

## **BILL ANALYSIS**

Senate Research Center

H.B. 4210  
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Education  
5/9/2023  
Engrossed

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

In regards to school board appointments, stakeholders have brought up the ambiguity in the Education Code for military school districts. Currently, Joint Base San Antonio (JBSA) senior leadership could misinterpret the intent of the Education Code and exceed their authority in Military Independent School District board member selection and recommendation to the Texas State Board of Education (SBOE). Historically, selections of the board members for the military reservation schools have been confined to the military reservation the school district is physically located on. In and around 2009, Randolph Field Air Force Base was merged into JBSA. The command structure of the three bases were thereafter formally unified in 2013; however, all three bases have remained different and unique entities serving different missions and housing differing military communities. They also retain individual senior leadership that is physically located on each base. At no time in the history of the schools, to current date, has the process left the confines of the military reservation.

As of today, the 502nd Forces Support Group (FSG), located at Fort Sam Houston, claims to have the authority, based upon the military's loose interpretation of the Education Code, to select the candidates for appointment that will be presented to SBOE, for all three districts, even though, for example, Randolph Field Independent School District is located at Randolph Air Force base, not at Fort Sam Houston. This is not in keeping with the spirit of the statute as it was written. It is not in keeping with precedence. And, it would introduce many possible conflicts of interests. While JBSA leadership claims authority, they do not represent the wants and needs of each individual community.

H.B. 4210 seeks to adjust the Education Code to define "commanding officer." It describes this person as one who represents the military reservation school and who provides leadership for support activities, contingency, and emergency coordination. Simply put, the military person that signs off on the military independent school board board members that are presented to SBOE needs to be physically assigned to the base in question, so they fully understand the community represented. Clarifying "commanding officer" will ensure that those appointed to serve on the school board live and work on the base rather than someone who does not. This bill also aligns the terms served for board members with traditional public schools by increasing the term length from two years to three years.

H.B. 4210 ensures that military school district boards have representation from the community it serves, rather than those who do not.

H.B. 4210 amends current law relating to the qualifications to serve as a member of a board of trustees of a military reservation school district and rules adopted by the State Board of Education for the governance of a special-purpose district.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 1 (Section 11.352, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 11.352(b) and (c), Education Code, as follows:

(b) Requires the members of a military reservation school district board of trustees to be persons who live on or are employed on the military reservation. Authorizes a person who retires from active duty or civilian service while serving a term as a member of the board of trustees of a military reservation school district to continue to serve for the remainder of that person's term.

(c) Requires, rather than authorizes, the State Board of Education to adopt rules for the governance of a special-purpose district.

SECTION 2. Effective date: September 1, 2023.