

BILL ANALYSIS

Senate Research Center

S.B. 1566
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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.

S.B. 1566 gives school boards more flexibility in how they manage their district. S.B. 1566 allows a board to hire and fire a chief academic or financial officer, requires a board to use an online dashboard of their choice, gives board members the responsibility of ensuring school districts meet their academic performance goals, and gives the Texas Education Agency a new tool to help struggling schools.

As proposed, 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 4 (Section 11.1516, Education Code) and SECTION 7 (Section 11.182, 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 compel a school district's chief financial officer or chief academic officer 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 compelled by the board under this subsection.

SECTION 2. Amends Section 11.1512, Education Code, by amending Subsection (c) and adding Subsection (g), as follows:

(c) Requires a school district to provide the information, documents, and records required under this subsection to the requesting member of the board not later than the 20th business day after the date the district receives a request, without regard to whether the requested items are the subject of or relate to an item listed on an agenda for an upcoming meeting.

(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 Section 11.1513, Education Code, by adding Subsection (k), as follows:

(k) Authorizes the board, notwithstanding Subsection (a)(2) (relating to requiring the board to adopt a policy relating to the sole authority of the superintendent to make certain recommendations), to employ or dismiss a chief financial officer, a chief academic officer, or a person holding an equivalent position.

SECTION 4.. Amends Subchapter D, Chapter 11, Education Code, by adding Sections 11.1515 and 11.1516, as follows:

Sec. 11.1515. OVERSIGHT OF ACADEMIC ACHIEVEMENT. Provides that the board or the governing body of an open-enrollment charter school is responsible for overseeing student academic achievement and maximizing student performance.

Sec. 11516. DISTRICT DATA ON ACADEMIC ACHIEVEMENT. (a) Requires the Texas Education Agency (TEA), on request by the board, to create a secure Internet website that members of the board may use to review campus and district academic achievement data.

(b) Requires that the website:

(1) include district information, disaggregated by campus, grade, 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 a website under this section.

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

(f) Provides that all information and reports created or received by the commissioner under this section from a district are considered confidential under Chapter 552 (Public Information), Government Code, and are prohibited from being disclosed in any public or private setting.

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

SECTION 5. Amends Section 11.157, Education Code, as follows:

Sec. 11.157. CONTRACTS FOR EDUCATIONAL SERVICES. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes the board by a majority vote to require a two-thirds vote for the renewal of a contract described by Subsection (a).

SECTION 6. Amends Section 11.159, Education Code, by amending Subsection (b) and adding Subsections (c) and (d), as follows:

(b) Requires the district, if the minutes reflect that a trustee is delinquent in meeting the training requirements of this subsection, to post notice of the delinquency on the district's

Internet website within two weeks of discovering the delinquency and maintain the posting until the trustee meets the requirements.

(c) Requires the State Board of Education (SBOE) to require a trustee to complete at least three hours of training on evaluating student academic performance each year. Requires TEA to create the training on evaluating student academic performance and certify a trustee's completion of the training. Authorizes a candidate for trustee to complete the training 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. Requires a returning trustee to complete the training annually.

(d) Authorizes a trustee or candidate for trustee to complete training required under Subsection (c) at a regional education service center.

SECTION 7. Amends Subchapter D, Chapter 11, Education Code, 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 designed to assist a school district in improving board oversight and academic achievement.

(b) Authorizes a board to determine whether to use the evaluation tool, except that the commissioner is required to require a board to use the evaluation tool if the district has received an overall performance rating of D or F under Section 39.054 (Methods and Standards for Evaluating Performance) for two of the preceding three school years, or the commissioner determines the board is ineffectively managing the district.

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

SECTION 8. Amends Section 11.201(b), Education Code, to authorize a board, if approved by a majority vote of the board, to specify in a superintendent's contract that the contract may be renewed only with a two-thirds vote of the board.

SECTION 9. Amends the heading to Section 12.064, Education Code, to read as follows:

Sec. 12.064. PROCEDURE FOR PLACEMENT ON PROBATION, REVOCATION, OR RENEWAL.

SECTION 10. Amends Section 12.064, Education Code, by adding Subsection (c), to authorize the board by a majority vote to require a two-thirds vote for the renewal of a charter under this subchapter (Campus or Campus Program Charter).

SECTION 11. Amends Section 39.057(a), Education Code, as follows:

(a) Authorizes the commissioner to authorize special accreditation investigations to be conducted:

(1) to (13) makes no changes to these subdivisions;

(14) makes a nonsubstantive change to this subdivision;

(15) when the commissioner determines the board is ineffectively managing the district; or

(16) creates this subdivision from existing text and makes no further changes to this subdivision.

SECTION 12. 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 required 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.

SECTION 13. Effective date: September 1, 2017.