spreadsheet format in which the transaction register is
12 readily available for purposes of Subsections (e) and (f). Except
13 as provided by Subsection (c) or (d), the electronic checking
14 account transaction register must include for each check written
15 from a district checking account:

- 16 (1) the transaction amount;
17 (2) the check number;
18 (3) the name of the payee; and
19 (4) either:

20 (A) a statement of the purpose of the expenditure
21 for which the check was written; or

22 (B) identification of the purpose of the
23 expenditure, using the function code assigned to the expenditure
24 for purposes of meeting state reporting requirements.

25 (a-1) Notwithstanding Subsection (a), beginning September
26 1, 2013, a school district's electronic checking account
27 transaction register must contain the information required by
28 Subsections (a)(1), (2), and (3) for each check dated on or after
29 August 1, 2013. Beginning September 1, 2014, a district's

1 electronic checking account transaction register must contain the
2 information required by Subsections (a)(1) through (4) for each
3 check dated on or after August 1, 2014. This subsection expires
4 October 1, 2014.

5 (b) If a school district complies with Subsection (a)(4) in
6 the manner provided by Subsection (a)(4)(B), the district shall
7 post on the district's Internet website:

8 (1) a description of each function code used for state
9 reporting requirements; or

10 (2) a link to a page on the agency's Internet website
11 that describes each function code used for state reporting
12 requirements.

13 (c) A school district may not include in the district's
14 electronic checking account transaction register a check issued to
15 a district employee in payment of:

16 (1) salary, wages, or an employment stipend; or

17 (2) a workers' compensation income benefit, medical
18 benefit, death benefit, or burial benefit that is issued by a school
19 district operating as a self-insurer under Chapter 504, Labor Code.

20 (d) This section does not apply to a checking account
21 maintained by a school district or school campus solely for a
22 student activity fund.

23 (e) A school district shall prominently post the electronic
24 checking account transaction register at all times on the
25 district's Internet website for viewing and downloading by
26 interested persons.

27 (f) A school district shall share data from the electronic
28 checking account transaction register with any interested person
29 who requests the data under Chapter 552, Government Code.

30 (g) A school district shall:

31 (1) update the electronic checking account

transaction register not later than the 90th day after the closing
date of the most recent monthly statement for the checking account;
and

(2) maintain each transaction or listing in the
electronic checking account transaction register on the district's
Internet website until the second anniversary of the date of the
transaction or listing.

Sec. 44.0032. POSTING OF DISTRICT CREDIT CARD TRANSACTIONS.

(a) A school district shall post on the district's Internet website
a monthly listing of each transaction made using a credit card
issued to:

(1) the district; or

(2) a district officer or employee for use in
connection with district business.

(b) The listing of credit card transactions under
Subsection (a) must include, for each transaction:

(1) the month and year of the transaction;

(2) the amount of the transaction; and

(3) the name of the payee.

(c) A school district may comply with Subsection (a) by
posting a credit card statement on the district's Internet website.
Before posting a credit card statement as permitted by this
subsection, a school district shall remove or obliterate:

(1) the name of the credit card issuer;

(2) the credit card number;

(3) the name of the person to whom the credit card is
issued;

(4) the day of the month on which each transaction
shown was made; and

(5) the expiration date of the credit card.

(d) A school district shall:

1 (1) post each credit card transaction not later than
2 the 30th day after the first date the district pays any portion of
3 the balance due shown on the credit card statement that contains the
4 transaction; and

5 (2) maintain the listing of a credit card transaction
6 on the district's Internet website until the second anniversary of
7 the date of the transaction.

8 (e) A school district shall post on the district's Internet
9 website the first monthly listing of credit card transactions by
10 listing each transaction on the first monthly statement the
11 district receives that covers a billing period that ends after
12 August 1, 2013. This subsection expires December 1, 2013.

13 Sec. 44.0033. POSTING OF DISTRICT EMPLOYEE COMPENSATION
14 INFORMATION. (a) In this section, "compensation" means salaries,
15 wages, and employment stipends.

16 (b) Not later than the 30th day after the date the agency
17 posts the information submitted by the district under the Public
18 Education Information Management System (PEIMS), a school district
19 shall post on the district's Internet website a listing of the total
20 amounts budgeted for district employees' compensation for the
21 school year, grouped by the following categories of employees:

22 (1) prekindergarten and kindergarten teachers;

23 (2) elementary school teachers;

24 (3) secondary school teachers;

25 (4) special education teachers;

26 (5) educational supervisors;

27 (6) counselors;

28 (7) educational diagnosticians;

29 (8) librarians;

30 (9) nurses and physicians;

31 (10) therapists;

1 (11) psychologists and associate psychologists;
2 (12) educational support personnel other than those
3 listed in Subdivisions (5) through (11);
4 (13) administrative or instructional officers;
5 (14) principals;
6 (15) assistant principals;
7 (16) superintendents;
8 (17) assistant superintendents;
9 (18) educational aides; and
10 (19) all other employees.

11 (c) For each category of employees under Subsection (b), the
12 district shall post:

- 13 (1) the number of full-time employees; and
14 (2) the average compensation.

15 (d) A school district shall maintain the employee
16 compensation information for a school year on the district's
17 Internet website until the district posts the information for the
18 following school year.

19 Sec. 44.0034. POSTING OF DISTRICT FUND BALANCES. (a) A
20 school district shall post on the district's Internet website a
21 statement of the district's obligated and unobligated fund
22 balances.

23 (b) A school district shall:

- 24 (1) update the statement of fund balances at least
25 once each month; and
26 (2) maintain each statement of fund balances on the
27 district's Internet website until the second anniversary of the
28 date of the statement.

29 Sec. 44.0035. EXEMPTION FOR CERTAIN SCHOOL DISTRICTS. A
30 school district with a student enrollment of fewer than 500
31 students in kindergarten through grade 12 is not required to comply

1 with Sections 44.0031 through 44.0034.