

## **BILL ANALYSIS**

Senate Research Center

S.B. 233  
By: Carona  
Education  
1-27-97  
As Filed

### **DIGEST**

Currently, Chapter 37A, Education Code, relating to the discipline of students in schools, does not set forth provisions concerning the rights of a student who makes an accusation of misconduct against another student. Thus, an accusing student may be forced to testify at a hearing concerning the alleged conduct without any representation. This bill would require notice of certain hearings to the parent or guardian of the accusing student and authorizes attendance by the parent, guardian, or adult with the student at such hearings.

### **PURPOSE**

As proposed, S.B. 233 sets forth the rights of a student who makes an accusation of misconduct in regard to notice of and attendance at a hearing by the student's parent, guardian, or an adult who can provide guidance to the student at the hearing.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 37A, Education Code, by adding Section 37.0091, as follows:

Sec. 37.0091. RIGHTS OF STUDENT MAKING ACCUSATION OF MISCONDUCT. Requires a school district to notify the parent or guardian of the time and place of certain hearings concerning the conduct of which the parent or guardian's student accuses another student; and entitles the student to be accompanied by the student's parent or guardian or another adult who can provide guidance to the student at such hearings at the student's request. Provides that the parent, guardian, or adult is not entitled to be present during the remainder of such hearings.

SECTION 2. Provides that this Act applies beginning with the 1997-1998 school year.

SECTION 3. Emergency clause.  
Effective date: upon passage.