

- SUBJECT:** Parental request for classroom placement of multiple birth siblings
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 7 ayes — Eissler, Zedler, Delisi, Dutton, Hochberg, Mowery, Patrick
0 nays
2 absent — Branch, Olivo
- WITNESSES:** For — Jessica Green; Cheri Heldstab; Nancy Langdon; (*Registered, but did not testify:* Lanie Boose; Portia Bosse, Texas State Teachers Association; Jennifer Canaday, Association of Texas Professional Educators; Holly Eaton, Texas Classroom Teachers Association; Kim Lane; Julie Robinson)

Against — None

On — Amy Beneski, Texas Association of School Administrators & Texas Association of School Board Members
- DIGEST:** HB 314 would add sec. 25.043 to the Education Code, permitting parents of multiple-birth siblings assigned to the same grade level to request that a school place their children in the same or separate classrooms. The request would have to be made no later than 14 days after the first day of enrollment.
- After the first grading period, if the principal, in consultation with the teacher, found the placement disruptive, the principal could determine the appropriate classroom placement. A parent could appeal the decision according to school district policy. During the appeal process, multiple-birth siblings would remain in the classroom requested by the parent.
- A school could recommend the appropriate classroom placement to a parent and could provide for professional educational advice to help parents with the decision.
- A school district would not be required to place multiple-birth siblings in separate classrooms if it required the district to add a classroom to that

grade level. The bill would not affect individual placement decisions related to special education programs or to the Individuals with Disabilities Education Act.

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, 2007. It would apply beginning with the 2007-2008 school year.

**SUPPORTERS
SAY:**

HB 396 would provide uniform guidance on the placement of multiple-birth siblings in classrooms. Current law provides no guidance for schools and parents regarding classroom placement of multiple-birth siblings. Policies vary among school districts and even between schools within a district. Parents become frustrated and confused with inconsistent policies as their children advance grade levels or change schools.

Studies indicate that the maturation and development of multiple-birth siblings can be delayed, rather than enhanced, if the siblings are separated too early. Multiple-birth siblings permitted to remain together until they are ready to separate themselves often adjust better both academically and socially. If separated too soon, multiple-birth siblings can suffer emotional anxiety and stress because they are concerned with the whereabouts of a sibling. This anxiety can make it difficult for the children to focus on schoolwork.

Classroom placement of multiple-birth siblings should allow individual consideration for each family. Each set of multiple-birth siblings has its own dynamic and developmental timetable. Also, every family is different, and parental influence should be an important consideration when determining whether the children would function best in the same or separate classrooms. This consideration can be especially important when the children are enrolling in school for the first time.

**OPPONENTS
SAY:**

School districts currently have discretion to determine policies regarding the placement of multiple-birth siblings in classrooms. While creating a policy that would permit parents to influence classroom placement could be beneficial for multiple-birth siblings, it also could have unintended consequences for schools. Other parents could view this change in policy as a means to negotiate other changes to accommodate the specific needs of their children.

The decision to place children in classrooms should be left to the discretion of school administrators, who have the task of managing and implementing practices that best suit their schools. School administrators cannot perform their jobs adequately if they are expected to accommodate of all individual requests made by parents.

NOTES:

The original bill would have authorized a school board to determine classroom placement at the request of a principal. The committee substitute would give this authority to the principal and allow parents to appeal the decision.

The substitute added a provision that school districts would not be required to place multiple-birth siblings in separate classroom if it would require adding a class to the grade level. It also added that any rights or obligations with respect to special education programs or students with disabilities would not be affected.

The companion bill, SB 403 by Van de Putte, was reported favorably as substituted by the Senate Education Committee on March 21 and recommended for the Local and Uncontested Calendar.