

By: Taylor of Galveston, et al.
(Huberty)

S.B. No. 1484

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an instructional materials web portal
by the commissioner of education.

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

SECTION 1. Chapter 31, Education Code, is amended by adding
Subchapter B-2 to read as follows:

SUBCHAPTER B-2. INSTRUCTIONAL MATERIALS WEB PORTAL

Sec. 31.081. INSTRUCTIONAL MATERIALS WEB PORTAL. (a) The
commissioner shall develop and maintain a web portal to assist
school districts and open-enrollment charter schools in selecting
instructional materials under Section 31.101.

(b) The web portal must include general information such as
price, computer system requirements, and any other relevant
specifications for each instructional material:

(1) on the instructional materials list, including the
list adopted under Section 31.0231; or

(2) submitted by a publisher for inclusion in the web
portal.

(c) The commissioner by rule shall establish the procedure
by which a publisher may submit instructional materials for
inclusion in the web portal.

(d) The commissioner shall use a competitive process to
contract for the development of the web portal.

(e) The commissioner shall use money in the state

1 instructional materials fund to pay any expenses associated with
2 the web portal.

3 Sec. 31.082. QUALITY OF INSTRUCTIONAL MATERIALS SUBMITTED
4 BY PUBLISHER. (a) The commissioner shall contract with a private
5 entity to conduct an independent analysis of each instructional
6 material submitted by a publisher for inclusion in the web portal
7 developed under Section 31.081. The analysis must:

8 (1) evaluate the quality of the material; and

9 (2) determine the extent to which the material covers
10 the essential knowledge and skills identified under Section 28.002
11 for the subject and grade level for which the material is intended
12 to be used, including an identification of:

13 (A) each of the essential knowledge and skills
14 for the subject and grade level or levels covered by the material;
15 and

16 (B) the percentage of the essential knowledge and
17 skills for the subject and grade level or levels covered by the
18 material.

19 (b) The commissioner shall include in the web portal
20 developed under Section 31.081 the results of each analysis
21 conducted under Subsection (a).

22 Sec. 31.083. INSTRUCTIONAL MATERIALS REPOSITORY. (a) In
23 this section, "open educational resource" means a teaching,
24 learning, or research resource that is in the public domain or has
25 been released under an intellectual property license that permits
26 the free use and repurposing of the resource by any person. The
27 term may include full course curricula, course materials, modules,

1 textbooks, streaming videos, tests, software, and any other tools,
2 materials, or techniques used to support access to knowledge.

3 (b) The commissioner shall include in the web portal
4 developed under Section 31.081 a repository of open educational
5 resources and other electronic instructional materials that school
6 districts and open-enrollment charter schools may access at no
7 cost, including state-developed open-source instructional
8 materials purchased under Subchapter B-1.

9 (c) A publisher may submit instructional materials for
10 inclusion in the repository.

11 Sec. 31.084. RULES. The commissioner may adopt rules as
12 necessary to implement this subchapter.

13 SECTION 2. Section 31.004(b), Education Code, is amended to
14 read as follows:

15 (b) To determine whether each student has instructional
16 materials that cover all elements of the essential knowledge and
17 skills as required by Subsection (a), a school district or
18 open-enrollment charter school may consider:

19 (1) instructional materials adopted by the State Board
20 of Education;

21 (2) materials adopted or purchased by the commissioner
22 under Section 31.0231 or Subchapter B-1;

23 (3) open-source instructional materials submitted by
24 eligible institutions and adopted by the State Board of Education
25 under Section 31.0241;

26 (4) open-source instructional materials made
27 available by other public schools; [~~and~~]

1 (5) instructional materials developed or purchased by
2 the school district or open-enrollment charter school; and

3 (6) open educational resources and other electronic
4 instructional materials included in the repository under Section
5 31.083.

6 SECTION 3. Section 31.021(c), Education Code, is amended to
7 read as follows:

8 (c) Money in the state instructional materials fund shall be
9 used to:

10 (1) fund the instructional materials allotment, as
11 provided by Section 31.0211;

12 (2) purchase special instructional materials for the
13 education of blind and visually impaired students in public
14 schools;

15 (3) pay the expenses associated with the instructional
16 materials adoption and review process under this chapter;

17 (4) pay the expenses associated with the purchase or
18 licensing of open-source instructional material;

19 (5) pay the expenses associated with the purchase of
20 instructional material, including intrastate freight and shipping
21 and the insurance expenses associated with intrastate freight and
22 shipping;

23 (6) ~~[fund the technology lending grant program~~
24 ~~established under Section 32.201, and~~

25 ~~[(7)]~~ provide funding to the Texas School for the
26 Blind and Visually Impaired, the Texas School for the Deaf, and the
27 Texas Juvenile Justice Department; and

1 (7) pay the expenses associated with the instructional
2 materials web portal developed under Section 31.081.

3 SECTION 4. Not later than September 1, 2018, the
4 commissioner of education shall develop the web portal required
5 under Subchapter B-2, Chapter 31, Education Code, as added by this
6 Act.

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.