

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE FUNDING, ADOPTION, AND PURCHASE

TEC, §31.0211. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT.

- (a) A school district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. An allotment under this section shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Section [31.0212](#).
- (b) A juvenile justice alternative education program under Section [37.011](#) is entitled to an allotment from the state instructional materials and technology fund in an amount determined by the commissioner. The program shall use the allotment to purchase items listed in Subsection (c) for students enrolled in the program. The commissioner's determination under this subsection is final and may not be appealed.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 806 (H.B. [1525](#)), Sec. 13

- (c) Subject to Subsection (d), funds allotted under this section may be used to:
 - (1) purchase:
 - (A) materials on the list adopted by the commissioner, as provided by Section [31.0231](#);
 - (B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section [31.024](#);
 - (C) consumable instructional materials, including workbooks;
 - (D) instructional materials for use in bilingual education classes, as provided by Section [31.029](#);
 - (E) instructional materials for use in college preparatory courses under Section [28.014](#), as provided by Section [31.031](#);
 - (F) supplemental instructional materials, as provided by Section [31.035](#);
 - (G) state-developed open education resource instructional materials, as provided by Subchapter B-1;
 - (H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
 - (I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section [31.0231](#) or any instructional materials purchased with an allotment under this section; and
 - (J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and
 - (2) pay:
 - (A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;
 - (B) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and
 - (C) for costs associated with distance learning, including Wi-Fi, Internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate Internet access.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 1003 (H.B. [3261](#)), Sec. 1

- (c) Funds allotted under this section may be used to:
 - (1) purchase:
 - (A) materials on the list adopted by the commissioner, as provided by Section [31.0231](#);
 - (B) instructional materials, regardless of whether the instructional materials are on the list

- adopted under Section [31.024](#);
 - (C) consumable instructional materials, including workbooks;
 - (D) instructional materials for use in bilingual education classes, as provided by Section [31.029](#);
 - (E) instructional materials for use in college preparatory courses under Section [28.014](#), as provided by Section [31.031](#);
 - (F) supplemental instructional materials, as provided by Section [31.035](#);
 - (G) state-developed open education resource instructional materials, as provided by Subchapter B-1;
 - (H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
 - (I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section [31.0231](#) or any instructional materials purchased with an allotment under this section;
 - (J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and
 - (K) services, equipment, and technology infrastructure necessary to ensure Internet connectivity and adequate bandwidth; and
- (2) pay:
- (A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;
 - (B) for training personnel in the electronic administration of assessment instruments; and
 - (C) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning.
- (d) Each biennium the commissioner shall assess the technology needs for all school districts and provide an estimate of the cost for these resources to the State Board of Education.
- (d-1) In purchasing technological equipment, a school district shall:
- (1) secure technological solutions that meet the varying and unique needs of students and teachers in the district; and
 - (2) consider:
 - (A) the long-term cost of ownership; and
 - (B) flexibility for innovation.
- (e) Not later than May 31 of each school year, a school district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment under Subsection (a) on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination under this subsection is final.
- (f) The commissioner may adopt rules as necessary to implement this section.

Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 23, eff. July 19, 2011.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 26(a), eff. June 10, 2013.

Acts 2015, 84th Leg., R.S., Ch. 731 (H.B. [1474](#)), Sec. 1, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 5, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 6, eff. June 9, 2017.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.007, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 724 (H.B. [396](#)), Sec. 2, eff. September 1, 2019.

Reenacted by Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.006, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 806 (H.B. [1525](#)), Sec. 13, eff. June 16, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1003 (H.B. [3261](#)), Sec. 1, eff. June 18, 2021.

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