

## **BILL ANALYSIS**

Senate Research Center  
81R15148 EAH-D

C.S.S.B. 300  
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Education  
3/13/2009  
Committee Report (Substituted)

### **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.

C.S.S.B. 300 amends provisions for a school district seeking exemption from the limit of a campus-wide average of 22 students per class. C.S.S.B. 300 requires a school district to conduct school bus evacuation training once a year and to establish a long-range energy plan to reduce the consumption of electric energy. Finally, C.S.S.B. 300 repeals Section 44.901(b) (regarding the requirement of the board of trustees to establish a goal to reduce electric consumption by five percent each year for six years), Education Code.

### **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 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 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 2. Amends Section 34.0021(b), Education Code, as follows:

(b) Requires a district to conduct the school bus emergency evacuation training at least once each school year and authorizes the training to be conducted by video. Deletes

existing text requiring a 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 occurring in the spring, and that a portion of the training occur on a school bus and the training session last for at least one hour.

SECTION 3. Amends Section 44.902, Education Code, as follows:

Sec. 44.902. New heading: LONG-RANGE ENERGY PLAN TO REDUCE CONSUMPTION OF ELECTRIC ENERGY. 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.

SECTION 4. Amends Section 44.903(b), Education Code, to provide that a school district is encouraged to, rather than required to, purchase for use in each type of light fixture in an instructional facility a certain type of commercially available model of light bulb.

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.