

SENATE AMENDMENTS

2nd Printing

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.

ADOPTED

APR 26 2007

Atty. Gen.
Secretary of the Senate

By: *Richard King Porter* H.B. No. 314
Substitute the following for H.B. No. 314 :
By: *Nancy Pitts* C.S.H.B. No. 314

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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:

16 (1) a right or obligation under Subchapter A, Chapter
17 29, or under the Individuals with Disabilities Education Act (20
18 U.S.C. Section 1400 et seq.) regarding the individual placement
19 decisions of the school district admission, review, and dismissal
20 committee; or

21 (2) the right of a school district or teacher to remove
22 a student from a classroom under Chapter 37.

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

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 17, 2007

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB314** by Eissler (relating to the classroom placement of multiple birth siblings in public schools.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

School districts would be required to honor parents' requests for classroom placements of multiple birth siblings. If after the first grading period the principal and teacher determined the placement to be disruptive, the principal would be authorized to determine appropriate classroom placement. Parental appeal of a change in placement would be allowed in the manner provided by local district policy. Local administrative workload and associated costs for review and consideration of disruptive placements would vary from district to district but would not be anticipated to be significant on a statewide basis. The bill would not affect the placement of students with disabilities which would continue to be determined through the admission, review, and dismissal committee process. The bill would not affect the right of a school district or teacher to remove a student from a classroom under Chapter 37, Education Code.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 13, 2007

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB314** by Eissler (Relating to the classroom placement of multiple birth siblings in public schools.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

School districts would be required to honor parents' requests for classroom placements of multiple birth siblings. If after the first grading period the principal and teacher determined the placement to be disruptive, the principal would be authorized to determine appropriate classroom placement. Parental appeal of a change in placement would be allowed in the manner provided by local district policy. Local administrative workload and associated costs for review and consideration of disruptive placements would vary from district to district but would not be anticipated to be significant on a statewide basis. The bill would not affect the placement of students with disabilities which would continue to be determined through the admission, review, and dismissal committee process.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 8, 2007

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB314** by Eissler (relating to the classroom placement of multiple birth siblings in public schools.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

School districts would be required to honor parents' requests for classroom placements of multiple birth siblings. If after the first grading period the principal and teacher determined the placement to be disruptive, the principal would be authorized to determine appropriate classroom placement. Parental appeal of a change in placement would be allowed in the manner provided by local district policy. Local administrative workload and associated costs for review and consideration of disruptive placements would vary from district to district but would not be anticipated to be significant on a statewide basis. The bill would not affect the placement of students with disabilities which would continue to be determined through the admission, review, and dismissal committee process.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 9, 2007

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB314 by Eissler (Relating to the classroom placement of multiple birth siblings in public schools.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

School districts would be required to honor parents' requests for classroom placements of multiple birth siblings. If after the first grading period the principal and teacher determined the placement to be disruptive, the matter would be referred to the district board of trustees. Local administrative workload and associated costs for review and consideration of disruptive placements would vary from district to district but would not be anticipated to be significant on a statewide basis.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp

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