

BILL ANALYSIS

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C.S.S.B. 1566
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

School boards are critical to the educational success of students across Texas. In a time where more and more governmental powers are being centralized in Austin and Washington, D.C., school boards epitomize local participatory government. Members of the community are elected to make decisions that reflect the values and needs of the community. Strong school boards can elevate a struggling district and inattentive school boards can lead a successful school to mediocrity. Unfortunately, many school boards have not been able to take advantage of recent technological advances and new governance strategies to improve oversight over their school district.

C.S.S.B. 1566 gives school boards more flexibility in how they manage their district. The bill allows a board to meet directly with the district's chief business official or curriculum director and sets a specific timeline for when a district must provide requested information to their school board. The bill also allows use of an online dashboard of their choice, gives board members the responsibility of maximizing student academic achievement, and provides the Texas Education Agency a new tool to help struggling schools.

C.S.S.B. 1566 amends current law relating to certain powers and duties of the board of trustees of an independent school district and the governing body of an open-enrollment charter school.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 11.1516, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.1511, Education Code, by adding Subsection (d), as follows:

(d) Authorizes the board of trustees of an independent school district (board) 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. Prohibits a superintendent from interfering with an appearance or testimony required by the board under this subsection.

SECTION 2. Amends Section 11.1512, Education Code, by adding Subsections (c-1) and (g), as follows:

(c-1) Requires a district, except as otherwise provided by this subsection, to provide a member of the board of trustees with information, documents, and records requested under Subsection (c) not later than the 20th business day after the date the district receives the request. 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. 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.

(g) Requires a district to create a policy on visits to a district campus or other facility by a member of the board.

SECTION 3. Amends Subchapter D, Chapter 11, Education Code, by adding Sections 11.1515 and 11.1516, as follows:

Sec. 11.1515. OVERSIGHT OF ACADEMIC ACHIEVEMENT. Requires the board or the governing body of an open-enrollment charter school to provide oversight regarding student academic achievement and strategic leadership for maximizing student performance.

Sec. 11.1516. DISTRICT DATA ON ACADEMIC ACHIEVEMENT. (a) Requires the Texas Education Agency (TEA), on request by the board, to create an Internet website that members of the board may use to review campus and district academic achievement data. Requires that the website also be made available to campuses in a similar manner that access is provided to the board.

(b) Requires that the Internet website:

(1) include district information, disaggregated by campus, grade, sex, race, academic quarter or semester, as applicable, and school year, regarding student academic achievement and growth, teacher and student attendance, and student discipline records; and

(2) be updated each quarter of the school year.

(c) Requires the commissioner of education (commissioner) 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.

(d) Requires a district to provide requested information to the commissioner for the creation of an Internet website under this section.

(e) Provides that confidential information received by the commissioner under this section from a district remains confidential. Requires the commissioner to design the Internet 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.

(f) Requires that a request for public information under this section be submitted to the district that provides TEA with the information. Prohibits TEA from releasing information submitted by a district that is noted as confidential information.

(g) Authorizes TEA to contract with a private entity as necessary to implement this section.

(h) Authorizes the commissioner to adopt rules for the implementation of this section.

SECTION 4. Amends Section 11.159, Education Code, by amending Subsection (b) and adding Subsections (c) and (d), as follows:

(b) Requires that the minutes of the last regular meeting of the board of trustees held before an election of trustees reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment. Requires the district, if the minutes reflect that a trustee is deficient, to post the minutes on the district's Internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. Deletes

existing text requiring the minutes of the last regular meeting held during a calendar year to reflect whether any trustees are delinquent in meeting training required as of the date of the meeting.

(c) Requires the State Board of Education (SBOE) to require a trustee to complete at least three hours of training every two years on evaluating student academic performance. Requires that the training be research-based and designed to support the oversight role of the board of trustees under Section 11.1515. Authorizes a candidate for trustee to complete the training up to one year before the date 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. Requires a returning trustee to complete the training by the second anniversary of the completion of the trustee's previous training.

(d) Authorizes a trustee or candidate for trustee to complete training required under Subsection (c) at a regional education service center or through another authorized provider. Requires a provider to certify the completion of the training by a trustee or candidate.

SECTION 5. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.182, as follows:

Sec. 11.182. BOARD IMPROVEMENT AND EVALUATION TOOL. (a) Requires the commissioner to develop a board of trustees improvement and evaluation tool. Requires that the evaluation tool be research-based and designed to assist a school district in improving board oversight and academic achievement.

(b) Authorizes a board of trustees to determine whether to use the evaluation tool, except as required by Section 39.102(a).

SECTION 6. Amends Section 39.102(a), Education Code, as follows:

(a) Includes ordering the use of the board improvement and evaluation tool as provided by Section 11.182 in the list of certain actions the commissioner, if a school district does not satisfy certain accreditation criteria, academic performance standards, or financial accountability standards as determined by commissioner rule, or as part of a certain special accreditation investigation, is required to take if the commissioner deems the action necessary. Makes nonsubstantive changes.

SECTION 7. Amends Section 39.107(b-1), Education Code, to include a detailed description for developing and supporting the oversight of academic achievement and student performance by the board of trustees under Section 11.1515 among certain required elements of a campus turnaround plan.

SECTION 8. Requires a person serving on the board of a school district on the effective date of this Act to complete the training required by Section 11.159(c), Education Code, as added by this Act, not later than September 1, 2018.

SECTION 9. Effective date: September 1, 2017.