

Legislative Session: 81(R)

House Bill 4294
Effective: 6-19-09

House Author: Branch et al.
Senate Sponsor: Shapiro et al.

House Bill 4294 amends the Education Code to require each school district and open-enrollment charter school to certify annually to the State Board of Education (SBOE) and the commissioner of education that, for each subject in the foundation curriculum and each grade level, the district provides each student with textbooks, electronic textbooks, or instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE for that subject and grade level. The bill authorizes the state textbook fund to be used to purchase technological equipment necessary to support the use of electronic textbooks or instructional material included on the adopted list or any textbook or material approved by the SBOE.

The bill requires the commissioner to adopt a list of electronic textbooks and instructional material, including tools, models, and investigative materials designed for use in the foundation curriculum for science in kindergarten through grade five, and it authorizes a school district to select a textbook or material on that list to be funded by the state textbook fund. The bill establishes conditions and criteria for the placement of such textbooks or material on the list, including a requirement for the SBOE to be given an opportunity to comment on the textbook or material before its placement. The bill requires the commissioner to update the list as necessary, sets forth prerequisites for the removal of textbooks or material from the list, and authorizes the provider of an electronic textbook or instructional material to update the textbook's or material's content or related navigational features or management system after notice to the commissioner.

If a school district or open-enrollment charter school selects an electronic textbook or instructional material on the list, the bill requires the state to pay the district or school an amount equal to the cost of the electronic textbook or instructional material plus textbook credits as specified in the bill, times number of such textbooks or materials needed by the district or school.

The bill authorizes a school district or open-enrollment charter school that selects a subscription-based electronic textbook or instructional material on the conforming list or the adopted list to cancel the subscription and subscribe to a new electronic textbook or instructional material before the end of the state contract period if the district or school has used the textbook or material for at least one school year and the Texas Education Agency approves the change based on a written request by the district or school that specifies the reasons for the change.

House Bill 4294 requires the commissioner by rule to establish a computer lending pilot program to provide computers to participating public schools that make computers available for use by students and their parents. The bill requires the commissioner to establish administrative procedures, including procedures for distributing to a participating school any surplus or salvage data processing equipment available for distribution under the pilot program or computers donated or purchased for that purpose with funds from any source. A school is eligible to participate if 50 percent or more of its students are educationally disadvantaged and the school operates or agrees to operate a computer lending program that allows students and parents to borrow a computer; includes an option for students and parents to work toward owning a computer initially borrowed under the program, subject to any applicable restrictions on the computer's disposition; provides computer training for students and parents; and operates outside regular school hours, including operation until at least 7 p.m. on at least three days each week. The bill requires the commissioner, not later than January 1 of each year, to submit a report to the legislature regarding the computer lending pilot program.

The bill amends the Government Code to require a state agency, a state eleemosynary institution, or an institution or agency of higher education--if a disposition of the agency's or institution's surplus or salvage data processing equipment is not made under state law governing the direct transfer or disposition of such equipment to another state agency, political subdivision, or assistance organization--to make the equipment available to the commissioner for use in the computer lending pilot program or, if the commissioner declines to take the equipment, to transfer the equipment free of charge to a school district or open-enrollment charter school, to an assistance organization specified by the district, or to the Texas Department of Criminal Justice.