

By: Allen

H.B. No. 773

A BILL TO BE ENTITLED

AN ACT

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

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. CERTAIN RELEASES OF STUDENT TO PARENT AFTER
9 SCHOOL-INITIATED COMMUNICATION PROHIBITED. (a) In this section,
10 "parent" includes a person standing in parental relation.

11 (b) Except as provided by Subsection (c), a school district
12 or open-enrollment charter school may not release a student to the
13 student's parent before the end of the instructional day and after
14 the parent receives a school-initiated communication if the release
15 of the student is:

16 (1) a disciplinary management technique; or

17 (2) a reaction to the student's behavior that impedes
18 the student's ability to learn but does not:

19 (A) violate the student code of conduct under
20 Section 37.001; or

21 (B) require disciplinary action.

22 (c) A school district or open-enrollment charter school may
23 release a student to the student's parent before the end of the
24 instructional day if the student's release occurs because the

1 student is:

2 (1) suspended under Section 37.005; or

3 (2) expelled under Section 37.0052, 37.007, or

4 37.0081.

5 SECTION 2. This Act applies beginning with the 2023-2024
6 school year.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.