

By: Eissler, Eiland, et al.

H.B. No. 314

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the classroom placement of multiple birth siblings in
3 public schools.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 25, Education Code, is
6 amended by adding Section 25.043 to read as follows:

7 Sec. 25.043. CLASSROOM PLACEMENT OF MULTIPLE BIRTH
8 SIBLINGS. (a) In this section:

9 (1) "Multiple birth sibling" means a twin, triplet,
10 quadruplet, or other sibling resulting from a multiple birth.

11 (2) "Parent" includes a parent standing in parental
12 relation.

13 (b) The parent of multiple birth siblings who are assigned
14 to the same grade level and school may request in writing, not later
15 than the 14th day after the first day of enrollment, that the school
16 place the siblings in the same classroom or in separate classrooms.

17 (c) Except as provided by Subsection (d) or (g), a school
18 shall provide the multiple birth siblings with the classroom
19 placement requested by the parent.

20 (d) At the end of the first grading period following the
21 multiple birth siblings' enrollment in the school, if the principal
22 of the school, in consultation with the teacher of each classroom in
23 which the multiple birth siblings are placed, determines that the
24 requested classroom placement is disruptive to the school, the

1 principal may determine the appropriate classroom placement for the
2 siblings.

3 (e) A parent may appeal the principal's classroom placement
4 of multiple birth siblings in the manner provided by school
5 district policy. During an appeal, the multiple birth siblings
6 shall remain in the classroom chosen by the parent.

7 (f) The school may recommend to a parent the appropriate
8 classroom placement for the multiple birth siblings and may provide
9 professional educational advice to assist the parent with the
10 decision regarding appropriate classroom placement.

11 (g) A school district is not required to place multiple
12 birth siblings in separate classrooms if the request would require
13 the school district to add an additional class to the grade level of
14 the multiple birth siblings.

15 (h) This section does not affect a right or obligation under
16 Subchapter A, Chapter 29, or under the Individuals with
17 Disabilities Education Act (20 U.S.C. Section 1400 et seq.)
18 regarding the individual placement decisions of the school district
19 admission, review, and dismissal committee.

20 SECTION 2. Section 25.043, Education Code, as added by this
21 Act, applies beginning with the 2007-2008 school year.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2007.