

- SUBJECT:** Transferring residential school custodial duties to Facilities Commission
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 7 ayes — Aycock, Bohac, Deshotel, Farney, Huberty, K. King, VanDeaver
- 0 nays
- 4 absent — Allen, Dutton, Galindo, González
- SENATE VOTE:** On final passage, April 23 — 28 - 2 (Creighton, Perry)
- WITNESSES:** (*on House companion bill, HB 1705*)  
For — None
- Against — Steve Baldwin, Texas Association of the Deaf; Donna Valverde; (*Registered, but did not testify*: Benna Timperlake)
- On — Peter Maass, Texas Facilities Commission; (*Registered, but did not testify*: Harvey Hilderbran and Terri Rodgers, Texas Facilities Commission)
- BACKGROUND:** The 83rd Legislature in 2013 enacted SB 1457 by Duncan, which transferred responsibility for facilities maintenance at the Texas School for the Deaf and at the Texas School for the Blind and Visually Impaired to the Texas Facilities Commission (TFC). Similar provisions also were included in SB 211 by Nichols, the Sunset bill for TFC. SB 1457 exempted TFC from the duty to provide facilities management services to the two schools.
- DIGEST:** SB 836 would require the Texas Facilities Commission (TFC) to provide all facilities maintenance and management services at the Texas School for the Blind and Visually Impaired and at the Texas School for the Deaf. The bill would require that all remaining powers, duties, functions, programs, and activities related to maintenance of the two schools’

facilities be transferred to TFC by September 1, 2015. Each school and TFC would enter into a memorandum of understanding to establish a plan for the identification and transfer of records, personnel, property, and unspent appropriations.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS  
SAY:**

SB 836 would transfer responsibility for custodial, grounds maintenance, and security activities from the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf to the Texas Facilities Commission (TFC). This would allow TFC to develop an effective and integrated facilities management plan and help to ensure the efficient and consistent delivery of quality services.

The bill would complete the transfer of maintenance duties that began in 2013 when the Legislature became concerned that ongoing maintenance issues at the Texas School for the Deaf were not being properly addressed. Another consideration was that administrators of the two Austin residential schools should be focused on educating and overseeing the children living on their campuses and not on maintenance issues.

On September 1, 2013, TFC began to provide all maintenance services at each campus, excluding custodial, security, and ground maintenance activities. During the past year, there have been bedbug outbreaks at the School for the Deaf, and while TFC does not now handle custodial services, it is responsible for addressing the infestations. The bill would allow TFC to improve custodial practices and preempt or more quickly address future outbreaks.

TFC is aware that each campus serves a special population of students and would require employees placed on the campuses to receive sensitivity training and those placed on the School for the Deaf campus to have sign language capabilities.

OPPONENTS  
SAY:

SB 836 would lack clear guidelines for TFC's new duties at the two residential schools. These are not the typical office buildings normally serviced by the commission, and there is no indication that TFC has the experience to provide custodial services to ensure safe conditions for students on a round-the-clock basis.

The bill should address whether TFC employees had sufficient training to meet the facilities needs of children with visual and hearing impairments. At the School for the Deaf, custodial staff would need to be able to communicate through sign language with students about issues needing immediate attention. The bedbug issue took time to resolve but has been addressed by the school staff working closely with students.

The new TFC arrangement would cost an estimated \$1.3 million for more staff. It might be better to save the money and allow the campuses to continue their own custodial, security, and grounds-keeping services.

NOTES:

The Legislative Budget Board estimates that SB 836 would have a negative impact of \$1.3 million for fiscal 2016-17.

The House companion bill, HB 1705 by E. Rodriguez, was considered in a public hearing of the House Public Education Committee on May 5 and left pending.