

## **BILL ANALYSIS**

Senate Research Center

S.B. 300  
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Education  
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Enrolled

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

Many independent school districts across Texas are reporting severe financial difficulties due to several factors, including the requirement to fulfill unfunded mandates. These mandates are particularly burdensome to fast-growth school districts. In a difficult economic climate and with dwindling resources, districts are forced to fulfill unnecessary mandates rather than focus on their basic mission, which is to educate students.

S.B. 300 amends current law relating to eliminating or modifying certain mandates on school districts.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 11.1513(d), Education Code, as follows:

(d) Requires that the employment policy provide that not later than the 10th school day before the date on which a district fills a vacant position for which a certificate or license is required as provided by Section 21.003, other than a position that affects the safety and security of students as determined by the board of trustees, the district is required to provide to each current district employee notice of the position by posting the position on a bulletin board at certain locations or, rather than and, the district's Internet website, if the district has a website, and a reasonable opportunity to apply for the position.

SECTION 2. Amends Section 25.112, Education Code, by amending Subsection (d) and adding Subsections (e)-(g), as follows:

(d) Authorizes the commissioner of education (commissioner), on application of a school district (district), to except the district from the limit in Subsection (a) (relating to the prohibition of more than 22 students enrolled in an elementary school class) if the commissioner finds the limit works an undue hardship on the district. Provides that an exception expires at the end of the school year for which it is granted. Deletes existing text providing that an exception expires at the end of the semester for which it is granted, and prohibiting the commissioner from granting an exception for more than one semester at a time.

(e) Requires a district seeking an exception under Subsection (d) to notify the commissioner and apply for the exception not later than the later of October 1 or the 30th day after the first school day the district exceeds the limit in Subsection (a).

(f) Authorizes the commissioner, if a district repeatedly fails to comply with this section, to take any appropriate action authorized to be taken by the commissioner under Section 39.131 (Sanctions for Districts).

(g) Requires the Texas Education Agency, not later than January 1, 2011, to report to the legislature the number of applications for exceptions under Subsection (d) submitted by

each district and for each application indicate whether the application was granted or denied. Provides that this subsection expires February 1, 2011.

SECTION 3. Amends Section 34.0021, Education Code, by amending Subsections (a) and (b) and adding Subsection (c-1), as follows:

(a) Authorizes, rather than requires, each school district, pursuant to the safety standards established by the Department of Public Safety under Section 34.002, to conduct a training session for students and teachers concerning procedures for evacuating a school bus during an emergency.

(b) Provides that a school district that chooses to conduct a training session under Subsection (a) is encouraged to conduct the school bus emergency evacuation training session in the fall of the school year. Provides that the school district is also encouraged to structure the training session so that the session applies to school bus passengers, a portion of the session occurs on a school bus, and the session lasts for at least one hour. Deletes existing text requiring a school district to conduct the school bus emergency evacuation training at least twice each school year, with one training session occurring in the fall and one training session occurring in the spring. Deletes existing text requiring that a portion of the training session occur on a school bus and requiring the training session to last for at least one hour.

(c-1) Provides that a school district, immediately before each field trip involving transportation by school bus, is encouraged to review school bus emergency evacuation procedures with the school bus passengers, including a demonstration of the school bus emergency exits and the safe manner to exit.

SECTION 4. Amends Section 44.902, Education Code, as follows:

Sec. 44.902. New heading: LONG-RANGE ENERGY PLAN TO REDUCE CONSUMPTION OF ELECTRIC ENERGY. (a) Creates this subsection from existing text. Requires the board of trustees of a district to establish a long-range energy plan to reduce the district's annual electric consumption by five percent beginning with the 2008 state fiscal year and consume electricity in subsequent fiscal years in accordance with the district's energy plan. Deletes existing text requiring the board of trustees of a district to establish a goal to reduce the school district's annual electric consumption by five percent each state fiscal year for six years beginning September 1, 2007.

(b) Requires that the plan required under Subsection (a) include strategies for achieving energy efficiency that result in net savings for the district or can be achieved without financial cost to the district and for each strategy identified under Subdivision (1), the initial, short-term capital costs and lifetime costs and savings that may result from implementation of the strategy.

(c) Requires the board of trustees, in determining under Subsection (b) whether a strategy may result in financial cost to the district, to consider the total net costs and savings that may occur over the seven-year period following implementation of the strategy.

(d) Authorizes the board of trustees to submit the plan required under Subsection (a) to the State Energy Conservation Office for the purposes of determining whether funds available through loan programs administered by the office are available to the district.

SECTION 5. Repealer: Section 44.901(b) (regarding the requirement that the board of trustees establish a goal to reduce electric consumption by five percent each year for six years), Education Code.

SECTION 6. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 7. Effective date: upon passage or September 1, 2009.