

## **BILL ANALYSIS**

C.S.S.B. 300  
By: Patrick, Dan  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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

C.S.S.B. 300 allows a school district to choose between two methods for posting job vacancies rather than requiring a district to use both methods. The bill extends the expiration date of a district-level class size exception from the end of the semester for which it is granted to the end of the school year for which it is granted and removes a prohibition against the commissioner of education's granting an exception for more than one semester at a time. The bill authorizes, rather than requires, a school district to conduct school bus evacuation training once a year and requires a school district to establish a long-range energy plan to reduce the consumption of electric energy. The bill repeals a requirement that a school district board of trustees establish a goal to reduce the annual electric consumption by five percent each year for six years, beginning September 1, 2007.

### **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.S.B. 300 amends the Education Code to require a school district's employment policy to require that notice of a vacant position be provided to each current district employee by posting the position either on a bulletin board at a place convenient to the public in the district's central administrative office and at the central administrative office of each campus in the district during any time the office is open or on the district's Internet website, if the district has a website, rather than both on such bulletin boards and on the district website.

C.S.S.B. 300 delays the expiration date of a district-level class size exception from the end of the semester for which it is granted to the end of the school year for which it is granted and removes a prohibition against the commissioner of education granting an exception for more than one semester at a time. The bill requires a school district seeking an exception to notify the commissioner and apply for the exception not later than October 1 or the 30th day after the first school day the district exceeds the class size limit, whichever is later. The bill authorizes the commissioner, if a school district repeatedly fails to comply with provisions relating to the limit on class size in the specified grade levels, to take any appropriate action authorized to be taken by the commissioner under state law regarding district accreditation sanctions. The bill adds a temporary provision, set to expire February 1, 2011, to require the Texas Education Agency, not later than January 1, 2011, to report to the legislature the number of applications for exceptions submitted by each school district and for each application to indicate whether the application was

granted or denied.

C.S.S.B. 300 authorizes, rather than requires, each school district to conduct a training session for students and teachers concerning procedures for evacuating a school bus during an emergency. The bill encourages, rather than requires, a school district that chooses to conduct such training to conduct the training session in the fall of the school year. The bill also encourages the school district 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. The bill removes provisions requiring training sessions in both fall and spring, requiring a portion of the training to occur on a school bus, and requiring the training session to last at least one hour. The bill encourages a school district, immediately before each field trip involving transportation by school bus, 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.

C.S.S.B. 300 requires the board of trustees of a school district to establish a long-range energy plan, rather than a goal, to reduce the district's annual electric consumption by five percent beginning with the 2008 state fiscal year, rather than each state fiscal year for six years beginning September 1, 2007, and to consume electricity in subsequent fiscal years in accordance with the district's energy plan. The bill requires the plan to include strategies for achieving energy efficiency that result in net savings for the district or that can be achieved without financial cost to the district, and to include, for each strategy identified, the initial, short-term capital costs and lifetime costs and savings that may result from implementation of the strategy. The bill requires the board of trustees, in determining 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 and authorizes the board of trustees to submit the required plan 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.

C.S.S.B. 300 repeals a requirement that a school district board of trustees, for purposes of entering into energy savings performance contracts, establish a goal to reduce the annual electric consumption by five percent each year for six years, beginning September 1, 2007. The bill makes its provisions applicable beginning with the 2009-2010 school year.

C.S.S.B. 300 repeals Section 44.901(b), Education Code.

#### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

#### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.S.B. 300 differs from the original, in the provision requiring the posting of a notice of a vacant position either on a bulletin board at a publicly convenient place in the district's central administrative office and at each campus's central administrative office or on the district's Internet website, if the district has such a website, rather than on both the bulletin boards and on the district's Internet website, by restoring the existing paragraph designation within the statute for the alternative of an Internet posting.

C.S.S.B. 300 differs from the original by authorizing, rather than requiring, each school district to conduct a training session for students and teachers concerning procedures for evacuating a school bus during an emergency, whereas the original changes the frequency of the required training session from at least twice a year to at least once a year.

C.S.S.B. 300 differs from the original by encouraging a school district that chooses to conduct the training described above to conduct the training session in the fall of the school year, encouraging the school district 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 training session lasts for at least one hour, whereas the original eliminates requirements for training sessions to be held in the fall and spring, for a portion of the training to occur on a bus, and for the training session to last at least one hour.

C.S.S.B. 300 omits provisions included in the original authorizing the training to be conducted by video and authorizing the use of a student-produced video for such training.

C.S.S.B. 300 adds a provision not in the original encouraging a school district, immediately before each field trip involving transportation by school bus, 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.

C.S.S.B. 300 removes a provision in the original encouraging a school district to purchase energy-efficient light bulbs for use in an instructional facility.