

BILL ANALYSIS

Senate Research Center
76R1745 CAS-D

S.B. 104
By: Duncan
Education
2/22/1999
As Filed

DIGEST

Currently, Texas law does not specifically authorize school districts to keep school campuses open after hours for recreational purposes and tutoring. Concerns regarding a school's potential liability is one cause for some schools not remaining open after regular hours. S.B. 104 provides school officials and volunteers immunity from liability when volunteering at public school facilities during non-school hours. Local school districts could still control which schools would remain open, the staffing requirements at the schools, and the available extracurricular and educational opportunities.

PURPOSE

As proposed, S.B. 104 authorizes school districts to keep school campuses open after school hours for recreational purposes and tutoring.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the board of trustees of an independent school district in SECTION 1(Sec. 11.165(a), Education Code) in this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 11D, Education Code, by adding Section 11.165, as follows:

Sec. 11.165. ACCESS TO SCHOOL CAMPUSES. Authorizes the board of trustees of an independent school district to adopt rules to keep school campuses open for recreational activities and tutoring after school hours. Provides that a professional employee or volunteer serving in a program for which a school campus is kept open is immune from liability to the same extent as a school district's professional employees or volunteers, as applicable.

SECTION 2. Provides that this Act applies beginning with 1999-2000 school year.

SECTION 3. Emergency clause.
Effective date: upon passage.