

By: Allen

H.B. No. 2183

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to school district and open-enrollment charter school  
3 reporting of certain releases of a student to the student's parent  
4 after school-initiated communication.

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

6 SECTION 1. Subchapter C, Chapter 25, Education Code, is  
7 amended by adding Section 25.0875 to read as follows:

8 Sec. 25.0875. REPORTING OF RELEASE OF STUDENT TO PARENT  
9 AFTER SCHOOL-INITIATED COMMUNICATION. (a) In this section,  
10 "parent" includes a person standing in parental relation.

11 (b) A school district or open-enrollment charter school  
12 that releases a student to the student's parent before the end of  
13 the instructional day and after the parent receives a  
14 school-initiated communication shall provide to the agency a report  
15 about the communication and the student's release not later than  
16 the third instructional day after the date the communication and  
17 release occur if the district or school releases the student:

18 (1) as a disciplinary management technique; or

19 (2) as a reaction to the student's behavior that  
20 impedes the student's ability to learn but does not:

21 (A) violate the student code of conduct under  
22 Section 37.001; or

23 (B) require disciplinary action.

24 (c) A report required under Subsection (b) must include:

- 1           (1) the name of the student;
- 2           (2) the race, ethnicity, sex, and socioeconomic status  
3 of the student;
- 4           (3) a statement of whether the student receives  
5 special education services under Subchapter A, Chapter 29;
- 6           (4) a statement of whether the student is identified  
7 as a student of limited English proficiency, as defined by Section  
8 29.052;
- 9           (5) a statement of whether the student's release was an  
10 excused absence under Section 25.087;
- 11           (6) a statement of the approximate amount of the  
12 instructional day remaining after the student's release;
- 13           (7) the date of the school-initiated communication and  
14 the release of the student;
- 15           (8) the reason for the school-initiated communication  
16 and the release of the student;
- 17           (9) the approximate time of the communication;
- 18           (10) the approximate time of the student's release;
- 19 and
- 20           (11) a summary of the communication.
- 21           (d) A school district or open-enrollment charter school  
22 shall retain a copy of each report provided under Subsection (b).
- 23           (e) In addition to the individual reporting requirement  
24 under this section, the commissioner by rule shall:
- 25           (1) require each school district and open-enrollment  
26 charter school annually to report through the Public Education  
27 Information Management System the information described under

1 Subsections (c)(2) through (10); and  
2 (2) ensure the reporting required by this section  
3 complies with federal law regarding confidentiality of student  
4 medical or educational information, including the Health Insurance  
5 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d  
6 et seq.) and the Family Educational Rights and Privacy Act of 1974  
7 (20 U.S.C. Section 1232g), and any state law relating to the privacy  
8 of student information.

9 (f) The agency shall make the following information  
10 collected under Subsection (e) available to the public,  
11 disaggregated by:

- 12 (1) race;  
13 (2) ethnicity;  
14 (3) sex;  
15 (4) socioeconomic status of the student;  
16 (5) whether the student is in a special education  
17 program under Subchapter A, Chapter 29; and  
18 (6) whether the student is identified as a student of  
19 limited English proficiency, as defined by Section 29.052.

20 (g) The agency shall provide the information under  
21 Subsection (f) in a manner that does not identify an individual  
22 student. The agency shall also make the information available to  
23 the public in a manner showing all intersectional data for the  
24 categories described by Subsection (f).

25 SECTION 2. Chapter 26, Education Code, is amended by adding  
26 Section 26.0045 to read as follows:

27 Sec. 26.0045. ACCESS TO REPORT OF RELEASE OF STUDENT. A

1 parent is entitled to access to a copy of each report provided to  
2 the agency under Section 25.0875 with respect to the parent's  
3 child.

4 SECTION 3. This Act applies beginning with the 2019-2020  
5 school year.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2019.