

BILL ANALYSIS

Senate Research Center

H.B. 999
By: Dutton, Edwards (West)
Higher Education
5/23/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 999 amends current law relating to the closure of a school campus by the board of trustees of certain school districts.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 11.174, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 11, Education Code, by adding Section 11.174, as follows:

Sec. 11.174. **CAMPUS CLOSURE.** (a) Provides that this section applies only to a school district with an enrollment of more than 155,000.

(b) Requires the board of trustees of a school district (board), before ordering the closure of a school campus, to hold a public hearing at which residents of the district may comment on the proposed closure.

(c) Requires the board, not later than the 14th 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.

(d) Requires that the notice of the hearing required by Subsection (c) include the subject matter of the hearing, including the reason for the proposed closure, and the location, date, and time of the hearing.

(e) Requires the board to vote on the proposed closure following a hearing under Subsection (b) and requires the board, if the board votes to close a school campus, to send the results of the vote to the commissioner of education (commissioner) for approval.

(f) Prohibits the board from ordering the closure of a school campus without first obtaining the approval of the commissioner for the closure. Requires the commissioner to approve or deny the board's request for approval under this subsection not later than the 30th day after the date the commissioner receives the request. Provides that the request is considered approved if the commissioner fails to act within the time prescribed by this subsection.

(g) Prohibits the board from ordering the closure of a school campus for which a campus intervention team has been appointed under Section 39.1322(b) (relating to a campus intervention team appointed to a campus that has been identified as academically unacceptable) until the campus intervention team has completed certain actions, the campus has received any financial or other assistance determined necessary under the evaluation process to implement the school improvement plan, and the campus has two complete school years during which to implement the school improvement plan.

(h) Authorizes the commissioner to adopt rules necessary to implement this section.

SECTION 2. Effective date: September 1, 2009.