87R7597 MLH-D

By:  Toth H.B. No. 3987

A BILL TO BE ENTITLED

AN ACT

relating to requiring the disclosure of certain information regarding public school teaching materials and activities.

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

SECTION 1.  Chapter 26, Education Code, is amended by adding Section 26.0061 to read as follows:

Sec. 26.0061.  REQUIRED DISCLOSURE REGARDING TEACHING MATERIALS AND ACTIVITIES. (a) In this section:

(1)  "Activity" includes a presentation, assembly, lecture, or other event facilitated by a school district, other than a student presentation.

(2)  "Teaching material" includes:

(A)  instructional material, as that term is defined by Section 31.002;

(B)  teaching aids; and

(C)  any other material a student is given the option to select for the student's instruction.

(b)  Subject to Subsection (g), not later than the fifth day of each month, each school district shall make available to the public on the district's Internet website:

(1)  a list disaggregated by subject area and grade level that states all information, including the title, author, organization, or Internet website, as applicable, necessary to identify a teaching material or activity that was assigned, distributed, or otherwise presented to the district's students during the preceding month in:

(A)  a course for which students receive academic credit; or

(B)  an educational event that the district requires students to attend or in which a majority of students participate;

(2)  the district's procedures for documenting, reviewing, or approving a material or activity described by Subdivision (1); and

(3)  any changes made in the preceding month to the procedures described by Subdivision (2).

(c)  For purposes of Subsection (b)(1), a school district is not required to list the individual components of teaching materials produced as a single volume except that for a volume that contains works by multiple authors, the district shall include in the list under that subsection:

(1)  a table of contents for the volume; or

(2)  a link to an Internet website that discloses the title and author of each work included in the volume.

(d)  Information posted to a school district's Internet website under Subsection (b) must be maintained on the website for not less than one year.

(e)  A school district may use collaborative online document or spreadsheet software to prepare or post on the district's Internet website the information required under Subsection (b).

(f)  This section does not require a school district to reproduce a material or activity described by Subsection (b)(1).

(g)  This section does not apply to:

(1)  a school district with a student enrollment of less than 300 students; or

(2)  a material or activity described by Subsection (b)(1) that is selected independently by teachers employed at a campus with a student enrollment of less than 50 students for use only at that campus.

SECTION 2.  Section 12.104(b), Education Code, as amended by Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b)  An open-enrollment charter school is subject to:

(1)  a provision of this title establishing a criminal offense;

(2)  the provisions in Chapter 554, Government Code; and

(3)  a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A)  the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B)  criminal history records under Subchapter C, Chapter 22;

(C)  reading instruments and accelerated reading instruction programs under Section 28.006;

(D)  accelerated instruction under Section 28.0211;

(E)  high school graduation requirements under Section 28.025;

(F)  special education programs under Subchapter A, Chapter 29;

(G)  bilingual education under Subchapter B, Chapter 29;

(H)  prekindergarten programs under Subchapter E or E-1, Chapter 29;

(I)  extracurricular activities under Section 33.081;

(J)  discipline management practices or behavior management techniques under Section 37.0021;

(K)  health and safety under Chapter 38;

(L)  public school accountability under Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(M)  the requirement under Section 21.006 to report an educator's misconduct;

(N)  intensive programs of instruction under Section 28.0213;

(O)  the right of a school employee to report a crime, as provided by Section 37.148;

(P)  bullying prevention policies and procedures under Section 37.0832;

(Q)  the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(R)  the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(S)  a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(T)  establishment of residency under Section 25.001;

(U) [~~(T)~~]  school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071;

(V) [~~(T)~~]  the early childhood literacy and mathematics proficiency plans under Section 11.185; [~~and~~]

(W) [~~(U)~~]  the college, career, and military readiness plans under Section 11.186; and

(X)  the disclosure of certain information regarding a teaching material or activity described by Section 26.0061.

SECTION 3.  This Act applies beginning with the 2021-2022 school year.

SECTION 4.  To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.