

BILL ANALYSIS

Senate Research Center
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S.B. 1309
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Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since 2002 the Texas Association of School Administrators (TASA) and the Texas Association of School Boards (TASB) have compiled the Report on School District Mandates to provide a comprehensive list of the mandates the legislature places on local districts that contribute to the cost of education. Over the years, the list of mandates has increased without regard to whether the mandates have been cost effective or have served the purpose for which they were originally intended.

Most state mandates have value; however, mandates not tied directly to student academic performance would better be left to the local districts to determine the best methods to allocate scarce resources to accomplish the outcomes required.

S.B. 1309 removes mandates concerning staff training and student instruction on internet safety, teen dating violence, bullying, student parenthood, child abuse, and school bus transportation safety.

While none of these topics are trivial, local districts can and should be allowed to address them in a manner that is best suited to local needs. Different issues will have higher or lower priorities depending upon the circumstances at the local level. Local school districts should have the freedom to address these and other such issues appropriately in light of those circumstances while focusing scarce resources on academic goals.

Cost drivers for each of these include the cost of personnel, the purchase of curriculum, and the cost of training staff.

As proposed, S.B. 1309 amends current law relating to state requirements for teacher training and student instruction regarding certain subjects in public schools.

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 21.451, Education Code, by adding Subsection (h), to prohibit a school district, notwithstanding any other law, from being required to provide staff training regarding Internet safety, teen dating violence, bullying, student parenthood, child abuse, or school bus transportation safety.

SECTION 2. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.0026, as follows:

Sec. 28.0026. INSTRUCTION NOT REQUIRED. Prohibits a school district, notwithstanding any other law, from being required to provide student instruction regarding Internet safety, teen dating violence, bullying, student parenthood, child abuse, or school bus transportation safety.

SECTION 3. Amends Section 34.008(c), Education Code, as follows:

(c) Deletes existing text requiring a mass transit authority contracting under this section (Contract with Transit Authority, Commercial Transportation Company, or Juvenile Board) for daily transportation of certain students to or from school to conduct, in a manner and on a schedule approved by the county or district school board, a program to educate public school students on bus riding safety and any special considerations arising from the use of the authority's or company's buses. Makes nonsubstantive changes.

SECTION 4. Reenacts Section 37.001(a), Education Code, as amended by Chapters 487 (S.B. 1541) and 1409 (S.B. 1114), Acts of the 83rd Legislature, Regular Session, 2013, and amends it to require the student code of conduct for an independent school district, among certain other requirements, to provide, as appropriate for students at each grade level, methods, including options, for preventing and intervening in student discipline problems, rather than for preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.

SECTION 5. Amends Section 37.0831(b), Education Code, to require a dating violence policy to address safety planning, enforcement of protective orders, school-based alternatives to protective orders, and counseling for affected students, rather than to address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents.

SECTION 6. Repealers: Sections 28.002(p) (relating to requiring the State Board of Education (SBOE) to develop a parenting and paternity awareness program), (p-2) (relating to certain programs or materials a school district may use in conjunction with the parenting and paternity awareness program), (p-3) (relating to requiring the Texas Education Agency to evaluate certain programs and materials and distribute certain information), (p-4) (relating to prohibiting students under 14 from participating in certain programs without parental permission), and (s) (relating to the definition of "bullying" and requiring SBOE to adopt a certain program), Education Code.

Repealer: Section 38.004(b) (relating to requiring school districts to provide child abuse antivictimization programs in certain schools), Education Code.

SECTION 7. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 8. Effective date: upon passage or September 1, 2017.