

BILL ANALYSIS

Senate Research Center
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H.B. 314
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, parents of multiple birth siblings (siblings) have no right to influence the classroom placement of their children. Some schools arbitrarily separate siblings against the wishes of their parents, even though there is no research indicating that separation is beneficial to the children. Since every family and every child is different, parental input should be an important factor in determining whether these children would function better in the same classroom or in different classrooms.

H.B. 314 authorizes parents to request that the school place multiple birth siblings in the same classroom or in different classrooms. This bill requires such a request to be honored unless the placement is determined to be disruptive or the placement would require additional classes. This bill also authorizes a school to recommend an appropriate placement for the siblings and to provide professional educational advice to assist parents in making decisions regarding appropriate classroom placement.

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 Subchapter B, Chapter 25, Education Code, by adding Section 25.043, as follows:

Sec. 25.043. CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS. (a) Defines "multiple birth sibling" and "parent."

(b) Authorizes a parent of multiple birth siblings (siblings) assigned to the same grade level and school to request, in writing and not later than the 14th day after the first day of enrollment, placement of the siblings to the same or separate classrooms.

(c) Requires a school to provide the siblings with the requested placement, except as provided by Subsection (d) or (g).

(d) Authorizes the principal to determine the appropriate classroom placement of the siblings if, after the first grading period following enrollment, the principal in consultation with the siblings' teachers determines that the requested classroom placement is disruptive to the school.

(e) Authorizes a parent to appeal the principal's classroom placement of the siblings in the manner provided by school district policy. Requires the siblings to remain in the classroom chosen by the parent during an appeal.

(f) Authorizes the school to recommend to a parent the appropriate class placement for the siblings and provide professional educational advice to assist the parent with the decision regarding appropriate class placement.

(g) Provides that a school district is not required to place siblings in separate classrooms if the request requires the district to add an additional class to the siblings' grade level.

(h) Provides that this section does not affect a right or obligation under Subchapter A (Special Education Program), Chapter 29, or under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) regarding the individual placement decisions of the school district admission, review, and dismissal committee.

SECTION 2. Makes application of this Act prospective to the beginning of the 2007-2008 school year.

SECTION 3. Effective date: upon passage or September 1, 2007.