

BILL ANALYSIS

C.S.H.B. 2367
By: Allen
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law specifies the circumstances under which a student can be removed from a classroom, campus, or disciplinary alternative education program and details the procedure for a teacher to remove a student from a classroom. These items must be included in each school district's code of conduct adopted by the district board of trustees.

C.S.H.B. 2367 seeks to include school buses among the places from which a student can be removed and to allow a school bus driver to send a student to the principal in order to maintain discipline on a school bus that is transporting students to or from school or a school-related activity or event.

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

C.S.H.B. 2367 amends the Education Code to require the student code of conduct adopted by the board of trustees of an independent school district to specify the circumstances under which a student may be removed from a school bus.

C.S.H.B. 2367 authorizes the driver of a school bus transporting students to or from school or a school-sponsored or school-related activity to send a student to the principal's office to maintain effective discipline on the school bus. The bill requires the principal to respond by employing appropriate discipline management techniques consistent with the student code of conduct. The bill makes statutory provisions regarding the placement of students with disabilities applicable to any placement under the bill's provisions of a student with a disability who receives special education services. 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.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2367 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 37.001(a), Education	SECTION 1. Same as introduced version.

Code, is amended.

SECTION 2. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0022 to read as follows:

Sec. 37.0022. REMOVAL BY SCHOOL BUS DRIVER. (a) The driver of a school bus transporting students to or from school or a school-sponsored or school-related activity may send a student to the principal's office to maintain effective discipline on the school bus. The principal shall respond by employing appropriate discipline management techniques consistent with the student code of conduct adopted under Section 37.001.

(b) The driver of a school bus transporting students to or from school or a school-sponsored or school-related activity shall send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who, while on the school bus, engages in conduct described under Section 37.006 or 37.007.

SECTION 3. This Act applies beginning with the 2013-2014 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0022 to read as follows:

Sec. 37.0022. REMOVAL BY SCHOOL BUS DRIVER. (a) The driver of a school bus transporting students to or from school or a school-sponsored or school-related activity may send a student to the principal's office to maintain effective discipline on the school bus. The principal shall respond by employing appropriate discipline management techniques consistent with the student code of conduct adopted under Section 37.001.

(b) Section 37.004 applies to any placement under Subsection (a) of a student with a disability who receives special education services.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.