

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 462a

51st Legislature, 1st Session, 2013

Tracking Number: .191644.1

Short Title: School District Solvency Flexibility

Sponsor(s): Representative David M. Gallegos and Others

Analyst: Sarah Amador-Guzman

Date: February 28, 2013

AS AMENDED

The House Education Committee amendment removes school year 2014-2015.

Original Bill Summary:

HB 462 amends the *Public School Code* to:

- extend through school year 2013-2014 and school year 2014-2015 a temporary provision that allows the Secretary of Public Education to waive requirements in law and the Public Education Department (PED) rule relating to:
 - individual class load;
 - teaching load;
 - length of school day;
 - staffing patterns;
 - subject areas; and
 - purchases of instructional materials.

The bill also requires PED to monitor such waivers and report to the Legislative Education Study Committee (LESC) and the Legislative Finance Committee (LFC) on any matters that appear to adversely affect student learning.

Fiscal Impact:

HB 462 does not contain an appropriation.

Substantive Issues:

According to a prior LESC analysis of similar legislation, the primary benefit to school districts will be the waiver of individual class loads and teaching load requirements. These waivers may allow districts that are experiencing enrollment growth and budget shortfalls to maintain current staffing levels when they would otherwise be required to hire more teachers and build extra classrooms at an additional cost.

Background:

Allowable Waivers in Current Law

Current provisions in the *Public School Code*:

- allow a superintendent implementing a collaborative school improvement program to apply for a waiver of provisions relating to length of day, staffing patterns, subject area, or purchase of instructional material;
- exempt all charter schools from requirements pertaining to the length of the school day, staffing patterns, subject areas, and instructional materials; and
- provisions in the *Instructional Material Law* allow school district superintendents to request waivers of the use of funds for the purchase of instructional material either included or not included on the multiple list.

During the 2009 special session, legislation was enacted to add a temporary provision in the *Public School Code* for school year 2009-2010 through school year 2011-2012 to allow the Secretary of Public Education to waive requirements under the same criteria noted in the “Bill Summary,” above. Similar legislation was enacted in the 2012 special session extending these temporary provisions through school year 2012-2013. PED was also required to monitor the waivers and report to the LESC and the LFC on any issues or actions of a school district that appear to adversely affect student learning.

Committee Referrals:

HEC/HAFC

Related Bills:

SB 464 *School District Solvency Flexibility* (Identical)