

BILL ANALYSIS

Senate Research Center
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S.B. 2178
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Education
4/21/2009
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Ensuring that Texas students are prepared for a technology-oriented world should be a top priority for the state. A study of students around the world by the Organization for Economic Co-Operation and Development has shown that regular computer users actually perform better in important subjects in school. The study especially notes the disparity in mathematics grades—students who have been using a computer for several years test well, while students who have had little computer experience tend to lag behind their class year. By ensuring that students and their families gain access to computers more easily, this disparity can be eliminated.

One obvious downside to computers for many people is price. With high-quality computers costing anywhere from hundreds to thousands of dollars, many people will never have the discretionary funds to buy a computer for their home. However, if there were places in a community that allowed the lending to and eventual purchasing of computers by community members who needed them, no one would have to go without one. State surplus computers can be allotted to programs established in schools for this purpose by allowing schools with educationally disadvantaged students to lend and eventually sell computers to families.

S.B. 2178 establishes a computer lending pilot program to provide state surplus computers to public schools to be available for use by members of the local community. The option to purchase the computer would also be available, as well as instructional computer training classes.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to commissioner of education in SECTION 1 (Section 32.351, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 32, Education Code, by adding Subchapter H, as follows:

SUBCHAPTER H. COMPUTER LENDING PILOT PROGRAM

Sec. 32.351. ESTABLISHMENT OF PILOT PROGRAM. Requires the commissioner of education (commissioner) by rule to establish a computer lending pilot program to provide computers to participating public schools that make computers available for use by members of the local community.

Sec. 32.352. PILOT PROGRAM ADMINISTRATION. Requires the commissioner to establish procedures for the administration of the pilot program, including procedures for distributing to participating public schools any surplus or salvage data processing equipment available for distribution under the pilot program, or computers donated or purchased for that purpose with funds from any available source, including a foundation, private equity, governmental entity, and institution of higher education.

Sec. 32.353. ELIGIBLE SCHOOLS. Provides that a public school is eligible to participate in the pilot program if 50 percent or more of the students enrolled in the school are educationally disadvantaged, and the school operates or agrees to operate a computer lending program that:

(A) allows students, parents, and other area residents to borrow a computer;

(B) includes an option for students, parents, and other area residents to work toward owning a computer initially borrowed under the school's lending program, subject to any applicable legal restrictions regarding disposition of the computer involved;

(C) provides computer training for students, parents, and other area residents; and

(D) operates outside regular school hours, including operation until at least 7 p.m. on at least three days each week.

Sec. 32.354. ANNUAL REPORT. Requires the commissioner, not later than January 1 of each year, to submit a report to the legislature regarding the computer lending pilot program established under this subchapter.

Sec. 32.355. EXPIRATION. Provides that this subchapter expires September 1, 2014.

SECTION 2. Amends Section 2175.128, Government Code, by adding Subsections (a-1) and (b-1), as follows:

(a-1) Requires a state agency, notwithstanding Subsection (a) (relating to disposition of state agency's surplus or salvage data processing equipment), if a disposition of the state agency's surplus or salvage data processing equipment is not made under Section 2175.125 (Direct Transfer; Monitoring by Commission) or 2175.184 (Direct Transfer), to make the equipment available to the commissioner for use in the computer lending pilot program established under Subchapter H, Chapter 32, Education Code. Requires the state agency, if the commissioner declines to take the equipment, to transfer the equipment in accordance with Subsection (a). Prohibits the state agency from collecting a fee or other reimbursement from the commissioner for the equipment available under this subsection. Provides that this subsection expires September 1, 2014.

(b-1) Requires an institution or agency, notwithstanding Subsection (b) (relating to disposition of a state eleemosynary institution's or an institution or agency of higher education's surplus or salvage data processing equipment), if a disposition of the surplus or salvage data processing equipment of the state eleemosynary institution or the institution or agency of higher education is not made under other law, to make the equipment available to the commissioner under Subchapter H, Chapter 32, Education Code. Requires the institution or agency, if the commissioner declines to take the equipment, to transfer the equipment in accordance with Subsection (b). Prohibits the state eleemosynary institution or institution or agency of higher education from collecting a fee or other reimbursement from the commissioner for the equipment made available under this subsection. Provides that this subsection expires September 1, 2014.

SECTION 3. Effective date: September 1, 2009.

SUMMARY OF COMMITTEE CHANGES

(1) Amends SECTION 1 of the bill, in added Section 32.351, Education Code (page 1, line 11), by striking "members of the local community" and substituting "students and their parents".

(2) Amends SECTION 1 of the bill, in added Sections 32.353(2)(A), (B), and (C), Education Code (page 2, lines 4-7 and 11-12), by striking "students, parents, and other area residents" each place it appears and substituting "students and parents".