

BILL ANALYSIS

Senate Research Center
79R7556 BDH-F

S.B. 1121
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Education
4/27/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, there is no due process for in-school suspensions and out-of-school suspensions. Students can be placed in in-school suspensions for an unlimited amount of time. Schools place students in out-of-school suspensions numerous times throughout a school year without limitation to the number of days they can be placed in suspension. In the 2003-2004 school year, there were 1,601,000 in-school suspensions and more than 500,000 out-of-school suspensions. There is a need to regulate these school suspensions to ensure that the students are receiving equal treatment and the proper punishment is being dispensed to the students.

As proposed, S.B. requires a written statement to be provided to the student detailing the manner in which the student is a safety concern for the campus.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 37.009(a) and (f), Education Code, as follows:

(a) Requires the principal or other appropriate administrator, not later than the third class day after the day on which a student is removed from class by the teacher under Section 37.002(b) or (d) (Removal by Teacher) or by the school principal or other appropriate administrator under Section 37.001(a)(2) (Student Code of Conduct), 37.005 (Suspension), or 37.006 (Removal for Certain Conduct), to schedule a conference among the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student. Provides that at the conference, the student is entitled to written notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. Requires the notice, in a conference for removal under Section 37.005 or 37.006, to also include a written statement of the manner in which the student is a safety concern for the campus. Deletes existing text relating to an oral notice of removal.

(f) Provides that at the hearing, the student is entitled to written notice that includes the reasons for the removal and a statement of the manner in which the student is a safety concern for the campus.

SECTION 2. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.