

By: Shapleigh

S.B. No. 322

A BILL TO BE ENTITLED

AN ACT

relating to the use of technology by public schools.

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

SECTION 1. Section 32.005, Education Code, is amended to read as follows:

Sec. 32.005. TECHNOLOGY ALLOTMENT. (a) Each school district or open-enrollment charter school is entitled to an allotment of \$100 [~~\$30~~] for each student in average daily attendance or a greater [~~different~~] amount for any year provided by appropriation.

(a-2) Subsection (a) applies beginning with the 2011-2012 school year. For the 2009-2010 and 2010-2011 school years, a school district or open-enrollment charter school is entitled to an allotment in the following amount, or a greater amount for any year provided by appropriation:

(1) for the 2009-2010 school year, \$50; and

(2) for the 2010-2011 school year, \$75.

(a-3) Subsection (a-2) and this subsection expire September 1, 2011.

(b) An allotment under this section may be used only to:

(1) provide for the purchase by school districts or open-enrollment charter schools of electronic textbooks or technological equipment that contributes to student learning; and

(2) pay for training educational personnel directly

1 involved in student learning in the appropriate use of electronic
2 textbooks and for providing for access to technological equipment
3 for instructional use.

4 (b-1) A school district's or open-enrollment charter
5 school's allotment under this section must be used in accordance
6 with the district's or school's long-range technology plan filed
7 with the agency. The plan must demonstrate how money from the
8 allotment will be used to address specific outcomes at the school,
9 classroom, and teacher or student levels, including:

10 (1) any effect on the academic progress of students,
11 as measured by performance on assessment instruments, including
12 assessment instruments administered under Section 39.023;

13 (2) any elements that contribute to improved student
14 performance on assessment instruments administered under Section
15 39.023 or other assessment instruments required by the
16 commissioner;

17 (3) any cost savings or improved efficiency relating
18 to school personnel or the maintenance of school facilities;

19 (4) any effect on student attendance or dropout rates;

20 (5) any effect on student enrollment in higher
21 education;

22 (6) any effect on teacher performance or retention;

23 (7) any improvement in communications among students,
24 parents, teachers, and administrators;

25 (8) any improvement in parental involvement in the
26 education of the parent's child;

27 (9) any effect on community involvement and support

1 for the district or school; and

2 (10) any increase in student proficiency in technology
3 that will help prepare students for becoming members of the
4 workforce.

5 (b-2) The agency shall evaluate available technological
6 solutions to determine whether any of the technological solutions
7 evaluated may be used in compliance with Subsections (b) and (b-1).

8 The agency shall:

9 (1) publish a list of technological solutions
10 evaluated that may be used in compliance with Subsections (b) and
11 (b-1); and

12 (2) update the list each calendar quarter.

13 (c) The allotment under this section may be paid from:

14 (1) the available school fund; or

15 (2) any other fund that may be used for that purpose
16 and that is identified in the General Appropriations Act as the
17 source of payment of the allotment, to the extent that the amount
18 appropriated from the available school fund is not sufficient to
19 fully fund the allotment.

20 SECTION 2. Sections 32.151 and 32.152, Education Code, are
21 amended to read as follows:

22 Sec. 32.151. ESTABLISHMENT OF PILOT PROJECT. The agency
23 may by rule establish the technology immersion pilot project [~~to~~
24 ~~provide a wireless mobile computing device to each student~~] in [~~a~~
25 ~~participating schools~~] [~~school and implement the use of software,~~
26 ~~on-line courses, and other appropriate learning technologies that~~
27 ~~have been shown~~] to improve academic achievement and the progress

1 measures listed in Section 32.155(e).

2 Sec. 32.152. PILOT PROJECT ADMINISTRATION. The [~~If the~~
3 ~~agency establishes the pilot project under Section 32.151, the~~]
4 agency shall establish a procedure and develop criteria for the
5 administration of the pilot project. In administering the pilot
6 project, the agency shall:

7 (1) select participating [~~school districts or~~]
8 schools;

9 (2) define the conditions for the distribution and use
10 of computer equipment and other technologies;

11 (3) purchase and distribute computer equipment and
12 other technologies;

13 (4) enter into contracts as necessary to implement the
14 pilot project;

15 (5) monitor local pilot project implementation; and

16 (6) conduct a final evaluation of the pilot project.

17 SECTION 3. Section 32.153, Education Code, is amended by
18 amending Subsections (a) and (c) and adding Subsection (d) to read
19 as follows:

20 (a) To implement the pilot project, the agency may use any
21 gift, grant, or donation given for the pilot project. The agency
22 may solicit and accept a gift, grant, or donation of any kind from
23 any source, including from a foundation, private entity,
24 governmental entity, and institution of higher education, for the
25 implementation of the pilot project. The agency may use [~~only~~
26 ~~undedicated and unobligated~~] money from the general revenue fund
27 for purposes of the pilot project.

1 (c) Subject to Subsection (d), the [~~The~~] agency shall use
2 pilot project funds for:

3 (1) the purchase of wireless mobile computing devices
4 so that each student in a participating classroom has a wireless
5 mobile computing device for use at school and at home;

6 (2) the purchase of other equipment, including
7 additional computer hardware and software;

8 (3) the hiring of technical support staff for school
9 districts or schools participating in the pilot project; and

10 (4) the purchase of technology-based learning
11 materials and resources.

12 (d) In using the available pilot project funds for schools
13 selected under Section 32.154(a-1)(2) to participate in the pilot
14 project, the agency:

15 (1) shall provide each school with an equal amount of
16 funding;

17 (2) may permit the funds to be used for any purpose
18 authorized by Subsection (c); and

19 (3) is not required to provide for the purchase of
20 wireless mobile computing devices as provided by Subsection (c)(1).

21 SECTION 4. The heading to Section 32.154, Education Code,
22 is amended to read as follows:

23 Sec. 32.154. [~~DISTRICT OR~~] SCHOOL SELECTION.

24 SECTION 5. Section 32.154, Education Code, is amended by
25 adding Subsection (a-1) and amending Subsection (b) to read as
26 follows:

27 (a-1) In addition to school districts and schools selected

1 before September 1, 2009, for participation in the technology
2 immersion pilot project, the agency shall select for participation
3 in the pilot project for the 2009-2010 and subsequent school years:

4 (1) each high school to which a district regularly
5 assigns students who were enrolled in grade eight during the
6 2008-2009 school year at a district school participating in the
7 pilot project; and

8 (2) one middle or junior high school in each state
9 senatorial district in which no school participated in the pilot
10 project for the 2008-2009 school year, to the extent funding is
11 available for that participation after providing funding to high
12 schools described by Subdivision (1).

13 (b) Except as provided by Subsection (a-1)(1), the [The]
14 agency shall select the participating [~~districts and~~] schools for
15 the pilot project based on each [~~district's or~~] school's need for
16 the pilot project. In selecting participants, the agency shall
17 consider the following criteria:

18 (1) whether the [~~district or~~] school has limited
19 access to educational resources that could be improved through the
20 use of electronic textbooks or technological equipment that
21 contributes to student learning [~~wireless mobile computing devices~~
22 ~~and other technologies~~];

23 (2) whether the [~~district or~~] school has the following
24 problems and whether those problems can be mitigated through the
25 use of electronic textbooks or technological equipment that
26 contributes to student learning [~~wireless mobile computing devices~~
27 ~~and other technologies~~]:

1 (A) documented teacher shortages in critical
2 areas;

3 (B) limited access to advanced placement
4 courses;

5 (C) low rates of satisfactory performance on
6 assessment instruments under Subchapter B, Chapter 39; and

7 (D) high dropout rates;

8 (3) the [~~district's~~ or] school's readiness to
9 incorporate technology into its classrooms;

10 (4) the possibility of obtaining a trained technology
11 support staff and high-speed Internet services for the [~~district~~
12 ~~or~~] school; and

13 (5) the methods the [~~district~~ or] school will use to
14 measure the progress of the pilot project in the [~~district~~ or]
15 school in accordance with Section 32.155(e).

16 SECTION 6. Sections 32.154(a) and (c), Education Code, are
17 repealed.

18 SECTION 7. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.