

SUBJECT: Revising school curriculum, limiting instructional material adoptions

COMMITTEE: Public Education — committee substitute recommended

VOTE: 8 ayes — Aycock, Bohac, Deshotel, Dutton, Farney, Galindo, González, K. King

0 nay

3 absent — Allen, Huberty, VanDeaver

WITNESSES: For — Julea Johnson, Bryan ISD; Jennifer Bergland, Texas Computer Education Association; (*Registered, but did not testify*: Berhl Robertson, Jr., Lubbock ISD; Jimmy Parker, Lubbock Roosevelt ISD; Keith Bryant, Lubbock-Cooper ISD; Mike Motheral, Small Rural School Finance Coalition; Sarah Matz, TechAmerica; Caroline Joiner, TechNet; Casey McCreary, Texas Association of School Administrators; Christy Rome, Texas School Coalition)

Against — Susan Lenox and Abel Villareal, Instructional Material Coordinators' Association of Texas; (*Registered, but did not testify*: Kristi Hassett, Lewisville ISD School Board)

On — Bruce Gearing, Texas Association of Community Schools; (*Registered, but did not testify*: Von Byer and Monica Martinez, Texas Education Agency)

BACKGROUND: SB 6 by Shapiro, enacted by the 82nd Legislature during its first called session, repealed the technology allotment and established the instructional materials allotment (IMA). The law replaced Education Code references to “textbook” with “instructional material” and expanded the definition of that term. The law required the State Board of Education (SBOE) to set aside 50 percent of the annual distribution from the Permanent School Fund to the Available School Fund to fund the IMA.

Districts are allowed to use the IMA to buy textbooks, technological

equipment, and other materials. The allotment also can be used to train certain personnel and employ support staff for technological equipment directly involved in student learning.

The SBOE uses a proclamation to call for new instructional materials. The proclamation lists subject areas scheduled for review, the curriculum standards involved, and procedures for adopting the materials. Proclamations are named for the year the materials go into the classroom.

DIGEST:

CSHB 2811 would require the SBOE to narrow the foundation curriculum and limit new instructional materials proclamations to 75 percent of the total amount available for the IMA during that biennium.

Curriculum revision. The bill would require the SBOE to revise and narrow the number and scope of the essential knowledge and skills (TEKS) for the foundation curriculum to require less time for students to demonstrate mastery. The SBOE would have to ensure that the revisions do not result in a need for the adoption of new instructional materials.

In revising the curriculum, the SBOE would be required to consider the time a teacher needed to provide comprehensive instruction on a particular student expectation and the time a typical student would need to master the expectation. The board also must determine whether each TEKS of a subject could be comprehensively taught within the required 180-day school year, excluding testing days. The SBOE would be required to determine whether the college and career readiness standards had been appropriately integrated in the curriculum and to consider whether STAAR exams would adequately assess a particular student expectation.

For subjects and grade levels that were last revised before September 1, 2012, the curriculum revision would have to be completed by September 1, 2018.

Instructional materials. The bill would entitle school districts to a biennial, instead of an annual, allotment from the state instructional materials fund for each student enrolled in the district on a date during the

last year of the preceding biennium. The education commissioner would be required to deposit the allotment amount in districts' accounts in the first year of each biennium. Districts could place an order for instructional materials before the beginning of a fiscal biennium and receive materials before payment.

The bill would define "proclamation" as a request for production of instructional materials issued by the SBOE. For any biennium, the board could only issue proclamations for instructional materials in which the total projected cost did not exceed 75 percent of the total amount available for the IMA for that biennium. The SBOE would be required to amend any proclamation to comply with the 75 percent limit.

Following the adoption of revised TEKS for any subject, the SBOE would determine whether the issuance of a proclamation is necessary. If necessary, the SBOE would issue a full call for instructional materials; a supplemental call for instructional materials; a call for new information demonstrating alignment of current instructional materials; or any combination of those calls.

In determining the disbursement of money to the available school fund for the IMA, the board would be required to consider the cost of all instructional materials and technology requirements for that fiscal biennium and make the 50 percent distribution biennially, rather than annually.

The bill would repeal Education Code requirements that a district use instructional materials not on the instructional materials list for a certain period of time and would authorize a district to cancel a subscription for instructional material before the end of the state contract period under certain conditions.

This bill would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 2811 would give districts flexibility to use their instructional materials allotment (IMA) to purchase technology by limiting the costs of

textbooks adopted by the SBOE. Although the Legislature intended the IMA to be a dual-purpose fund, technology expenditures have plummeted since the technology allotment was abolished.

In recent years the SBOE has issued proclamations, or calls, for expensive new textbooks for social studies and science. Districts also needed new books to prepare for STAAR exams. These textbook purchases have left districts with little money to meet technology needs.

The SBOE is aware of the frustration and has taken action by delaying new proclamations and increasing distributions for the IMA. The bill would require the SBOE to be more careful when issuing proclamations by not allowing the cost of new books to exceed 75 percent of the total IMA. Publishers could estimate the cost of delivering new books, which would give the board the information it needs before issuing a proclamation.

The SBOE also would be required to factor in the cost of textbooks when determining the percentage of the Permanent School Fund distribution to the Available School Fund. Additionally, the SBOE would be encouraged to adopt supplemental materials that could be used to update existing textbooks instead of adopting new books.

The bill also would require the SBOE to narrow the scope of the required curriculum for each subject and grade level. This review could result in TEKS that were more aligned to in-depth learning and more reasonable for teachers to cover in a school year.

The bill also would help districts manage their purchases of textbooks and technology by giving them all of their biennial IMA at the start of each biennium. This could encourage districts to order materials early, allowing teachers to have textbooks ready for the first day of class.

**OPPONENTS
SAY:**

CSHB 2811 could have a negative effect on the quality and quantity of instructional materials by limiting the SBOE's ability to call for new textbooks when needed. The bill would in essence re-create the

technology allotment but could ultimately shortchange the instructional materials needed by students to cover the required curriculum.

The SBOE has a process in place to replace textbooks that become outdated or that are physically falling apart. At times, new books are needed because the Legislature has focused on a particular subject or adopted a new testing regimen. The board needs to retain its ability to respond to districts' needs for new textbooks.

It would be difficult for the board to predict the costs of a future textbook adoption and determine in advance how much money would be available for the IMA. The bill would require the SBOE to consider textbook costs in deciding how to manage the Permanent School Fund; these decisions traditionally have been based on the need to preserve the fund for future generations of schoolchildren.

In addition, the bill is unnecessary because districts already can spend their IMA on technology. Shifting to more technology-based instructional materials, however, could disadvantage students who did not have computers and Internet access at home.

The fiscal note estimates it would cost the state \$4.4 million to review and modify the TEKS by September 1, 2018. The SBOE is in the process of revising the curriculum and should be allowed to continue on its own timeline.

NOTES:

The fiscal note estimates CSHB 2811 would have a negative impact of about \$8.6 million to general revenue related funds for fiscal 2016-17.