

AN ACT

relating to the creation of the Texas Commission on Virtual Education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 48, Education Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. TEXAS COMMISSION ON VIRTUAL EDUCATION

Sec. 48.401. DEFINITION. In this subchapter, "commission" means the Texas Commission on Virtual Education.

Sec. 48.402. TEXAS COMMISSION ON VIRTUAL EDUCATION. (a) The 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) 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 house of representatives; and

(4) a member of the State Board of Education, as designated by the chair of that board.

(c) The members appointed by the governor must have an interest in public education and include at least:

1 (1) one current or retired classroom teacher with at
2 least 10 years of teaching experience;

3 (2) one member of the business community; and

4 (3) one member of the civic community.

5 (d) The appointments made by the lieutenant governor and the
6 speaker of the house of representatives must each consist of:

7 (1) three members of the applicable legislative
8 chamber; and

9 (2) an administrator in the public school system or an
10 elected member of the board of trustees of a school district.

11 (e) In making appointments under Subsections (b)(1), (2),
12 and (3), the governor, lieutenant governor, and speaker of the
13 house of representatives shall coordinate to ensure that the
14 membership of the commission reflects, to the extent possible, the
15 ethnic and geographic diversity of this state.

16 Sec. 48.403. PRESIDING OFFICER. The governor shall
17 designate the presiding officer of the commission.

18 Sec. 48.404. COMPENSATION AND REIMBURSEMENT. A member of
19 the commission is not entitled to compensation for service on the
20 commission but is entitled to reimbursement for actual and
21 necessary expenses incurred in performing commission duties.

22 Sec. 48.405. ADMINISTRATIVE SUPPORT AND FUNDING. (a) The
23 agency shall provide administrative support for the commission.

24 (b) Funding for the administrative and operational expenses
25 of the commission shall be provided by legislative appropriation
26 made to the agency for that purpose.

27 Sec. 48.406. RECOMMENDATIONS. (a) The commission shall

1 develop recommendations to address issues related to the delivery
2 of and funding for virtual education, including alternative
3 instructional delivery methods and alternative methods of funding.

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

8 Sec. 48.407. REPORT. Not later than December 31, 2022, the
9 commission shall prepare and deliver a report to the governor and
10 the legislature that contains commission recommendations for
11 legislative action to improve the implementation of virtual
12 education.

13 Sec. 48.408. PUBLIC MEETINGS AND PUBLIC INFORMATION. (a)
14 The commission may hold public meetings as needed to fulfill its
15 duties under this subchapter.

16 (b) The commission is subject to Chapters 551 and 552,
17 Government Code.

18 Sec. 48.4085. GIFTS, GRANTS, AND DONATIONS. The agency may
19 accept gifts, grants, and donations from any source to support the
20 commission.

21 Sec. 48.409. COMMISSION ABOLISHED; EXPIRATION OF
22 SUBCHAPTER. The commission is abolished and this subchapter expires
23 January 1, 2023.

24 SECTION 2. The Texas Commission on Virtual Education, as
25 created by Subchapter I, Chapter 48, Education Code, as added by
26 this Act, is required to implement a provision of this Act only if
27 the legislature appropriates money specifically for that purpose.

1 If the legislature does not appropriate money specifically for that
2 purpose, the agency may, but is not required to, support the
3 commission using other appropriations available for that purpose.

4 SECTION 3. This Act applies beginning with the 2021-2022
5 school year.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3643 was passed by the House on April 29, 2021, by the following vote: Yeas 103, Nays 41, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3643 on May 28, 2021, by the following vote: Yeas 106, Nays 40, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3643 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor