

BILL ANALYSIS

Senate Research Center
77R2865 KEL-D

C.S.S.B. 263
By: Ogden
Education
2/28/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, many institutions of higher education lack policies or procedures regarding student travel. C.S.S.B. 263 requires the governing board of each institution of higher education, including community colleges, to adopt a policy regulating travel that is undertaken by one or more students presently enrolled at the institution to reach an activity or event that is located more than twenty-five miles from the institution, or organized and sponsored by the institution, funded by the institution, uses a vehicle owned or leased by the institution, and required by a student organization registered at the institution.

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 Chapter 51Z, Education Code, by adding Section 51.949, as follows:

Sec. 51.949. POLICY REGULATING STUDENT TRAVEL. Defines “governing board” and “institution of higher education.” Requires each governing board of an institution of higher education to adopt a policy regulating student travel that falls within certain parameters. Requires the governing board to seek advice and comment from the faculty and students of the institution before adopting any policy under this section. Requires the policy to contain provisions that address different modes of travel likely to be used by students; and certain safety issues related to student travel. Requires the governing board to make the policy available to the public by publishing the policy in the institution’s catalog and by any other method the board considers appropriate. Requires the governing board to file a copy of the policy adopted under this section, and any amendments to that policy, with the Texas Higher Education Coordinating Board. Provides that no claim or cause of action against an institution beyond a claim or cause authorized by Chapter 101 (Tort Claims), Civil Practice and Remedies Code, is created by this section.

SECTION. 2. Makes application of this Act prospective to student travel beginning August 1, 2002, to require each governing board of an institution of higher education to adopt the student travel policy required by Section 51.949, Education Code, as added by this Act, not later than January 1, 2002, and to file a copy of the policy with the Texas Higher Education Coordinating Board, not later than August 1, 2002.

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

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 263, Section 51.949, Education Code, as follows:

- Deletes previously proposed language regarding a written policy regulating student

travel located more than five miles from the campus and replaces it with proposed language regarding reaching an activity located more than twenty-five miles from the institution.

- Adds Subsection (g) regarding a claim or cause of action against an institution.