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S.B. No. 699

A BILL TO BE ENTITLED

AN ACT

relating to establishment of a public education Internet portal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. 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

1 materials, including materials that assess an individual student's
2 knowledge and prepare the student for the administration of a
3 standardized assessment instrument, including an assessment
4 instrument administered under Section 39.023;

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

9 (4) provide secure access to student assessment data;

10 or

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

13 Sec. 32.153. ADMINISTRATION. (a) The agency has
14 responsibility for general administration and oversight of the
15 portal and for approving the content of all information made
16 available through the portal.

17 (b) The Department of Information Resources shall:

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

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

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

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

27 (5) cooperate with the agency in linking the agency's

1 Internet site to the portal.

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

5 (d) The joint advisory committee established under Section
6 61.077, or any successor to that committee with advisory
7 responsibility for coordination between secondary and
8 postsecondary education, shall serve in an advisory capacity to the
9 agency and the Department of Information Resources in connection
10 with functions relating to the portal.

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

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

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

23 (d) The agency may develop quality assurance criteria to be
24 used by the agency in developing and reviewing courses made
25 available through the portal. The criteria must include components
26 relating to:

27 (1) course content;

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

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

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

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

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

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

26 (b) In developing and adopting strategies under this
27 section, the agency shall seek to achieve a system under which a

1 student may, in addition to a traditional textbook, be provided
2 with secure Internet access to each textbook used by the student.

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

5 (1) identify effective Internet-based administrative
6 software and other electronic tools that may be used by school
7 districts to improve district administrative functions; and

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

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

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

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

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

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

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

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

16 Sec. 32.160. VENDOR PARTICIPATION. (a) The agency may
17 seek proposals from private vendors for providing on-line courses
18 or other materials or services through the portal in accordance
19 with this subchapter. A vendor may not provide an on-line course or
20 other material or service through the portal without approval by
21 the agency.

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

24 (1) pay:

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

27 (B) an access fee to be used by the agency in

1 paying the general costs of maintaining the portal; or

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

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

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

11 (1) gifts, grants, or donations;
12 (2) vendor payments described by Section 32.160(b); or
13 (3) arrangements with nonprofit or private entities
14 approved by the agency.

15 (b) To the extent possible considering other statutory
16 requirements, the commissioner and agency shall encourage the use
17 of textbook funds and technology allotment funds under Section
18 31.021(b)(2) in a manner that facilitates the development and use
19 of the portal.

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

26 Sec. 32.163. OUTREACH AND TRAINING. (a) The agency may
27 conduct outreach activities to provide information regarding the

1 portal to school districts, teachers, parents, and students.

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

6 SECTION 2. Not later than January 1, 2005, the Texas
7 Education Agency shall submit a report to the legislature that
8 contains recommendations for maximizing the benefits of providing
9 access to textbooks or other educational materials through the
10 Internet using the education Internet portal required by Subchapter
11 D, Chapter 32, Education Code, as added by this Act.

12 SECTION 3. The Texas Education Agency and the Department of
13 Information Resources shall coordinate agency and department
14 activities in implementing Subchapter D, Chapter 32, Education
15 Code, as added by this Act, with relevant ongoing activities
16 relating to modification of the Public Education Information
17 Management System (PEIMS) and other systems necessary to conform
18 state educational reporting processes with educational reporting
19 requirements imposed by federal law.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2003.