

BILL ANALYSIS

C.S.H.B. 623
By: Olivo
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law under the Texas Education Code Section(TEC) 37.001 (a) (6) requires school boards to provide how and when parents or guardians will be notified concerning disciplinary alternative education program (DAEP) removals under TEC 37.006 and expulsions under Section 37.007. Under current law, the method of parental notification must be in board policy and in the student code of conduct.

However, the range of time when parents or guardian are notified varies across the state. In some cases, school districts notify parents the same school day by phone call, in person when the parent comes to the school, or through a truancy officer. Data concerning the complete range of time for notifications is not available. Timely notification allows the parents to know the whereabouts of their children. Parental notification of disciplinary action is also key to ensuring that the parents are involved in addressing the disciplinary behavior of their child.

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

CSHB amends Chapter 26 of the Texas Education Code dealing with parental rights and responsibilities. This bill entitles a parent to immediate notice from a school district when their child is removed to a disciplinary or juvenile justice alternative education program.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect , this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute clarifies the timeline for parental notification. The added language provides that parental notice must be made no later than 5 p.m. on the first business day after the student is removed from class. The substitute language also changes the name of the subsection.