

BILL ANALYSIS

Senate Research Center
89R1523 TSS-D

S.B. 451
By: Middleton
Education K-16
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last session under H.B. 1605 the legislature directed the State Board of Education (SBOE) to perform an instructional material review and approval (IMRA). Under the IMRA, SBOE will verify that the instructional materials satisfy both the requirements in the Texas Essential Knowledge and Skills (TEKS) and applicable English Language Proficiency Standards (ELPS). The materials reviewed are then added to one of two lists maintained by SBOE the "approved" list and the "rejected" list. Currently, there is no provision prohibiting the adoption or use of materials in public schools which were placed on the rejected list.

Allowing SBOE to ensure that materials used by districts comply with the TEKS and ELPS will ensure that the instructional materials used in Texas public schools have the rigor to teach students effectively.

As proposed, S.B. 451 amends current law relating to the purchase, adoption, and use of instructional materials by public schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 31.0211(f), Education Code, to prohibit funds allotted under Section 31.0211 (Instructional Materials and Technology Allotment) from being used to purchase certain instructional materials, including material that is on the list of rejected instructional materials maintained by the State Board of Education (SBOE) under Section 31.022(a) (relating to requiring SBOE to review certain instructional materials).

SECTION 2. Amends Subchapter B, Chapter 31, Education Code, by adding Section 31.024, as follows:

Sec. 31.024. LIMITATION ON THE ADOPTION AND USE OF INSTRUCTIONAL MATERIAL. Prohibits a school district from adopting or otherwise using instructional material included on the list of rejected instructional materials maintained by SBOE under Section 31.022(a).

SECTION 3. Amends Section 31.073, Education Code, by adding Subsection (b) and amending Subsection (c), as follows:

(b) Authorizes a school district or open-enrollment charter school to only adopt or otherwise use an open education resource instructional material that is not included on the list of rejected instructional materials maintained by SBOE under Section 31.022(a).

(c) Authorizes a school district or open-enrollment charter school to adopt open education resource instructional material that complies with Subsection (b) at any time.

SECTION 4. Amends Section 31.106, Education Code, as follows:

Sec. 31.106. USE OF LOCAL FUNDS. Authorizes a school district or open-enrollment charter school, in addition to any instructional material selected under Chapter 31 (Instructional Materials and Technology), to use local funds to purchase any instructional materials not included on the list of rejected instructional materials maintained by SBOE under Section 31.022(a).

SECTION 5. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 6. Effective date: upon passage or September 1, 2025.