88R6732 ANG-F

By:  Cunningham H.B. No. 3809

A BILL TO BE ENTITLED

AN ACT

relating to the study of public education performance.

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

SECTION 1.  Subtitle B, Title 2, Education Code, is amended by adding Chapter 9 to read as follows:

CHAPTER 9. CENTER FOR PUBLIC EDUCATION PERFORMANCE INFORMATION

Sec. 9.001.  DEFINITIONS. In this chapter:

(1)  "Board" means the Center for Public Education Performance Information Board.

(2)  "Center" means the Center for Public Education Performance Information.

Sec. 9.002.  CENTER FOR PUBLIC EDUCATION PERFORMANCE INFORMATION. (a) The Center for Public Education Performance Information is created as an independent policy center.

(b)  The center shall represent business, finance, public policy, education, and other interests considered appropriate by the center.

(c)  In performing the duties provided by this chapter, the center shall:

(1)  work directly with the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature; and

(2)  work with the agency and other state agencies, regional education service centers, school districts, and open-enrollment charter schools.

Sec. 9.003.  CENTER DUTIES. (a)  The center shall promote the use of successful methods to increase performance at the school district and campus levels.

(b)  The center shall evaluate and rank the performance of each school district, campus, and open-enrollment charter school and provide a progress report and recommendations each year to:

(1)  the governor, lieutenant governor, speaker of the house of representatives, Legislative Budget Board, commissioner, and State Board of Education; and

(2)  districts, campuses, and open-enrollment charter schools.

(c)  The center may assist the legislature with policy studies related to the center's duties. The center may participate in collaborative studies with a foundation or organization inside or outside this state related to the center's duties.

(d)  The center shall seek information, data, and best practices from state, regional, and national sources to use in performing the center's duties provided by this chapter.

(e)  The center may contract with independent experts, academic scholars, and other appropriate professionals in performing the center's duties provided by this chapter.

Sec. 9.004.  BOARD. (a) The Center for Public Education Performance Information Board is created as the primary policy-making body of the center.

(b)  The board is composed of seven members. Members of the board shall be appointed as follows:

(1)  one member appointed by the governor;

(2)  one additional member appointed by the governor from a list of nominees submitted by the speaker of the house of representatives;

(3)  one member appointed by the lieutenant governor;

(4)  one member appointed by the commissioner;

(5)  one member appointed by the commissioner of higher education;

(6)  one member appointed by the chair of the State Board of Education; and

(7)  one member appointed by the chair of the Texas Workforce Commission.

(c)  In making an appointment under Subsection (b)(2), the governor may reject one or more nominees on a list submitted by the speaker of the house of representatives and request a new list of different nominees.

(d)  The board members appointed under this section must include individuals in the private sector who have an interest in improving performance in public education and significant experience in organizational management, finance, or business. A board member may not:

(1)  be a member of the board of trustees or an employee of a school district or a member of the governing body or an employee of or a charter holder of a charter for an open-enrollment charter school; or

(2)  have a financial relationship with a vendor or contractor who provides goods or services to any part of the public education system of this state.

(e)  Board members serve two-year terms.

(f)  Board members shall annually elect one member as the presiding officer.

(g)  A board member may not receive a salary for services as a board member but shall be reimbursed for expenses incurred in attending board meetings.

Sec. 9.005.  BOARD DUTIES. (a) The board shall study the elements of an effective and efficient system of public free schools and make recommendations to:

(1)  improve the performance of the public education system to meet the demands of the current century;

(2)  improve the state's ability to compete educationally and economically with other states and countries; and

(3)  provide the public with information on public education performance.

(b)  The board shall provide a report of the board's study and recommendations under Subsection (a) to:

(1)  the Legislative Budget Board at least once each year; and

(2)  the governor, lieutenant governor, speaker of the house of representatives, legislature, commissioner, and State Board of Education before the convening of each regular legislative session.

Sec. 9.006.  SUPPORT FOR PERFORMANCE OF DUTIES. (a) State agencies, regional education service centers, school districts, and open-enrollment charter schools shall fully cooperate with and assist the center at the board's request.

(b)  Data and information necessary to perform the center's duties under this chapter shall be provided at the board's request in a timely manner and at minimal cost. The board and center shall require confidentiality and other security measures for student data and information consistent with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

Sec. 9.007.  FUNDING. The center may be funded by donations, grants, and legislative appropriations.

SECTION 2.  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, 2023.