

BILL ANALYSIS

H.B. 1952
By: Thompson, Senfronia
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Previous legislation made significant changes to state law governing student discipline. Such changes include specifying the type of misconduct for which placement in a disciplinary alternative education program or expulsion is required, while leaving the length of such placement or expulsion a matter of local discretion, and granting discretion to a teacher to remove a disruptive student from the classroom, with significant restrictions on the authority of an administrator to return such a student to the teacher's class without the teacher's consent.

Interested parties assert that the effectiveness of such legislation has been undermined by the failure of some administrators to correctly apply these laws. For example, the public has often been led to believe that state law mandates a minimum term of disciplinary alternative education placement or expulsion. Administrative error and confusion have frustrated teachers in their efforts to exercise the discretionary authority to remove a disruptive student from their classrooms. H.B. 1952 seeks to ensure correct and consistent enforcement of state law relating to discipline management by school administrators.

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

H.B. 1952 amends the Education Code to require each principal or other appropriate administrator who oversees student discipline, at least once every three school years, to attend professional development training regarding alternative settings for behavior management, including training relating to the distinction between a discipline management technique used at the principal's discretion when a student is sent to the principal's office and the discretionary authority of a teacher to remove a disruptive student from the classroom. The bill authorizes such professional development training to be provided in coordination with regional education service centers through the use of distance learning methods, such as telecommunications networks, and using available Texas Education Agency resources. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.