

## **BILL ANALYSIS**

Senate Research Center  
87R11130 CXP-D

H.B. 3643  
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Education  
5/16/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

During the 83rd Legislative Session, H.B. 1926 expanded the Virtual School Network to provide students across Texas with virtual courses that may not be offered in their district. As evidenced by the COVID-19 pandemic, there is a need to study the Virtual School Network to ensure Texas is providing high-quality virtual options for all students.

H.B. 3643 would create the Texas Commission on Virtual Education to evaluate the current state of virtual education and provide the legislature with recommendations on the delivery of and funding for virtual education.

H.B. 3643 amends current law relating to the creation of the Texas Commission on Virtual Education.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 48, Education Code, by adding Subchapter I, as follows:

#### **SUBCHAPTER I. TEXAS COMMISSION ON VIRTUAL EDUCATION**

Sec. 48.401. DEFINITION. Defines "commission."

Sec. 48.402. TEXAS COMMISSION ON VIRTUAL EDUCATION. (a) Provides that the Texas Commission on Virtual Education (commission) is established to develop and make recommendations regarding the delivery of virtual education in the public school system and state funding for virtual education under the Foundation School Program.

(b) Provides that the commission consists of 13 members appointed as follows:

- (1) four members appointed by the governor;
- (2) four members appointed by the lieutenant governor;
- (3) four members appointed by the speaker of the Texas House of Representatives (house); and
- (4) a member of the State Board of Education (SBOE), as designated by the chair of SBOE.

(c) Requires that the members appointed by the governor have an interest in public education and include at least one current or retired classroom teacher with at least 10 years of teaching experience, one member of the business community, and one member of the civic community.

(d) Requires that the appointments made by the lieutenant governor and the speaker of the house each consist of three members of the applicable legislative chamber, and an administrator in the public school system or an elected member of the board of trustees of a school district.

(e) Requires the governor, lieutenant governor, and speaker of the house, in making appointments under Subsections (b)(1), (2), and (3), to coordinate to ensure that the membership of the commission reflects, to the extent possible, the ethnic and geographic diversity of this state.

Sec. 48.403. PRESIDING OFFICER. Requires the governor to designate the presiding officer of the commission.

Sec. 48.404. COMPENSATION AND REIMBURSEMENT. Provides that a member of the commission is not entitled to compensation for service on the commission but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties.

Sec. 48.405. ADMINISTRATIVE SUPPORT AND FUNDING. (a) Requires the Texas Education Agency (TEA) to provide administrative support for the commission.

(b) Requires that funding for the administrative and operational expenses of the commission be provided by legislative appropriation made to TEA for that purpose.

Sec. 48.406. RECOMMENDATIONS. (a) Requires the commission to develop recommendations to address issues related to the delivery of and funding for virtual education, including alternative instructional delivery methods and alternative methods of funding.

(b) Authorizes the commission to establish one or more working groups composed of not more than five members of the commission to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

Sec. 48.407. REPORT. Requires the commission, not later than December 31, 2022, to prepare and deliver a report to the governor and the legislature that contains commission recommendations for legislative action to improve the implementation of virtual education.

Sec. 48.408. PUBLIC MEETINGS AND PUBLIC INFORMATION. (a) Authorizes the commission to hold public meetings as needed to fulfill its duties under Subchapter I.

(b) Provides that the commission is subject to Chapters 551 (Open Meetings) and 552 (Public Information), Government Code.

Sec. 48.409. COMMISSION ABOLISHED; EXPIRATION OF SUBCHAPTER. Provides that the commission is abolished and Subchapter I expires January 1, 2023.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.