

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1541
By: Van de Putte
Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 37 (Discipline; Law and Order) of the Education Code specifies the circumstances under which a student can be removed from a classroom, campus, or disciplinary alternative education program. Section 37.002 details the procedure for a teacher to remove a student from a classroom. These items must be included in each school district's code of conduct that is adopted by the board of trustees.

However, the Education Code is currently silent on guidelines for removal of students from school buses. C.S.S.B. 1541 aims to increase student safety on school buses by outlining procedures and guidelines that specify when a school bus driver may permissively remove or is required to remove a student from a school bus and refer that student to the school principal. The bill also attempts to decrease the incidence of bullying on school buses, as many districts report that a disproportionate amount of this behavior occurs while students are on buses.

C.S.S.B. 1541 adds school buses to the list of places from which a student may be removed under a school's student code of conduct. School bus drivers may then send a student to the principal in order to maintain discipline and safety on the bus. The bill also requires bus drivers to send to the principal students who engage in serious misbehavior as described in Section 37.006 (Removal for Certain Conduct) or 37.007 (Expulsion for Serious Offenses).

C.S.S.B. 1541 amends current law relating to discipline of public school students by school bus drivers.

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 Section 37.001(a), Education Code, to require the student code of conduct, in addition to establishing standards for student conduct, to specify certain conditions, considerations, guidelines, prohibitions, and provisions, including specifying the circumstances, in accordance with this subchapter (Alternative Settings for Behavior Management), under which a student is authorized to be removed from a classroom, campus, disciplinary alternative education program, or school bus. Makes nonsubstantive changes.

SECTION 2. Amends Subchapter A, Chapter 37, Education Code, by adding Section 37.0022, as follows:

Sec. 37.0022. REMOVAL BY SCHOOL BUS DRIVER. (a) Authorizes the driver of a school bus transporting students to or from school or a school-sponsored or school-related activity to send a student to the principal's office to maintain effective discipline on the school bus. Requires the principal to respond by employing appropriate discipline management techniques consistent with the student code of conduct adopted under Section 37.001 (Student Code of Conduct).

(b) Requires the driver of a school bus transporting students to or from school or a school-sponsored or school-related activity to send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who, while on the school bus, engages in conduct described under Section 37.006 (Removal for Certain Conduct) or 37.007 (Expulsion for Serious Offenses).

(c) Provides that Section 37.004 (Placement of Students With Disabilities) applies to any placement under this section of a student with a disability who receives special education services.

SECTION 3. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 4. Effective date: upon passage, or September 1, 2013.