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An Act To Create a Digital Portal for Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is not currently a digital portal for schools, colleges, universities and individuals to access available digital texts and online courses; and

Whereas, educational opportunities for students and individuals would be improved through easier access to digital texts and online courses; and

Whereas, those educational opportunities should be in place before the start of the 2015-2016 school year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA c. 805 is enacted to read:

CHAPTER 805

DIGITAL PORTAL FOR EDUCATION

§ 19301. Digital portal for education established

The commissioner shall establish a digital portal for education of digital texts, online courses of study, interactive distance learning courses and other distance learning courses, delivered via a computer-based method offered by school administrative units, private schools, public and private postsecondary institutions and other nonprofit or for-profit course providers for sharing with other school administrative units, private schools, public and private postsecondary institutions and individuals.

1. Common statewide platform. The digital portal for education must be equipped to provide digital texts and online courses in accordance with technical specifications approved by the commissioner and on a common statewide platform administered by the commissioner.

2. Access. The digital portal for education must be accessible from any computer with Internet connectivity.

3. Training. The commissioner may provide professional development and training on the use of the digital portal for education.

4. Power to contract. The commissioner may enter into a contract with an entity to perform any of the commissioner's duties under this chapter.

5. Rules. The commissioner may adopt rules to implement this chapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

§ 19302. Digital texts and online courses

1. Application. To offer a digital text or online course through the digital portal for education, a provider shall apply to the commissioner in a form and manner prescribed by the commissioner. The application for each digital text or online course must:

- A. Describe the digital text or online course in as much detail as required by the commissioner;
- B. Indicate whether an instructor is provided;
- C. Indicate the qualifications and credentials of the instructor or the developer of the digital text or online course;
- D. Indicate the number of hours of instruction the digital text or online course requires;
- E. Indicate whether the digital text or online course has been peer reviewed; and
- F. Include any additional information that the commissioner may require.

2. Approval. The commissioner shall review applications received under subsection 1 and may approve or reject applications for digital texts or online courses to be included in the digital portal for education.

3. Catalog of digital texts and online courses. The commissioner shall catalog each digital text or online course approved for the digital portal for education in a print or electronic medium made available publicly. The catalog must include:

- A. The information provided under subsection 1 and any other information necessary for a school administrative unit, private school, public or private postsecondary institution or individual to decide whether to enroll in or subscribe to the digital text or online course; and
- B. Instructions for enrolling in or subscribing to the digital text or online course, including deadlines for enrollment or subscription.

§ 19303. Fees

1. Expenses borne by provider. Any expense related to the installation of a digital text or online course onto the digital portal for education must be paid by the digital text or online course provider.

2. Fee set by provider. The provider of a digital text or online course shall set the fee charged for that digital text or online course offered through the digital portal for education.

3. Payment of fees. The commissioner shall prescribe the method of payment for a digital text or online course from the subscribing school or individual to the provider of the digital text or online course.

4. Operating costs. The commissioner may retain a percentage of the fee charged for digital texts or online courses to pay all or a portion of the costs of maintaining and operating the digital portal for education, including payments to an entity with which the commissioner has entered into a contract pursuant to section 19301, subsection 4.

5. No cost to school administrative units. Nothing in this chapter may be construed to require a school administrative unit in which a student is enrolled to pay the fee charged for a digital text or online course taken by the student.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill creates a digital portal for education, which makes digital texts and online courses available to all students through a common statewide platform administered by the Commissioner of Education. This bill allows providers of digital texts and online courses to install them onto the portal at their own expense and set the fee charged for enrollment in or subscription to the digital text or online course. The commissioner is required to maintain a catalog of available digital texts and online courses.