

By: Huberty

H.B. No. 3707

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a commission to recommend improvements to funding for special education in public schools.

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

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

SUBCHAPTER H. TEXAS COMMISSION ON SPECIAL EDUCATION FUNDING

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

Sec. 48.402. TEXAS COMMISSION ON SPECIAL EDUCATION FUNDING.

(a) The commission is established to develop and make recommendations regarding methods of financing special education in public schools.

(b) The commission is composed 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) In making appointments under Subsections (b)(1), (2), and (3), the governor, lieutenant governor, and speaker of the house of representatives shall coordinate to ensure that membership

1 of the commission, to the extent possible, reflects the ethnic and
2 geographic diversity of this state.

3 (d) The members appointed by:

4 (1) the governor must have an interest in public
5 education and at least include:

6 (A) one member who is a current or retired
7 classroom teacher with at least 10 years of experience teaching
8 special education;

9 (B) one member of the business community with
10 experience employing individuals with disabilities; and

11 (C) one person who is a member of an organization
12 with the purpose of supporting students and families serviced by
13 special education;

14 (2) the lieutenant governor must include three members
15 of the senate and one administrator of a public school; and

16 (3) the speaker of the house of representatives must
17 include three members of the house of representatives and one
18 administrator of a public school.

19 Sec. 48.403. PRESIDING OFFICER. The governor shall
20 designate the presiding officer of the commission.

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

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

27 (b) Funding for the administrative and operational expenses

1 of the commission shall be provided by legislative appropriation
2 made to the agency for that purpose.

3 Sec. 48.406. RECOMMENDATIONS. (a) The commission shall
4 develop recommendations under this subchapter to address issues
5 related to special education funding, including:

6 (1) policy changes to the public school finance system
7 to improve funding of special education; and

8 (2) an analysis of and recommendations for a new
9 system, including a matrix-based system that bases funding on the
10 nature and intensity levels of special education services necessary
11 to meet the needs of the student.

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

16 Sec. 48.407. REPORT. Not later than December 31, 2022, the
17 commission shall prepare and deliver a report to the governor and
18 the legislature that recommends statutory changes to improve
19 funding for special education.

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

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

25 Sec. 48.409. COMMISSION ABOLISHED; EXPIRATION OF
26 SUBCHAPTER. The commission is abolished and this subchapter
27 expires January 1, 2023.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.