

BILL ANALYSIS

Senate Research Center
76R3020 CAS-D

S.B. 226
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Education
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As Filed

DIGEST

Currently, Texas law does not contain specific provisions regarding the transfer of a student who has been a victim of another student, who will be returning to the same campus. Last year, a student who had allegedly assaulted another student was returned to his regular campus after receiving appropriate discipline. The student he had allegedly assaulted was still enrolled at that campus, thereby causing the victim to face her assaulter each day. S.B. 226 authorizes the victim of certain offenses to request a transfer from the school district board of trustees and provides financial incentives for another district to accept the transferring student.

PURPOSE

As proposed, S.B. 226 regulates the transfer of and funding for public school students who are the victims of certain criminal offenses.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 37A, Education Code, by adding Section 37.0071, as follows:

Sec. 37.0071. TRANSFER OF AND FUNDING FOR VICTIMS. Requires the board of trustees of the school district, on request of the parent or other person acting on behalf of a student who was the victim of conduct described by Section 37.007(a)(2), to ensure that the victim and the student who engaged in the conduct are not assigned to the same campus, transportation route, or extracurricular program. Provides that the decision of the board of trustees is final and may not be appealed. Provides that this subsection applies regardless of where the offense occurred. Provides that if the board of trustees determines that it is not practicable for the victim and the student who engaged in conduct to be assigned to separate campuses, routes and programs, a district to which the victim transfers is entitled to certain additional funding for that school year and each succeeding school year. Requires payments to a district under Subsection (b) to be prorated based on the portion of the school year a student attends school in the district under this section. Prohibits a district that receives funding under this section from charging a tuition fee.

SECTION 2. Applies that this Act applies beginning with the 1999-2000 school year.

SECTION 3. Emergency clause.

Effective date: upon passage.