

BILL ANALYSIS

H.B. 2183
By: Geren
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The first priority on every public school campus must be to create and maintain an environment that is conducive to effective teaching and learning. When students and teachers fear for their own safety or are overly anxious due to violence, gang activity, bullying, or disruptive classroom behaviors, the environment is compromised and teachers cannot teach, students cannot learn, and parents are reluctant or refuse to place their children in such a school. Just as the Commissioner of Education is currently required to intervene when campuses fail to meet standards for student academic performance, this bill establishes an intervention mechanism to address school safety and security procedures needed when students are expelled for serious offenses under Section 37.007(a)(2) of the Education Code.

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

Note: Unless otherwise specified, all statutory references in this BILL ANALYSIS are to the Education Code.

This bill provides that, not later than the third school day after the day a school district expels a student under Section 37.007(a)(2) (for conduct involving elements of very serious criminal offenses which are specified in that provision of the Education Code), the district shall report the expulsion to the Commissioner of Education (commissioner). On the first expulsion of any student from a campus under Section 37.007(a)(2) during a school year, the commissioner may require the campus to consult with the Texas School Safety Center to determine appropriate school safety and security procedures. On the second expulsion of any student from the same campus under Section 37.007(a)(2) during a school year, the commissioner shall review any safety plan adopted by the campus, require the campus to consult with the Texas School Safety Center to determine appropriate safety and security procedures, and require the campus to consult with a local or state law enforcement agency on appropriate safety and security measures to be implemented by the campus. On the third expulsion of any student from the same campus under Section 37.007(a)(2) during a school year, the commissioner shall establish a safety plan at the campus and monitor the implementation of the plan, and review the safety plan each quarter.

The bill provides that the commissioner may require a campus subject to the commissioner's safety plan to submit to the commissioner student statistics regarding safety and violence at the campus. The commissioner is responsible for the safety plan of the campus until the commissioner determines that the school district may resume control of the safety plan.

The bill provides that the cost for implementing a safety plan established by the commissioner at a campus is the responsibility of the school district in which the campus is located.

The bill provides that the Act applies 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.

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