

Report on Rider 70

Open-Source Instructional Materials

August 2017

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Five proposals were submitted in response to the RFP. The process concluded with the award of two contracts to create eleven sets of instructional materials for nine high school courses.

Number and Type of Open Source Instructional Materials

Study Edge

The second contract was awarded to Study Edge for materials for four courses: Statistics, Precalculus, Physics, and Chemistry. The materials developed by Study Edge are video books with lessons taught by master teachers. Each lesson is accompanied by a study guide, and all videos include closed captioning to ensure access for users with hearing disabilities. The lessons may be used to teach an entire course, but TEA anticipates that teachers will more often use them to supplement traditional textbooks and help students succeed in these challenging courses. These materials can be accessed at the links below:

x Statistics

<https://www.texasgateway.org/node/240631>

x Precalculus

<https://www.texasgateway.org/node/242871>

x Physics

<https://www.texasgateway.org/node/242906>

x Chemistry

<https://www.texasgateway.org/book/studyedgechemistry>

Use of the Materials by School Districts and Open Enrollment Charter Schools

State-developed, open source materials are provided free of charge through the Texas Gateway. Samples of the material became available in June 2017 and the finished products became available beginning July 27 with Study Edge Chemistry. Study Edge products are complete and ready for full implementation. All OpenStax textbooks are expected to be complete in early September, but some supporting materials (lab manuals, teacher editions, etc.) may not be available until the end of September.

TEA has a dedicated webpage (http://tea.texas.gov/Academics/Instructional_Materials/Open_Source_Instructional_Materials/) to promote the use of the free materials. The agency has also created a new landing page in EMA, the instructional materials ordering system, to promote the free materials and encourage districts to consider them before spending technology and instructional materials funds on materials for these courses.

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Open Source Instructional Materials

Rider 70. Open Source Instructional Materials. Out of funds appropriated in Strategy B.2.1, Technology and Instructional Materials, the Commissioner shall set aside \$5,000,000 from the State Instructional Materials Fund in each fiscal year of the biennium to issue a request for proposals for developed open-source instructional materials under Texas Education Code §31.071. It is the intent of the Legislature that the request should prioritize advanced secondary courses supporting the study of science, technology, engineering, and mathematics. The Commissioner shall require that any external entity developing open-source instructional materials funded by this rider provide any data deemed necessary to assess the progress of the program.

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TEXAS EDUCATION CODE, CHAPTER 31. INSTRUCTIONAL MATERIALS

SUBCHAPTER B-1. STATE-DEVELOPED OPEN-SOURCE INSTRUCTIONAL MATERIALS

Sec. 31.071. PURCHASE AUTHORITY.

- (a) The commissioner may purchase state-developed open-source instructional materials in accordance with this subchapter.
- (b) The commissioner:
 - (1) shall purchase any state-developed open-source instructional materials through a competitive process; and

Sec. 31.074. DISTRIBUTION.

- (a) The commissioner shall provide for the distribution of state-developed open-source instructional materials in a manner consistent with distribution of instructional materials adopted under Subchapter B.
- (b) The commissioner may use a competitive process to contract for printing or other reproduction of state-developed open-source instructional material on behalf of a school district or open-enrollment charter school. The commissioner may not require a school district or open-enrollment charter school to contract with a state-approved provider for the printing or reproduction of state-developed open-source instructional material.

Sec. 31.075. OWNERSHIP; LICENSING.

- (a) State-developed open-source instructional material is the property of the state.
- (b) The commissioner shall provide a license to each public school in the state, including a school district, an open-enrollment charter school, and a state or local agency educating students in any grade from kindergarten through high school, to use and reproduce state-developed open-source instructional material.
- (c) The commissioner may provide a license to use state-developed open-source instructional material to an entity not listed in Subsection (b). In determining the cost of a license under this subsection, the commissioner shall seek, to the extent feasible, to recover the costs of developing, revising, and distributing state-developed open-source instructional materials.

Sec. 31.076. RULES; FINALITY OF DECISIONS.

- (a) The commissioner may adopt rules necessary to implement this subchapter.
- (b) A decision by the commissioner regarding the purchase, revision, cost, or distribution of state-developed open-source instructional material is final and may not be appealed.

Sec. 31.077. ADOPTION SCHEDULE.