

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 175

50th Legislature, 1st Session, 2011

Tracking Number: .182594.2

Short Title: School Closure & Consolidation Procedures

Sponsor(s): Representative Brian Egolf

Analyst: David Harrell

Date: February 7, 2011

Bill Summary:

HB 175 adds a new section to the *Public School Code* to provide procedures for closing or consolidating public schools within a school district. More specifically, the bill requires a local school board planning to close or consolidate schools:

- to comply with all applicable municipal and county ordinances and land use codes; and
- before a final vote is taken, to provide the Public Education Department (PED) a certification from the local government that the proposed closure or consolidation plan complies with all local laws or ordinances that would apply to a private entity.

Also before the final vote is taken, HB 175 requires the school district to perform a comprehensive analysis that demonstrates that the closing or consolidation will:

- result in financial savings to the school district during the next five-year period; or
- improve educational outcomes.

Finally, HB 175 requires PED to approve the district's analysis before the local school board may take a final vote on closure or consolidation.

Fiscal Impact:

HB 175 does not contain an appropriation.

Fiscal Issues:

School districts are likely to incur some costs in conducting the comprehensive analysis required in the bill.

Substantive Issues:

The PED analysis of HB 175 questions whether the bill is appropriate or necessary.

- In the first case, the bill “places the PED into an ultimate approval role on what may be more appropriately a local issue given a local community’s justification and reasoning for wanting to close or consolidate a school.”
- In the second case, the analysis identifies several local ordinances and state codes that public schools must already satisfy, suggesting that the provisions in HB 175 would be redundant.

Another point that might be raised is the potential conflict between HB 175 and the statutory duties of local school boards, which include “acquire, lease and dispose of property.”

Related Bills:

HJM 11a *Small School District Service Consolidation*
CS/SB 2 *School Capital Outlay, Grants & Consolidation*