

**SUBJECT:** Expelling students for dangerous conduct in other school districts

**COMMITTEE:** Public Education — favorable, without amendment

**VOTE:** 8 ayes — Grusendorf, Branch, Dawson, Dutton, Eissler, Griggs, Hochberg, Madden  
0 nays  
1 absent — Oliveira

**WITNESSES:** For — Tim Bacon, Texas State Teachers Association; Amy Beneski, Texas Association of School Administrators; Dwight Harris, Texas Federation of Teachers; Lonnie Hollingsworth, Texas Classroom Teachers Association; JoHanna Whitsett, Association of Texas Professional Educators  
Against — None

**BACKGROUND:** Under Education Code, sec. 37.007(a), a public school student must be expelled from school for committing certain serious offenses on school property or while attending a school-sponsored or school-related activity on or off of school property. These offenses include using, exhibiting, or possessing a firearm, illegal knife, club, or prohibited weapon; committing aggravated assault, sexual assault, arson, murder, indecency with a child, or aggravated kidnaping; or committing a drug-related crime punishable as a felony.

**DIGEST:** HB 552 would allow a school district to expel a student for committing one of the serious offenses listed above on school property of another district in Texas or while attending a school-sponsored or school-related activity of a school in another district.  
  
The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2003. It would apply beginning with the 2003-04 school year.

**SUPPORTERS SAY:** HB 552 would clear up confusion about whether a school district can expel a student for dangerous behavior on the campus of a school in a different

district. While a district has clear authority to expel students for dangerous behavior within the district or at school-sponsored events outside the district, existing law is unclear about a district's authority in situations that take place in another district. HB 552 would eliminate this confusion by providing clear statutory authority for school districts in such situations.

**OPPONENTS  
SAY:**

HB 552 is unnecessary. Education Code, sec. 37.007(a) states that a student must be expelled for committing various offenses "on school property" or while attending school-sponsored events "on or off of school property." This broad language authorizes a school district to expel a student for dangerous behavior on any school campus.