

BILL ANALYSIS

Senate Research Center
83R7372 CAS-D

H.B. 1952
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 74th Legislature passed the Safe Schools Act, which included a key provision that granted discretionary authority to teachers to remove disruptive students from their classrooms and restricted the authority of administrators to return such students to class without the teacher's consent. By administrative error or confusion, some administrators have failed to apply this portion of the Safe Schools Act correctly, undermining its effectiveness. As a result, teachers have been frustrated in their efforts to exercise their discretionary authority to remove disruptive students from their classroom.

H.B. 1952 will help correct this problem by amending Chapter 37 (Discipline; Law and Order), Education Code, by adding Section 37.0181 to require each principal or other appropriate administrator who oversees student discipline to, at least once every three school years, attend professional development training regarding the distinction between a discipline management technique used at the principal's discretion under Section 37.002(a) and the discretionary authority of a teacher to remove a disruptive student under Section 37.002(b). The bill specifies that the training may be provided using available agency resources in coordination with regional education service centers. The training should make the Safe Schools Act more effective and lead to fewer misunderstandings about its requirements.

H.B. 1952 amends current law relating to professional development training for certain public school personnel regarding student disciplinary procedures.

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 Subchapter A, Chapter 37, Education Code, by adding Section 37.0181, as follows:

Sec. 37.0181. PROFESSIONAL DEVELOPMENT REGARDING DISCIPLINARY PROCEDURES. (a) Requires each principal or other appropriate administrator who oversees student discipline, at least once every three school years, to attend professional development training regarding this subchapter, including training relating to the distinction between a discipline management technique used at the principal's discretion under Section 37.002(a) (relating to authorizing a teacher to send a student to the principal's office to maintain effective discipline in the classroom) and the discretionary authority of a teacher to remove a disruptive student under Section 37.002(b) (relating to authorizing a teacher to remove from class a student for certain reasons).

(b) Authorizes that professional development training under this section be provided in coordination with regional education service centers through the use of distance learning methods, such as telecommunications networks, and using available Texas Education Agency resources.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.