

## **BILL ANALYSIS**

S.B. 2178  
By: Shapleigh  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Ensuring that Texas students are prepared for a technology-oriented world should be a top priority for the state. A study of students world-wide by the Organization for Economic Co-operation and Development has shown that regular computer users actually perform better in important subjects in school. The study especially notes the disparity in mathematics performance; students who have used a computer for several years test well, while students who have had little computer experience tend to lag behind their grade level. This disparity can be eliminated by ensuring that students and their families gain access to computers more easily.

One barrier to such access, however, is the cost of computers, which makes them unaffordable for many people. With high-quality computers costing anywhere from hundreds to thousands of dollars, many people will never be able to buy a computer for their home. However, if there were places in a community that loaned computers to community members and facilitated the eventual purchase of computers by community members who needed them, no one would have to go without a computer. State surplus computers can be allotted to programs established in schools for this purpose by allowing schools with educationally-disadvantaged students to lend and eventually sell computers to families.

S.B. 2178 requires the commissioner of education by rule to establish a computer lending pilot program to provide state surplus or salvage computers or computers donated or purchased for the program to participating public schools for use by students and their parents.

### **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**

S.B. 2178 amends the Education Code by adding a temporary provision, set to expire September 1, 2014, to require the commissioner of education by rule to establish a computer lending pilot program, to provide computers to participating public schools that make computers available for use by students and their parents. The bill requires the commissioner to establish procedures for the administration of the pilot program, including procedures for distributing to a participating public school any surplus or salvage data processing equipment available for distribution under the pilot program or computers donated or purchased for that purpose with funds from any available source, including a foundation, private entity, governmental entity, and institution of higher education. The bill establishes a public school's eligibility to participate in the pilot program if 50 percent or more of the students enrolled in the school are educationally disadvantaged and the school operates or agrees to operate a computer lending program that:

- allows students and parents to borrow a computer;
- includes an option for students and parents to work toward owning a computer initially borrowed under the school's lending program, subject to any applicable legal restrictions

regarding disposition of the computer involved;

- provides computer training for students and parents; and
- operates outside regular school hours, including operation until at least 7 p.m. on at least three days each week.

The bill requires the commissioner, not later than January 1 of each year, to submit a report to the legislature regarding the computer lending pilot program.

S.B. 2178 amends the Government Code by adding a temporary provision, set to expire September 1, 2014, requiring a state agency, if a disposition of the agency's surplus or salvage data processing equipment is not made under state law governing the direct transfer or disposition of such equipment to another state agency, political subdivision, or assistance organization, to make the equipment available to the commissioner for use in the computer lending pilot program. The bill requires the state agency, if the commissioner declines to take the equipment, to transfer the equipment to a school district or open-enrollment charter school, to an assistance organization specified by the school district, or to the Texas Department of Criminal Justice (TDCJ). The bill prohibits the state agency from collecting a fee or other reimbursement from the commissioner for such equipment.

S.B. 2178 adds a temporary provision, set to expire September 1, 2014, requiring a state eleemosynary institution or an institution or agency of higher education, if a disposition of the surplus or salvage data processing equipment of such an institution or agency is not made under other law, to make the equipment available to the commissioner for use in the computer lending pilot program. The bill requires the institution or agency, if the commissioner declines to take the equipment, to transfer the equipment to a school district or open-enrollment charter school, to an assistance organization specified by the school district, or to the TDCJ. The bill prohibits the state eleemosynary institution or institution or agency of higher education from collecting a fee or other reimbursement from the commissioner for such equipment.

**EFFECTIVE DATE**

September 1, 2009.