

Amend SB 1152 (senate engrossment) as follows:

(1) Between SECTIONS 14 and 15 (page 11, between lines 24 and 25), insert a new appropriately numbered SECTION as follows:

SECTION \_\_\_\_\_. Chapter 32, Education Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. EDUCATION INTERNET PORTAL

Sec. 32.151. DEFINITION. In this subchapter, "portal" means the education Internet portal required by this subchapter.

Sec. 32.152. EDUCATION INTERNET PORTAL; GENERAL PURPOSES.

(a) The agency, with assistance from the Department of Information Resources and with participation by the Texas Higher Education Coordinating Board, interested school districts, and interested persons in the private sector, shall establish and maintain an education Internet portal for use by school districts, teachers, parents, and students.

(b) The portal must serve as a single point of access to educational resources. In addition to any other purpose specified by this subchapter or any other educational purpose, the portal may be used to:

(1) alleviate inequities in access to educational resources by providing access to on-line courses;

(2) improve student academic performance by providing access to tutorial materials, instructional materials that have been shown to improve academic performance, and other interactive materials, including materials that assess an individual student's knowledge and prepare the student for the administration of a standardized assessment instrument, including an assessment instrument administered under Section 39.023;

(3) provide school districts with access to administrative software and other electronic tools designed to promote administrative efficiency and intra-district communication;

(4) provide secure access to student assessment data;

or

(5) provide links to appropriate educational resources and experts available through the Internet.

Sec. 32.153. ADMINISTRATION. (a) The agency has

responsibility for general administration and oversight of the portal and for approving the content of all information made available through the portal.

(b) The Department of Information Resources shall:

(1) host the portal through the project known as TexasOnline;

(2) organize the portal in a manner that simplifies portal use and administration;

(3) provide any necessary technical advice to the agency, including advice relating to equipment required in connection with the portal;

(4) provide a method for maintaining the information made available through the portal; and

(5) cooperate with the agency in linking the agency's Internet site to the portal.

(c) The Department of Information Resources may assist the agency with technical advice regarding contracting with vendors for services in connection with the portal.

(d) The joint advisory committee established under Section 61.077, or any successor to that committee with advisory responsibility for coordination between secondary and postsecondary education, shall serve in an advisory capacity to the agency and the Department of Information Resources in connection with functions relating to the portal.

Sec. 32.154. ON-LINE COURSES. (a) The agency may coordinate the identification and development of on-line courses made available through the portal. A course may not be made available through the portal unless the course is reviewed by the agency and approved by the commissioner.

(b) In coordinating, developing, and reviewing courses to be made available through the portal, the agency shall give priority to any course that is not readily available to students throughout the state and for which there is a critical need.

(c) A course made available through the portal must be aligned with state curriculum requirements under Section 28.002 and the essential knowledge and skills identified under that section.

(d) The agency may develop quality assurance criteria to be

used by the agency in developing and reviewing courses made available through the portal. The criteria must include components relating to:

- (1) course content;
- (2) instructor qualifications;
- (3) validity of assessment procedures;
- (4) security features; and
- (5) degree of interactivity.

Sec. 32.155. ON-LINE COURSE SCHOLARSHIPS. (a) Using funds available for that purpose, the agency may award a scholarship for the costs of an on-line course to a student who demonstrates that:

- (1) the student has inequitable access to the course;  
and
- (2) access to the course would improve the likelihood of the student's academic success.

(b) The commissioner may adopt criteria to be used in awarding scholarships under this section. The criteria must limit the availability of scholarships to students who:

- (1) are enrolled in a public school on a full-time basis; or
- (2) were enrolled in a public school on a full-time basis for at least three months during the preceding school year and indicate an intent to enroll in a public school on a full-time basis for at least three months during the school year for which the scholarship is offered.

Sec. 32.156. ON-LINE TEXTBOOKS. (a) The agency may develop and adopt strategies for making textbooks available through the portal or through other means in an electronic format as an alternative or supplement to traditional textbooks.

(b) In developing and adopting strategies under this section, the agency shall seek to achieve a system under which a student may, in addition to a traditional textbook, be provided with secure Internet access to each textbook used by the student.

Sec. 32.157. SCHOOL DISTRICT ADMINISTRATIVE SOFTWARE AND ELECTRONIC TOOLS. (a) The agency may:

- (1) identify effective Internet-based administrative software and other electronic tools that may be used by school

districts to improve district administrative functions; and

(2) pursue efforts to make that software and other electronic tools available through the portal for use by school districts on a voluntary basis.

(b) The agency may assist school districts in identifying sources of funding that may be used by districts to pay any costs associated with using administrative software and other electronic tools available through the portal. To the extent that funds are available to the agency, the agency may provide administrative software and other electronic tools through the portal at no cost to specific school districts selected by the agency based on demonstrated need.

Sec. 32.158. STUDENT ASSESSMENT DATA. (a) The agency may establish a secure, interoperable system to be implemented through the portal under which school districts can readily access student assessment data for use in developing strategies for improving student performance.

(b) In establishing the system required by this section, the agency shall seek to further the goal of providing school districts with access to student performance information at the classroom level.

Sec. 32.159. FEES. (a) The agency may charge school districts, teachers, parents, students, and other persons a reasonable fee for services or information provided through the portal.

(b) The total amount of fees charged under this section may not exceed the amount necessary to pay costs associated with the development, administration, and maintenance of the portal.

(c) An individual fee charged to a person under this section for a service or information may not exceed the amount that the person would be required to pay to obtain the service or information from a commercial source or through another means of access other than the portal.

(d) To the extent possible, the agency shall make services and information available through the portal at no cost to school districts, teachers, parents, students, and other persons.

Sec. 32.160. VENDOR PARTICIPATION. (a) The agency may seek

proposals from private vendors for providing on-line courses or other materials or services through the portal in accordance with this subchapter. A vendor may not provide an on-line course or other material or service through the portal without approval by the agency.

(b) The agency may require a vendor, as a condition of approval of the vendor's proposal, to:

(1) pay:

(A) all or part of the costs of providing the on-line course or other material or service;

(B) an access fee to be used by the agency in paying the general costs of maintaining the portal; or

(C) both the amounts described by Paragraphs (A) and (B); and

(2) if applicable, provide on-line course scholarships to students in accordance with criteria adopted by the commissioner.

Sec. 32.161. FUNDING. (a) The agency may not use general revenue funds to pay the costs of developing, administering, and maintaining the portal. The agency may use amounts available to the agency from:

(1) gifts, grants, or donations;

(2) vendor payments described by Section 32.160(b); or

(3) arrangements with nonprofit or private entities approved by the agency.

(b) To the extent possible considering other statutory requirements, the commissioner and agency shall encourage the use of textbook funds and technology allotment funds under Section 31.021(b)(2) in a manner that facilitates the development and use of the portal.

Sec. 32.162. STATEWIDE LICENSING AND CONTRACTING. As appropriate to promote the availability through the portal of services and information specified by this subchapter at no cost to users or at a reasonable cost, the agency may negotiate statewide licenses or discounts with software vendors and other persons offering applications that are suitable for use through the portal.

Sec. 32.163. OUTREACH AND TRAINING. (a) The agency may

conduct outreach activities to provide information regarding the portal to school districts, teachers, parents, and students.

(b) The agency may provide training to school districts and teachers in use of the portal. Training in use of the portal may be made available to parents and students by the agency or school districts, as determined by commissioner rule.

(2) Between SECTIONS 17 and 18 (page 12, between lines 20 and 21), insert the following appropriately numbered SECTIONS:

SECTION \_\_\_\_\_. Not later than January 1, 2005, the Texas Education Agency shall submit a report to the legislature that contains recommendations for maximizing the benefits of providing access to textbooks or other educational materials through the Internet using the education Internet portal required by Subchapter D, Chapter 32, Education Code, as added by this Act.

SECTION \_\_\_\_\_. The Texas Education Agency and the Department of Information Resources shall coordinate agency and department activities in implementing Subchapter D, Chapter 32, Education Code, as added by this Act, with relevant ongoing activities relating to modification of the Public Education Information Management System (PEIMS) and other systems necessary to conform state educational reporting processes with educational reporting requirements imposed by federal law.

(3) Renumber the SECTIONS of the bill appropriately.