

## **BILL ANALYSIS**

Senate Research Center  
86R5543 JES-F

H.B. 811  
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Administration  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

It has been suggested that homeless youth and fostered children experience unique barriers to success in the classroom and are disciplined at disproportionate rates compared to their peers.

Youth experiencing homelessness face unique barriers to succeeding in the classroom, including lack of stable housing and support from caring adults, limited access to basic necessities like food and medical services, lack of consistent access to bathing and laundry facilities, unreliable transportation, and histories of trauma and abuse, among others.

Data shows that exclusionary school discipline policies impact these students at higher proportions than their peers with secure housing, effectively pushing them out without acknowledging that their traumatic experiences and insecure housing are likely impacting their behavior at school.

The trauma that children in the child welfare system have experienced can lead to a variety of behavioral and emotional challenges in their lifespan, some of which can manifest in classroom settings.

H.B. 811 seeks to address this issue by requiring independent school districts to consider a student's status as a foster or homeless youth when considering appropriate disciplinary measures for such students.

H.B. 811 amends current law relating to determining appropriate disciplinary action to be taken against a public school student who is in foster care or who is homeless.

### **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, as follows:

(a) Requires the student code of conduct adopted by the board of trustees of an independent school district, in addition to establishing standards for student conduct, to:

(1)–(3) makes no changes to these subdivisions;

(4) specify that consideration will be given, as a factor in each decision concerning suspension, removal to a disciplinary alternative education program, expulsion, or placement in a juvenile justice alternative education program, regardless of whether the decision concerns a mandatory or discretionary action, to:

(A)–(B) makes no changes to these paragraphs;

(C) makes a nonsubstantive change to this paragraph;

(D) makes no changes to this paragraph;

(E) a student's status in the conservatorship of the Department of Family and Protective Services; or

(F) a student's status as a student who is homeless; and

(5)–(9) makes no changes to these subdivisions.

SECTION 2. Amends Section 37.001(b), Education Code, by adding Subdivision (4) to define "student who is homeless."

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

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