

1-1 By: Taylor of Galveston S.B. No. 1484  
1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read  
1-3 first time and referred to Committee on Education; May 3, 2017,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 11, Nays 0; May 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 1484 By: Taylor of Galveston

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to the creation of an instructional materials web portal  
1-23 by the commissioner of education.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 31, Education Code, is amended by adding  
1-26 Subchapter B-2 to read as follows:

1-27 SUBCHAPTER B-2. INSTRUCTIONAL MATERIALS WEB PORTAL

1-28 Sec. 31.081. INSTRUCTIONAL MATERIALS WEB PORTAL. (a) The  
1-29 commissioner shall develop and maintain a web portal to assist  
1-30 school districts and open-enrollment charter schools in selecting  
1-31 instructional materials under Section 31.101.

1-32 (b) The web portal must include general information such as  
1-33 price, computer system requirements, and any other relevant  
1-34 specifications for each instructional material:

1-35 (1) on the instructional materials list, including the  
1-36 list adopted under Section 31.0231; or

1-37 (2) submitted by a publisher for inclusion in the web  
1-38 portal.

1-39 (c) The commissioner by rule shall establish the procedure  
1-40 by which a publisher may submit instructional materials for  
1-41 inclusion in the web portal.

1-42 (d) The commissioner shall use a competitive process to  
1-43 contract for the development of the web portal.

1-44 (e) The commissioner shall use money in the state  
1-45 instructional materials fund to pay any expenses associated with  
1-46 the web portal.

1-47 Sec. 31.082. QUALITY OF INSTRUCTIONAL MATERIALS SUBMITTED

1-48 BY PUBLISHER. (a) The commissioner shall contract with a private  
1-49 entity to conduct an independent analysis of each instructional  
1-50 material submitted by a publisher for inclusion in the web portal  
1-51 developed under Section 31.081. The analysis must:

1-52 (1) evaluate the quality of the material; and

1-53 (2) determine the extent to which the material covers  
1-54 the essential knowledge and skills identified under Section 28.002  
1-55 for the subject and grade level for which the material is intended  
1-56 to be used, including an identification of:

1-57 (A) each of the essential knowledge and skills  
1-58 for the subject and grade level or levels covered by the material;  
1-59 and

1-60 (B) the percentage of the essential knowledge and

2-1 skills for the subject and grade level or levels covered by the  
 2-2 material.  
 2-3 (b) The commissioner shall include in the web portal  
 2-4 developed under Section 31.081 the results of each analysis  
 2-5 conducted under Subsection (a).  
 2-6 Sec. 31.083. INSTRUCTIONAL MATERIALS REPOSITORY. (a) In  
 2-7 this section, "open educational resource" means a teaching,  
 2-8 learning, or research resource that is in the public domain or has  
 2-9 been released under an intellectual property license that permits  
 2-10 the free use and repurposing of the resource by any person. The  
 2-11 term may include full course curricula, course materials, modules,  
 2-12 textbooks, streaming videos, tests, software, and any other tools,  
 2-13 materials, or techniques used to support access to knowledge.  
 2-14 (b) The commissioner shall include in the web portal  
 2-15 developed under Section 31.081 a repository of open educational  
 2-16 resources and other electronic instructional materials that school  
 2-17 districts and open-enrollment charter schools may access at no  
 2-18 cost, including state-developed open-source instructional  
 2-19 materials purchased under Subchapter B-1.  
 2-20 (c) A publisher may submit instructional materials for  
 2-21 inclusion in the repository.  
 2-22 Sec. 31.084. RULES. The commissioner may adopt rules as  
 2-23 necessary to implement this subchapter.  
 2-24 SECTION 2. Section 31.004(b), Education Code, is amended to  
 2-25 read as follows:  
 2-26 (b) To determine whether each student has instructional  
 2-27 materials that cover all elements of the essential knowledge and  
 2-28 skills as required by Subsection (a), a school district or  
 2-29 open-enrollment charter school may consider:  
 2-30 (1) instructional materials adopted by the State Board  
 2-31 of Education;  
 2-32 (2) materials adopted or purchased by the commissioner  
 2-33 under Section 31.0231 or Subchapter B-1;  
 2-34 (3) open-source instructional materials submitted by  
 2-35 eligible institutions and adopted by the State Board of Education  
 2-36 under Section 31.0241;  
 2-37 (4) open-source instructional materials made  
 2-38 available by other public schools; ~~and~~  
 2-39 (5) instructional materials developed or purchased by  
 2-40 the school district or open-enrollment charter school; and  
 2-41 (6) open educational resources and other electronic  
 2-42 instructional materials included in the repository under Section  
 2-43 31.083.  
 2-44 SECTION 3. Section 31.021(c), Education Code, is amended to  
 2-45 read as follows:  
 2-46 (c) Money in the state instructional materials fund shall be  
 2-47 used to:  
 2-48 (1) fund the instructional materials allotment, as  
 2-49 provided by Section 31.0211;  
 2-50 (2) purchase special instructional materials for the  
 2-51 education of blind and visually impaired students in public  
 2-52 schools;  
 2-53 (3) pay the expenses associated with the instructional  
 2-54 materials adoption and review process under this chapter;  
 2-55 (4) pay the expenses associated with the purchase or  
 2-56 licensing of open-source instructional material;  
 2-57 (5) pay the expenses associated with the purchase of  
 2-58 instructional material, including intrastate freight and shipping  
 2-59 and the insurance expenses associated with intrastate freight and  
 2-60 shipping;  
 2-61 (6) ~~fund the technology lending grant program~~  
 2-62 ~~established under Section 32.201, and~~  
 2-63 ~~[(7)] provide funding to the Texas School for the~~  
 2-64 ~~Blind and Visually Impaired, the Texas School for the Deaf, and the~~  
 2-65 ~~Texas Juvenile Justice Department; and~~  
 2-66 (7) pay the expenses associated with the instructional  
 2-67 materials web portal developed under Section 31.081.  
 2-68 SECTION 4. Not later than September 1, 2018, the  
 2-69 commissioner of education shall develop the web portal required

3-1 under Subchapter B-2, Chapter 31, Education Code, as added by this  
3-2 Act.

3-3 SECTION 5. This Act takes effect immediately if it receives  
3-4 a vote of two-thirds of all the members elected to each house, as  
3-5 provided by Section 39, Article III, Texas Constitution. If this  
3-6 Act does not receive the vote necessary for immediate effect, this  
3-7 Act takes effect September 1, 2017.

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