

1-1 By: Shapleigh S.B. No. 699
1-2 (In the Senate - Filed February 26, 2003; March 3, 2003,
1-3 read first time and referred to Committee on Education;
1-4 April 15, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 15, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 699 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to establishment of a public education Internet portal.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Chapter 32, Education Code, is amended by adding
1-13 Subchapter D to read as follows:

1-14 SUBCHAPTER D. EDUCATION INTERNET PORTAL
1-15 Sec. 32.151. DEFINITION. In this subchapter, "portal"
1-16 means the education Internet portal required by this subchapter.

1-17 Sec. 32.152. EDUCATION INTERNET PORTAL; GENERAL PURPOSES.

1-18 (a) The agency, with assistance from the Department of Information
1-19 Resources and with participation by the Texas Higher Education
1-20 Coordinating Board, interested school districts, and interested
1-21 persons in the private sector, shall establish and maintain an
1-22 education Internet portal for use by school districts, teachers,
1-23 parents, and students.

1-24 (b) The portal must serve as a single point of access to
1-25 educational resources. In addition to any other purpose specified
1-26 by this subchapter or any other educational purpose, the portal may
1-27 be used to:

1-28 (1) alleviate inequities in access to educational
1-29 resources by providing access to on-line courses;

1-30 (2) improve student academic performance by providing
1-31 access to tutorial materials, scientifically research-based
1-32 instructional materials, and other interactive materials,
1-33 including materials that assess an individual student's knowledge
1-34 and prepare the student for the administration of a standardized
1-35 assessment instrument, including an assessment instrument
1-36 administered under Section 39.023;

1-37 (3) provide school districts with access to
1-38 administrative software and other electronic tools designed to
1-39 promote administrative efficiency and intra-district
1-40 communication;

1-41 (4) provide secure access to student assessment data;

1-42 or
1-43 (5) provide links to appropriate educational
1-44 resources and experts available through the Internet.

1-45 Sec. 32.153. ADMINISTRATION. (a) The agency has
1-46 responsibility for general administration and oversight of the
1-47 portal and for approving the content of all information made
1-48 available through the portal.

1-49 (b) The Department of Information Resources shall:

1-50 (1) host the portal through the project known as
1-51 TexasOnline;

1-52 (2) organize the portal in a manner that simplifies
1-53 portal use and administration;

1-54 (3) provide any necessary technical advice to the
1-55 agency, including advice relating to equipment required in
1-56 connection with the portal;

1-57 (4) provide a method for maintaining the information
1-58 made available through the portal; and

1-59 (5) cooperate with the agency in linking the agency's
1-60 Internet site to the portal.

1-61 (c) The Department of Information Resources may assist the
1-62 agency with technical advice regarding contracting with vendors for
1-63 services in connection with the portal.

2-1 (d) The joint advisory committee established under Section
 2-2 61.077, or any successor to that committee with advisory
 2-3 responsibility for coordination between secondary and
 2-4 postsecondary education, shall serve in an advisory capacity to the
 2-5 agency and the Department of Information Resources in connection
 2-6 with functions relating to the portal.

2-7 Sec. 32.154. ON-LINE COURSES. (a) The agency may
 2-8 coordinate the identification and development of on-line courses
 2-9 made available through the portal. A course may not be made
 2-10 available through the portal unless the course is reviewed by the
 2-11 agency and approved by the commissioner.

2-12 (b) In coordinating, developing, and reviewing courses to
 2-13 be made available through the portal, the agency shall give
 2-14 priority to any course that is not readily available to students
 2-15 throughout the state and for which there is a critical need.

2-16 (c) A course made available through the portal must be
 2-17 aligned with state curriculum requirements under Section 28.002 and
 2-18 the essential knowledge and skills identified under that section.

2-19 (d) The agency may develop quality assurance criteria to be
 2-20 used by the agency in developing and reviewing courses made
 2-21 available through the portal. The criteria must include components
 2-22 relating to:

- 2-23 (1) course content;
- 2-24 (2) instructor qualifications;
- 2-25 (3) validity of assessment procedures;
- 2-26 (4) security features; and
- 2-27 (5) degree of interactivity.

2-28 Sec. 32.155. ON-LINE COURSE SCHOLARSHIPS. (a) Using funds
 2-29 available for that purpose, the agency may award a scholarship for
 2-30 the costs of an on-line course to a full-time enrolled public school
 2-31 student who demonstrates that:

- 2-32 (1) the student has inequitable access to the course;
 2-33 and
- 2-34 (2) access to the course would improve the likelihood
 2-35 of the student's academic success.

2-36 (b) The commissioner may adopt criteria to be used in
 2-37 awarding scholarships under this section.

2-38 Sec. 32.156. ON-LINE TEXTBOOKS. (a) The agency may
 2-39 develop and adopt strategies for making textbooks available through
 2-40 the portal or through other means in an electronic format as an
 2-41 alternative or supplement to traditional textbooks.

2-42 (b) In developing and adopting strategies under this
 2-43 section, the agency shall seek to achieve a system under which a
 2-44 student may, in addition to a traditional textbook, be provided
 2-45 with secure Internet access to each textbook used by the student.

2-46 Sec. 32.157. SCHOOL DISTRICT ADMINISTRATIVE SOFTWARE AND
 2-47 ELECTRONIC TOOLS. (a) The agency may:

2-48 (1) identify effective Internet-based administrative
 2-49 software and other electronic tools that may be used by school
 2-50 districts to improve district administrative functions; and

2-51 (2) pursue efforts to make that software and other
 2-52 electronic tools available through the portal for use by school
 2-53 districts on a voluntary basis.

2-54 (b) The agency may assist school districts in identifying
 2-55 sources of funding that may be used by districts to pay any costs
 2-56 associated with using administrative software and other electronic
 2-57 tools available through the portal. To the extent that funds are
 2-58 available to the agency, the agency may provide administrative
 2-59 software and other electronic tools through the portal at no cost to
 2-60 specific school districts selected by the agency based on
 2-61 demonstrated need.

2-62 Sec. 32.158. STUDENT ASSESSMENT DATA. (a) The agency may
 2-63 establish a secure, interoperable system to be implemented through
 2-64 the portal under which school districts can readily access student
 2-65 assessment data for use in developing strategies for improving
 2-66 student performance.

2-67 (b) In establishing the system required by this section, the
 2-68 agency shall seek to further the goal of providing school districts
 2-69 with access to student performance information at the classroom

3-1 level.

3-2 Sec. 32.159. FEES. (a) The agency may charge school
 3-3 districts, teachers, parents, students, and other persons a
 3-4 reasonable fee for services or information provided through the
 3-5 portal.

3-6 (b) The total amount of fees charged under this section may
 3-7 not exceed the amount necessary to pay costs associated with the
 3-8 development, administration, and maintenance of the portal.

3-9 (c) An individual fee charged to a person under this section
 3-10 for a service or information may not exceed the amount that the
 3-11 person would be required to pay to obtain the service or information
 3-12 from a commercial source or through another means of access other
 3-13 than the portal.

3-14 (d) To the extent possible, the agency shall make services
 3-15 and information available through the portal at no cost to school
 3-16 districts, teachers, parents, students, and other persons.

3-17 Sec. 32.160. VENDOR PARTICIPATION. (a) The agency may
 3-18 seek proposals from private vendors for providing on-line courses
 3-19 or other materials or services through the portal in accordance
 3-20 with this subchapter. A vendor may not provide an on-line course or
 3-21 other material or service through the portal without approval by
 3-22 the agency.

3-23 (b) The agency may require a vendor, as a condition of
 3-24 approval of the vendor's proposal, to:

3-25 (1) pay:

3-26 (A) all or part of the costs of providing the
 3-27 on-line course or other material or service;

3-28 (B) an access fee to be used by the agency in
 3-29 paying the general costs of maintaining the portal; or

3-30 (C) both the amounts described by Paragraphs (A)
 3-31 and (B); and

3-32 (2) if applicable, provide on-line course
 3-33 scholarships to students in accordance with criteria adopted by the
 3-34 commissioner.

3-35 Sec. 32.161. FUNDING. (a) The agency may not use general
 3-36 revenue funds to pay the costs of developing, administering, and
 3-37 maintaining the portal. The agency may use amounts available to the
 3-38 agency from:

3-39 (1) gifts, grants, or donations;

3-40 (2) vendor payments described by Section 32.160(b); or

3-41 (3) arrangements with nonprofit or private entities
 3-42 approved by the agency.

3-43 (b) To the extent possible considering other statutory
 3-44 requirements, the commissioner and agency shall encourage the use
 3-45 of textbook funds and technology allotment funds under Section
 3-46 31.021(b)(2) in a manner that facilitates the development and use
 3-47 of the portal.

3-48 Sec. 32.162. STATEWIDE LICENSING AND CONTRACTING. As
 3-49 appropriate to promote the availability through the portal of
 3-50 services and information specified by this subchapter at no cost to
 3-51 users or at a reasonable cost, the agency may negotiate statewide
 3-52 licenses or discounts with software vendors and other persons
 3-53 offering applications that are suitable for use through the portal.

3-54 Sec. 32.163. OUTREACH AND TRAINING. (a) The agency may
 3-55 conduct outreach activities to provide information regarding the
 3-56 portal to school districts, teachers, parents, and students.

3-57 (b) The agency may provide training to school districts and
 3-58 teachers in use of the portal. Training in use of the portal may be
 3-59 made available to parents and students by the agency or school
 3-60 districts, as determined by commissioner rule.

3-61 SECTION 2. Not later than January 1, 2005, the Texas
 3-62 Education Agency shall submit a report to the legislature that
 3-63 contains recommendations for maximizing the benefits of providing
 3-64 access to textbooks or other educational materials through the
 3-65 Internet using the education Internet portal required by Subchapter
 3-66 D, Chapter 32, Education Code, as added by this Act.

3-67 SECTION 3. The Texas Education Agency and the Department of
 3-68 Information Resources shall coordinate agency and department
 3-69 activities in implementing Subchapter D, Chapter 32, Education

4-1 Code, as added by this Act, with relevant ongoing activities
4-2 relating to modification of the Public Education Information
4-3 Management System (PEIMS) and other systems necessary to conform
4-4 state educational reporting processes with educational reporting
4-5 requirements imposed by federal law.

4-6 SECTION 4. This Act takes effect immediately if it receives
4-7 a vote of two-thirds of all the members elected to each house, as
4-8 provided by Section 39, Article III, Texas Constitution. If this
4-9 Act does not receive the vote necessary for immediate effect, this
4-10 Act takes effect September 1, 2003.

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