

BILL ANALYSIS

C.S.H.B. 4
By: Grusendorf
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

With the 20th century now behind us, the State of Texas needs to create a public educational system to prepare its students to function and compete in the 21st century. CSHB 4 encourages increased technology access for public schools and public school children by promoting technology use in Texas schools.

Technology funding for school districts has remained near the same level for the last decade thereby creating dilemmas for Texas students. CSHB 4 sets out criteria to increase technology access for Texas school children by promoting greater technology in schools. Students need to become technology literate in order to gain the necessary skills needed for the workforce of the 21st Century. Texas needs to regain its momentum in educational technology by dedicating funds for technology education. This bill offers a solution of creating better technology advancements and training for students in Texas schools.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commissioner of Education in SECTION 38 and SECTION 41 of this bill.

ANALYSIS

CSHB 4 allows for greater use of technology in Texas schools. The Texas Education Agency will review state-funded and federally-funded grant programs designed to improve student academic performance and analyze the use of program funds which may be used to enhance or expand the use of technology in public schools. This bill replaces "textbook" with "instructional materials" throughout the Texas Education Code creating a greater breadth of the meaning. It requires the agency to develop or acquire electronic assessment tools and make these assessment tools available to public schools at no cost.

A publisher may submit instructional materials to the State Board of Education for approval at any time. The board is required to meet quarterly to approve instructional materials, and the board must approve or reject each submitted instructional material. The board is to identify the essential knowledge and skills for a subject and grade level within the approved instructional material. The Department of Information Resources may execute a contract for the purchase or licensing of approved instructional materials. Publishers are to provide public schools with information describing each of the publisher's approved instructional materials. In addition, the publisher is to provide a minimum of two sample copies of each approved instructional material to be maintained at regional education centers. A publisher of approved electronic instructional materials may offer the material to school districts annually on a subscription basis.

School districts or open-enrollment charter schools are to select instructional material for use by the school or district and use allotted funds or other allowable funds to purchase those materials. Each school district or open-enrollment charter school is required to certify to the agency that each student is provided with instructional materials aligned with the essential knowledge and skills for that subject and grade level. The commissioner is to appoint an advisory committee made up of business, education and public members to assist the agency. A person serving on this advisory committee must adhere to regulations as designated.

Effective September 1, 2005 each school district or open-enrollment charter school is entitled to an allotment of \$70 for each student in average daily attendance (ADA) or as appropriated. From the amounts specifically appropriated the commissioner shall withhold \$40 for each

student in ADA and reduce each district's or school's allotment accordingly. The commissioner may use amounts withheld only for the purpose of making technology grants, Section 32.006, Education Code.

Effective September 1, 2006 each school district or open-enrollment charter school is entitled to an allotment of \$150 for each student in ADA or as appropriated. From the amounts appropriated, the commissioner shall withhold \$60 for each student in ADA and reduce each district's or school's allotment accordingly. The commissioner may use amounts withheld only for purposes of making technology grants, Section 32.006, Education Code.

The commissioner shall make grants from the amounts withheld from the technology allotment provision, Section 32.005(a-1), Education Code, to school districts on behalf of eligible campuses and eligible open-enrollment charter schools. A grant must be in the amount of \$300 for each student enrolled at an eligible campus or eligible open-enrollment charter school. In order to be eligible for a grant, a public school must meet specific guidelines as set forth by the technology grant section and the grant is only to be used for designated means. In order to receive a grant, a school district or open-enrollment charter school must apply in the time and manner as specified by the commissioner rule.

CSHB 4 directs the agency to provide assessment instruments that are computer-adaptive. Districts will be required to administer these computer adaptive assessment instruments to students to the extent practicable and appropriate. The commissioner may adopt rules to implement computer-adaptive assessment instruments. A public school may purchase instructional materials under a blanket purchase order executed by the Department of Information Resources.

EFFECTIVE DATE

Except as otherwise provided by this Act, this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute allows the agency to review state and federal grant programs in determining which funds awarded under those programs may be used to enhance or expand technology in public schools. The agency shall provide computer-adaptive assessment tools at no cost to public schools.

The substitute allows for publishers to submit instructional materials to the State Board of Education at any time for approval. In addition, State Board of Education guidelines are set forth for approving instructional materials. CSHB 4 allows for the Department of Information Resources to execute a contract for approved instructional material. The agency and the Department of Information Resources are required to enter into an interagency contract specifying each agency's duties in purchasing and licensing instructional materials.

The substitute provides that a local selection and purchase power is provided to a school district or open-enrollment charter school for instructional materials. School districts and open-enrollment charter schools are to certify annually to the agency that instructional materials are aligned with essential knowledge and skills. CSHB 4 provides for the designation of an advisory committee to be formed by the commissioner and sets forth guidelines for members serving on that committee.

The substitute modifies the effective dates and allotment amounts as to what each school district or open-enrollment charter school is entitled as well as the amount the commissioner is to withhold for each student in ADA. Additionally, the commissioner is to provide for technology grants to school districts on behalf of eligible campuses and eligible open-enrollment charter schools. Requirements for eligibility and use of grants is specifically denoted and must be applied for as specified by commissioner rule.

The substitute provides that the commissioner may adopt rules to implement computer-adaptive assessments. The substitute also allows for a school district to purchase instructional materials under a blanket purchase order executed by the Department of Information.