

## **BILL ANALYSIS**

C.S.H.B. 314  
By: Eissler  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, parents of multiple birth siblings have no right to influence the classroom placement of their children. Some schools arbitrarily separate multiple birth siblings against the wishes of their parents, even though there is no research indicating that separation is beneficial to the children. Every family and every child is different, and parental input should be an important factor in determining whether these children would function better in the same classroom or in different classrooms.

This bill would allow parents to request that the school place multiple birth siblings in the same classroom or in different classrooms. A parent's request must be honored unless the placement is determined to be disruptive or the placement would require adding additional classes.

The bill would also allow a school to recommend an appropriate placement for the siblings and to provide professional educational advice to assist parents in making decisions regarding appropriate classroom placement.

### **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**

The bill allows a parent of multiple birth siblings assigned to the same grade level and school to request that the children be placed in either the same or separate classrooms. The request must be made within the time period specified by the bill. The school must honor the parent's request unless (1) at the end of the first grading period following enrollment, the principal in consultation with the children's teacher(s), determines that the requested placement is disruptive, in which case the principal may determine appropriate classroom placement(s) for the children; or (2) the request would require the school district to add an additional class to the grade level of the multiple birth siblings.

Parents may appeal a principal's decision, and their children would remain in the classroom(s) chosen by parents during the appeal.

The bill allows the school to recommend appropriate classroom placement to the parent and to provide professional educational advice to assist the parent with the decision regarding appropriate classroom placement.

The bill specifically provides that a school district is not required to place multiple birth siblings in separate classrooms if the request would require the school district to add an additional class to the grade level of the multiple birth siblings.

The changes in law made the bill do not affect a right or obligation under Subchapter A, Chapter 29, Education Code, or under the federal Individuals with Disabilities Education Act regarding the individual placement decisions of the school district admission, review, and dismissal committee.

The provisions of the bill would be applicable beginning with the 2007-2008 school year.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The original bill required the school board school district board of trustees to make the determination that an alternative placement to the parent's request is appropriate. The substitute bill vests this decision with the principal, but makes the decision appealable in the manner provided by school district policy.

The substitute specifically provides that a school district is not required to place multiple birth siblings in separate classrooms if the request would require the school district to add an additional class to the grade level of the multiple birth siblings. The original bill did not include this provision.

The substitute provides that the changes in law made the bill do not affect a right or obligation under Subchapter A, Chapter 29, Education Code, or under the federal Individuals with Disabilities Education Act regarding the individual placement decisions of the school district admission, review, and dismissal committee. The original bill did not include this provision.