

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 826
By: Truan
Education
3/8/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Attorney general's opinion No. JC-0332 found that a school district cannot operate a campus that is outside its boundaries. However, the pairing of school districts is one of five possible strategies that wealthy Chapter 41 districts can use to share their wealth with the most property-poor Chapter 42 districts. C.S.S.B. 826 permits a school district to operate a school program or hold classes on the campus of an institution of higher education if the board of trustees of the school district obtains written consent from the president or other chief executive officer of 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 11D, Education Code, by adding Section 11.166, as follows:

Sec. 11.166. (a) Authorizes the board of trustees of a school district (board) to operate a school, program, or hold a class on the campus of an institution of higher education in this state if the board obtains written consent from the president or other chief executive officer of the institution.

(b) Authorizes the president or other chief executive officer of an institution of higher education to provide written consent to a board under Subsection (a) regardless of whether the institution is located within the boundaries of the district.

SECTION 2. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from original in Subsection (a) by changing the reference from "any college, university, or community college" to "institution of higher education" and by adding the provision that the board of trustees of a school district must obtain written consent from the president or other chief executive officer of the institution before operating a school or program or hold a class in the campus of the institution. Differs from original by adding a new Subsection (b) to authorize the president or other chief executive officer of an institution of higher education to provide written consent to a board under Subsection (a) regardless of whether the institution is located within the boundaries of the district. Differs from original by deleting Subsection (c) relating to a university granting consent to any school district.