

BILL ANALYSIS

Senate Research Center
77R3348 ESH-F

C.S.S.B. 1705
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Education
4/12/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, a board of trustees of an independent school district that changes to single member district plans must, as a general rule, fill all positions on the board at the first single member district trustee election and in the subsequent redistricting of their election systems. However, districts that adopt a “5-2 plan” have the option to use a staggered term process at the first single member district trustee election and in the subsequent redistricting of their election systems.

C.S.S.B. 1705 authorizes all single-member district plans utilizing single-member districts with staggered terms to be given the option to allow incumbent trustees to serve the unexpired portion of their terms by phasing in redrawn districts. Provides for a hearing on the issue in a district with a certain population.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 11.052(f) and (g), Education Code, as follows:

(f) Adds language to require all positions on the board to be filled, unless the board of trustees determines the positions should be filled as provided by Section 11.053 as the terms of the trustees then in office expire. Also adds language to require, if all the positions are filled, the trustees then elected to draw lots for staggered terms that comply with Section 11.059.

(g) Changes reference from “redivide the district” to “redistrict the school district,” and changes reference from “the most populous district” to “the most populous trustee district.” Makes conforming changes.

SECTION 2. Amends Section 11.053, Education Code, as follows:

Sec. 11.053. New heading: OPTION TO CONTINUE IN OFFICE FOLLOWING ADOPTION OF SINGLE-MEMBER PLAN OR REDISTRICTING. (a) Authorizes the board of trustees of an independent school district that adopts a redistricting plan under Section 11.052 to provide for the trustees in office when the plan is adopted or the school district is redistricted to serve for the remainder of their terms in accordance with this section. Deletes language relating to the provision for five members of the board to be elected from single-member trustee districts and two members to be elected at large. Makes a conforming change.

(b) Makes conforming changes.

(c) Requires the board of trustees, if a resident of a district submits a request to the superintendent of the district that the board hold a public hearing on the issue of staggered or simultaneous election of trustees from single-member districts after

redistricting, to hold a hearing on that issue. Prohibits the board from exercising the authority granted by Section 11.053(a) until any hearing requested under this subsection has been held.

(d) Provides that the hearing requirement provided under this section applies to any school district with 50,000 or more students in average daily attendance.

Deletes the text of Subsection (c) authorizing the trustees of a district to which this section applies to also provide for members serving at the time of a redistricting to serve for the remainder of their terms.

SECTION 3. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 2. Differs from the original by adding the provisions in Subsections (c) and (d).