

BILL ANALYSIS

S.B. 1566
By: Kolkhorst
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that too few school boards and governing bodies have been able to take advantage of recent technological advances and new governance strategies for improving oversight of school district operations and student achievement. S.B. 1566 seeks to provide adequate and flexible tools for use in such oversight.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 3 of this bill.

ANALYSIS

S.B. 1566 amends the Education Code to authorize the board of trustees of an independent school district to require a school district's chief business official or curriculum director or a person holding an equivalent position to appear at an executive session of the board or to testify at a public hearing held by the board. The bill prohibits a superintendent from interfering with such an appearance or testimony. The bill imposes a deadline on a district's duty to provide a member of the board of trustees with information, documents, and records requested by the trustee of not later than the 20th business day after the date the district receives the request but authorizes the district to take a reasonable additional period of time, not to exceed the 30th business day after the date the district receives the request, to respond to a request if compliance by the 20th business day would be unduly burdensome given the amount, age, or location of the requested information. The bill requires the district to inform the trustee of the reason for the delay in providing the requested information and the date by which the information will be provided. The bill requires a district to create a policy on visits to a district campus or other facility by a trustee.

S.B. 1566 requires the board of trustees of an independent school district or the governing body of an open-enrollment charter school to provide oversight regarding student academic achievement and strategic leadership for maximizing student performance. The bill requires the Texas Education Agency (TEA), on request by a board of trustees, to create a website that board members may use to review campus and district academic achievement data and requires the website to be made available to campuses in a similar manner that access is provided to the board. The bill sets out the information required to be included on the website. The bill requires the commissioner of education to provide information that permits a board member to compare the district's academic performance with the academic performance of other districts of similar size and racial and economic demographics. The bill requires a district to provide requested

information to the commissioner for the creation of a website under the bill's provisions and establishes that confidential information received by the commissioner for the website remains confidential. The bill requires the commissioner to design the website to ensure that public information is made available to the public and information submitted by districts noted as confidential is not made available to the public. The bill requires a request for public information under the bill's provisions to be submitted to the district that provides TEA with the information and prohibits TEA from releasing information submitted by a district that is noted as confidential information. The bill authorizes TEA to contract with a private entity as necessary to implement these provisions and authorizes the commissioner to adopt rules to implement these provisions.

S.B. 1566 replaces the requirement that the minutes of the last regular meeting of an independent school district board of trustees held during a calendar year reflect whether each trustee has met or is delinquent in meeting the member training required to be completed as of the date of the meeting with a requirement that the minutes of the last regular meeting of such a district board of trustees held before a trustees election reflect whether each trustee has met or is deficient in meeting the member training required for the trustee as of the first anniversary of the date of the trustee's election or appointment. The bill requires a district, if the minutes reflect that a trustee is deficient, to post the minutes on the district's website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. The bill requires the State Board of Education to require a trustee to complete at least three hours of training every two years on evaluating student academic performance and requires the training to be research-based and designed to support the academic achievement oversight role of the board of trustees under the bill's provisions. The bill requires a person serving on a board of trustees on the bill's effective date to complete this training not later than September 1, 2018. The bill authorizes a candidate for trustee to complete the training up to one year before the candidate is elected, requires a new trustee to complete the training within 120 days after the date of the trustee's election or appointment, and requires a returning trustee to complete the training by the second anniversary of the completion of the trustee's previous training. The bill authorizes a trustee or candidate for trustee to complete the required training at a regional education service center or through another authorized provider and requires a provider to certify the completion of the training by a trustee or candidate.

S.B. 1566 requires the commissioner to develop a board of trustees improvement and evaluation tool that is research-based and designed to assist a school district in improving board oversight and academic achievement and authorizes a district board of trustees to determine whether to use the tool. The bill includes ordering the use of the board improvement and evaluation tool among the possible acts of intervention or sanction to be taken by the commissioner when a district does not satisfy public school system accountability accreditation criteria, academic performance standards, or any financial accountability standard as determined by commissioner rule or when the commissioner considers action appropriate on the basis of a special accreditation investigation. The bill includes among the required components of a campus turnaround plan a detailed description for developing and supporting the oversight of academic achievement and student performance by the district board of trustees under the bill's provisions.

EFFECTIVE DATE

September 1, 2017.