

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1144
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Education
3/17/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Expulsion from school can be a life-altering event for a student. An expelled student loses access to a school that may be the only positive environment in that student's life. The student also faces a much more difficult path to finish high school, pursue higher education, and move on to a rewarding career.

Expulsion is necessary at times as a means of discipline and to protect the safety of other students and teachers. It also is required under Texas law for particularly egregious behavior and certain crimes. When expulsion is discretionary, however, it should be used as a last resort because of its potential for lifelong repercussions. For some students facing expulsion, virtual education may be a way for them to be removed from the school environment but still continue their education. S.B. 1144 requires a public school to explore this option before expelling a student. The school is not required to enroll the student in virtual education before expulsion but only consider this option.

Explanation of Committee Substitute:

S.B. 1144 directs public schools to consider enrolling a student facing expulsion in the Texas Virtual School Network (TXVSN) under Chapter 30A of the Texas Education Code. Over the past several years, public schools have had the authority under S.B. 15 (87(2)) to offer their own virtual education programs, separate and apart from the TXVSN. S.B. 15 expires on September 1, 2023, but there likely will be successor legislation. The committee substitute for S.B. 1144 will make allowance for such successor legislation by directing public schools to consider for a student facing expulsion not only TXVSN but other virtual education programs that may be authorized by law.

C.S.S.B. 1144 amends current law relating to enrolling a public school student in a virtual education program as an alternative to expulsion.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 37, Education Code, by adding Section 37.0071, as follows:

Sec. 37.0071. VIRTUAL EDUCATION AS ALTERNATIVE TO EXPULSION. (a) Requires a school district or open-enrollment charter school, except as provided by Subsection (b), before the district or school is authorized to expel a student, to consider as an alternative to expulsion the appropriateness and feasibility of enrolling the student in a full-time virtual education program through the state virtual school network under Chapter 30A (State Virtual School Network) or another virtual education program authorized by this code.

(b) Provides that Subsection (a) does not apply to a student expelled under Section 37.0081 (Expulsion and Placement of Certain Students in Alternative Settings) or 37.007(a) (relating to requiring a student to be expelled for certain offenses committed on school property or while attending a school-sponsored or school-related activity on or off of school property), (d) (relating to requiring a student to be expelled for certain offenses against an employee or volunteer), or (e) (relating to requiring a school district, home-rule school district, or open-enrollment charter school to expel a student who brings a firearm to school).

SECTION 2. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.