

BILL ANALYSIS

C.S.H.B. 3347
By: Huberty
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note the benefits of quality before-school and after-school programs in Texas public schools and contend that school districts need the ability to choose quality program providers that offer the most competitive rates. C.S.H.B. 3347 seeks to address this issue by authorizing a district to establish such a program and, if the district determines it is in the district's best interest, to contract with a child-care facility to provide the district's program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 3347 amends the Education Code to authorize the board of trustees of a public school district to establish before-school or after-school programs for students enrolled in elementary or middle school grades and to authorize such a program to operate before, after, or before and after school hours. The bill makes a student eligible to participate in a program if the student is enrolled in a public or private school or resides within the boundaries of the school district. The bill requires a district to conduct a request for proposals procurement process to enable the district to determine if contracting with a child-care facility that provides a before-school or after-school program to provide the district's before-school or after-school program would serve the district's best interests. The bill authorizes a district, following the request for proposals procurement process, to enter into a contract with a child-care facility or implement a before-school or after-school program operated by the district. The bill requires a contract entered into by a district and a child-care facility to comply with the statutory requirements for school district purchasing contracts and sets the maximum term of a contract at three years. The bill authorizes the board of trustees to adopt rules to provide access to school campuses before or after school hours for the purpose of providing a program.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3347 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial

differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.9031 to read as follows:

Sec. 33.9031. BEFORE-SCHOOL AND AFTER-SCHOOL PROGRAMS. (a) The board of trustees of a school district may establish before-school or after-school programs for students enrolled in elementary or middle school grades. A program established under this section may operate before, after, or before and after school hours.

(b) A student is eligible to participate in a school district's before-school or after-school program if the student:

(1) is enrolled in a public or private school;
or

(2) resides within the boundaries of the school district.

(c) A school district may not use state or local funds appropriated to the district for educational purposes to support a before-school or after-school program established under this section.

(d) A school district may contract with a licensed child-care facility that provides a before-school or after-school program, as defined by Section 42.002, Human Resources Code, to provide the district's before-school or after-school program.

(e) The board of trustees of a school district may adopt rules in accordance with Section 11.165 to provide access to school campuses before or after school hours for the purpose of providing a before-school or after-school program.

SECTION 2. This Act takes effect immediately if it receives a vote of two-

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.9031 to read as follows:

Sec. 33.9031. BEFORE-SCHOOL AND AFTER-SCHOOL PROGRAMS. (a) The board of trustees of a school district may establish before-school or after-school programs for students enrolled in elementary or middle school grades. A program established under this section may operate before, after, or before and after school hours.

(b) A student is eligible to participate in a school district's before-school or after-school program if the student:

(1) is enrolled in a public or private school;
or

(2) resides within the boundaries of the school district.

(c) A school district shall conduct a request for proposals procurement process to enable the district to determine if contracting with a child-care facility that provides a before-school or after-school program, as defined by Section 42.002, Human Resources Code, to provide the district's before-school or after-school program would serve the district's best interests. Following the request for proposals procurement process, the district may enter into a contract with a child-care facility or implement a before-school or after-school program operated by the district. If the district enters into a contract with a child-care facility, the contract must comply with the requirements of Section 44.031 and may not exceed a term of three years.

(d) The board of trustees of a school district may adopt rules in accordance with Section 11.165 to provide access to school campuses before or after school hours for the purpose of providing a before-school or after-school program.

SECTION 2. Same as introduced version.

thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.