

Bill Number: TX81RSB 300

Date: 05-31-2009

ENROLLED

1 AN ACT
2 relating to eliminating or modifying certain mandates on school
3 districts.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subsection (d), Section 11.1513, Education Code,
6 is amended to read as follows:

7 (d) The employment policy must provide that not later than
8 the 10th school day before the date on which a district fills a
9 vacant position for which a certificate or license is required as
10 provided by Section 21.003, other than a position that affects the
11 safety and security of students as determined by the board of
12 trustees, the district must provide to each current district
13 employee:

14 (1) notice of the position by posting the position on:

15 (A) a bulletin board at:

16 (i) a place convenient to the public in the
17 district's central administrative office; and

18 (ii) the central administrative office of
19 each campus in the district during any time the office is open; or

20 [~~and~~]

21 (B) the district's Internet website, if the
22 district has a website; and

23 (2) a reasonable opportunity to apply for the
24 position.

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1 SECTION 2. Section 25.112, Education Code, is amended by
2 amending Subsection (d) and adding Subsections (e), (f), and (g) to
3 read as follows:

4 (d) On application of a school district, the commissioner
5 may except the district from the limit in Subsection (a) if the
6 commissioner finds the limit works an undue hardship on the
7 district. An exception expires at the end of the school year
8 ~~[semester] for which it is granted[, and the commissioner may not~~
9 ~~grant an exception for:]~~

10 ~~[(1) more than one semester at a time].~~

11 (e) A school district seeking an exception under Subsection
12 (d) shall notify the commissioner and apply for the exception not
13 later than the later of:

14 (1) October 1; or

15 (2) the 30th day after the first school day the

16 district exceeds the limit in Subsection (a).

17 (f) If a school district repeatedly fails to comply with
18 this section, the commissioner may take any appropriate action
19 authorized to be taken by the commissioner under Section 39.131.

20 (g) Not later than January 1, 2011, the agency shall report
21 to the legislature the number of applications for exceptions under
22 Subsection (d) submitted by each school district and for each
23 application indicate whether the application was granted or denied.
24 This subsection expires February 1, 2011.

25 SECTION 3. Section 34.0021, Education Code, is amended by
26 amending Subsections (a) and (b) and adding Subsection (c-1) to
27 read as follows:

2

1 (a) Pursuant to the safety standards established by the
2 Department of Public Safety under Section 34.002, each school
3 district may [~~shall~~] conduct a training session for students and
4 teachers concerning procedures for evacuating a school bus during
5 an emergency.

6 (b) A school district that chooses to conduct a training
7 session under Subsection (a) is encouraged to [~~shall~~] conduct the
8 school bus emergency evacuation training session [~~at least twice~~
9 ~~each school year, with one training session occurring~~] in the fall
10 of the school year [~~and one training session occurring in the~~
11 ~~spring~~]. The school district is also encouraged to structure the
12 training session so that the session applies to school bus
13 passengers, a [A] portion of the [~~training~~] session occurs [~~must~~
14 ~~occur~~] on a school bus, and the [~~training~~] session lasts [~~must last~~]
15 for at least one hour.

16 (c-1) Immediately before each field trip involving
17 transportation by school bus, a school district is encouraged to
18 review school bus emergency evacuation procedures with the school
19 bus passengers, including a demonstration of the school bus
20 emergency exits and the safe manner to exit.

21 SECTION 4. Section 44.902, Education Code, is amended to
22 read as follows:

23 Sec. 44.902. LONG-RANGE ENERGY PLAN [~~GOAL~~] TO REDUCE
24 CONSUMPTION OF ELECTRIC ENERGY. (a) The board of trustees of a

25 school district shall establish a [long-range energy plan](#) [~~goal~~] to
26 reduce the [~~school~~] district's annual electric consumption by five
27 percent [beginning with the 2008](#) [~~each~~] state fiscal year [and](#)

3

1 consume electricity in subsequent fiscal years in accordance with
2 the district's energy plan [~~for six years beginning September 1,~~
3 ~~2007~~].

4 (b) The plan required under Subsection (a) must include:

5 (1) strategies for achieving energy efficiency that:

6 (A) result in net savings for the district; or

7 (B) can be achieved without financial cost to the

8 district; and

9 (2) for each strategy identified under Subdivision

10 (1), the initial, short-term capital costs and lifetime costs and

11 savings that may result from implementation of the strategy.

12 (c) In determining under Subsection (b) whether a strategy

13 may result in financial cost to the district, the board of trustees

14 shall consider the total net costs and savings that may occur over

15 the seven-year period following implementation of the strategy.

16 (d) The board of trustees may submit the plan required under

17 Subsection (a) to the State Energy Conservation Office for the

18 purposes of determining whether funds available through loan

19 programs administered by the office are available to the district.

20 SECTION 5. Subsection (b), Section 44.901, Education Code,

21 is **repealed**.

22 SECTION 6. This Act applies beginning with the 2009–2010

23 school year.

24 SECTION 7. This Act takes effect immediately if it receives

25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 300 passed the Senate on
March 25, 2009, by the following vote: Yeas 31, Nays 0; and that
the Senate concurred in House amendment on May 30, 2009, by the
following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 300 passed the House, with
amendment, on May 27, 2009, by the following vote: Yeas 148,
Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor