

BILL ANALYSIS

Senate Research Center
86R7638 CAE-D

H.B. 638
By: Capriglione et al. (Powell)
Education
5/3/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Background

In June 2016, the summer after finishing 8th grade, Elise Cerami drowned during warm-ups at a swim club practice. Elise was a passionate athlete and with persistence and determination, she had just recently earned a coveted varsity spot on the Southlake-Carroll High School swim team. Elise was also an exceptional student, a gifted honors student, with the intention of attending Texas A&M University to study engineering and become a lawyer.

Because of Elise's strong sense of purpose in life, and her intent to further her education, the Cerami family has asked Carroll ISD to honor Elise by awarding her a posthumous diploma during her class's graduation. Unfortunately, the school district's hands are tied because current Texas statute (Section 28.0254(a), Education Code) only allows posthumous diplomas to be awarded when students die in their senior year of high school and if they were academically on track to graduate.

Summary

H.B. 638 would amend Chapter 28.0254(a), Education Code, to allow parents to request a posthumous diploma for their student who has passed away, regardless of their grade level. The diploma would be awarded at the end of the school year in which the student was expected to graduate.

H.B. 638 amends current law relating to the issuance of posthumous high school diplomas to certain students.

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 28.0254(a), Education Code, as follows:

(a) Requires a school district, notwithstanding any other provision of this code, but subject to Subsection (b) (relating to providing that a school district is not required to issue a high school diploma to certain students if the student was convicted or adjudicated for a felony offense under Title 5 (Offenses Against the Person) or 6 (Offenses Against the Family), Penal Code), on request of a student's parent, to issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance, rather than to each student who died while enrolled in the district at grade level 12, provided that the student was academically on track at the time of death to receive a diploma at the end of the school year in which the student died. Prohibits the high school diploma from being issued before the graduation date of the class in which the student was enrolled at the time of death. Deletes existing text defining "school year."

SECTION 2. Provides that Section 28.0254(a), Education Code, as amended by this Act, applies beginning with students who would have graduated at the end of the 2019–2020 school year.

SECTION 3. Effective date: upon passage or September 1, 2019.