

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

1 open-enrollment charter schools.

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

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

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

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

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

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

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

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

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

1           (1) one member appointed by the governor;

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

5           (3) one member appointed by the lieutenant governor;

6           (4) one member appointed by the commissioner;

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

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

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

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

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

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

26           (2) have a financial relationship with a vendor or  
27 contractor who provides goods or services to any part of the public

1 education system of this state.

2 (e) Board members serve two-year terms.

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

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

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

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

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

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

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

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

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

25 Sec. 9.006. SUPPORT FOR PERFORMANCE OF DUTIES. (a) State  
26 agencies, regional education service centers, school districts,  
27 and open-enrollment charter schools shall fully cooperate with and

1 assist the center at the board's request.

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

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

10 SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2023.