

BILL ANALYSIS

C.S.H.B. 2610
By: King, Ken
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are certain occurrences, such as inclement weather, that require a school district to close schools. Currently, a school district is required to provide instruction on a specified minimum number of days, so when a district closes schools on one or more days for such reasons and therefore does not provide instruction on those days, the district is required to make up for those missed days. Sometimes, a district is forced to extend the school year into the summer in order to meet the current requirement. C.S.H.B. 2610 seeks to allow a school district flexibility in providing the required amount of instruction.

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 rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2610 amends the Education Code to change from 180 days to 75,600 minutes the minimum amount of instruction time each school district is required to provide each school year, with certain exceptions. The bill specifies that such instruction time includes intermissions and recesses. The bill authorizes a school district to add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity if the commissioner of education does not approve reduced instruction time for school closures due to such conditions. The bill authorizes the commissioner to adopt rules for the application, on the basis of the required minimum minutes of instruction, of any statutory provisions regarding public education that refer to a minimum number of days of instruction. The bill establishes that a reference to a day of instruction means 420 minutes of instruction for purposes of the Education Code.

C.S.H.B. 2610 prohibits a school district from scheduling the last day of school for students for a school year before May 15, except that the bill authorizes a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer to schedule the last day of school on or after May 15 or on any date permitted under the law of the other state. The bill applies beginning with the 2015–2016 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2610 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. Section 25.081, Education Code, is amended to read as follows:

Sec. 25.081. OPERATION OF SCHOOLS.

(a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 75,600 minutes [~~180—days~~] of instruction, including intermissions and recesses, for students.

(b) The commissioner may approve the instruction of students for fewer than the number of minutes [~~days~~] required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.

(c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

SECTION 2. Subchapter C, Chapter 25, Education Code, is amended.

SECTION 3. This Act applies beginning with the 2015-2016 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 25.081, Education Code, is amended to read as follows:

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(b) The commissioner may approve the instruction of students for fewer than the number of minutes [~~days~~] required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.

(c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

(e) For purposes of this code, a reference to a day of instruction means 420 minutes of instruction.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. 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, 2015.