



AMEND SB-6 THUS:	REASON(S) TO AMEND
<p>82R13759 CAE-D</p> <p>By: Shapiro S.B. No. 6</p> <p style="text-align: center;">A BILL TO BE ENTITLED</p> <p style="text-align: center;">AN ACT</p> <p>relating to the foundation curriculum, the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools.</p> <p>BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:</p> <p>SECTION 12. Sections 28.002(a), (c), (h), and (n), Education Code, are amended to read as follows:</p> <p>(a) Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum:</p> <p style="padding-left: 40px;">(1) a foundation curriculum that includes:</p> <p style="padding-left: 80px;">(A) English language arts;</p> <p style="padding-left: 80px;">(B) mathematics;</p>	

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<p>(C) science; and</p> <p>(D) social studies, consisting of Texas, United States, and world history, government, <u>economics, with emphasis on the free enterprise system and its benefits</u>,  and geography; and</p> <p>(2) an enrichment curriculum that includes:</p> <p>(A) to the extent possible, languages other than English;</p> <p>(B) health, with emphasis on the importance of proper nutrition and exercise;</p> <p>(C) physical education;</p> <p>(D) fine arts;</p> <p> (E) [economics, with emphasis on the free enterprise system and its benefits;</p> <p>[F] career and technology education;</p> <p><u>F</u> [G] technology applications; and</p> <p><u>G</u> [H] religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history</p>	<p style="text-align: center;">SAVE MONEY</p> <p>SB-6's proposed revisions in TEC 31.022(a)(2) provide for more-frequent adoption of instructional materials in the foundation curriculum than in the enrichment curriculum. Keeping high school Economics in the enrichment curriculum instead of moving it to the foundation curriculum will save money by adopting it less often. Economics is not a course whose subject matter changes quickly enough to merit more-frequent adoption.</p>



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<p>and literature.</p> <p>SECTION 21. Section 31.021, Education Code, is amended by amending Subsections (a) and (d) and adding Subsection (c) to read as follows:</p> <p>(a) The state <u>instructional materials</u> [textbook] fund consists of:</p> <p>(1) an amount set aside by the State Board of Education from the available school fund, <u>in accordance with Section 43.001(d); and</u></p> <p>(2) [all funds accruing from the state's sale of disused textbooks; and</p> <p>[3] all amounts lawfully paid into the fund from any other source.</p> <p><u>(c) Money in the state instructional materials fund shall be used to:</u></p> <p><u>(1) fund the instructional materials allotment, as provided by Section 31.0211;</u></p> <p><u>(2) purchase special instructional materials for the education</u></p>	

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<p><u>of blind and visually impaired students in public schools;</u></p> <p><u>(3) pay the expenses associated with the instructional materials adoption and review process under this chapter;</u> ← DELETED</p> <p><u>(4) pay the expenses associated with the purchase or licensing of open-source instructional material, to the extent authorized by the General Appropriations Act; and</u></p> <p><u>(5) pay the expenses associated with the purchase of instructional material, including freight, shipping, and insurance expenses.</u></p> <p>ADD → (d) The publisher of the instructional material submitted for state approval under this annual adoption and review process shall pay a fee to the board to cover the expenses associated with it.</p> <p>SECTION 27. Section 31.0231, Education Code, is amended to read as follows:</p> <p>Sec. 31.0231. <u>COMMISSIONER'S</u> [ELECTRONIC TEXTBOOK AND INSTRUCTIONAL MATERIAL] LIST. (a) The commissioner shall adopt a list of:</p> <p>(1) <u>electronic instructional material</u> [textbooks]; and</p>	<p>SAVE MONEY</p> <p>Texas should not bear the cost of its annual state instructional materials approval process. It should export this cost to other states that use the same materials. Under TEC 31.0221(a)(1), publishers already pay a fee to participate in Texas mid-cycle adoptions of instructional materials. Texas should extend that provision to all its annual state instructional materials approval processes by inserting a new TEC 31.021(d) to require this. Publishers will not raise Texas instructional materials prices to recover that extra cost, because under the most-favored-nation clause of TEC 31.026(c) and TEC 31.151(a), they cannot charge Texas any more for these items than the lowest price for which they sell them anywhere else in the U.S. Other states that use those instructional materials will therefore pay most of these new Texas fees, which they should be happy to do, because the Texas process improves those materials.</p>

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<p>(2) <u>science</u> [instructional] material that conveys information to the student or otherwise contributes to the learning process, including tools, models, and investigative materials designed for use as part of the foundation curriculum for science in kindergarten through grade five.</p> <p>(b) A school district may select [an electronic textbook or instructional] material on the list adopted under Subsection (a) to be funded by the <u>district's instructional materials allotment</u> [state textbook fund] under Section <u>31.0211</u> [31.021].</p> <p>(c) Before the commissioner places [an electronic textbook or instructional] material on the list adopted under Subsection (a), the State Board of Education must be given an opportunity to comment on the [electronic textbook or instructional] material. <u>Material</u> [An electronic textbook or instructional material] placed on the list adopted under Subsection (a):</p> <p>(1) must be reviewed and recommended to the commissioner by a</p>	

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<p>panel of recognized experts in the subject area of the [electronic text- book or instructional] material and experts in education technology;</p> <p>(2) must satisfy criteria adopted for the purpose by commis- sioner rule; and</p> <p>(3) must meet the National Instructional Materials Accessibil- ity Standard, to the extent practicable as determined by the commis- sioner.</p> <p>(d) The criteria adopted under Subsection (c) (2) must:</p> <p>(1) include evidence of alignment with current research in the subject for which the [electronic textbook or instructional] mate- rial is intended to be used;</p> <p>(2) include coverage of the essential knowledge and skills identified under Section 28.002 for the subject for which the [electronic textbook or instructional] material is intended to be used and identify:</p> <p>(A) each of the essential knowledge and skills for the subject and grade level or levels covered by the [electronic textbook or</p>	

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<p>instructional] material; and</p> <p>(B) the percentage of the essential knowledge and skills for the subject and grade level or levels covered by the [electronic textbook or instructional] material; and</p> <p>(3) include appropriate training for teachers.</p> <p>(e) The commissioner shall update, as necessary, the list adopted under Subsection (a). Before the commissioner places [an electronic textbook or instructional] material on the updated list, the requirements of Subsection (c) must be met. [Before the commissioner removes an electronic textbook or instructional material from the updated list, the removal must be recommended by a panel of recognized experts in the subject area of the electronic textbook or instructional material and experts in education technology.]</p> <p>(f) After notice to the commissioner explaining in detail the changes, the provider of [an electronic textbook or instructional] material on the list adopted under Subsection (a) may update the navigational</p>	

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<p>features or management system related to the [electronic textbook or instructional] material.</p> <p>(g) After notice to the commissioner and a review by the commissioner,   receiving prior Texas permission confirming that proposed content-related changes or updates neither introduce factual errors nor dilute TEKS coverage, the provider of [an electronic textbook or instructional] material on the list adopted under Subsection (a) may update the content of the [electronic textbook or instructional] material if needed to accurately reflect current knowledge or information.</p>	<p>PROTECT TEXAS FROM FACTUAL ERRORS AND/OR REDUCTION OF TEKS COVERAGE</p> <p>This amendment corrects a current defect in the TEC. As the TEC now stands, publishers can change subject-matter content in previously-approved electronic textbooks and instructional materials <i>without Texas' prior consent</i>, potentially introducing factual errors and/or diminishing TEKS coverage. Publishers under current rules must merely inform Texas that they will make such changes. This amendment requires them to obtain Texas permission before changing previously-approved subject matter content, avoiding possible inclusion of new factual errors and/or reduction of TEKS coverage.</p>