

BILL ANALYSIS

Senate Research Center
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S.B. 971
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Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, there exists a reporting loophole that allows offenses that occur on campuses where law enforcement action is taken and disciplinary action is not taken to go unreported. These unreported offenses are often the most serious offenses that can occur on school campuses.

As proposed, S.B. 971 closes that loophole and requires school districts to report this information to the Texas Education Agency (TEA). This additional information provides a clearer picture of the most serious violent crimes that occur in Texas schools. This bill also instructs districts to provide additional information to TEA concerning whether a student is enrolled in a special education program at the time of placement into a disciplinary educational setting. Both reporting requirements allow TEA to better assess school safety and whether the needs of special education student who misbehaves are being addressed.

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 37.020, Education Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Requires the district, for each placement in a disciplinary alternative education program established under Section 37.008 (Disciplinary Alternative Education Programs), to report certain information, including whether the student was enrolled in a special education program.

(c) Requires each district, for each expulsion under Section 37.007 (Expulsion for Serious Offenses), to report certain information, including whether the student was enrolled in a special education program.

(d) Requires the district, for each circumstance in which a student engages in conduct for which the student is subject to expulsion under Section 37.007(a), (d), or (e), but in which the district does not expel the student because the student's incarceration or other circumstance prevents the district from taking that action, to report certain information.

SECTION 2. Makes application of this Act prospective to 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.