

BILL ANALYSIS

Senate Research Center
76R13189 CAS-D

C.S.S.B. 1213
By: Whitmire
Education
4/22/1999
Committee Report (Substituted)

DIGEST

Currently, Texas public school teachers lack the explicit authority to discipline a student verbally or by use of non-corporal punishment without facing recourse from local or state education officials for such actions. This fear often results in a teacher's only recourse for an unruly student is to sending the student to the principal's office. C.S.S.B. 1213 would establish conditions regarding discipline management techniques that a public school teacher may use.

PURPOSE

As proposed, C.S.S.B. 1213 establishes conditions regarding discipline management techniques that a public school teacher may use.

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 Section 21.451(a), Education Code, to require staff development provided by a school district to include training in technology, conflict resolution, and discipline strategies, including classroom management and district discipline policies.

SECTION 2. Amends Section 37.001, Education Code, by amending Subsection (a) and adding Subsections (d) and (e), to require the student code of conduct to specify disciplinary options available to a teacher in addition to removing a student from the classroom under Section 37.002, which must comply with the educator's code of ethics and include the authority to take certain actions. Prohibits a teacher from being disciplined for an action taken in compliance with the student code of conduct and the educator's code of ethics. Provides that this section does not affect a teacher's immunity from civic liability.

SECTION 3. Requires each school district to amend the district's student code of conduct to the extent necessary to comply with this Act, not later than December 1, 1999.

SECTION 4. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 21.451(a), Education Code, to include training in classroom management and district discipline policies in staff development. Deletes proposed SECTIONS 1 and 2.

SECTION 2.

Amends Section 37.001, Education Code, by amending Subsection (a) and adding Subsections (d) and (e), to include conditions regarding student discipline in the student code of conduct. Prohibits a teacher from being disciplined, if the action taken is in compliance with the student code of conduct and the educator's code of ethics. Provides that this section does not affect a teacher's immunity from civil liability.

SECTION 3.

Requires each school district to amend the district's student code of conduct to the extent necessary to comply with this Act, not later than December 1, 1999.

SECTION 4.

Redesignated from proposed SECTION 3.