

BILL ANALYSIS

Senate Research Center
77R2616 CAS-D

S.B. 206
By: Bivins
Education
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DIGEST AND PURPOSE

Current Texas law does not require a student-assault victim and the student who engaged in the conduct to be assigned to separate campuses, transportation routes, or extracurricular programs upon request by a parent or other person with authority to act on behalf of the victim. This bill proposes that a student who has been a victim of an assault and the student who committed the assault will be assigned to different campuses, transportation routes, or extracurricular activities. This bill also allows the victim to be transferred to a different school district if it is not feasible for the home district to place the victim in separate facilities. Finally, this bill entitles a district that accepts the victim to additional funding for as long as the victim and the student who committed the assault would have been assigned to the same campus in the home district.

RULEMAKING AUTHORITY

This bill does not expressly 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 37.0071, as follows:

Sec. 37.0071. TRANSFER OF AND FUNDING FOR VICTIMS. (a) Requires the board of trustees of the school district, on the request of a parent or other person with authority to act on behalf of a student who was the victim of conduct described by Section 37.007(a)(2), to ensure that the victim and the student who engaged in the conduct are not assigned to the same campus, transportation route, or extracurricular program, to the extent practicable. Prohibits the final decision of the board of trustees as to the practicability of reassigning a student from being appealed. Provides that this subsection applies regardless of where the offense occurred.

(b) Entitles a district to which the victim transfers under Section 25.036 to certain additional funding, if the board of trustees determines that it is not practicable for the victim and the student who engaged in the conduct to be assigned to separate campuses, routes, and programs.

(c) Requires payments to a district under Subsection (b) to be prorated based on the portion of the school year a student attends school in the district under this section.

(d) Prohibits a district that receives funding under this section from charging a tuition fee, notwithstanding Section 25.038.

SECTION 2. Provides that this Act applies beginning with the 2001-2002 school year.

SECTION 3. Effective date: upon passage or September 1, 2001.