

By: Strama

H.B. No. 3586

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Accessible Learning Materials Council.

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

SECTION 1. Subtitle F, Title 2, Education Code, is amended by adding Chapter 31A to read as follows:

CHAPTER 31A. ACCESSIBLE LEARNING MATERIALS COUNCIL

Sec. 31A.001. DEFINITIONS. In this chapter:

(1) "Accessible learning materials" means educational materials for instruction and testing that are designed or converted in a way that makes them usable across the widest range of student variability in various formats, including print, digital, graphic, audio, and video materials.

(2) "Council" means the Accessible Learning Materials Council.

Sec. 31A.002. ESTABLISHMENT; PURPOSES. The Accessible Learning Materials Council is established to:

(1) study issues related to improving the academic success of students with disabilities using accessible learning materials for instruction and accommodations on an assessment instrument that will allow use of assistive technology devices or software;

(2) make recommendations to change existing requirements, law, rules, or policies to require that assistive

1 technology and accessible learning materials be available for
2 instruction and use in the administration of assessment
3 instruments;

4 (3) produce biennial reports on the status of
5 providing accessible learning materials for public school students
6 with disabilities, including accommodations used in the
7 administration of assessment instruments; and

8 (4) establish accessibility and procurement standards
9 to provide accessible learning materials for students with
10 disabilities that are as effective as materials and assessment
11 instruments provided to students without disabilities.

12 Sec. 31A.003. SUNSET PROVISION. The council is subject to
13 Chapter 325, Government Code. Unless continued in existence as
14 provided by that chapter, the council is abolished and this chapter
15 expires September 1, 2017.

16 Sec. 31A.004. COMPOSITION. The council is composed of 15
17 members appointed by the commissioner as follows:

18 (1) one agency representative responsible for council
19 duties related to assessment instruments;

20 (2) one agency representative responsible for council
21 duties related to curriculum;

22 (3) one agency representative responsible for council
23 duties related to special education services;

24 (4) one member of the State Board of Education;

25 (5) two teachers from rural school districts who:

26 (A) have experience teaching students with
27 disabilities; and

1 (B) are certified under Subchapter B, Chapter 21,
2 in special education or hold a technology applications certificate
3 issued under Subchapter B, Chapter 21;

4 (6) two teachers from urban school districts who:

5 (A) have experience teaching students with
6 disabilities; and

7 (B) are certified under Subchapter B, Chapter 21,
8 in special education or hold a technology applications certificate
9 issued under Subchapter B, Chapter 21;

10 (7) the statewide accessibility coordinator of the
11 Department of Information Resources;

12 (8) one member of a nonprofit organization whose
13 primary mission relates to accessible electronic information
14 resources;

15 (9) two parents of students with disabilities who have
16 experience relating to the use of accessible learning materials;

17 (10) one assistive technology professional who is
18 certified by the Rehabilitation Engineering and Assistive
19 Technology Society of North America;

20 (11) one electronic information resources
21 accessibility specialist who is proficient in current technology
22 and current accessible design standards; and

23 (12) one curriculum specialist from a public school
24 who has knowledge of universal design for learning.

25 Sec. 31A.005. MEETINGS. (a) The council shall meet in
26 person at least three times each year and may hold additional
27 meetings by conference call as necessary.

1 (b) Section 551.125, Government Code, applies to a meeting
2 held by conference call under this section, except that Section
3 551.125(b) does not apply.

4 Sec. 31A.006. COMPENSATION. A member of the council may not
5 receive compensation for service on the council.

6 Sec. 31A.007. DUTIES. (a) The council shall:

7 (1) study issues related to the procurement and
8 delivery of equally effective accessible learning materials and
9 assessment instruments for public school students;

10 (2) study current research and best practices related
11 to accessible learning materials and assessment instruments for
12 public school students;

13 (3) analyze the availability of accessible learning
14 materials and assessment instruments and the unmet needs of
15 students with disabilities; and

16 (4) perform other duties consistent with this chapter.

17 (b) In carrying out the council's duties under this section,
18 the council may request reports and other information related to
19 accessible learning materials and assessment instruments from the
20 agency and any other state agency.

21 Sec. 31A.008. STATEWIDE ACCESSIBLE LEARNING MATERIALS
22 PLAN; REPORT. (a) The council shall develop a comprehensive
23 statewide action plan for the provision of equally effective
24 accessible learning materials and assessment instruments for
25 public school students in this state, including a timeline for
26 implementation of the plan.

27 (b) Not later than November 1 of each even-numbered year,

1 the council shall submit to each house of the legislature, the
2 governor, and the agency a written report concerning:

3 (1) the status of the development or implementation of
4 the council's statewide plan, as applicable;

5 (2) any action taken toward further development or
6 implementation of the plan;

7 (3) any area that needs improvement in implementing
8 the plan;

9 (4) any recommended change to the plan; and

10 (5) programs and services that address accessible
11 learning materials and assessment instruments.

12 Sec. 31A.009. GIFTS, GRANTS, AND DONATIONS. The agency may
13 accept on behalf of the council a gift, grant, or donation from any
14 source to carry out the purpose of this chapter.

15 SECTION 2. Not later than December 31, 2013, the
16 commissioner of education shall appoint the members of the
17 Accessible Learning Materials Council in accordance with Section
18 31A.004, Education Code, as added by this Act.

19 SECTION 3. Not later than November 1, 2014, the Accessible
20 Learning Materials Council shall submit the initial report required
21 under Section 31A.008, Education Code, as added by this Act.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2013.