

By: Huberty

H.B. No. 3487

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.

Sec. 31.082. QUALITY OF INSTRUCTIONAL MATERIALS SUBMITTED

1 BY PUBLISHER. (a) The commissioner shall contract with a private  
2 entity to conduct an independent analysis of each instructional  
3 material submitted by a publisher for inclusion in the web portal  
4 developed under Section 31.081. The analysis must:

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

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

10 (A) each of the essential knowledge and skills  
11 for the subject and grade level or levels covered by the material;  
12 and

13 (B) the percentage of the essential knowledge and  
14 skills for the subject and grade level or levels covered by the  
15 material.

16 (b) The commissioner shall include in the web portal  
17 developed under Section 31.081 the results of each analysis  
18 conducted under Subsection (a).

19 Sec. 31.083. INSTRUCTIONAL MATERIALS REPOSITORY. (a) In  
20 this section, "open educational resource" means a teaching,  
21 learning, or research resource that is in the public domain or has  
22 been released under an intellectual property license that permits  
23 the free use and repurposing of the resource by any person. The  
24 term may include full course curricula, course materials, modules,  
25 textbooks, streaming videos, tests, software, and any other tools,  
26 materials, or techniques used to support access to knowledge.

27 (b) The commissioner shall include in the web portal

1 developed under Section 31.081 a repository of open educational  
2 resources and other electronic instructional materials that school  
3 districts and open-enrollment charter schools may access at no  
4 cost, including state-developed open-source instructional  
5 materials purchased under Subchapter B-1.

6 (c) A publisher may submit instructional materials for  
7 inclusion in the repository.

8 Sec. 31.084. RULES. The commissioner may adopt rules as  
9 necessary to implement this subchapter.

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

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

16 (1) instructional materials adopted by the State Board  
17 of Education;

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

20 (3) open-source instructional materials submitted by  
21 eligible institutions and adopted by the State Board of Education  
22 under Section 31.0241;

23 (4) open-source instructional materials made  
24 available by other public schools; ~~and~~

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

27 (6) open educational resources and other electronic

1 instructional materials included in the repository under Section  
2 31.083.

3       SECTION 3. 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 4. 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.