

## **BILL ANALYSIS**

H.B. 2520  
By: Dutton  
Public Education  
Committee Report (Unamended)

### **BACKGROUND**

In 1995, legislation was passed that permitted a board of trustees to adopt rules for the safety and welfare of students, employees, and property, as well as other rules it considers necessary to carry out the governance of the district. In addition, it was determined that a violation of such rules is a Class C misdemeanor offense. School administrators have cited this law to ticket students for student code of conduct offenses. This interpretation of the law has created an influx of students appearing in court for these violations.

### **PURPOSE**

House Bill 2520 restricts administrators of a school district from ticketing a student for a violation of the student code of conduct adopted by the board that is not otherwise considered a violation under state or federal law.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 2520 amends the Education Code to prohibit a board of trustees of a school district to adopt or enforce a rule relating to rules for the safety and welfare of students, employees, and property (Section 37.102) under which a violation of the student code of conduct adopted under Section 37.001 is an offense, unless that violation would otherwise be an offense under state or federal law.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.