

BILL ANALYSIS

C.S.H.B. 3312
By: Anderson
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The problem of sensible discipline management, addressed under Subchapter G, Education Code, is getting policymaking authority down into the hands of those who have the day-to-day encounters with discipline and how it affects school safety, the validity of teacher authority, and the classroom environment.

CSHB 3312 adds language to Subchapter F, Education Code to allow for the establishment of campus-based, teacher-led school discipline policy committees.

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 3312 amends Section 11.253, Education Code, (Campus Planning and Site-Based Decision Making), to transfer responsibility for goals and methods for violence prevention to a site-based school discipline policy committee under Section 11.2351, if such a committee is established.

This bill creates a new Section 11.2351 to the Education Code (Site-Based School Discipline Policy Committee):

- (a) requires districts to allow for the establishment of a site-based school discipline policy committee.
- (b) states that if a petition signed by at least 50 percent of the classroom teachers on a campus requesting establishment of a committee is delivered to a principal by the end of the tenth instructional day, then establishment of the committee shall be approved.
- (c) states that a member of the committee must be a full-time classroom teacher.
- (d) states that the committee shall meet by the 20th instructional day and choose an executive board. Gives the executive board the authority to establish policies on how often the board and the committee will meet.
- (e) requires a site-based school discipline policy committee to establish certain policies regarding discipline management, goals & methods of violence prevention, teacher & school personnel safety, and methods for teachers to address the committee and board.

This bill adds language to Section 37.001, Education Code (Student Code of Conduct), to require that the board of trustees of an independent school district adopt a student code of conduct with the advice of a site-based school discipline policy committee if such committees are established.

This bill amends Section 37.002, Education Code (Removal By Teacher), to allow a site-based school discipline policy committee, if such a committee is established, to review matters of returning a disciplined student to a teacher's classroom.

EFFECTIVE DATE

This Act applies beginning with the 2005 -2006 school year.

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 conforms to Legislative Council style and format. Furthermore, In SECTION 2 of the bill, the petition requirement on starting a committee is raised from 25 to 50 percent of teachers on a campus. In SECTION 4 of the bill, an existing placement review committee, deleted in the introduced version of the bill, is restored.