

## **BILL ANALYSIS**

H.B. 999  
By: Dutton  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, school districts are granted broad powers and duties to govern and oversee the management of the public schools of the district. In many instances, school districts have used their power to close a public school in a community without input from the community and in some cases without notice to the community. Despite the negative impact on communities, under current law school districts are not required to notify communities before closing a public school nor are they required to seek input from the people in the community most affected by the scheduled school closure.

H.B. 999 requires a school board to provide residents with an opportunity to comment at a public hearing before the closure of a public school.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 999 amends the Education Code to require a school district board of trustees, before ordering the closure of a school campus, to hold a public hearing at which district residents may comment on the proposed closure. The bill requires the board, not later than the seventh day before the date of the hearing, to provide written notice of the hearing to the parent of or person standing in parental relation to each student affected by the closure and to publish notice of the hearing in a newspaper of general circulation in the district. The bill requires this notice to include the location, date, time, and subject matter of the hearing, including the reason for the proposed closure. The bill requires the board, following the hearing, to vote on the proposed closure and, if the vote is in favor of closure, to send the results of the vote to the commissioner of education for approval. The bill prohibits the board from ordering the closure of a school campus without first obtaining the commissioner's approval and authorizes the commissioner to adopt rules as necessary to implement these provisions.

### **EFFECTIVE DATE**

September 1, 2009.