

**SUBJECT:** Prohibiting the release of a student under certain circumstances

**COMMITTEE:** Youth Health & Safety, Select — committee substitute recommended

**VOTE:** 6 ayes — S. Thompson, Hull, Allison, A. Johnson, T. King, Lozano  
1 nay — Dutton  
2 absent — Capriglione, Landgraf

**WITNESSES:** For — Jacquie Benestante, Autism Society of Texas; Jolene Sanders, Coalition of Texans with Disabilities (*Registered, but did not testify*: Steven Aleman, Aaryce Hayes, Disability Rights Texas; Paige Duggins-Clay, IDRA; Leonard Aguilar, Texas AFL-CIO; Alycia Castillo, Texas Center for Justice and Equity; Ashley Ford, The Arc of Texas; Eve Margolis; Chris Masey)  
  
Against — (*Registered, but did not testify*: Jennifer Fleck, Texas Education 911; Adam Cahn)  
  
On — Sabrina Gonzalez, Texas Council for Developmental Disabilities; Anita Scott, Texas Homeschool Coalition (*Registered, but did not testify*: Amy Blakey, Eric Marin, Texas Education Agency)

**BACKGROUND:** Some have suggested that prohibiting undocumented school-initiated early pickups as a disciplinary measure could reduce negative impacts on families and help schools address students' underlying needs.

**DIGEST:** CSHB 773 would prohibit a school district or open-enrollment charter school from releasing a student to the student's parent before the end of the instructional day and after the parent received a school-initiated communication if the release of the student was:

- a discipline management technique; or
- a reaction to the student's behavior that impeded the student's ability to learn but did not violate the student code of conduct or

require the student's teacher to remove the student.

A school district or charter school could release a student to the student's parent before the end of the day if the student's release occurred because the student was suspended or expelled.

The bill would apply beginning with the 2023-2024 school year.

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, 2023.