

'BILL ANALYSIS

Senate Research Center

H.B. 3012
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Research has shown the negative effects of suspensions on students' long term educational success. While current law limits public schools to three concurrent days of out-of-school suspension, students who are suspended often miss critical instructional material in that period, which can permanently affect their capacity to learn.

H.B. 3012 would require a public school district to provide to a student during the period of the student's suspension an alternative means of receiving all course work provided in the classes in the foundation curriculum that the student misses as a result of the suspension.

H.B. 3012 amends current law relating to the disposition of certain students to alternative education settings and the provision of educational services to students in those settings or subject to in-school or out-of-school suspension.

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 37.005, Education Code, by adding Subsection (e), as follows:

(c) Requires a school district to provide to a student during the period of the student's suspension under this section (Suspension), regardless of whether the student is placed in in-school or out-of-school suspension, an alternative means of receiving all course work provided in the classes in the foundation curriculum under Section 28.002(a)(1) (relating to requiring each school district that offers kindergarten through grade 12 to offer, as a required curriculum, certain basic subjects) that the student misses as a result of the suspension. Requires a district to provide at least one option for receiving the course work that does not require the use of the Internet.

SECTION 2. Amends Section 37.011(b), Education Code, as follows:

(b) Requires the juvenile court, the juvenile board, or the juvenile board's designee, as appropriate, if a student admitted into the public schools of a school district under Section 25.001(b) (relating to requiring the board of trustees of a school district or its designee to admit into the public schools of the district free of tuition a person who is over five and younger than 21 years of age on the first day of September of the school year in which admission is sought, and is authorized to admit a person who is at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma, if the student resides at a specific address) is expelled from school for conduct for which expulsion is required under Section 37.007(a) (relating to requiring a student to be expelled from a school if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property commits certain acts), (d) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a), and is authorized to be expelled if the student engages in conduct that contains the elements of any offense

against any employee or volunteer in retaliation for or as a result of the person's employment or association with a school district), or (e) (relating to requiring a local educational agency, including a school district, home-rule school district, or open-enrollment charter school, to expel a student who brings a firearm, to school), or for conduct that contains the elements of the offense of terroristic threat under Section 22.07 (Terroristic Threat), Penal Code, to:

(1)–(4) makes no changes to these subdivisions.

SECTION 3. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 4. Effective date: upon passage or September 1, 2019.