

## **BILL ANALYSIS**

Senate Research Center

S.B. 2619  
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Education K-16  
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As Filed

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

S.B. 2619 by Senator Brandon Creighton ensures Texas schools remain accountable, transparent, and under strong local control. First, if a district fails with consecutive "F" ratings or rapid academic decline, all trustees must stand for election at the next regular date. This prompts fresh leadership directly chosen by voters.

Next, before hiring a superintendent, school boards must publicly share each finalist's past performance, including academic outcomes where they served. This transparency fosters informed community support for new leadership.

The bill also requires districts and charter schools to post trustee or board member names, emails, and term information, promptly notifying the Texas Education Agency of any changes. Trustee training remains free from political agendas by barring providers who engage in partisan advocacy.

Finally, if the state intervenes, S.B. 2619 mandates a timely return to elected governance, phasing back local trustees within two years. This measured approach protects students during turnarounds while honoring local, voter-led leadership.

As proposed, S.B. 2619 amends current law relating to the board of trustees and superintendent of a school district, including the election of trustees of underperforming districts, and the hiring of a superintendent.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 11.0585, Education Code), SECTION 2 (Section 11.15125, Education Code), SECTION 3 (Section 11.1518, Education Code ), and SECTION 5 (Section 12.005, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 11, Education Code, by adding Section 11.0585, as follows:

Sec. 11.0585. ELECTION OF TRUSTEES OF CERTAIN UNDERPERFORMING DISTRICTS. (a) Provides that this section applies only to a school district that received an overall performance rating of F under Section 39.054 (Methods and Standards for Evaluating Performance) for the preceding two school years or was designated as rapidly declining under Subsection (b) for the current school year.

(b) Requires the commissioner of education (commissioner) to designate a school district as rapidly declining if, during the preceding two school years, the district's relative performance percentile ranking assigned under Section 39.060 decreased by at least 15 percentage points or a number of percentage points determined by the commissioner.

(c) Requires the commissioner, not later than December 31 following the assignment of performance ratings under Section 39.054 or relative performance percentile rankings under Section 39.060, to notify the board of trustees of each school district to which this section applies that this section applies to the district.

(d) Provides that, notwithstanding any other law, the term of each trustee on the board of trustees of a school district to which this section applies expires on the date of the first regularly scheduled election that occurs before December 31 of the year following the year in which notice was received under Subsection (c) and is required to be filled at that election. Requires the trustees elected under this subsection to draw lots for staggered terms as provided by Section 11.059 (Terms).

(e) Authorizes the commissioner to adopt rules as necessary to implement this section.

SECTION 2. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.15125, as follows:

Sec. 11.15125. REVIEW OF SUPERINTENDENT APPLICANTS. (a) Requires the board of trustees of a school district, before taking a final action or vote on the employment of an applicant for the position of superintendent of the district, to review the history of the academic performance of each school or school system in which the applicant has served in a leadership role.

(b) Requires that the history reviewed under this section include the relative performance percentile rankings of each applicable school district and open-enrollment charter school under Section 39.060 and be made publicly available on the district's Internet website during the public notice period described by Section 552.126 (Exception: Confidentiality of Name of Applicant for Superintendent of Public School District), Government Code, for each applicant who is a finalist being considered for the position.

(c) Authorizes the commissioner to adopt rules to implement this section.

SECTION 3. Amends Section 11.1518, Education Code, as follows:

Sec. 11.1518. New heading: TRUSTEE INFORMATION POSTED ON WEBSITE AND SUBMITTED TO AGENCY. (a) Requires each school district, rather than each school district that maintains an Internet website, to post on the district's Internet website the name, e-mail address, and term of office, including the date the term began and the date the term expires, of each member of the district's board of trustees.

(b) Redesignates existing Subsection (c) as Subsection (b). Requires a school district, each time there is a change in the membership of the district's board of trustees, not later than the 30th day after the date a trustee is sworn in, to update the information required under Subsection (a) and post the updated information on the district's Internet website. Makes conforming changes.

Deletes existing text requiring a school district, if the district does not maintain an Internet website, to submit the information required by Subsection (a) to the Texas Education Agency (TEA). Deletes existing text requiring TEA, on receipt of the district's information, to post the information on TEA's Internet website.

(c) Requires each school district to submit to TEA the name, e-mail address, phone number, designation as chair, if applicable, and term of office, including the date the term began and the date the term expires, of each member of the district's board of trustees annually and each time there is a change in the membership of the board of trustees, not later than the 30th day after the date a trustee is sworn in.

(d) Authorizes the commissioner to adopt rules as necessary to implement this section.

SECTION 4. Amends Section 11.159, Education Code, by adding Subsections (d-1), (d-2), and (d-3), as follows:

(d-1) Prohibits a regional education service center or another authorized provider from providing training under Section 11.159 (Member Training and Orientation) until TEA has approved certain aspects of the training.

(d-2) Prohibits TEA from approving the provision of training under this section by a provider who engages in electioneering or any other form of political advocacy for or against any candidate, measure, or political party; by a provider, agent of a provider, or entity affiliated with a provider that primarily represents political subdivisions of this state; or that occurs during a meeting of a professional organization of school district employees.

(d-3) Requires TEA to adopt a procedure for the appeal of a disapproval of a training by a provider under Subsection (d-1).

SECTION 5. Amends Subchapter A, Chapter 12, Education Code, by adding Section 12.005, as follows:

Sec. 12.005. GOVERNING BOARD INFORMATION SUBMITTED TO AGENCY. (a) Requires each holder of a charter to operate a charter school under Chapter 12 (Charters) to submit to TEA the name, e-mail address, phone number, designation as chair, if applicable, and term of office, including the date the term began and the date the term expires, of each member of the school's governing body annually and each time there is a change in the membership of the governing body.

(b) Authorizes the commissioner to adopt rules to implement this section.

SECTION 6. Amends Subchapter C, Chapter 39, Education Code, by adding Section 39.060, as follows:

Sec. 39.060. RELATIVE PERFORMANCE PERCENTILE RANKING. Requires the commissioner to annually assign and publish a relative performance percentile ranking of each school district and open-enrollment charter school based on the data used for evaluating relative performance in the school progress domain under Section 39.053(c)(2)(B) (relating to the comparative evaluation of school districts and campuses based on certain indicators for effectiveness in promoting student learning)

SECTION 7. Amends Section 39A.208, Education Code, by amending Subsections (a) and (b) and adding Subsection (f), as follows:

(a) Provides that, notwithstanding any other law and except as provided by Subsection (f), during the period of the appointment of a board of managers, the election of members of the board of trustees of the school district is suspended. Deletes existing text requiring a board of managers to, during the period of the appointment, order the election of members of the board of trustees of the school district in accordance with applicable provisions of law.

(b) Requires one-third of the members of the board of managers, following each of the last three years of the period of the appointment, to be replaced by the number of members of the board of trustees of the district who were elected at an election ordered under Subsection (f), rather than under Subsection (a), that constitutes, as closely as possible, one-third of the membership of the board of trustees.

(f) Requires the commissioner to ensure that the elections of trustee positions are ordered in accordance with Subsection (b). Requires the commissioner, after an election ordered under this subsection, to set staggered terms for the trustees elected and select which trustee replaces which manager. Provides that, if selected by the commissioner, a trustee elected under this subsection who has satisfied all legal and procedural prerequisites to assuming the office of trustee assumes the powers and duties of the office at the first official board meeting after the election.

SECTION 8. Makes application of Section 39A.208 (Expiration of Appointment), Education Code, as amended by this Act, prospective.

SECTION 9. Effective date: September 1, 2025.