

SENATE AMENDMENTS

2nd Printing

By: Ashby

H.B. No. 1569

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure to public schools of certain records of students placed in residential facilities.

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

SECTION 1. Section 29.012, Education Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) Except as provided by Subsection (g), a residential facility shall provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information retained by the facility relating to the student's:

(1) school records;

(2) behavioral history; and

(3) record of arrests or indictments or other formal charges and the disposition of those arrests, indictments, or charges.

(g) Subsection (f) does not apply to a:

(1) juvenile pre-adjudication secure detention facility; or

(2) juvenile post-adjudication secure correctional facility.

SECTION 2. 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

H.B. No. 1569

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

Atty. Gen. Spaw
Secretary of the Senate

By: *Robert Lee Nichols*

H.B. No. 1569

Substitute the following for H.B. No. 1569:

By: *Van Taylor*

C.S. H.B. No. 1569

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the disclosure to public schools of certain records of
3 students placed in residential facilities.

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

5 SECTION 1. Section 29.012, Education Code, is amended by
6 adding Subsections (f) and (g) to read as follows:

7 (f) Except as provided by Subsection (g), a residential
8 facility shall provide to a school district or open-enrollment
9 charter school that provides educational services to a student
10 placed in the facility any information retained by the facility
11 relating to:

12 (1) the student's school records, including records
13 regarding:

14 (A) special education eligibility or services;

15 (B) behavioral intervention plans;

16 (C) school-related disciplinary actions; and

17 (D) other documents related to the student's
18 educational needs;

19 (2) any other behavioral history information
20 regarding the student that is not confidential under another
21 provision of law; and

22 (3) the student's record of convictions or the
23 student's probation, community supervision, or parole status, as
24 provided to the facility by a law enforcement agency, local

1 juvenile probation department or juvenile parole office, community
2 supervision and corrections department, or parole office, if the
3 information is needed to provide educational services to the
4 student.

5 (g) Subsection (f) does not apply to a:

6 (1) juvenile pre-adjudication secure detention
7 facility; or

8 (2) juvenile post-adjudication secure correctional
9 facility.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1569 by Ashby (Relating to the disclosure to public schools of certain records of students placed in residential facilities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

This bill would amend the Education Code to require residential facilities to provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information relating to the student's school records. The bill would also require residential facilities to disclose certain behavioral history information, and certain information related to criminal records. The bill would take effect immediately if passed within the necessary voting margins, or September 1, 2017.

The Texas Education Agency and Juvenile Justice Department indicate the bill could be implemented with existing resources.

Local Government Impact

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

Source Agencies: 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: UP, SD, RSt, THo, AM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 18, 2017

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1569 by Ashby (Relating to the disclosure to public schools of certain records of students placed in residential facilities.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

This bill would amend the Education Code to require residential facilities to provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information relating to the student's school records. The bill would also require residential facilities to disclose certain behavioral history information, and certain information related to criminal records. The bill would take effect immediately if passed within the necessary voting margins, or September 1, 2017.

The Texas Education Agency and Juvenile Justice Department indicate the bill could be implemented with existing resources.

Local Government Impact

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

Source Agencies: 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: UP, RSt, THo, AM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 9, 2017

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1569 by Ashby (Relating to the disclosure to public schools of certain records of students placed in residential facilities.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
--

This bill would amend the Education Code to require residential facilities to provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information relating to the student's school records, behavioral history, and record of arrests, indictments, or other formal charges and the disposition of such. The bill would also amend the Human Resources Code to require residential treatment facilities to provide the same information to an open-enrollment charter school that provides educational services to a student placed in the residential treatment facility. The bill would take effect immediately if passed within the necessary voting margins, or September 1, 2017.

The Texas Education Agency and Juvenile Justice Department indicate the bill could be implemented with existing resources.

Local Government Impact

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

Source Agencies: 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: UP, THo, AM, RSt

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 17, 2017

TO: Honorable Dan Huberty, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1569 by Ashby (Relating to the disclosure to public schools of certain records of students placed in residential facilities.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend the Education Code to require residential facilities to provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information relating to the student's school records, behavioral history, and record of arrests, indictments, or other formal charges and the disposition of such. The bill would also amend the Human Resources Code to require residential treatment facilities to provide the same information to an open-enrollment charter school that provides educational services to a student placed in the residential treatment facility. The bill would take effect immediately if passed within the necessary voting margins, or September 1, 2017.

The Texas Education Agency and Juvenile Justice Department indicate the bill could be implemented with existing resources.

Local Government Impact

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

Source Agencies: 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: UP, THo, AM, RSt