

BILL ANALYSIS

S.B. 699
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Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current Texas law, no single Internet resource exists to provide students, school districts, teachers, parents, and others across the state with educational tools and information. S.B. 699 requires the Texas Education Agency (TEA) to establish and maintain an education Internet portal that would provide on-line classes, academic texts, and administrative tools for use by students, parents, and educators with the intent of providing a wider range of educational resources to more students. S.B. 699 also provides funding suggestions for the portal from fees charged to some of the portal's users, gifts, grants, donations, vendor payments, and arrangements with private or nonprofit entities.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 32.163, Education Code) of this bill.

ANALYSIS

S.B. 699 amends the Education Code by requiring the Texas Education Agency (TEA), with assistance from certain parties, to establish and maintain an education Internet portal for use by school districts, teachers, parents, and students. The bill defines "portal" to mean the education Internet portal. The bill requires the portal to serve as a single point of access to educational resources, and lists certain uses that the portal may serve in addition to other purposes specified or any other educational purpose.

The bill grants TEA the responsibility for general administration and oversight of the portal and for approving the portal's content. The bill requires the Department of Information Resources (DIR) to take certain actions necessary for the creation, implementation, and support of the portal. The bill authorizes DIR to assist TEA with technical advice regarding contracting with vendors for services in connection with the portal. The bill requires the joint advisory committee established under Section 61.077, or any successor to that committee with certain responsibilities, to serve in an advisory capacity to TEA and DIR in connection with functions relating to the portal.

The bill authorizes TEA to coordinate the identification and development of on-line courses made available through the portal, and prohibits a course from being offered through the portal without being reviewed by TEA and approved by the commissioner of education (commissioner). The bill requires TEA to give priority to any course not readily available to students throughout the state and for which there is a critical need when coordinating, developing, and reviewing courses to be made available through the portal. The bill requires a course made available through the portal to be aligned with state curriculum requirements under Section 28.002 and the essential knowledge and skills under that section. The bill authorizes TEA to develop quality assurance criteria to be used by TEA in developing and reviewing courses made available through the portal, and requires the criteria to include certain components.

The bill authorizes TEA to award a scholarship for the costs of an on-line course to a student who demonstrates certain qualities, with funds available for that purpose. The bill authorizes the commissioner

to adopt criteria to be used in awarding such scholarships. The bill specifies that the criteria must limit the availability of scholarships to full-time public school students or students that 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.

The bill authorizes TEA to develop and adopt strategies for making textbooks available in an electronic format through the portal or other means as an alternative or supplement to traditional textbooks. The bill requires TEA to seek to achieve a system under which a student may be provided with secure Internet access to each textbook used by the student, in addition to a traditional textbook.

The bill authorizes TEA to identify Internet-based administrative software and other electronic tools that maybe used by school districts to improve district administrative functions and to make such tools available through the portal for voluntary use by the school districts. The bill authorizes TEA to 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, and authorizes TEA to provide such tools to school districts that demonstrate need at no cost, to the extent that funds are available.

The bill authorizes TEA to establish a secure, interoperable system to be implemented through the portal under which school districts can access student assessment data for use in developing strategies for improving student performance. The bill requires TEA to seek to further the goal of providing school districts with access to student performance information at the classroom level when establishing the system.

The bill authorizes TEA to charge school districts, teachers, parents, students, and other persons a reasonable fee for services or information provided through the portal. The bill prohibits the total amount of fees charged from exceeding the amount necessary to pay the costs associated with the development, administration, and maintenance of the portal. The bill prohibits an individual fee charged to a person from exceeding 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. The bill requires TEA to make services and information through the portal available at no cost, to the extent possible.

The bill authorizes TEA to seek proposals from private vendors for providing on-line courses or other materials or services through the portal. The bill prohibits a vendor from providing an on-line course or other material or service through the portal without approval by TEA. The bill authorizes TEA to require a vendor, as a condition of the approval of the vendor's proposal, to pay certain amounts and if applicable, to provide on-line course scholarships to students in accordance with criteria adopted by the commissioner.

The bill prohibits TEA from using general revenue funds to pay the costs of developing, administering, and maintaining the portal. The bill authorizes TEA to use amounts available to TEA from gifts, grants, donations, vendor payments, or arrangements with nonprofit or private entities. The bill requires the commissioner and TEA, to the extent possible considering other statutory requirements, to 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.

The bill authorizes TEA to negotiate statewide licenses or discounts with software vendors and other persons offering applications suitable for use through the portal, in order to provide services through the portal at no cost or at a reasonable cost.

The bill authorizes TEA to conduct outreach activities to provide information regarding the portal to school districts, teachers, parents, and students. The bill authorizes TEA to provide training to school districts and teachers in use of the portal. The bill authorizes training in use of the portal to be made available to parents and students by TEA or school districts, as determined by commissioner rule.

The bill requires TEA, not later than January 1, 2005, to submit a report to the legislature containing recommendations for maximizing the benefits of providing access to textbooks or other educational

materials through the Internet using the portal established under established under Chapter 32, Subchapter D, Education Code, as added by this Act. The bill requires TEA and DIR to coordinate their activities in implementing Chapter 32, Subchapter D, Education Code, as added by this Act, including certain relevant ongoing activities relating to systems necessary to conform state educational reporting processes with educational reporting requirements imposed by federal law.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.