

BILL ANALYSIS

Senate Research Center

H.B. 1569
By: Ashby (Nichols)
Education
7/12/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A number of school districts across the state are responsible for providing education to students who reside in residential treatment facilities. Many of these students may require special attention, resources, and even security. If these students were a part of a school district's general population, a parent or guardian would be required to provide documentation to the school district to better serve these students. As these facilities are in loco parentis, they should be required to disclose applicable records to the school districts.

H.B. 1569 requires a residential facility that provides 24-hour custody or care of a person 22 years of age or younger to provide to a public school district or open-enrollment charter school that provides educational services to a student placed in the facility, any information retained by the facility relating to the student's school records, behavioral history, and record of arrests or indictments. (Original Author's / Sponsor's Statement of Intent)

H.B. 1569 amends current law relating to the disclosure to public schools of certain records of students placed in residential facilities.

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 29.012, Education Code, by adding Subsections (f) and (g), as follows:

(f) Requires a residential facility, except as provided by Subsection (g), to provide to a school district or open-enrollment charter school that provides educational services to a student placed in the facility any information retained by the facility relating to:

- (1) the student's school records, including certain records relating to special education services and disciplinary actions;
- (2) any other behavioral history information regarding the student that is not confidential under another provision of law; and
- (3) the student's record of convictions or the student's probation, community supervision, or parole status, as provided to the facility by certain law enforcement entities, if the information is needed to provide educational services to the student.

(g) Provides that Subsection (f) does not apply to a juvenile pre-adjudication secure detention facility or juvenile post-adjudication secure correctional facility.

SECTION 2. Effective date: upon passage or September 1, 2017.