

- SUBJECT:** Notice and provisions required before a school board could close a campus
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 8 ayes — Eissler, Hochberg, Allen, Aycock, Farias, Jackson, Shelton, Weber
- 0 nays
- 3 absent — Dutton, Olivo, Patrick
- WITNESSES:** For — Patricia Garcia; Michelle Reyes; Anna Romero; (*Registered, but did not testify*: Portia Bosse, Texas State Teachers Association; Lindsay Gustafson, Texas Classroom Teachers Association; Dwight Harris, Texas AFT; Ken Whalen, Texas Daily Newspaper Association, Texas Press Association)
- Against — None
- DIGEST:** CSHB 4111 would require that before ordering the closing of a school, the board of trustees of a school district would have to:
- hold at least two public meetings at which the district superintendent and board members were available to answer questions and receive comments;
 - provide written notice of the proposed closure by regular mail at least 10 days prior to the first hearing, including a translation into Spanish, to the parent of each child zoned to attend the school and each member of the Legislature who represents territory included in the boundaries of the school district;
 - provide a period of at least 90 days after written notification of the first public hearing for soliciting and considering public comment regarding the closure; and
 - promptly make district documents associated with the proposed closure, other than those confidential, available to the public through the Internet and by other means for persons without Internet access.

After ninety days from the first public hearing, if the school district board of trustees concluded that the campus should be closed, the district would develop a written closure plan that would be made accessible to the public. The written closure plan would have to:

- describe the ways in which each affected child's education would be altered as a result of the closure;
- identify each educational program available at the campus being closed that would not be available at each campus to which students would be transferred;
- describe the effect of the closure on student safety, including such elements as the number of registered sex offenders residing in the vicinity of each campus to which students will be transferred as a result of the closure; and
- address questions and comments raised by the public.

The bill would take effect September 1, 2009.

NOTES:

An amendment by Rep. Martinez Fischer to HB 3 by Eissler, the school accountability bill, which passed the House by 146-0 on April 29 and the Senate on May 13, contains the language of this bill.

HB 999 by Dutton, which passed the House by 77-64 on May 7, would require that before ordering the closing of a school, the board of trustees of a school district hold a public hearing at which residents of the district could comment on the proposed closure. After the hearing, the board would be required to vote on the proposed closure. If the board voted to close a school, the board would have to send the results of the vote to the commissioner of education, whose approval would be necessary to close the school. The school board would be required to provide written notice of the hearing to each student's parent and to publish notice of the hearing in a newspaper of general circulation in the district.