

BILL ANALYSIS

C.S.S.B. 503
By: West
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that, currently in Texas, more than one million K-12 students are responsible for taking care of themselves after school for an average of seven hours per week. These parties cite research showing that more time spent in high-quality programs leads to better academic outcomes for students and that participation in afterschool programs has a positive effect on standardized test scores and reduces disciplinary incidents. The parties assert that such research, combined with research showing that the hours between 3 p.m. and 6 p.m. are the peak hours for juvenile crime and experimentation with risky behaviors, demonstrates that expanded learning opportunities would ensure that Texas youth are engaged in safe and healthy activities during the time spent out of school. C.S.S.B. 503 seeks to address these concerns by creating the Expanded Learning Opportunities Council to study ways to offer high-quality out-of-school programs and extended school days to more students.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 503 amends the Education Code to establish the Expanded Learning Opportunities Council to study issues concerning expanded learning opportunities for Texas public school students, including creating safe places for children outside of the regular school day, improving the academic success of students who participate in expanded learning opportunities programs, assisting working families, and other specified issues and to make recommendations to address those issues. The bill requires the council, in conducting studies, to focus on innovative, hands-on learning approaches that complement rather than replicate the regular school curriculum. The bill subjects the council to the Texas Sunset Act and abolishes the council effective September 1, 2017, unless it is continued in existence as provided by that act. The bill sets out the types of expanded learning opportunities that may be provided and the periods during which those opportunities may be provided. The bill provides for the appointment, administration, and operation of the 13-member council, with appointments to be made by the commissioner of education not later than December 31, 2013, and prohibits compensation for a member's service on the council. The bill establishes requirements for the frequency of council meetings and provides for meetings held by conference call. The bill specifies the council's powers and duties and authorizes the council to request reports and other information relating to expanded learning opportunities and students in expanded learning opportunities programs from the Texas Education Agency (TEA) and any other state agency. The bill authorizes TEA to accept gifts, grants, or donations on behalf of the council.

C.S.S.B. 503 requires the council to develop a comprehensive statewide action plan for the improvement of expanded learning opportunities for Texas public school students, including a timeline for implementation of the plan. The bill requires the council to submit to both houses of the legislature, the governor, and TEA on or before November 1 of each even-numbered year a

written report concerning the status of the development or implementation of the statewide action plan, any action taken to further development or implementation of the plan, any area that needs improvement in implementing the plan, any recommended change to the plan, and programs and services that address expanded learning opportunities outside of the regular school day. The bill requires the council to submit the initial report not later than November 1, 2014.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 503 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. EXPANDED LEARNING OPPORTUNITIES COUNCIL.
Sec. 33.251. DEFINITION. In this chapter, "council" means the Expanded Learning Opportunities Council.

Sec. 33.252. EXPANDED LEARNING OPPORTUNITIES. (a) Expanded learning opportunities may be provided during:

(1) an extended school day;
(2) an extended school year; or
(3) structured learning programs outside of the regular school day, including before-school and after-school programs and summer programs.

(b) Expanded learning opportunities may be provided by offering:

(1) rigorous coursework;
(2) mentoring;
(3) tutoring;
(4) physical activity;
(5) academic support; or
(6) educational enrichment in one or more subjects, including fine arts, civic engagement, science, technology, engineering, and mathematics.

Sec. 33.253. ESTABLISHMENT; PURPOSES. (a) The Expanded Learning Opportunities Council is established to:

(1) study issues concerning expanded learning opportunities for this state's public school students, including:

(A) issues related to creating safe places for children outside of the regular school day, improving the academic success of students

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. EXPANDED LEARNING OPPORTUNITIES COUNCIL.
Sec. 33.251. DEFINITION. In this chapter, "council" means the Expanded Learning Opportunities Council.

Sec. 33.252. EXPANDED LEARNING OPPORTUNITIES. (a) Expanded learning opportunities may be provided during:

(1) an extended school day;
(2) an extended school year; or
(3) structured learning programs outside of the regular school day, including before- and after-school programs and summer programs.

(b) Expanded learning opportunities may be provided by offering:

(1) rigorous coursework;
(2) mentoring;
(3) tutoring;
(4) physical activity;
(5) academic support; or
(6) educational enrichment in one or more subjects, including fine arts, civic engagement, science, technology, engineering, and mathematics.

Sec. 33.253. ESTABLISHMENT; PURPOSES. (a) The Expanded Learning Opportunities Council is established to:

(1) study issues concerning expanded learning opportunities for this state's public school students, including:

(A) issues related to creating safe places for children outside of the regular school day, improving the academic success of students

who participate in expanded learning opportunities programs, and assisting working families; and

(B) other issues prescribed under Section 33.258; and

(2) make recommendations as provided by Section 33.259 to address issues studied under this subchapter.

(b) In conducting studies under this subchapter, the council shall focus on innovative, hands-on learning approaches that complement rather than replicate the regular school curriculum.

Sec. 33.254. SUNSET PROVISION. The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this subchapter expires September 1, 2017.

Sec. 33.255. COMPOSITION. The council is composed of **seven** members appointed by the commissioner as follows:

(1) two members of the public, including one representative of the business community and one parent of a public school student participating in an expanded learning opportunities program in this state;

(2) two members who are involved in research-based expanded learning opportunities efforts in this state so that at least one is involved in efforts to extend the school day or school year and at least one is involved in efforts to provide **an expanded learning opportunities program outside of the regular school day**;

(3) one representative of law enforcement;

(4) one member representing the agency; and

(5) **one public school teacher.**

who participate in expanded learning opportunities programs, and assisting working families; and

(B) other issues prescribed under Section 33.258; and

(2) make recommendations as provided by Section 33.259 to address issues studied under this subchapter.

(b) In conducting studies under this subchapter, the council shall focus on innovative, hands-on learning approaches that complement rather than replicate the regular school curriculum.

Sec. 33.254. SUNSET PROVISION. The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this subchapter expires September 1, 2017.

Sec. 33.255. COMPOSITION. The council is composed of **13** members appointed by the commissioner as follows:

(1) two members of the public, including one representing the business community and one parent of a public school student participating in an expanded learning opportunities program in this state;

(2) two members who are involved in research-based expanded learning opportunities efforts in this state so that at least one is involved in efforts to extend the school day or school year and at least one is involved in efforts to provide **out of school time before or after the regular school day or during the period in which school is recessed for the summer**;

(3) **one member representing law enforcement**;

(4) one member representing the agency;

(5) **one member who is an educator, other than a superintendent, at the elementary school level;**

(6) **one member who is an educator, other than a superintendent, at the middle or junior high school level;**

(7) **one member who is an educator, other than a superintendent, at the high school level;**

(8) **one member who is a public school superintendent;**

(9) **one member representing a foundation that invests in expanded learning opportunities;**

(10) **one member representing a nonprofit**

Sec. 33.256. MEETINGS. (a) The council shall meet in person at least three times each year and may hold additional meetings by conference call if necessary.

(b) Section 551.125, Government Code, applies to a meeting held by conference call under this section, except that Section 551.125(b), Government Code, does not apply.

Sec. 33.257. COMPENSATION. A member of the council may not receive compensation for service on the council.

Sec. 33.258. POWERS AND DUTIES. (a) The council shall:

(1) study issues related to expanded learning opportunities for public school students;

(2) study current research and best practices related to meaningful expanded learning opportunities;

(3) analyze the availability of and unmet needs for state and local programs for expanded learning opportunities for public school students;

(4) analyze opportunities to create incentives for businesses to support expanded learning opportunities programs for public school students;

(5) analyze opportunities to maximize charitable support for public and private partnerships for expanded learning opportunities programs for public school students;

(6) analyze opportunities to promote science, technology, engineering, and mathematics in expanded learning opportunities programs for public school students;

(7) study the future workforce needs of this state's businesses and other employers; and

(8) perform other duties consistent with this subchapter.

(b) In carrying out its powers and duties under this section, the council may request reports and other information relating to expanded learning opportunities and students in expanded learning opportunities programs from the Texas Education Agency and any other state agency.

Sec. 33.259. STATEWIDE EXPANDED

organization that provides programs concerning good nutrition and prevention of or intervention to address childhood obesity; and

(11) one member who is a provider representing summer camps.

Sec. 33.256. MEETINGS. (a) The council shall meet in person at least three times each year and may hold additional meetings by conference call if necessary.

(b) Section 551.125, Government Code, applies to a meeting held by conference call under this section, except that Section 551.125(b), Government Code, does not apply.

Sec. 33.257. COMPENSATION. A member of the council may not receive compensation for service on the council.

Sec. 33.258. POWERS AND DUTIES. (a) The council shall:

(1) study issues related to expanded learning opportunities for public school students;

(2) study current research and best practices related to meaningful expanded learning opportunities;

(3) analyze the availability of and unmet needs for state and local programs for expanded learning opportunities for public school students;

(4) analyze opportunities to create incentives for businesses to support expanded learning opportunities programs for public school students;

(5) analyze opportunities to maximize charitable support for public and private partnerships for expanded learning opportunities programs for public school students;

(6) analyze opportunities to promote science, technology, engineering, and mathematics in expanded learning opportunities programs for public school students;

(7) study the future workforce needs of this state's businesses and other employers; and

(8) perform other duties consistent with this subchapter.

(b) In carrying out its powers and duties under this section, the council may request reports and other information relating to expanded learning opportunities and students in expanded learning opportunities programs from the Texas Education Agency and any other state agency.

Sec. 33.259. STATEWIDE EXPANDED

LEARNING OPPORTUNITIES PLAN; REPORT.

(a) The council shall develop a comprehensive statewide action plan for the improvement of expanded learning opportunities for public school students in this state, including a timeline for implementation of the plan.

(b) The council shall submit to both houses of the legislature, the governor, and the agency on or before November 1 of each even-numbered year a written report concerning:

(1) the status of the development or implementation of the council's statewide action plan, as applicable;

(2) any action taken to further development or implementation of the plan;

(3) any area that needs improvement in implementing the plan;

(4) any recommended change to the plan; and

(5) programs and services that address expanded learning opportunities outside of the regular school day.

Sec. 33.260. GIFTS, GRANTS, AND DONATIONS. The agency may accept on behalf of the council a gift, grant, or donation from any source to carry out the purposes of this subchapter.

SECTION 2. (a) The Expanded Learning Opportunities Council shall submit the initial report required under Subchapter G, Chapter 33, Education Code, as added by this Act, not later than **November 1, 2016**.

(b) Not later than December 31, 2013, the commissioner of education shall appoint the members of the Expanded Learning Opportunities Council under Subchapter G, Chapter 33, Education Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

LEARNING OPPORTUNITIES PLAN; REPORT.

(a) The council shall develop a comprehensive statewide action plan for the improvement of expanded learning opportunities for public school students in this state, including a timeline for implementation of the plan.

(b) The council shall submit to both houses of the legislature, the governor, and the agency on or before November 1 of each even-numbered year a written report concerning:

(1) the status of the development or implementation of the council's statewide action plan, as applicable;

(2) any action taken to further development or implementation of the plan;

(3) any area that needs improvement in implementing the plan;

(4) any recommended change to the plan; and

(5) programs and services that address expanded learning opportunities outside of the regular school day.

Sec. 33.260. GIFTS, GRANTS, AND DONATIONS. The agency may accept on behalf of the council a gift, grant, or donation from any source to carry out the purposes of this subchapter.

SECTION 2. (a) The Expanded Learning Opportunities Council shall submit the initial report required under Subchapter G, Chapter 33, Education Code, as added by this Act, not later than **November 1, 2014**.

(b) Not later than December 31, 2013, the commissioner of education shall appoint the members of the Expanded Learning Opportunities Council under Subchapter G, Chapter 33, Education Code, as added by this Act.

SECTION 3. Same as engrossed version.