

- SUBJECT:** Revising requirements for school instructional materials and technology
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 9 ayes — Huberty, Allen, Bohac, Deshotel, Gooden, K. King, Koop, Meyer, VanDeaver
- 0 nays
- 2 absent — Bernal, Dutton
- SENATE VOTE:** On final passage, May 4 — 31-0, on Local and Uncontested calendar
- WITNESSES:** None
- BACKGROUND:** The 82nd Legislature in 2011 enacted SB 6 by Shapiro, which established the Instructional Materials Allotment and allowed school districts to use the state allotment to purchase technological equipment and materials as well as textbooks. The bill requires the State Board of Education (SBOE) to set aside 50 percent of the annual distribution from the Permanent School Fund to fund the Instructional Materials Allotment.
- Education Code, sec. 31.022 requires SBOE to adopt a review and adoption cycle for instructional materials for each subject in the required curriculum.
- Interested parties note that as the cost of textbooks adopted by SBOE has increased, districts and charter schools have had less discretion to use the allotment for digital materials and technology. They further note that open education resources that reside in the public domain can be used by schools for free, saving the state money and offering compelling digital content and tools to engage students.
- DIGEST:** CSSB 1481 would require the State Board of Education (SBOE) to consider a school district's need for technology as well as instructional materials in reviewing and adopting instructional materials. SBOE would

be authorized in any biennium to limit the adoption of instructional materials to provide sufficient resources for districts to purchase instructional materials, including digital curriculum.

SBOE would be required to include information regarding open education resource instructional materials during the adoption cycle, including any associated cost savings. The board would update the long-range plan for technology at least every five years.

The bill would rename the Instructional Materials Allotment as the Instructional Materials and Technology Allotment, and the Instructional Materials Fund as the Instructional Materials and Technology Fund. It would change the purpose for which money in the fund was required to be used from the payment of expenses associated with the purchase or licensing of open-source instructional material to the payment of such expenses concerning open education resource instructional material.

It would replace statutory references to "open-source instructional material" with "open education resource instructional material" defined as teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that allows for free use, reuse, modification, and sharing with others, including full courses, course materials, modules, textbooks, or techniques used to support access to knowledge. School districts would be authorized to consider using open education resource instructional materials in selecting instructional materials each year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

NOTES:

CSSB 1481 differs from the Senate-engrossed version by permitting, rather than requiring, districts to consider using open education resource instructional materials.