

BILL ANALYSIS

C.S.H.B. 3896
By: Turner, Sylvester
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerned parties report that schools must allow students to take home any instructional materials used by the student if requested by the parent, subject to the availability of the instructional materials. Unfortunately, the parties report, many school district and open-enrollment charter schools across Texas are not allowing students to take their textbooks home, even at the request of their parents, citing a fear that students will fail to bring their textbooks back. The parties suggest that by limiting access to textbooks for use at home, students are being prevented from achieving their maximum potential.

The parties also report that school instructional materials take many forms, including electronic, and assert that since many economically disadvantaged students do not have access to the devices necessary to view electronic instructional materials at home, schools should provide these students any requested instructional materials printed in book format. C.S.H.B. 3896 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 3896 amends the Education Code to require a school district or open-enrollment charter school to provide any instructional materials the district or charter school allows the student to take home on request of the student's parent in printed book format if a student does not have reliable access to technology at home. The bill requires a school district or open-enrollment charter school to document each parental request to allow a student to take home instructional materials used by the student that the district or charter school denies, including the reasons for denial, and to report to the Texas Education Agency (TEA) that the request has been denied not later than the 30th day after the date the parental request is received by the district or charter school. The bill requires TEA to submit an annual report to the legislature not later than September 1 of each year that includes the number of parental requests that each school district and open-enrollment charter school denied and the reasons for denial. The bill's provisions apply beginning with the 2015–2016 school year.

C.S.H.B. 3896 repeals a statutory provision that provides for the expiration of statutory provisions relating to technology lending program grants.

C.S.H.B. 3896 repeals Section 32.205, Education Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3896 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 26.006, Texas Education Code, is amended to read as follows:

Sec. 26.006. ACCESS TO TEACHING MATERIALS. (a) A parent is entitled to:

(1) review all teaching materials, instructional materials, and other teaching aids used in the classroom of the parent's child; and

(2) review each test administered to the parent's child after the test is administered.

(b) A school district shall make teaching materials and tests readily available for review by parents. The district may specify reasonable hours for review.

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student. If the student does not have reliable access to technology at home, the school district or open-enrollment charter school shall provide the instructional materials printed in book format. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher.

In this subsection, "instructional material" has the meaning assigned by Section 31.002.

(d) A school district or open-enrollment charter school must document each parental

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 26.006, Education Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student.

Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher.

A school district or open-enrollment charter school must provide the instructional materials to the student in printed book format if the student does not have reliable access to technology at the student's home.

In this subsection, "instructional material" has the meaning assigned by Section 31.002.

(d) A school district or open-enrollment charter school must document each parental

request which is denied, including the reason for denial, and must report the documentation to the Texas Education Agency not later than 30 days after the parental request is made.

(e) The agency shall submit an annual report to the legislature not later than September 1 of each year that identifies the number of parental requests which were denied, including the reason for denial, for each school district or open-enrollment charter school.

No equivalent provision.

No equivalent provision.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all 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, 2015.

request made under Subsection (c) to allow a student to take home instructional material used by the student that the district or school denies. The documentation must include the reasons for denying the request. Not later than the 30th day after the date the district or school receives the request, the district or school must report to the agency that the request has been denied.

(e) Not later than September 1 of each year, the agency shall submit an annual report to the legislature that includes the number of parental requests made under Subsection (c) to allow a student to take home instructional material used by the student that each school district and open-enrollment charter school denied and the reasons for the denial.

SECTION 2. Section 32.205, Education Code, is repealed.

SECTION 3. Section 26.006, Education Code, as amended by this Act, applies beginning with the 2015-2016 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, 2015.