

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES  
CHAPTER 31. INSTRUCTIONAL MATERIALS  
SUBCHAPTER C. LOCAL OPERATIONS

**TEC, §31.1011. CERTIFICATION OF PROVISION OF INSTRUCTIONAL MATERIALS.**

- (a) Each school district and open-enrollment charter school shall annually certify to the State Board of Education and the commissioner that:
  - (1) for each subject in the required curriculum under Section [28.002](#), other than physical education, and each grade level, the district or school:
    - (A) provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the State Board of Education for that subject and grade level; and
    - (B) in the provision of instructional materials, protects students from obscene or harmful content as necessary for compliance with:
      - (i) the Children's Internet Protection Act (Pub. L. No. 106-554);
      - (ii) Section [28.0022](#);
      - (iii) Section [43.22](#), Penal Code; and
      - (iv) any other law or regulation that protects students from obscene or harmful content; and
  - (2) the district or school used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Section [31.0211](#).
- (b) To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills as required by Subsection (a), a school district or open-enrollment charter school may consider:
  - (1) instructional materials adopted by the State Board of Education;
  - (2) instructional materials developed, purchased, or otherwise acquired by the school district or open-enrollment charter school; and
  - (3) open education resource instructional materials and other electronic instructional materials included in the repository under Section [31.0722](#).

Added by Acts 2009, 81st Leg., R.S., Ch. 679 (H.B. [2488](#)), Sec. 2, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 20, eff. July 19, 2011.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 3, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 2, eff. June 12, 2017.

Transferred, redesignated and amended from Education Code, Section 31.004 by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 40, eff. June 13, 2023.