

## **BILL ANALYSIS**

C.S.H.B. 4111  
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Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

School closures often are a sound course of action to achieve a school district's overall goals. Local schools, however, are an important part of the neighborhoods they serve, and a closing can negatively affect the neighborhood from its community spirit to its home prices. It is important, therefore, that parents affected by a school closure are properly notified about closure plans and consequences and that the parents have a chance to be heard in the matter.

C.S.H.B. 4111 sets forth procedures that a school district board of trustees must follow when proposing a school closure that is not related to a No Child Left Behind closure. The procedures include a minimum 90-day notification, at least two public meetings with those affected, and the development of a written closure plan that describes the effects of the closure on students. The bill requires the closure plan and any non-confidential district documents associated with the closure to be made available to the public through the Internet.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4111 amends the Education Code to require a school district board of trustees, if the board proposes to close a campus, to send, at least 10 days before the date of the first of two public meetings required under the bill's provisions, written notice of the proposed closure, including a translation of the text of the notice into Spanish, by regular mail to the parent of each child who would otherwise attend the campus during the first school year that the campus is proposed to be closed and to each member of the legislature who represents territory included in the school district's boundaries; to provide a period of at least 90 days after the date notice is sent for soliciting and considering public comment regarding the proposed closure; to promptly make district documents associated with the proposed closure, other than those that are confidential under law, available to the public through the Internet and by other means for persons without Internet access; and to hold at least two public meetings during the 90-day period described above at which the district superintendent and board members are available to answer questions and receive comments, including questions and comments relating to the district documents associated with the closure.

C.S.H.B. 4111 requires the district, if, after conclusion of the period described above and consideration of public comments, the board of trustees continues to conclude that the campus should be closed, to develop a written closure plan that describes the ways in which each affected child's education will be altered as a result of the closure; that identifies each educational program available at the campus being closed that will not be available at each campus to which students will be transferred as a result of the closure; that describes the effect of the closure on student safety, including such elements as the number of registered sex offenders residing in the vicinity of each campus to which students will be transferred as a result of the

closure; and that addresses questions and comments raised by the public during the 90-day period described above. The bill requires the district to make the closure plan available to the public through the Internet and by other appropriate means for persons without Internet access.

**EFFECTIVE DATE**

September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 4111 adds provisions not in the original requiring the written notice of a proposed campus closure prepared by a school district board of trustees to be mailed at least 10 days before the date of the first public meeting addressing the closure and to include a translation of the text of the notice into Spanish and requiring this notice to be mailed to each member of the legislature who represents territory included in the school district's boundaries and to the parent of each child who would otherwise attend the campus during the first school year that the campus is proposed to be closed as in the original. The substitute differs from the original by requiring the school district board of trustees to hold at least two public meetings, rather than one or more as in the original.

C.S.H.B. 4111 removes provisions in the original prohibiting the board of trustees, if any members of the board are elected from single-member trustee districts, from closing a campus unless the board includes a member representing the single-member trustee district that includes the territory in which the campus to be closed is located, and this member attends each public meeting at which the district superintendent and board members are available to answer questions and receive comments regarding a proposed closure.