

SENATE AMENDMENTS
2nd Printing

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et al.

A BILL TO BE ENTITLED

AN ACT

relating to discipline in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 12.111, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Each charter granted under this subchapter must:

(1) describe the educational program to be offered, which must include the required curriculum as provided by Section 28.002;

(2) provide that continuation of the charter is contingent on the status of the charter as determined under Section 12.1141 or 12.115 or under Chapter 39A;

(3) specify the academic, operational, and financial performance expectations by which a school operating under the charter will be evaluated, which must include applicable elements of the performance frameworks adopted under Section 12.1181;

(4) specify:

(A) any basis, in addition to a basis specified by this subchapter or Chapter 39A, on which the charter may be revoked, renewal of the charter may be denied, or the charter may be allowed to expire; and

(B) the standards for evaluation of a school operating under the charter for purposes of charter renewal, denial

1 of renewal, expiration, revocation, or other intervention in
2 accordance with Section 12.1141 or 12.115 or Chapter 39A, as
3 applicable;

4 (5) prohibit discrimination in admission policy on the
5 basis of sex, national origin, ethnicity, religion, disability,
6 academic, artistic, or athletic ability, or the district the child
7 would otherwise attend in accordance with this code, although the
8 charter may:

9 (A) provide for the exclusion of a student who:

10 (i) has engaged in conduct outlined in
11 Section 37.006 related to placement in a disciplinary alternative
12 education program or a juvenile justice alternative education
13 program;

14 (ii) has engaged in conduct outlined in
15 Section 37.007 related to expulsion; or

16 (iii) has been convicted of a criminal
17 offense or has a juvenile court adjudication ~~[has a documented~~
18 ~~history of a criminal offense, a juvenile court adjudication, or~~
19 ~~discipline problems under Subchapter A, Chapter 37]~~; and

20 (B) provide for an admission policy that requires
21 a student to demonstrate artistic ability if the school specializes
22 in performing arts;

23 (6) specify the grade levels to be offered;

24 (7) describe the governing structure of the program,
25 including:

26 (A) the officer positions designated;

27 (B) the manner in which officers are selected and

1 removed from office;

2 (C) the manner in which members of the governing
3 body of the school are selected and removed from office;

4 (D) the manner in which vacancies on that
5 governing body are filled;

6 (E) the term for which members of that governing
7 body serve; and

8 (F) whether the terms are to be staggered;

9 (8) specify the powers or duties of the governing body
10 of the school that the governing body may delegate to an officer;

11 (9) specify the manner in which the school will
12 distribute to parents information related to the qualifications of
13 each professional employee of the program, including any
14 professional or educational degree held by each employee, a
15 statement of any certification under Subchapter B, Chapter 21, held
16 by each employee, and any relevant experience of each employee;

17 (10) describe the process by which the person
18 providing the program will adopt an annual budget;

19 (11) describe the manner in which an annual audit of
20 the financial and programmatic operations of the program is to be
21 conducted, including the manner in which the person providing the
22 program will provide information necessary for the school district
23 in which the program is located to participate, as required by this
24 code or by commissioner rule, in the Public Education Information
25 Management System (PEIMS);

26 (12) describe the facilities to be used;

27 (13) describe the geographical area served by the

1 program;

2 (14) specify any type of enrollment criteria to be
3 used;

4 (15) provide information, as determined by the
5 commissioner, relating to any management company that will provide
6 management services to a school operating under the charter; and

7 (16) specify that the governing body of an
8 open-enrollment charter school accepts and may not delegate
9 ultimate responsibility for the school, including the school's
10 academic performance and financial and operational viability, and
11 is responsible for overseeing any management company providing
12 management services for the school and for holding the management
13 company accountable for the school's performance.

14 (a-1) Notwithstanding Subsection (a)(5), a charter granted
15 under this subchapter may provide for the exclusion of a student
16 from an open-enrollment charter school campus that includes a
17 child-care facility based on the student's conviction for a
18 criminal offense that would preclude the student from being
19 admitted to a school district campus that includes a child-care
20 facility.

21 SECTION 2. Section 29.041(3), Education Code, is amended to
22 read as follows:

23 (3) "Supplemental special education services" means
24 an additive service that provides an educational benefit to a
25 student receiving special education services under Subchapter A,
26 including:

27 (A) occupational therapy, physical therapy, and

1 speech therapy; ~~and~~

2 (B) private tutoring and other supplemental
3 private instruction or programs; and

4 (C) crisis prevention and intervention training
5 for the student's parent or person standing in parental relation to
6 the student.

7 SECTION 3. Section 37.001(b-1), Education Code, is amended
8 to read as follows:

9 (b-1) The methods adopted under Subsection (a)(8) must
10 provide that a student who is enrolled in a special education
11 program under Subchapter A, Chapter 29, may not be disciplined in a
12 manner that results in a change in the student's educational
13 placement for conduct prohibited in accordance with Subsection
14 (a)(7) until an admission, review, and dismissal committee meeting
15 has been held to review the conduct.

16 SECTION 4. Section 37.002, Education Code, is amended by
17 adding Subsection (b-2) to read as follows:

18 (b-2) After removal of a student from the classroom under
19 this section, on the student's return to the classroom the teacher
20 shall:

21 (1) employ appropriate classroom management
22 techniques that can reasonably be expected to improve the student's
23 behavior; and

24 (2) document the student's behavior the teacher
25 determines either:

26 (A) repeatedly interferes with the teacher's
27 ability to communicate effectively with the students in the class

1 or with the ability of the student's classmates to learn; or
2 (B) is so unruly, disruptive, or abusive it
3 seriously interferes with the teacher's ability to communicate
4 effectively with the students in the class or with the ability of
5 the student's classmates to learn.

6 SECTION 5. Section 37.005, Education Code, is amended by
7 amending Subsections (a), (b), (c), and (d) and adding Subsection
8 (c-2) to read as follows:

9 (a) The principal or other appropriate administrator may
10 suspend a student who engages in conduct identified in the student
11 code of conduct adopted under Section 37.001 as conduct for which a
12 student may be subject to an in-school or out-of-school suspension
13 ~~[suspended]~~.

14 (b) An out-of-school ~~[A]~~ suspension under this section may
15 not exceed three school days. An in-school suspension under this
16 section may not exceed 10 school days.

17 (c) A student who is enrolled in a grade level below grade
18 three may not be placed in out-of-school suspension unless while on
19 school property or while attending a school-sponsored or
20 school-related activity on or off of school property, the student
21 engages in:

22 (1) conduct that contains the elements of an offense
23 related to weapons under Section 46.02 or 46.05, Penal Code;

24 (2) conduct that threatens the immediate health and
25 safety of other students in the classroom;

26 (3) conduct that results in repeated or significant
27 disruption to the classroom, as determined by the campus

1 administrator in agreement with the classroom teacher [~~contains the~~
2 ~~elements of a violent offense under Section 22.01, 22.011, 22.02,~~
3 ~~or 22.021, Penal Code~~]; or

4 (4) [~~(3)~~] selling, giving, or delivering to another
5 person or possessing, using, or being under the influence of any
6 amount of:

7 (A) marihuana or a controlled substance, as
8 defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.
9 Section 801 et seq.;

10 (B) a dangerous drug, as defined by Chapter 483,
11 Health and Safety Code; or

12 (C) an alcoholic beverage, as defined by Section
13 1.04, Alcoholic Beverage Code.

14 (c-2) On receiving a written request from the student's
15 parent or person standing in parental relation to the student, the
16 campus administrator or district designee may at the
17 administrator's or designee's sole discretion reassign a student
18 placed in out-of-school suspension under Subsection (c) to an
19 in-school suspension for a period, notwithstanding Subsection (b),
20 not to exceed 15 school days if the student's parent or person
21 standing in parental relation to the student demonstrates through
22 supporting information and documentation that the parent or person
23 is unable to provide suitable supervision for the student during
24 school hours during the period of the suspension. The alternative
25 placement provided by this section may be used only in extenuating
26 circumstances and may not be used as a routine replacement for
27 out-of-school suspension. The school district shall maintain

documentation of each reassignment under this subsection, including the parent's or person's request, the reason for the parent's or person's unavailability, and the supporting information and documentation.

(d) A school district or open-enrollment charter school may not place a student who is homeless in out-of-school suspension unless the student engages in conduct described by Subsections (c)(1)-(4) [~~(c)(1)-(3)~~] while on school property or while attending a school-sponsored or school-related activity on or off of school property. The campus behavior coordinator may coordinate with the school district's homeless education liaison to identify appropriate alternatives to out-of-school suspension for a student who is homeless. In this subsection, "student who is homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.

SECTION 6. Section 37.006, Education Code, is amended by amending Subsections (a) and (c) and adding Subsection (a-1) to read as follows:

(a) Subject to the requirements of Section 37.009(a), a student shall be removed from class and placed in a disciplinary alternative education program as provided by Section 37.008 if the student:

(1) engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code, or terroristic threat under Section 22.07, Penal Code; or

(2) commits the following on or within 300 feet of

1 school property, as measured from any point on the school's real
2 property boundary line, or while attending a school-sponsored or
3 school-related activity on or off of school property:

4 (A) except as provided by Section 37.007(a),
5 engages in conduct punishable as a felony;

6 (B) engages in conduct that contains the elements
7 of the offense of assault under Section 22.01(a)(1), Penal Code;

8 (C) except as provided by Section 37.007(a)(3),
9 sells, gives, or delivers to another person or possesses or uses or
10 is under the influence of:

11 (i) a controlled substance, as defined by
12 Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et
13 seq., excluding marihuana, as defined by Section 481.002, Health
14 and Safety Code, or tetrahydrocannabinol, as defined by rule
15 adopted under Section 481.003 of that code; or

16 (ii) a dangerous drug, as defined by
17 Chapter 483, Health and Safety Code;

18 (C-1) possesses, uses, or is under the influence
19 of, or sells, gives, or delivers to another person marihuana, as
20 defined by Section 481.002, Health and Safety Code, or
21 tetrahydrocannabinol, as defined by rule adopted under Section
22 481.003 of that code;

23 [~~(C-2) possesses, uses, sells, gives, or~~
24 ~~delivers to another person an e-cigarette, as defined by Section~~
25 ~~161.081, Health and Safety Code,~~]

26 (D) sells, gives, or delivers to another person
27 an alcoholic beverage, as defined by Section 1.04, Alcoholic

Beverage Code, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage;

(E) engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code;

(F) engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code; or

(G) engages in conduct that contains the elements of the offense of harassment under Section 42.07(a)(1), (2), (3), or (7), Penal Code, against an employee of the school district.

(a-1) Subject to the requirements of Section 37.009(a), a student shall be removed from class and placed in a disciplinary alternative education program as provided by Section 37.008 for a period of not less than 30 days if the student engages in conduct that contains the elements of the offense of assault under Section 22.01, Penal Code, or terroristic threat under Section 22.07(a)(2), Penal Code, against an employee of the school district.

(c) In addition to Subsections (a) and (b), a student shall be removed from class and placed in a disciplinary alternative education program under Section 37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

(1) the student receives deferred prosecution under Section 53.03, Family Code, for conduct defined as any of the following offenses under the Penal Code:

(A) a felony offense under ~~[in]~~ Title 5~~[, Penal Code]~~; ~~[or]~~

(B) the offense of deadly conduct under Section 22.05;

(C) the felony offense of aggravated robbery under Section 29.03~~[, Penal Code]~~;

(D) the offense of disorderly conduct involving a firearm under Section 42.01(a)(7) or (8); or

(E) the offense of unlawfully carrying weapons under Section 46.02, except for an offense punishable as a Class C misdemeanor under that section;

(2) a court or jury finds that the student has engaged in delinquent conduct under Section 54.03, Family Code, for conduct defined as an offense listed in Subdivision (1) ~~[+]~~

~~[(A) a felony offense in Title 5, Penal Code, or
[(B) the felony offense of aggravated robbery under Section 29.03, Penal Code]; or~~

(3) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in a conduct defined as an offense listed in Subdivision (1) ~~[+]~~

~~[(A) a felony offense in Title 5, Penal Code, or
[(B) the felony offense of aggravated robbery under Section 29.03, Penal Code].~~

SECTION 7. Section 37.007, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (f-1) to read as follows:

(a) Except as provided by Subsection (k) and subject to the

requirements of Section 37.009(a), a student shall be expelled from a school if the student[, ~~on school property or while attending a school-sponsored or school-related activity on or off of school property~~]:

(1) engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Section 46.02, Penal Code, or elements of an offense relating to prohibited weapons under Section 46.05, Penal Code;

(2) engages in conduct that contains the elements of the offense of:

(A) aggravated assault under Section 22.02, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;

(B) arson under Section 28.02, Penal Code;

(C) murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal attempt, under Section 15.01, Penal Code, to commit murder or capital murder;

(D) indecency with a child under Section 21.11, Penal Code;

(E) aggravated kidnapping under Section 20.04, Penal Code;

(F) aggravated robbery under Section 29.03, Penal Code;

(G) manslaughter under Section 19.04, Penal Code;

(H) criminally negligent homicide under Section

19.05, Penal Code; or

(I) continuous sexual abuse of young child or disabled individual under Section 21.02, Penal Code; or

(3) engages in conduct specified by Section 37.006(a)(2)(C), if the conduct is punishable as a felony.

(b) A student may be expelled if the student:

(1) engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code, or terroristic threat under Section 22.07, Penal Code;

(2) while on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property:

(A) except as provided by Subsection (a)(3), sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of:

(i) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(ii) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

(iii) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code;

(B) engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code;

1 (C) engages in conduct that contains the elements
2 of an offense under Section 22.01(a)(1), Penal Code, against a
3 school district employee or a volunteer as defined by Section
4 22.053; or

5 (D) engages in conduct that contains the elements
6 of the offense of deadly conduct under Section 22.05, Penal Code;

7 (3) subject to Subsection (d), while within 300 feet
8 of school property, as measured from any point on the school's real
9 property boundary line, ~~÷~~

10 [~~(A) engages in conduct specified by Subsection~~
11 ~~(a); or~~

12 [~~(B)~~] possesses a firearm, as defined by 18
13 U.S.C. Section 921;

14 [~~(4) engages in conduct that contains the elements of~~
15 ~~any offense listed in Subsection (a)(2)(A) or (C) or the offense of~~
16 ~~aggravated robbery under Section 29.03, Penal Code, against another~~
17 ~~student, without regard to whether the conduct occurs on or off of~~
18 ~~school property or while attending a school-sponsored or~~
19 ~~school-related activity on or off of school property;]~~ or

20 (4) [~~(5)~~] engages in conduct that contains the
21 elements of the offense of breach of computer security under
22 Section 33.02, Penal Code, if:

23 (A) the conduct involves accessing a computer,
24 computer network, or computer system owned by or operated on behalf
25 of a school district; and

26 (B) the student knowingly:

27 (i) alters, damages, or deletes school

1 district property or information; or

2 (ii) commits a breach of any other
3 computer, computer network, or computer system.

4 (d) A student [~~shall be expelled if the student engages in~~
5 ~~conduct that contains the elements of any offense listed in~~
6 ~~Subsection (a), and~~] may be expelled if the student engages in
7 conduct that contains the elements of any offense listed in
8 Subsection (b)(2)(C)[~~7~~] against any employee or volunteer in
9 retaliation for or as a result of the person's employment or
10 association with a school district, without regard to whether the
11 conduct occurs on or off of school property or while attending a
12 school-sponsored or school-related activity on or off of school
13 property.

14 (f-1) A school district may place a student expelled under
15 this section in:

16 (1) a virtual or in-person disciplinary alternative
17 education program; or

18 (2) a juvenile justice alternative education program.

19 SECTION 8. Section 37.0081(a-1), Education Code, is amended
20 to read as follows:

21 (a-1) The student must be placed in:

22 (1) a juvenile justice alternative education program,
23 if the school district is located in a county that operates a
24 juvenile justice alternative education program or the school
25 district contracts with the juvenile board of another county for
26 the provision of a juvenile justice alternative education program;
27 or

1 (2) a virtual or in-person disciplinary alternative
2 education program.

3 SECTION 9. Subchapter A, Chapter 37, Education Code, is
4 amended by adding Section 37.0083 to read as follows:

5 Sec. 37.0083. VIRTUAL DISCIPLINARY ALTERNATIVE EDUCATION
6 PROGRAM. (a) The board of trustees of a school district, or the
7 board's designee, may place a student who has been expelled under
8 Section 37.007 in a virtual disciplinary alternative education
9 program established by the district and provide virtual instruction
10 and instructional materials for remote learning to the student.

11 (a-1) If the board of trustees of a school district, the
12 board's designee, or a juvenile court places a student in a virtual
13 disciplinary alternative education program under this section, the
14 school district shall ensure that the student has suitable home
15 computer equipment and Internet access and provide the computer
16 equipment and Internet access if necessary.

17 (b) A student placed in a virtual disciplinary alternative
18 education program shall be counted toward the district's average
19 daily attendance for purposes of receipt of state funds under the
20 Foundation School Program.

21 (c) The commissioner shall adopt rules as necessary to
22 implement this section, including rules providing for a method of
23 taking attendance for students placed in a virtual disciplinary
24 alternative education program and rules requiring school districts
25 to provide basic professional development training for teachers
26 providing instruction in a virtual disciplinary alternative
27 education program.

SECTION 10. Section 37.009, Education Code, is amended by amending Subsections (a-1) and (a-2) and adding Subsection (f-1) to read as follows:

(a-1) If a disciplinary alternative education program is at capacity at the time a campus behavior coordinator is deciding placement under Subsection (a) for a student who engaged in conduct described under Section 37.006(a)(2)(C-1), [~~(C-2)~~] (D), or (E), the student shall be:

(1) placed in in-school suspension; and

(2) if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

(a-2) If a disciplinary alternative education program is at capacity at the time a campus behavior coordinator is deciding placement under Subsection (a) for a student who engaged in conduct described under Section 37.007 that constitutes violent conduct, as defined by commissioner rule, a student who has been placed in the program for conduct described under Section 37.006(a)(2)(C-1), [~~(C-2)~~] (D), or (E):

(1) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct; and

(2) if removed from the program under Subdivision (1) and a position in the program becomes available before the expiration of the period of the placement, shall be returned to the program for the remainder of the period.

(f-1) The board or the board's designee may order the

1 placement of a student expelled under Section 37.007 in an
2 alternative education program as provided by Subsection (f-1) of
3 that section.

4 SECTION 11. Section 37.010, Education Code, is amended by
5 adding Subsection (c-1) to read as follows:

6 (c-1) This subsection applies to a juvenile court in a
7 county that operates a program under Section 37.011.
8 Notwithstanding Subsections (a) and (c), a court may order a
9 student expelled under Section 37.007 to attend a school district's
10 virtual disciplinary alternative education program, if:

11 (1) the district has established a virtual
12 disciplinary alternative education program under Section 37.0083;
13 and

14 (2) the county's juvenile justice alternative
15 education program under Section 37.011 has no available positions
16 for the grade level in which the student is enrolled.

17 SECTION 12. Subchapter A, Chapter 37, Education Code, is
18 amended by adding Section 37.024 to read as follows:

19 Sec. 37.024. ANNUAL REPORT REGARDING EXPULSIONS,
20 SUSPENSIONS, AND REMOVALS TO DISCIPLINARY ALTERNATIVE EDUCATION
21 PROGRAMS. Not later than September 1, each school district and
22 open-enrollment charter school shall prepare and submit to the
23 agency an annual report regarding each expulsion, suspension, or
24 removal of a student to a disciplinary alternative education
25 program that occurred during the preceding school year,
26 disaggregated by:

27 (1) the type of removal;

- (2) the student's race;
- (3) the student's gender; and
- (4) the student's grade.

SECTION 13. Section 37.055, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1) and (a-2) to read as follows:

(a) On admitting a student to a school-community guidance center, placing a student in a disciplinary alternative education program, or expelling a student, a representative of the school district, the student, and the student's parent shall develop an agreement that specifies the responsibilities of the parent and the student. The agreement must include:

(1) a statement of the student's behavioral and learning objectives;

(2) a requirement that the parent attend specified meetings and conferences for teacher review of the student's progress; and

(3) the parent's acknowledgement that the parent understands and accepts the responsibilities imposed by the agreement regarding attendance at meetings and conferences and assistance in meeting other objectives, defined by the district, to aid student remediation.

(a-1) The school district shall provide to the student's parent written notice of the meeting at which the agreement described by Subsection (a) will be developed and encourage the student's parent to attend the meeting. The district shall ensure the student's parent may attend the meeting in person or by

1 telephone or video conference.

2 (a-2) If the student and the student's parent participate in
3 the development and completion of the agreement described by
4 Subsection (a), the school district shall review and may reduce the
5 length of any discipline to be imposed on the student.

6 (b) The superintendent of the school district may obtain a
7 court order from a district, county, or justice court in whose
8 jurisdiction all or any part of the school district is located
9 requiring a parent to fully, reasonably, and timely participate in
10 the development of ~~[comply with]~~ an agreement ~~[made]~~ under this
11 section and to comply with the agreement if the parent receives
12 notice of a meeting to develop the agreement under Subsection (a-1)
13 and fails to attend the meeting on two separate occasions. A parent
14 who violates a court order issued under this subsection may be
15 punished for contempt of court or by other appropriate judicial
16 remedy.

17 SECTION 14. Section 37.115, Education Code, is amended by
18 adding Subsection (d-1) to read as follows:

19 (d-1) Notwithstanding Subsection (d), if a student in a
20 special education program under Subchapter A, Chapter 29, is the
21 subject of a threat assessment under Subsection (f), the team
22 conducting the assessment must include at least one of the
23 following professionals who has specific knowledge of the student's
24 disability and the disability's manifestations:

25 (1) a special education teacher assigned to the
26 student;

27 (2) a licensed behavior analyst;

1 (3) a licensed clinical or licensed master social
2 worker; or

3 (4) a licensed specialist in school psychology.

4 SECTION 15. Subchapter D, Chapter 37, Education Code, is
5 amended by adding Section 37.1151 to read as follows:

6 Sec. 37.1151. SUIT FOR TEMPORARY ALTERNATIVE PLACEMENT FOR
7 CERTAIN STUDENTS. (a) In this section, "student with a disability"
8 means a student who is covered by:

9 (1) the Individuals with Disabilities Education Act
10 (20 U.S.C. Section 1400 et seq.); or

11 (2) Section 504, Rehabilitation Act of 1973 (29 U.S.C.
12 Section 794).

13 (b) If, pursuant to a threat assessment conducted with
14 respect to a student under Section 37.115, the school district in
15 which the student is enrolled determines that the student's
16 continued placement in the student's current educational setting is
17 substantially likely to result in physical harm to the student or
18 another person, the district may file a civil action for injunctive
19 relief in a district court to authorize the district to immediately
20 remove the student from the student's current educational setting
21 and place the student in an alternative educational setting.

22 (c) The school district requesting injunctive relief under
23 this section must show that:

24 (1) the district has made reasonable efforts to
25 maintain the student's current educational setting and minimize the
26 likelihood of physical harm to the student or another person;

27 (2) despite the district's efforts under Subdivision

1 (1), maintaining the student's current educational setting is
2 substantially likely to result in physical harm to the student or
3 another person; and

4 (3) the district provided notice to the student's
5 parent or person standing in parental relation to the student of:

6 (A) the results of the threat assessment
7 conducted with respect to the student under Section 37.115; and

8 (B) the filing of a civil action under Subsection
9 (b).

10 (d) Not later than the fifth calendar day after the date a
11 school district files a civil action under Subsection (b), the
12 district court shall determine whether the district has provided
13 sufficient evidence to satisfy the requirements of Subsection (c),
14 and, if so, may order the district to remove the student from the
15 student's current educational setting and place the student in an
16 alternative educational setting for a period not to exceed 60
17 instructional days.

18 (e) In making the determination under Subsection (d), the
19 district court shall consider:

20 (1) the results of the threat assessment conducted
21 with respect to the student under Section 37.115;

22 (2) for a student with a disability, any
23 recommendations or findings made by the student's admission,
24 review, and dismissal committee or the student's team established
25 under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section
26 794), as applicable; and

27 (3) any other relevant information.

(f) Before the expiration of an order issued under Subsection (d) for a student enrolled in the school district's special education program under Subchapter A, Chapter 29, the school district shall request from the student's parent or person standing in parental relation to the student consent for a qualified professional to conduct a functional behavioral assessment of the student.

(g) Before the expiration of an order issued under Subsection (d) for a student enrolled in the school district's special education program under Subchapter A, Chapter 29, the school district shall seek consent from the student's parent or person standing in parental relation to conduct a functional behavioral assessment of the student by a licensed specialist in school psychology, a licensed behavior analyst, or a behavior specialist.

(h) On the expiration of an order issued under Subsection (d), the school district may file another civil action under Subsection (b) to extend the period of the student's placement in an alternative educational setting if the district determines, pursuant to an additional threat assessment conducted with respect to the student under Section 37.115, that the student's return to the student's previous educational setting is substantially likely to result in physical harm to the student or another person.

(i) A school district must ensure that a student with a disability who is placed in an alternative educational setting under this section continues to receive all required educational services, including services under the student's individualized

1 education program or the student's plan created under Section 504,
2 Rehabilitation Act of 1973 (29 U.S.C. Section 794), as applicable.

3 (j) A school district that has filed a civil action under
4 Subsection (b) for the removal of a student is not subject to the
5 requirements of Section 37.009(a) with respect to that removal.

6 SECTION 16. Section 37.007(i), Education Code, is repealed.

7 SECTION 17. This Act applies beginning with the 2025-2026
8 school year.

9 SECTION 18. This Act takes effect immediately if it
10 receives a vote of two-thirds of all the members elected to each
11 house, as provided by Section 39, Article III, Texas Constitution.
12 If this Act does not receive the vote necessary for immediate
13 effect, this Act takes effect September 1, 2025.

ADOPTED

MAY 22 2025

Lately Spaw
Secretary of the Senate

By: Chris Papp

H.B. No. 6

Substitute the following for H.B. No. 6:

By: Ed Hays

C.S. H.B. No. 6

A BILL TO BE ENTITLED

1 AN ACT

2 relating to discipline management and access to telehealth mental
3 health services in public schools.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 12.111, Education Code, is amended by
6 amending Subsection (a) and adding Subsection (a-1) to read as
7 follows:

8 (a) Each charter granted under this subchapter must:

9 (1) describe the educational program to be offered,
10 which must include the required curriculum as provided by Section
11 28.002;

12 (2) provide that continuation of the charter is
13 contingent on the status of the charter as determined under Section
14 12.1141 or 12.115 or under Chapter 39A;

15 (3) specify the academic, operational, and financial
16 performance expectations by which a school operating under the
17 charter will be evaluated, which must include applicable elements
18 of the performance frameworks adopted under Section 12.1181;

19 (4) specify:

20 (A) any basis, in addition to a basis specified
21 by this subchapter or Chapter 39A, on which the charter may be
22 revoked, renewal of the charter may be denied, or the charter may be
23 allowed to expire; and

24 (B) the standards for evaluation of a school

1 operating under the charter for purposes of charter renewal, denial
2 of renewal, expiration, revocation, or other intervention in
3 accordance with Section 12.1141 or 12.115 or Chapter 39A, as
4 applicable;

5 (5) prohibit discrimination in admission policy on the
6 basis of sex, national origin, ethnicity, religion, disability,
7 academic, artistic, or athletic ability, or the district the child
8 would otherwise attend in accordance with this code, although the
9 charter may:

10 (A) provide for the exclusion of a student who:

11 (i) has engaged in conduct outlined in
12 Section 37.006 and was placed in a disciplinary alternative
13 education program or a juvenile justice alternative education
14 program;

15 (ii) has engaged in conduct outlined in
16 Section 37.007 and was expelled; or

17 (iii) has been convicted of a criminal
18 offense or has a juvenile court adjudication ~~[has a documented~~
19 ~~history of a criminal offense, a juvenile court adjudication, or~~
20 ~~discipline problems under Subchapter A, Chapter 37]; and~~

21 (B) provide for an admission policy that requires
22 a student to demonstrate artistic ability if the school specializes
23 in performing arts;

24 (6) specify the grade levels to be offered;

25 (7) describe the governing structure of the program,
26 including:

27 (A) the officer positions designated;

1 (B) the manner in which officers are selected and
2 removed from office;
3 (C) the manner in which members of the governing
4 body of the school are selected and removed from office;
5 (D) the manner in which vacancies on that
6 governing body are filled;
7 (E) the term for which members of that governing
8 body serve; and
9 (F) whether the terms are to be staggered;
10 (8) specify the powers or duties of the governing body
11 of the school that the governing body may delegate to an officer;
12 (9) specify the manner in which the school will
13 distribute to parents information related to the qualifications of
14 each professional employee of the program, including any
15 professional or educational degree held by each employee, a
16 statement of any certification under Subchapter B, Chapter 21, held
17 by each employee, and any relevant experience of each employee;
18 (10) describe the process by which the person
19 providing the program will adopt an annual budget;
20 (11) describe the manner in which an annual audit of
21 the financial and programmatic operations of the program is to be
22 conducted, including the manner in which the person providing the
23 program will provide information necessary for the school district
24 in which the program is located to participate, as required by this
25 code or by commissioner rule, in the Public Education Information
26 Management System (PEIMS);
27 (12) describe the facilities to be used;

1 (13) describe the geographical area served by the
2 program;

3 (14) specify any type of enrollment criteria to be
4 used;

5 (15) provide information, as determined by the
6 commissioner, relating to any management company that will provide
7 management services to a school operating under the charter; and

8 (16) specify that the governing body of an
9 open-enrollment charter school accepts and may not delegate
10 ultimate responsibility for the school, including the school's
11 academic performance and financial and operational viability, and
12 is responsible for overseeing any management company providing
13 management services for the school and for holding the management
14 company accountable for the school's performance.

15 (a-1) Notwithstanding Subsection (a)(5), a charter granted
16 under this subchapter may provide for the exclusion of a student
17 from an open-enrollment charter school campus that includes a
18 child-care facility based on the student's conviction for a
19 criminal offense that would preclude the student from being
20 admitted to a school district campus that includes a child-care
21 facility.

22 SECTION 2. Section 12A.004(a), Education Code, is amended
23 to read as follows:

24 (a) A local innovation plan may not provide for the
25 exemption of a district designated as a district of innovation from
26 the following provisions of this title:

27 (1) a state or federal requirement applicable to an

1 open-enrollment charter school operating under Subchapter D,
2 Chapter 12;

3 (2) Subchapters A, C, D, and E, Chapter 11, except that
4 a district may be exempt from Sections 11.1511(b)(5) and (14) and
5 Section 11.162;

6 (3) state curriculum and graduation requirements
7 adopted under Chapter 28;

8 (4) Chapter 37; and

9 (5) [~~4~~] academic and financial accountability and
10 sanctions under Chapters 39 and 39A.

11 SECTION 3. Subchapter B, Chapter 22, Education Code, is
12 amended by adding Section 22.05121 to read as follows:

13 Sec. 22.05121. IMMUNITY FROM DISCIPLINARY PROCEEDINGS FOR
14 ACTIONS RELATED TO DISCIPLINE AND LAW AND ORDER. (a) In this
15 section, "disciplinary proceeding" means:

16 (1) an action brought by the school district employing
17 a professional employee of a school district to discharge or
18 suspend the employee or terminate or not renew the employee's term
19 contract; or

20 (2) an action or proceeding brought by the State Board
21 for Educator Certification.

22 (b) A professional employee of a school district may not be
23 subject to disciplinary proceedings for:

24 (1) the reporting of a violation of Chapter 37 to
25 another professional employee of a school district, the agency, or
26 a law enforcement agency; or

27 (2) an action taken in good faith to remove a student

1 from class under Section 37.002.

2 (c) The immunity provided by Subsection (b) is in addition
3 to any other immunity provided by law. This section may not be
4 construed to interfere with any other immunity provided by law.

5 SECTION 4. Section 29.041(3), Education Code, is amended to
6 read as follows:

7 (3) "Supplemental special education services" means
8 an additive service that provides an educational benefit to a
9 student receiving special education services under Subchapter A,
10 including:

11 (A) occupational therapy, physical therapy, and
12 speech therapy; ~~and~~

13 (B) private tutoring and other supplemental
14 private instruction or programs; and

15 (C) crisis prevention and intervention training
16 for the student's parent or person standing in parental relation to
17 the student.

18 SECTION 5. Section 37.001(b-1), Education Code, is amended
19 to read as follows:

20 (b-1) The methods adopted under Subsection (a)(8) must
21 provide that a student who is enrolled in a special education
22 program under Subchapter A, Chapter 29, may not be disciplined in a
23 manner that results in a change in the student's educational
24 placement for conduct prohibited in accordance with Subsection
25 (a)(7) until an admission, review, and dismissal committee meeting
26 has been held to review the conduct.

27 SECTION 6. Section 37.0012, Education Code, is amended by

1 amending Subsection (a) and adding Subsections (a-1) and (b-1) to
2 read as follows:

3 (a) A single person at each campus must be designated to
4 serve as the campus behavior coordinator. The person designated
5 may be the principal of the campus or any other campus administrator
6 selected by the principal.

7 (a-1) Additional school staff members may assist the campus
8 behavior coordinator in the performance of the campus behavior
9 coordinator's duties, provided that the campus behavior
10 coordinator personally verifies that all aspects of this subchapter
11 are appropriately implemented.

12 (b-1) The campus behavior coordinator shall:

13 (1) monitor disciplinary referrals;

14 (2) report to the campus's threat assessment and safe
15 and supportive school team established under Section 37.115 any
16 student who engages in conduct that contains the elements of:

17 (A) the offense of terroristic threat under
18 Section 22.07, Penal Code;

19 (B) the offense of unlawfully carrying weapons
20 under Section 46.02, Penal Code;

21 (C) an offense relating to prohibited weapons
22 under Section 46.05, Penal Code; or

23 (D) the offense of exhibiting, using, or
24 threatening to exhibit or use a firearm under Section 37.125 of this
25 code; and

26 (3) report to the campus's threat assessment and safe
27 and supportive school team established under Section 37.115 any

1 concerning student behaviors or behavioral trends that may pose a
2 serious risk of violence to the student or others.

3 SECTION 7. Section 37.002, Education Code, is amended by
4 amending Subsections (b), (c), and (d) and adding Subsections
5 (b-2), (b-3), (c-1), (c-2), (f), (f-1), and (g) to read as follows:

6 (b) A teacher may remove from class a student who:

7 (1) repeatedly interferes [~~who has been documented by~~
8 ~~the teacher to repeatedly interfere~~] with the teacher's ability to
9 communicate effectively with the students in the class or with the
10 ability of the student's classmates to learn; [~~or~~]

11 (2) demonstrates [~~whose~~] behavior that is unruly,
12 disruptive, or abusive toward the teacher, another adult, or
13 another student; or

14 (3) engages in conduct that constitutes bullying, as
15 defined by Section 37.0832 [~~determines is so unruly, disruptive, or~~
16 ~~abusive that it seriously interferes with the teacher's ability to~~
17 ~~communicate effectively with the students in the class or with the~~
18 ~~ability of the student's classmates to learn~~].

19 (b-2) A teacher, campus behavior coordinator, or other
20 appropriate administrator shall notify a parent or person standing
21 in parental relation to a student of the removal of a student under
22 this section.

23 (b-3) Subject to Sections 28.0022(a)(2) and (d), a teacher
24 may remove a student from class under Subsection (b) of this section
25 based on a single incident of behavior described by Subsection
26 (b)(1), (2), or (3).

27 (c) If a teacher removes a student from class under

1 Subsection (b), the principal may place the student into another
2 appropriate classroom, into in-school suspension, or into a
3 disciplinary alternative education program as provided by Section
4 37.008. The principal may not return the student to that teacher's
5 class without the teacher's written consent unless the committee
6 established under Section 37.003 determines that such placement is
7 the best or only alternative available and, not later than the third
8 class day after the day on which the student was removed from class,
9 a conference in which the teacher has been provided an opportunity
10 to participate has been held in accordance with Section 37.009(a).
11 The principal may not return the student to that teacher's class
12 unless the teacher provides written consent for the student's
13 return or a return to class plan has been prepared for that student.
14 The principal may only designate an employee of the school whose
15 primary duties do not include classroom instruction to create a
16 return to class plan. The terms of the removal may prohibit the
17 student from attending or participating in school-sponsored or
18 school-related activity.

19 (c-1) A return to class plan required under Subsection (c)
20 must be created before or at the conference described by that
21 subsection. A plan created before the conference must be discussed
22 at the conference.

23 (c-2) The commissioner shall adopt a model return to class
24 plan for use by a school district in creating a return to class plan
25 for a student under Subsection (c).

26 (d) A teacher shall remove from class and send to the
27 principal for placement in a disciplinary alternative education

1 program or for expulsion, as appropriate, a student who engages in
2 conduct described under Section 37.006 or 37.007. The student may
3 not be returned to that teacher's class without the teacher's
4 written consent unless the committee established under Section
5 37.003 determines that such placement is the best or only
6 alternative available and a conference in which the teacher has
7 been provided an opportunity to participate has been held in
8 accordance with Section 37.009(a). If the teacher removed the
9 student from class because the student has engaged in the elements
10 of any offense listed in [~~Section 37.006(a)(2)(B) or~~] Section
11 37.007(a)(2)(A) or (a)(4) [~~(b)(2)(C)~~] against the teacher, the
12 student may not be returned to the teacher's class without the
13 teacher's written consent. The teacher may not be coerced to
14 consent.

15 (f) A student may appeal the student's removal from class
16 under this section to:

17 (1) the school's placement review committee
18 established under Section 37.003; or

19 (2) the campus's threat assessment and safe and
20 supportive school team established under Section 37.115, in
21 accordance with a district policy providing for such an appeal to be
22 made to the team.

23 (f-1) The principal, campus behavior coordinator, or other
24 appropriate administrator shall, at the conference required under
25 Section 37.009(a), notify a student who has been removed from class
26 under this section and the parent of or person standing in parental
27 relation to the student of the student's right to appeal under

1 Subsection (f).

2 (g) Section 37.004 applies to the removal or placement under
3 this section of a student with a disability who receives special
4 education services.

5 SECTION 8. Section 37.005, Education Code, is amended by
6 amending Subsections (a), (b), (c), and (d) and adding Subsections
7 (b-1) and (c-2) to read as follows:

8 (a) The principal or other appropriate administrator may
9 suspend a student who engages in conduct identified in the student
10 code of conduct adopted under Section 37.001 as conduct for which a
11 student may be subject to an in-school or out-of-school suspension
12 ~~[suspended]~~.

13 (b) An out-of-school [A] suspension under this section may
14 not exceed three school days. An in-school suspension under this
15 section is not subject to any time limit.

16 (b-1) A school's placement review committee shall review
17 the in-school suspension of a student under this section at least
18 once every 15 school days after the date the suspension begins to
19 evaluate the educational progress of the student and to determine
20 if continued in-school suspension is appropriate. If the placement
21 review committee determines that continued in-school suspension is
22 appropriate, the committee shall document the determination.

23 (c) A student who is enrolled in a grade level below grade
24 three may not be placed in out-of-school suspension unless while on
25 school property or while attending a school-sponsored or
26 school-related activity on or off of school property, the student
27 engages in:

1 (1) conduct that contains the elements of an offense
2 related to weapons under Section 46.02 or 46.05, Penal Code;
3 (2) conduct that threatens the immediate health and
4 safety of other students in the classroom;
5 (3) conduct that results in repeated or significant
6 disruption to the classroom [~~contains the elements of a violent~~
7 ~~offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code~~];
8 or
9 (4) [~~3~~] selling, giving, or delivering to another
10 person or possessing, using, or being under the influence of any
11 amount of:
12 (A) marihuana or a controlled substance, as
13 defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.
14 Section 801 et seq.;
15 (B) a dangerous drug, as defined by Chapter 483,
16 Health and Safety Code; or
17 (C) an alcoholic beverage, as defined by Section
18 1.04, Alcoholic Beverage Code.
19 (c-2) On receiving a written request from the student's
20 parent or person standing in parental relation to the student, the
21 campus administrator or district designee may at the
22 administrator's or designee's sole discretion reassign a student
23 placed in out-of-school suspension under Subsection (c) to an
24 in-school suspension if the student's parent or person standing in
25 parental relation to the student demonstrates through supporting
26 information and documentation that the parent or person is unable
27 to provide suitable supervision for the student during school hours

1 during the period of the suspension. The alternative placement
2 provided by this section may be used only in extenuating
3 circumstances and may not be used as a routine replacement for
4 out-of-school suspension. The school district shall maintain
5 documentation of each reassignment under this subsection,
6 including the parent's or person's request, the reason for the
7 parent's or person's unavailability, and the supporting information
8 and documentation.

9 (d) A school district or open-enrollment charter school may
10 not place a student who is homeless in out-of-school suspension
11 unless the student engages in conduct described by Subsections
12 (c)(1)-(4) [~~(c)(1)-(3)~~] while on school property or while attending
13 a school-sponsored or school-related activity on or off of school
14 property. The campus behavior coordinator may coordinate with the
15 school district's homeless education liaison to identify
16 appropriate alternatives to out-of-school suspension for a student
17 who is homeless. In this subsection, "student who is homeless" has
18 the meaning assigned to the term "homeless children and youths"
19 under 42 U.S.C. Section 11434a.

20 SECTION 9. Section 37.006, Education Code, is amended by
21 amending Subsections (a), (b), (c), and (d) and adding Subsection
22 (d-1) to read as follows:

23 (a) Subject to the requirements of Section 37.009(a), a
24 student shall be removed from class and placed in a disciplinary
25 alternative education program as provided by Section 37.008 if the
26 student:

27 (1) engages in conduct involving a public school that

1 contains the elements of the offense of false alarm or report under
2 Section 42.06, Penal Code, or terroristic threat under Section
3 22.07, Penal Code; or

4 (2) commits the following on or within 300 feet of
5 school property, as measured from any point on the school's real
6 property boundary line, or while attending a school-sponsored or
7 school-related activity on or off of school property:

8 (A) except as provided by Section 37.007(a),
9 engages in conduct punishable as a felony;

10 (B) engages in conduct that contains the elements
11 of the offense of assault under Section 22.01(a)(1), Penal Code;

12 (C) except as provided by Section 37.007(a)(3),
13 sells, gives, or delivers to another person or possesses or uses or
14 is under the influence of:

15 (i) a controlled substance, as defined by
16 Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et
17 seq., excluding marihuana, as defined by Section 481.002, Health
18 and Safety Code, or tetrahydrocannabinol, as defined by rule
19 adopted under Section 481.003 of that code; or

20 (ii) a dangerous drug, as defined by
21 Chapter 483, Health and Safety Code;

22 (C-1) possesses, uses, or is under the influence
23 of, or sells, gives, or delivers to another person marihuana, as
24 defined by Section 481.002, Health and Safety Code, or
25 tetrahydrocannabinol, as defined by rule adopted under Section
26 481.003 of that code;

27 (C-2) possesses, uses, sells, gives, or delivers

1 to another person an e-cigarette, as defined by Section 161.081,
2 Health and Safety Code;

3 (D) sells, gives, or delivers to another person
4 an alcoholic beverage, as defined by Section 1.04, Alcoholic
5 Beverage Code, commits a serious act or offense while under the
6 influence of alcohol, or possesses, uses, or is under the influence
7 of an alcoholic beverage;

8 (E) engages in conduct that contains the elements
9 of an offense relating to an abusable volatile chemical under
10 Sections 485.031 through 485.034, Health and Safety Code;

11 (F) engages in conduct that contains the elements
12 of the offense of public lewdness under Section 21.07, Penal Code,
13 or indecent exposure under Section 21.08, Penal Code; or

14 (G) engages in conduct that contains the elements
15 of the offense of harassment under Section 42.07(a)(1), (2), (3),
16 or (7), Penal Code, against an employee of the school district.

17 (b) A ~~[Except as provided by Section 37.007(d), a]~~ student
18 shall be removed from class and placed in a disciplinary
19 alternative education program under Section 37.008 if the student
20 engages in conduct on or off of school property against any school
21 employee or volunteer as defined by Section 22.053 that contains
22 the elements of the offense of:

23 (1) retaliation under Section 36.06, Penal Code; or

24 (2) harassment under Section 42.07, Penal Code~~[~~
25 ~~against any school employee]~~.

26 (c) In addition to Subsections (a) and (b), a student shall
27 be removed from class and placed in a disciplinary alternative

1 education program under Section 37.008 based on conduct occurring
2 off campus and while the student is not in attendance at a
3 school-sponsored or school-related activity if:

4 (1) the student receives deferred prosecution under
5 Section 53.03, Family Code, for conduct defined as any of the
6 following offenses under the Penal Code:

7 (A) a felony offense under ~~[in]~~ Title 5~~[, Penal~~
8 ~~Code]~~; ~~[or]~~

9 (B) the offense of deadly conduct under Section
10 22.05;

11 (C) the felony offense of aggravated robbery
12 under Section 29.03~~[, Penal Code]~~;

13 (D) the offense of disorderly conduct involving a
14 firearm under Section 42.01(a)(7) or (8); or

15 (E) the offense of unlawfully carrying weapons
16 under Section 46.02, except for an offense punishable as a Class C
17 misdemeanor under that section;

18 (2) a court or jury finds that the student has engaged
19 in delinquent conduct under Section 54.03, Family Code, for conduct
20 defined as an offense listed in Subdivision (1)~~[+~~

21 ~~[(A) a felony offense in Title 5, Penal Code, or~~

22 ~~[(B) the felony offense of aggravated robbery~~
23 ~~under Section 29.03, Penal Code]; or~~

24 (3) the superintendent or the superintendent's
25 designee has a reasonable belief that the student has engaged in a
26 conduct defined as an offense listed in Subdivision (1)~~[+~~

27 ~~[(A) a felony offense in Title 5, Penal Code, or~~

1 ~~[(B) the felony offense of aggravated robbery~~
2 ~~under Section 29.03, Penal Code].~~

3 (d) In addition to Subsections (a), (b), and (c), a student
4 may be removed from class and placed in a disciplinary alternative
5 education program under Section 37.008:

6 (1) if the student:

7 (A) engages in conduct that contains the elements
8 of the offense of disruptive activities under Section 37.123; or

9 (B) subject to Subsection (d-1), engages in
10 conduct that contains the elements of the offense of disruption of
11 classes under Section 37.124, unless Subsection (d) of that section
12 applies to the student; or

13 (2) based on conduct occurring off campus and while
14 the student is not in attendance at a school-sponsored or
15 school-related activity if:

16 (A) [~~1~~] the superintendent or the
17 superintendent's designee has a reasonable belief that the student
18 has engaged in conduct defined as a felony offense other than
19 aggravated robbery under Section 29.03, Penal Code, or those
20 offenses defined in Title 5, Penal Code; and

21 (B) [~~2~~] the continued presence of the student
22 in the regular classroom threatens the safety of other students or
23 teachers or will be detrimental to the educational process.

24 (d-1) A student may be removed from class under Subsection
25 (d)(1)(B) for conduct described by Section 37.124(c)(1)(A) only if
26 the conduct is intentional and repeated.

27 SECTION 10. Section 37.007, Education Code, is amended by

1 amending Subsections (a) and (b) and adding Subsection (f-1) to
2 read as follows:

3 (a) Except as provided by Subsection (k) and subject to the
4 requirements of Section 37.009(a), a student shall be expelled from
5 a school if the student, ~~[on school property or while attending a~~
6 ~~school-sponsored or school-related activity]~~ on or off of school
7 property:

8 (1) engages in conduct that contains the elements of
9 the offense of unlawfully carrying weapons under Section 46.02,
10 Penal Code, or elements of an offense relating to prohibited
11 weapons under Section 46.05, Penal Code;

12 (2) engages in conduct that contains the elements of
13 the offense of:

14 (A) aggravated assault under Section 22.02,
15 Penal Code, sexual assault under Section 22.011, Penal Code, or
16 aggravated sexual assault under Section 22.021, Penal Code;

17 (B) arson under Section 28.02, Penal Code;

18 (C) murder under Section 19.02, Penal Code,
19 capital murder under Section 19.03, Penal Code, or criminal
20 attempt, under Section 15.01, Penal Code, to commit murder or
21 capital murder;

22 (D) indecency with a child under Section 21.11,
23 Penal Code;

24 (E) kidnapping under Section 20.03, Penal Code,
25 or aggravated kidnapping under Section 20.04, Penal Code;

26 (F) burglary under Section 30.02, Penal Code,
27 robbery under Section 29.02, Penal Code, or aggravated robbery

1 under Section 29.03, Penal Code;

2 (G) manslaughter under Section 19.04, Penal
3 Code;

4 (H) criminally negligent homicide under Section
5 19.05, Penal Code; or

6 (I) continuous sexual abuse of young child or
7 disabled individual under Section 21.02, Penal Code; ~~[or]~~

8 (3) engages in conduct specified by Section
9 37.006(a)(2)(C), if the conduct is punishable as a felony;

10 (4) engages in conduct that contains the elements of
11 the offense of assault under Section 22.01(a)(1), Penal Code,
12 against a school district employee or volunteer as defined by
13 Section 22.053 of this code; or

14 (5) engages in conduct that contains the elements of
15 the offense of exhibiting, using, or threatening to exhibit or use a
16 firearm under Section 37.125 of this code.

17 (b) A student may be expelled if the student:

18 (1) engages in conduct involving a public school that
19 contains the elements of the offense of false alarm or report under
20 Section 42.06, Penal Code, or terroristic threat under Section
21 22.07, Penal Code;

22 (2) while on or within 300 feet of school property, as
23 measured from any point on the school's real property boundary
24 line, or while attending a school-sponsored or school-related
25 activity on or off of school property:

26 (A) except as provided by Subsection (a)(3),
27 sells, gives, or delivers to another person or possesses, uses, or

1 is under the influence of any amount of:

2 (i) marihuana or a controlled substance, as
3 defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.
4 Section 801 et seq.;

5 (ii) a dangerous drug, as defined by
6 Chapter 483, Health and Safety Code; or

7 (iii) an alcoholic beverage, as defined by
8 Section 1.04, Alcoholic Beverage Code;

9 (B) engages in conduct that contains the elements
10 of an offense relating to an abusable volatile chemical under
11 Sections 485.031 through 485.034, Health and Safety Code; or

12 (C) ~~[engages in conduct that contains the~~
13 ~~elements of an offense under Section 22.01(a)(1), Penal Code,~~
14 ~~against a school district employee or a volunteer as defined by~~
15 ~~Section 22.053, or~~

16 ~~[(D)]~~ engages in conduct that contains the
17 elements of the offense of deadly conduct under Section 22.05,
18 Penal Code;

19 (3) ~~[subject to Subsection (d),]~~ while within 300 feet
20 of school property, as measured from any point on the school's real
21 property boundary line, [+

22 ~~[(A) engages in conduct specified by Subsection~~
23 ~~(a), or~~

24 ~~[(B)]~~ possesses a firearm, as defined by 18
25 U.S.C. Section 921;

26 ~~[(4) engages in conduct that contains the elements of~~
27 ~~any offense listed in Subsection (a)(2)(A) or (C) or the offense of~~

~~aggravated robbery under Section 29.03, Penal Code, against another student, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property,] or~~

(4) ~~[(5)]~~ engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02, Penal Code, if:

(A) the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and

(B) the student knowingly:

(i) alters, damages, or deletes school district property or information; or

(ii) commits a breach of any other computer, computer network, or computer system.

(f-1) A school district shall place a student expelled under this section in:

(1) a juvenile justice alternative education program, if the school district is located in a county that operates a juvenile justice alternative education program or the school district contracts with the juvenile board of another county for the provision of a juvenile justice alternative education program; or

(2) a virtual or in-person disciplinary alternative education program.

SECTION 11. Section 37.0081(a-1), Education Code, is amended to read as follows:

1 (a-1) The student must be placed in:

2 (1) a juvenile justice alternative education program,
3 if the school district is located in a county that operates a
4 juvenile justice alternative education program or the school
5 district contracts with the juvenile board of another county for
6 the provision of a juvenile justice alternative education program;
7 or

8 (2) a virtual or in-person disciplinary alternative
9 education program.

10 SECTION 12. Subchapter A, Chapter 37, Education Code, is
11 amended by adding Section 37.0083 to read as follows:

12 Sec. 37.0083. VIRTUAL DISCIPLINARY ALTERNATIVE EDUCATION
13 PROGRAM. (a) The board of trustees of a school district, the
14 board's designee, or a juvenile court may place a student who has
15 been expelled under Section 37.007 or 37.0081 in a virtual
16 disciplinary alternative education program established by the
17 district and provide virtual instruction and instructional
18 materials for remote learning to the student only if no positions
19 for the grade level in which the student is enrolled are available
20 in:

21 (1) the district's in-person disciplinary alternative
22 education program; or

23 (2) if the county in which the district is located
24 operates a juvenile justice alternative education program, or if
25 the school district contracts with the juvenile board of another
26 county for the provision of a juvenile justice alternative
27 education program, that county's juvenile justice alternative

1 education program.

2 (a-1) If the board of trustees of a school district, the
3 board's designee, or a juvenile court places a student in a virtual
4 disciplinary alternative education program under this section, the
5 school district shall ensure that the student has suitable computer
6 equipment and Internet access and provide the computer equipment
7 and Internet access if necessary.

8 (b) A school district must ensure that, to the extent
9 practicable in a virtual setting, the district's virtual
10 disciplinary alternative education program complies with the
11 requirements for a disciplinary alternative education program
12 under Section 37.008.

13 (c) A school's placement review committee shall review the
14 placement of a student in a virtual disciplinary alternative
15 education program under this section at least once every 45 school
16 days after the date the placement begins to determine if continued
17 placement in the program is appropriate. If the placement review
18 committee determines that continued placement is appropriate, the
19 committee shall document the determination.

20 (d) A student placed in a virtual disciplinary alternative
21 education program shall be counted toward the district's average
22 daily attendance for purposes of receipt of state funds under the
23 Foundation School Program.

24 (e) A school district may not require a teacher who provides
25 virtual instruction to students in a virtual disciplinary
26 alternative education program to provide virtual instruction and
27 in-class instruction for a course during the same class period.

1 (f) A teacher may not provide instruction for a virtual
2 disciplinary alternative education program course unless the
3 teacher has completed a professional development course on virtual
4 instruction.

5 (g) The commissioner shall adopt rules as necessary to
6 implement this section, including rules providing for a method of
7 taking attendance for students placed in a virtual disciplinary
8 alternative education program and rules requiring school districts
9 to provide basic professional development training for teachers
10 providing instruction in a virtual disciplinary alternative
11 education program.

12 SECTION 13. Section 37.009, Education Code, is amended by
13 adding Subsection (f-1) to read as follows:

14 (f-1) The board or the board's designee may order the
15 placement of a student expelled under Section 37.007 in an
16 alternative education program as provided by Subsection (f-1) of
17 that section.

18 SECTION 14. Section 37.010, Education Code, is amended by
19 adding Subsection (c-1) to read as follows:

20 (c-1) This subsection applies to a juvenile court in a
21 county that operates a program under Section 37.011.
22 Notwithstanding Subsections (a) and (c), a court may order a
23 student expelled under Section 37.007 to attend a school district's
24 virtual disciplinary alternative education program, if:

25 (1) the district has established a virtual
26 disciplinary alternative education program under Section 37.0083;
27 and

1 (2) the county's juvenile justice alternative
2 education program under Section 37.011 has no available positions
3 for the grade level in which the student is enrolled.

4 SECTION 15. Sections 37.011(b), (h), and (k), Education
5 Code, are amended to read as follows:

6 (b) If a student admitted into the public schools of a
7 school district under Section 25.001(b) is expelled from school for
8 conduct for which expulsion is required under Section 37.007(a)[~~7~~
9 ~~(d)~~] or (e), or for conduct that contains the elements of the
10 offense of terroristic threat as described by Section 22.07(c-1),
11 (d), or (e), Penal Code, the juvenile court, the juvenile board, or
12 the juvenile board's designee, as appropriate, shall:

13 (1) if the student is placed on probation under
14 Section 54.04, Family Code, order the student to attend the
15 juvenile justice alternative education program in the county in
16 which the student resides from the date of disposition as a
17 condition of probation, unless the child is placed in a
18 post-adjudication treatment facility;

19 (2) if the student is placed on deferred prosecution
20 under Section 53.03, Family Code, by the court, prosecutor, or
21 probation department, require the student to immediately attend the
22 juvenile justice alternative education program in the county in
23 which the student resides for a period not to exceed six months as a
24 condition of the deferred prosecution;

25 (3) in determining the conditions of the deferred
26 prosecution or court-ordered probation, consider the length of the
27 school district's expulsion order for the student; and

1 (4) provide timely educational services to the student
2 in the juvenile justice alternative education program in the county
3 in which the student resides, regardless of the student's age or
4 whether the juvenile court has jurisdiction over the student.

5 (h) Academically, the mission of juvenile justice
6 alternative education programs shall be to enable students to
7 perform at grade level. For purposes of accountability under
8 Chapters 39 and 39A, a student enrolled in a juvenile justice
9 alternative education program is reported as if the student were
10 enrolled at the student's assigned campus in the student's
11 regularly assigned education program, including a special
12 education program. Annually the Texas Juvenile Justice
13 Department, with the agreement of the commissioner, shall develop
14 and implement a system of accountability consistent with Chapters
15 39 and 39A, where appropriate, to assure that students make
16 progress toward grade level while attending a juvenile justice
17 alternative education program. The department shall adopt rules
18 for the distribution of funds appropriated under this section to
19 juvenile boards in counties required to establish juvenile justice
20 alternative education programs. Except as determined by the
21 commissioner, a student served by a juvenile justice alternative
22 education program on the basis of an expulsion required under
23 Section 37.007(a)[~~7-(d)~~] or (e) is not eligible for Foundation
24 School Program funding under Chapter 31 or 48 if the juvenile
25 justice alternative education program receives funding from the
26 department under this subchapter.

27 (k) Each school district in a county with a population

1 greater than 125,000 and the county juvenile board shall annually
2 enter into a joint memorandum of understanding that:

3 (1) outlines the responsibilities of the juvenile
4 board concerning the establishment and operation of a juvenile
5 justice alternative education program under this section;

6 (2) defines the amount and conditions on payments from
7 the school district to the juvenile board for students of the school
8 district served in the juvenile justice alternative education
9 program whose placement was not made on the basis of an expulsion
10 required under Section 37.007(a) [~~7-(d)~~] or (e);

11 (3) establishes that a student may be placed in the
12 juvenile justice alternative education program if the student
13 engages in serious misbehavior, as defined by Section 37.007(c);

14 (4) identifies and requires a timely placement and
15 specifies a term of placement for expelled students for whom the
16 school district has received a notice under Section 52.041(d),
17 Family Code;

18 (5) establishes services for the transitioning of
19 expelled students to the school district prior to the completion of
20 the student's placement in the juvenile justice alternative
21 education program;

22 (6) establishes a plan that provides transportation
23 services for students placed in the juvenile justice alternative
24 education program;

25 (7) establishes the circumstances and conditions
26 under which a juvenile may be allowed to remain in the juvenile
27 justice alternative education program setting once the juvenile is

1 no longer under juvenile court jurisdiction; and

2 (8) establishes a plan to address special education
3 services required by law.

4 SECTION 16. Section 37.015(a), Education Code, is amended
5 to read as follows:

6 (a) The principal of a public or private primary or
7 secondary school, or a person designated by the principal under
8 Subsection (d), shall notify any school district police department
9 and the police department of the municipality in which the school is
10 located or, if the school is not in a municipality, the sheriff of
11 the county in which the school is located if the principal has
12 reasonable grounds to believe that any of the following activities
13 occur in school, on school property, or at a school-sponsored or
14 school-related activity on or off school property, whether or not
15 the activity is investigated by school security officers:

16 (1) conduct that may constitute an offense listed
17 under Section 508.149, Government Code;

18 (2) deadly conduct under Section 22.05, Penal Code;

19 (3) a terroristic threat under Section 22.07, Penal
20 Code;

21 (4) the use, sale, or possession of a controlled
22 substance, drug paraphernalia, or marihuana under Chapter 481,
23 Health and Safety Code;

24 (5) the possession of any of the weapons or devices
25 listed under Sections 46.01(1)-(14) or Section 46.01(16), Penal
26 Code;

27 (6) conduct that may constitute a criminal offense

1 under Section 71.02, Penal Code; or

2 (7) conduct that may constitute a criminal offense for
3 which a student may be expelled under Section 37.007(a)[~~, (d),~~] or
4 (e).

5 SECTION 17. Section 37.019, Education Code, is amended by
6 adding Subsection (b-1) to read as follows:

7 (b-1) The principal or principal's designee may order the
8 emergency placement or expulsion of a student under this section
9 based on a single incident of behavior by the student.

10 SECTION 18. Subchapter A, Chapter 37, Education Code, is
11 amended by adding Section 37.028 to read as follows:

12 Sec. 37.028. PENALTIES FOR IMPOSITION OF DISCIPLINARY
13 MEASURES PROHIBITED. (a) The agency may not withhold any state
14 funding or impose a penalty on a school district based on the number
15 of students in the district that have been removed from a classroom,
16 placed into in-school or out-of-school suspension, placed in a
17 disciplinary alternative education program or a juvenile justice
18 alternative education program, or expelled.

19 (b) This section may not be construed to limit the agency
20 from taking any action to enforce requirements under federal law
21 related to a determination of significant disproportionality based
22 on the race and ethnicity of students with disabilities.

23 SECTION 19. Section 37.055, Education Code, is amended by
24 amending Subsections (a) and (b) and adding Subsections (a-1) and
25 (a-2) to read as follows:

26 (a) On admitting a student to a school-community guidance
27 center, placing a student in a disciplinary alternative education

1 program, or expelling a student, a representative of the school
2 district, the student, and the student's parent shall develop an
3 agreement that specifies the responsibilities of the parent and the
4 student. The agreement must include:

5 (1) a statement of the student's behavioral and
6 learning objectives;

7 (2) a requirement that the parent attend specified
8 meetings and conferences for teacher review of the student's
9 progress; and

10 (3) the parent's acknowledgement that the parent
11 understands and accepts the responsibilities imposed by the
12 agreement regarding attendance at meetings and conferences and
13 assistance in meeting other objectives, defined by the district, to
14 aid student remediation.

15 (a-1) The school district shall provide to the student's
16 parent written notice of the meeting at which the agreement
17 described by Subsection (a) will be developed and encourage the
18 student's parent to attend the meeting. The district shall ensure
19 the student's parent may attend the meeting in person or by
20 telephone or videoconference.

21 (a-2) If the student and the student's parent participate in
22 the development and completion of the agreement described by
23 Subsection (a), the school district shall review and may reduce the
24 length of any discipline to be imposed on the student.

25 (b) The superintendent of the school district may obtain a
26 court order from a district, county, or justice court in whose
27 jurisdiction all or any part of the school district is located

1 requiring a parent to fully, reasonably, and timely participate in
2 the development of ~~[comply with]~~ an agreement ~~[made]~~ under this
3 section and to comply with the agreement if the parent receives
4 notice of a meeting to develop the agreement under Subsection (a-1)
5 and fails to attend the meeting on two separate occasions. A parent
6 who violates a court order issued under this subsection may be
7 punished for contempt of court or by other appropriate judicial
8 remedy.

9 SECTION 20. Section 37.115, Education Code, is amended by
10 amending Subsection (d) and adding Subsection (d-1) to read as
11 follows:

12 (d) The superintendent of the district shall ensure, to the
13 greatest extent practicable, that the members appointed to each
14 team have expertise in counseling, behavior management, mental
15 health and substance use, classroom instruction, special
16 education, school administration, school safety and security,
17 emergency management, and law enforcement. A team may serve more
18 than one campus of a school district, provided that:

19 (1) each district campus is assigned a team; and
20 (2) in serving a particular campus, the team includes
21 the person designated to serve as the campus behavior coordinator
22 under Section 37.0012 for that campus.

23 (d-1) Notwithstanding Subsection (d), if a student in a
24 special education program under Subchapter A, Chapter 29, is the
25 subject of a threat assessment under Subsection (f), the team
26 conducting the assessment must include a person who has knowledge
27 of student disabilities and how student disabilities manifest and

1 may include:

2 (1) a special education teacher assigned to the
3 student;

4 (2) a licensed behavior analyst;

5 (3) a licensed clinical or licensed master social
6 worker; or

7 (4) a licensed specialist in school psychology.

8 SECTION 21. Subchapter D, Chapter 37, Education Code, is
9 amended by adding Section 37.1151 to read as follows:

10 Sec. 37.1151. SUIT FOR TEMPORARY ALTERNATIVE PLACEMENT FOR
11 CERTAIN STUDENTS. (a) In this section, "student with a disability"
12 means a student who is covered by:

13 (1) the Individuals with Disabilities Education Act
14 (20 U.S.C. Section 1400 et seq.); or

15 (2) Section 504, Rehabilitation Act of 1973 (29 U.S.C.
16 Section 794).

17 (b) If, pursuant to a threat assessment conducted with
18 respect to a student under Section 37.115, the school district in
19 which the student is enrolled determines that the student's
20 continued placement in the student's current educational setting is
21 substantially likely to result in physical harm to the student or
22 another person, the district may file a civil action for injunctive
23 relief in a district court to authorize the district to immediately
24 remove the student from the student's current educational setting
25 and place the student in an alternative educational setting.

26 (c) The school district requesting injunctive relief under
27 this section must show that:

1 (1) the district has made reasonable efforts to
2 maintain the student's current educational setting and minimize the
3 likelihood of physical harm to the student or another person;

4 (2) despite the district's efforts under Subdivision
5 (1), maintaining the student's current educational setting is
6 substantially likely to result in physical harm to the student or
7 another person; and

8 (3) the district provided notice to the student's
9 parent or person standing in parental relation to the student of:

10 (A) the results of the threat assessment
11 conducted with respect to the student under Section 37.115; and

12 (B) the filing of a civil action under Subsection
13 (b).

14 (d) Not later than the fifth calendar day after the date a
15 school district files a civil action under Subsection (b), the
16 district court shall determine whether the district has provided
17 sufficient evidence to satisfy the requirements of Subsection (c),
18 and, if so, may order the district to remove the student from the
19 student's current educational setting and place the student in an
20 alternative educational setting for a period not to exceed 60
21 instructional days.

22 (e) In making the determination under Subsection (d), the
23 district court shall consider:

24 (1) the results of the threat assessment conducted
25 with respect to the student under Section 37.115;

26 (2) for a student with a disability, any
27 recommendations or findings made by the student's admission,

1 review, and dismissal committee or the student's team established
2 under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section
3 794), as applicable; and

4 (3) any other relevant information.

5 (f) Before the expiration of an order issued under
6 Subsection (d) for a student enrolled in the school district's
7 special education program under Subchapter A, Chapter 29, the
8 school district shall request from the student's parent or person
9 standing in parental relation to the student consent for a
10 qualified professional to conduct a functional behavioral
11 assessment of the student.

12 (g) Before the expiration of an order issued under
13 Subsection (d) for a student enrolled in the school district's
14 special education program under Subchapter A, Chapter 29, the
15 school district shall seek consent from the student's parent or
16 person standing in parental relation to the student to conduct a
17 functional behavioral assessment of the student by a licensed
18 specialist in school psychology, a licensed behavior analyst, or a
19 behavior specialist.

20 (h) On the expiration of an order issued under Subsection
21 (d), the school district may file another civil action under
22 Subsection (b) to extend the period of the student's placement in an
23 alternative educational setting if the district determines,
24 pursuant to an additional threat assessment conducted with respect
25 to the student under Section 37.115, that the student's return to
26 the student's previous educational setting is substantially likely
27 to result in physical harm to the student or another person.

1 (i) A school district must ensure that a student with a
2 disability who is placed in an alternative educational setting
3 under this section continues to receive all required educational
4 services, including services under the student's individualized
5 education program or the student's plan created under Section 504,
6 Rehabilitation Act of 1973 (29 U.S.C. Section 794), as applicable.

7 (j) A school district that has filed a civil action under
8 Subsection (b) for the removal of a student is not subject to the
9 requirements of Section 37.009(a) with respect to that removal.

10 SECTION 22. Subchapter F, Chapter 38, Education Code, is
11 amended by adding Section 38.2545 to read as follows:

12 Sec. 38.2545. TEXAS CHILD HEALTH ACCESS THROUGH
13 TELEMEDICINE. (a) In this section:

14 (1) "Consortium" means the Texas Child Mental Health
15 Care Consortium established under Chapter 113, Health and Safety
16 Code.

17 (2) "Program" means the Texas Child Health Access
18 through Telemedicine program operated by the consortium.

19 (b) If the consortium makes available mental health
20 services to a school district through the program, the district
21 shall offer to each student enrolled in the district access to those
22 mental health services.

23 (c) A school district may not:

24 (1) require a student to participate in any service
25 provided under Subsection (b); or

26 (2) refer for participation nor allow participation of
27 a student who is younger than 18 years of age in any component of the

1 program that involves mental health education or screening unless
2 the district obtains signed written consent from the student's
3 parent or legal guardian.

4 (d) The program must obtain written consent from the parent
5 or legal guardian of a student as required by Section 113.0152,
6 Health and Safety Code, before providing to the student a mental
7 health service under this section.

8 (e) The Texas Child Health Access through Telemedicine
9 program is not considered a "school official with a legitimate
10 educational interest" for purposes of the Family Educational Rights
11 and Privacy Act of 1974 (20 U.S.C. Section 1232g). A school
12 district may not share records relating to a student with the
13 program unless the district obtains written consent from the
14 student, or the parent or legal guardian of the student, if the
15 student is younger than 18 years of age.

16 (f) The program shall maintain, provide to each school
17 district at which the program is available, and post on the
18 consortium's Internet website:

19 (1) a list of health providers to which the program
20 refers participants; and

21 (2) the process used by the program in vetting
22 providers described by Subdivision (1).

23 SECTION 23. Section 113.0251, Health and Safety Code, is
24 amended to read as follows:

25 Sec. 113.0251. BIENNIAL REPORT. Not later than December 1
26 of each even-numbered year, the consortium shall prepare and submit
27 to the governor, the lieutenant governor, the speaker of the house

1 of representatives, and the standing committee of each house of the
2 legislature with primary jurisdiction over behavioral health
3 issues and post on its Internet website a written report that
4 outlines:

5 (1) the activities and objectives of the consortium;

6 (2) the health-related institutions of higher
7 education listed in Section 113.0052(1) that receive funding by the
8 executive committee;

9 (3) during the preceding two years, the percentage of
10 participants in the Texas Child Health Access through Telemedicine
11 program operated by the consortium:

12 (A) who were prescribed a psychotropic drug by
13 the consortium;

14 (B) who were referred to a health provider for
15 further mental health services;

16 (C) who completed program treatment goals; and

17 (D) who were provided information on consortium
18 research programs on the participant's discharge from the program;

19 (4) during the preceding two years, the percentage of
20 potential participants:

21 (A) for whom a parent or legal guardian declined
22 to give informed consent to participate in the program; and

23 (B) who were referred to but not enrolled in the
24 program because the potential participant needed more emergent
25 care; and

26 (5) [~~43~~] any legislative recommendations based on
27 the activities and objectives described by Subdivision (1).

1 SECTION 24. Sections 37.007(d) and (i), Education Code, are
2 repealed.

3 SECTION 25. (a) Not later than the first day of the
4 2025-2026 school year, the Texas Education Agency shall prepare and
5 provide to each school district a report identifying each law
6 relating to school discipline that was amended or added by the 89th
7 Legislature, Regular Session, 2025.

8 (b) A school district shall provide to each student and the
9 parent of or person standing in parental relation to the student the
10 report prepared under Subsection (a) of this section.

11 SECTION 26. Section 12A.004(a), Education Code, as amended
12 by this Act, applies to a local innovation plan adopted or renewed
13 before, on, or after the effective date of this Act.

14 SECTION 27. Section 22.05121, Education Code, as added by
15 this Act, applies to a disciplinary proceeding for conduct that
16 occurs before, on, or after the effective date of this Act, except
17 that a disciplinary proceeding finally resolved before the
18 effective date of this Act is unaffected by this Act.

19 SECTION 28. Notwithstanding Sections 38.2545(c)(2), (d),
20 and (e), Education Code, as added by this Act, a school district
21 must comply with the requirements of those provisions and update
22 consent forms and documents as necessary for compliance as soon as
23 practicable after the effective date of this Act but not later than
24 December 1, 2025.

25 SECTION 29. This Act applies beginning with the 2025-2026
26 school year.

27 SECTION 30. This Act takes effect immediately if it

1 receives a vote of two-thirds of all the members elected to each
2 house, as provided by Section 39, Article III, Texas Constitution.
3 If this Act does not receive the vote necessary for immediate
4 effect, this Act takes effect September 1, 2025.

ADOPTED

MAY 22 2025

Latey Law
Secretary of the Senate

Chris Famy

FLOOR AMENDMENT NO. 1

BY: _____

1 Amend C.S.H.B. 6 (senate committee report) in SECTION 1 of
2 the bill, in amended Section 12.111(a)(5)(A), Education Code, as
3 follows:

4 (1) In Subparagraph (i) (page 1, line 57), strike "and was
5 placed" and substitute "related to placement".

6 (2) In Subparagraph (ii) (page 2, line 1), strike "and was
7 expelled" and substitute "related to expulsion".

ADOPTED

MAY 22 2025

Lately Saw
Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY: Chris Perry

1 Amend C.S.H.B. 6 (senate committee report) as follows:

2 (1) In the recital to SECTION 5 of the bill, amending Section
3 37.001, Education Code (page 3, line 42), strike "Section 37.001(b-
4 1), Education Code, is" and substitute "Sections 37.001(a) and (b-
5 1), Education Code, are".

6 (2) Immediately following the recital to SECTION 5 of the
7 bill, amending Section 37.001, Education Code (page 3, between
8 lines 43 and 44), insert the following:

9 (a) The board of trustees of an independent school district
10 shall, with the advice of its district-level committee established
11 under Subchapter F, Chapter 11, adopt a student code of conduct
12 for the district. The student code of conduct must be posted and
13 prominently displayed at each school campus or made available for
14 review at the office of the campus principal. In addition to
15 establishing standards for student conduct, the student code of
16 conduct must:

17 (1) specify the circumstances, in accordance with this
18 subchapter, under which a student may be removed from a classroom,
19 campus, disciplinary alternative education program, or vehicle
20 owned or operated by the district;

21 (2) specify conditions that authorize or require a
22 principal or other appropriate administrator to transfer a student
23 to a disciplinary alternative education program;

24 (3) outline conditions under which a student may be
25 suspended as provided by Section 37.005 or expelled as provided by

1 Section 37.007;

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

8 (A) self-defense;

9 (B) intent or lack of intent at the time the
10 student engaged in the conduct;

11 (C) a student's disciplinary history;

12 (D) a disability that substantially impairs the
13 student's capacity to appreciate the wrongfulness of the student's
14 conduct;

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

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

19 (5) provide guidelines for setting the length of a term
20 of:

21 (A) a removal under Section 37.006; and

22 (B) an expulsion under Section 37.007;

23 (6) address the notification of a student's parent or
24 guardian of a violation of the student code of conduct committed
25 by the student that results in suspension, removal to a
26 disciplinary alternative education program, or expulsion;

27 (7) prohibit bullying, harassment, and making hit lists

1 and ensure that district employees enforce those prohibitions;

2 (8) provide, as appropriate for students at each grade
3 level, methods, including options, for:

4 (A) managing students in the classroom, on school
5 grounds, and on a vehicle owned or operated by the district;

6 (B) disciplining students; and

7 (C) preventing and intervening in student
8 discipline problems, including bullying, harassment, and making
9 hit lists; ~~and~~

10 (9) include an explanation of the provisions regarding
11 refusal of entry to or ejection from district property under
12 Section 37.105, including the appeal process established under
13 Section 37.105(h); and

14 (10) include a statement regarding whether the board
15 has adopted a policy for parental involvement in school
16 disciplinary placements under Section 37.0014, and if so, the
17 provisions of the policy.

18 (3) Strike SECTION 19 of the bill, amending Section 37.055,
19 Education Code (page 12, line 47, through page 13, line 17).

20 (4) Add the following appropriately numbered SECTION to the
21 bill and renumber subsequent SECTIONS of the bill accordingly:

22 SECTION _____. Subchapter A, Chapter 37, Education Code, is
23 amended by adding Section 37.0014 to read as follows:

24 Sec. 37.0014. POLICY FOR PARENTAL INVOLVEMENT IN SCHOOL
25 DISCIPLINARY PLACEMENTS. (a) The board of trustees of a school
26 district may adopt a policy for parental involvement in school
27 disciplinary placements.

1 (b) A policy adopted under this section must provide for:

2 (1) the principal, campus behavior coordinator, or
3 other appropriate administrator to notify the parent of or person
4 standing in parental relation to a student who has been placed in
5 a disciplinary alternative education program or expelled of the
6 parent's or person's right to request for a behavioral agreement
7 that specifies the responsibilities of the parent or person and
8 student to be developed; and

9 (2) if a behavioral agreement described by Subdivision
10 (1) is developed and the student and the student's parent or person
11 standing in parental relation comply with the terms of the
12 agreement, subject to Subsection (c), a reduction in the period of
13 the disciplinary placement imposed on the student.

14 (c) A reduction in the period of a disciplinary placement
15 under Subsection (b)(2) does not entitle the student for whom the
16 period of placement was reduced to a different disciplinary
17 placement. The reduction in the period of a disciplinary placement
18 is at the sole discretion of the principal, campus behavior
19 coordinator, or other appropriate administrator and may be revoked
20 or amended at any time if the student or the student's parent or
21 person standing in parental relation does not comply with the terms
22 of the behavioral agreement developed under Subsection (b)(1).

23 (d) A behavioral agreement developed under Subsection (b)(1)
24 must include in writing the specific reduction in the period of
25 the student's disciplinary placement with which the student will
26 be credited if the student and the student's parent or person
27 standing in parental relation comply with the terms of the

1 behavioral agreement.

2 (e) The commissioner shall adopt a model behavioral
3 agreement for use by school districts in developing a behavioral
4 agreement under Subsection (b) (1).

ADOPTED

MAY 22 2025

Lately Law
Secretary of the Senate

FLOOR AMENDMENT NO. 3

BY: *Joe McQuinn*

Amend C.S.H.B. No. 6 (senate committee report) as follows:

(1) In the recital to SECTION 5 of the bill, amending Section 37.001(b-1), Education Code (page 3, line 42), strike "Section 37.001(b-1), Education Code, is" and substitute "Sections 37.001(a) and (b-1), Education Code, are".

(2) In SECTION 5 of the bill, immediately following the recital (page 3, between lines 43 and 44), insert the following:

(a) The board of trustees of an independent school district shall, with the advice of its district-level committee established under Subchapter F, Chapter 11, adopt a student code of conduct for the district. The student code of conduct must be posted and prominently displayed at each school campus or made available for review at the office of the campus principal. In addition to establishing standards for student conduct, the student code of conduct must:

(1) specify the circumstances, in accordance with this subchapter, under which a student may be removed from a classroom, campus, disciplinary alternative education program, or vehicle owned or operated by the district;

(2) specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program, which must expressly provide that an appropriate administrator may place a student in a disciplinary alternative education program for the first time offense of possession or use of a nicotine delivery product or e-

1 cigarette, as defined by Section 161.081, Health and Safety Code;

2 (3) outline conditions under which a student may be
3 suspended as provided by Section 37.005 or expelled as provided by
4 Section 37.007;

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

11 (A) self-defense;

12 (B) intent or lack of intent at the time the student engaged
13 in the conduct;

14 (C) a student's disciplinary history;

15 (D) a disability that substantially impairs the student's
16 capacity to appreciate the wrongfulness of the student's conduct;

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

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

20 (5) provide guidelines for setting the length of a term of:

21 (A) a removal under Section 37.006; and

22 (B) an expulsion under Section 37.007;

23 (6) address the notification of a student's parent or
24 guardian of a violation of the student code of conduct committed
25 by the student that results in suspension, removal to a
26 disciplinary alternative education program, or expulsion;

27 (7) prohibit bullying, harassment, and making hit lists and

1 ensure that district employees enforce those prohibitions;

2 (8) provide, as appropriate for students at each grade
3 level, methods, including options, for:

4 (A) managing students in the classroom, on school grounds,
5 and on a vehicle owned or operated by the district;

6 (B) disciplining students; and

7 (C) preventing and intervening in student discipline
8 problems, including bullying, harassment, and making hit lists;
9 and

10 (9) include an explanation of the provisions regarding
11 refusal of entry to or ejection from district property under
12 Section 37.105, including the appeal process established under
13 Section 37.105(h).

14 (3) In SECTION 9 of the bill, in amended Section 37.006(a),
15 Education Code (page 6, line 60), strike "possesses, uses," and
16 substitute "[possesses, uses,]".

17 (4) In SECTION 9 of the bill, in amended Section 37.006(d),
18 Education Code (page 7, line 53), strike "or".

19 (5) In SECTION 9 of the bill, in amended Section 37.006(d),
20 Education Code (page 7, line 57), after the underlined semicolon
21 and "or", insert the following:

22 (C) possesses or uses an e-cigarette, as defined by Section
23 161.081, Health and Safety Code, except that if a student who
24 possesses or uses an e-cigarette is not placed in a disciplinary
25 alternative education program for the first time offense under
26 Section 37.008, the student shall be placed in in-school suspension
27 for a period of at least 10 school days; or

ADOPTED

MAY 22 2025

Latey Law
Secretary of the Senate

Chris Ferry

FLOOR AMENDMENT NO. 4

BY: _____

1 Amend C.S.H.B. No. 6 (senate committee report) as follows:

2 (1) In SECTION 8 of the bill, in added Section 37.005(b-1),
3 Education Code (page 5, line 37), strike "placement review
4 committee" and substitute "principal or other appropriate
5 administrator".

6 (2) In SECTION 8 of the bill, in added Section 37.005(b-1),
7 Education Code (page 5, line 39), strike "15" and substitute "10".

8 (3) In SECTION 8 of the bill, in added Section 37.005(b-1),
9 Education Code (page 5, lines 41 and 42), strike "placement review
10 committee" and substitute "principal or other appropriate
11 administrator".

12 (4) In SECTION 8 of the bill, in added Section 37.005(b-1),
13 Education Code (page 5, line 43), strike "committee" and substitute
14 "principal or other appropriate administrator".

15 (5) In SECTION 8 of the bill, in added Section 37.005(c-2),
16 Education Code (page 5, line 69), strike "campus administrator or
17 district designee" and substitute "principal or other appropriate
18 administrator".

19 (6) In SECTION 8 of the bill, in added Section 37.005(c-2),
20 Education Code (page 6, line 1), strike "administrator's or
21 designee's" and substitute "principal's or other appropriate
22 administrator's".

ADOPTED

MAY 22 2025

Latey Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 5

BY: Ryan W. N.

1 Amend C.S.H.B. No. 6 (senate committee report) as follows:

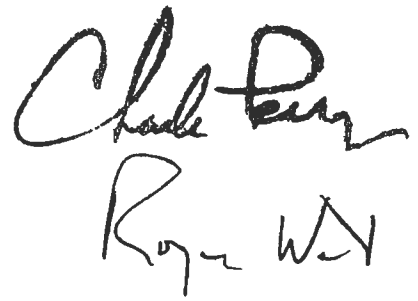
2 (1) In the recital to SECTION 8 of the bill, amending
3 Section 37.005, Education Code (page 5, line 28), strike "and
4 (c-2)" and substitute ", (b-2), and (c-2)".

5 (2) In SECTION 8 of the bill, in amended Section 37.005,
6 Education Code (page 5, between lines 43 and 44), insert the
7 following:

8 (b-2) A school shall provide a student subject to an
9 in-school suspension under this section with appropriate
10 behavioral support services and comparable educational services as
11 the student would receive in the classroom. If the student receives
12 special education services under Subchapter A, Chapter 29, the
13 student must:

14 (1) continue to receive special education and related
15 services specified in the student's individualized education
16 program; and

17 (2) continue to have an opportunity to progress in the
18 general curriculum.




ADOPTED

FLOOR AMENDMENT NO. 6

MAY 22 2025

BY:




Secretary of the Senate

Amend C.S.H.B. No. 6 (senate committee report) as follows:

(1) In SECTION 8 of the bill, amending Section 37.005(c), Education Code strike Subsection (c) (page 5, lines 44 through 66), and substitute the following:

(c) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in:

(1) conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;

(2) conduct that threatens the immediate health and safety of other students in the classroom;

(3) documented conduct that results in repeated or significant disruption to the classroom [~~contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code~~]; or

(4) [~~3~~] selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:

(A) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

1 (C) an alcoholic beverage, as defined by Section 1.04,
2 Alcoholic Beverage Code.

ADOPTED

MAY 22 2025

Latey Law
Secretary of the Senate

Chris Ferry

FLOOR AMENDMENT NO. 7

BY: _____

Amend C.S.H.B. No. 6 (senate committee report) as follows:

(1) In the recital to SECTION 10 of the bill, amending Section 37.007, Education Code (page 8, lines 3 and 4), strike "Section 37.007, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (f-1)" and substituting "Sections 37.007(a) and (b), Education Code, are amended".

(2) In SECTION 10 of the bill, strike added Section 37.007(f-1), Education Code (page 9, lines 31 through 40).

(3) Strike SECTION 11 of the bill (page 9, lines 41 through 51) and renumber subsequent SECTIONS of the bill accordingly.

(4) In SECTION 12 of the bill, strike added Section 37.0083, Education Code (page 9, line 54, through page 10, line 38), and substitute the following:

Sec. 37.0083. VIRTUAL EXPULSION PROGRAM. (a) The principal or other appropriate administrator may place a student who has been expelled under Section 37.007 or 37.0081 in a virtual expulsion program established by the district and provide virtual instruction and instructional materials for remote learning to the student only if:

(1) the school district is located in a county that operates a juvenile justice alternative education program or the school district contracts with the juvenile board of another county for the provision of a juvenile justice alternative education program, and the juvenile justice alternative education program rejects admission of the student or returns the student before the expiration of the discipline assignment; or

(2) the school district is not located in a county that operates a juvenile justice alternative education program and does not contract with the juvenile board of another county for the

1 provision of a juvenile justice alternative education program.

2 (a-1) If the principal or other appropriate administrator
3 places a student in a virtual expulsion program under this section,
4 the school district shall ensure that the student has suitable
5 computer equipment and Internet access and provide the computer
6 equipment and Internet access if necessary.

7 (b) A school district must ensure that, to the extent
8 practicable in a virtual setting, the district's virtual expulsion
9 program complies with the requirements for a disciplinary
10 alternative education program under Section 37.008.

11 (c) The principal or other appropriate administrator shall
12 review the placement of a student in a virtual expulsion program
13 under this section at least once every 45 school days after the date
14 the placement begins to determine if continued placement in the
15 program is appropriate. The review must consider whether a
16 position for the grade level in which the student is enrolled has
17 become available in an in-person setting under Subsection (a)(1).
18 If the principal or other appropriate administrator determines that
19 such a position has become available, the school district shall
20 plan for the student's transition to an in-person setting as soon as
21 practicable. If the principal or other appropriate administrator
22 determines that continued placement is appropriate, the principal
23 or other appropriate administrator shall document the
24 determination.

25 (d) A student placed in a virtual expulsion program shall be
26 counted toward the district's average daily attendance for purposes
27 of receipt of state funds under the Foundation School Program if the
28 district can confirm the student's daily attendance in the virtual
29 expulsion program.

30 (e) A school district may not require a teacher who provides
31 virtual instruction to students in a virtual expulsion program to

1 provide virtual instruction and in-class instruction for a course
2 during the same class period.

3 (f) A teacher may not provide instruction for a virtual
4 expulsion program course unless the teacher has completed a
5 professional development course on virtual instruction.

6 (g) The commissioner shall adopt rules as necessary to
7 implement this section, including rules providing for a method of
8 taking attendance for students placed in a virtual expulsion
9 program and rules requiring school districts to provide basic
10 professional development training for teachers providing
11 instruction in a virtual expulsion program.

12 (5) In SECTION 13 of the bill, in added Section 37.009(f-1),
13 Education Code (page 10, lines 43 and 44), strike "Subsection (f-1)
14 of that section" and substitute "Section 37.0083".

15 (6) Strike SECTION 14 of the bill (page 10, lines 45 through
16 57) and renumber subsequent SECTIONS of the bill accordingly.

ADOPTED

MAY 22 2025

Lacey Law
Secretary of the Senate

Chris Perry

FLOOR AMENDMENT NO. 8

BY: _____

1 Amend C.S.H.B. No. 6 (senate committee report) in SECTION 20
2 of the bill, in added Section 37.115(d-1), Education Code (page 13,
3 lines 38 through 43), by striking Subdivisions (1) through (4) of
4 that subsection and substituting the following:

5 (1) an educational diagnostician;

6 (2) a behavior specialist;

7 (3) a special education teacher assigned to the
8 student;

9 (4) a licensed behavior analyst;

10 (5) a licensed clinical or licensed master social
11 worker; or

12 (6) a licensed specialist in school psychology.

ADOPTED

MAY 22 2025

Latey Law
Secretary of the Senate

Chris Perry

FLOOR AMENDMENT NO. 9

BY: _____

- 1 Amend C.S.H.B. No. 6 (senate committee report) as follows:
- 2 (1) Strike SECTION 21 of the bill, adding Section 37.1151,
- 3 Education Code (page 13, line 44, through page 14, line 57).
- 4 (2) Renumber subsequent sections of the bill accordingly.

ADOPTED

MAY 22 2025

Laticia Shaw
Secretary of the Senate

Chris Farn

FLOOR AMENDMENT NO. 10

BY: _____

1 Amend C.S.H.B. 6 (senate committee report) as follows:

2 (1) In SECTION 22 of the bill, in added Section 38.2545(b),
3 Education Code (page 14, line 69), strike "shall" and substitute
4 "may".

5 (2) In SECTION 22 of the bill, strike added Section
6 38.2545(c), Education Code (page 15, lines 2 through 9), substitute
7 the following appropriately lettered subsection, and reletter
8 subsequent subsections accordingly:

9 () A school district may not:

10 (1) refer to the program a student who is younger than
11 18 years of age unless the district obtains consent from the parent
12 or legal guardian of the student;

13 (2) require a student to participate in any service
14 provided under Subsection (b); or

15 (3) allow a student who is younger than 18 years of age
16 to participate in any component of the program that involves mental
17 health education or screening unless the program has obtained
18 signed written consent from the student's parent or legal guardian.

19 (3) In SECTION 22 of the bill, in added Section 38.2545(f),
20 Education Code (page 15, line 23), between "post" and "on", insert
21 "quarterly".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 23, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB6 by Leach (Relating to discipline management and access to telehealth mental health services in public schools.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

If school districts decide to develop a virtual Disciplinary Alternative Education Program, they may incur costs associated with the development and maintenance of the program. Additionally, districts may need to revise student codes of conduct and discipline procedures.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Texas Education Agency, 720 The University of Texas System Administration

LBB Staff: JMc, NC, SL, JPE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 19, 2025

TO: Honorable Brandon Creighton, Chair, Senate Committee on Education K-16

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB6 by Leach (relating to discipline management and access to telehealth mental health services in public schools.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

If school districts decide to develop a virtual Disciplinary Alternative Education Program, they may incur costs associated with the development and maintenance of the program. Additionally, districts may need to revise student codes of conduct and discipline procedures.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Texas Education Agency, 720 The University of Texas System Administration

LBB Staff: JMc, NC, SL, JPE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 7, 2025

TO: Honorable Brandon Creighton, Chair, Senate Committee on Education K-16

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB6 by Leach (Relating to discipline in public schools.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

If school districts decide to develop a virtual Disciplinary Alternative Education Program, they may incur costs associated with the development and maintenance of the program. Additionally, districts may need to revise student codes of conduct and discipline procedures.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: JMc, NC, SL, JPE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 6, 2025

TO: Honorable Brad Buckley, Chair, House Committee on Public Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB6 by Leach (relating to discipline in public schools.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

If school districts decide to develop a virtual Disciplinary Alternative Education Program, they may incur costs associated with the development and maintenance of the program. Additionally, districts may need to revise student codes of conduct and discipline procedures.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: JMc, JPE, SL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 16, 2025

TO: Honorable Brad Buckley, Chair, House Committee on Public Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB6 by Leach (Relating to discipline in public schools.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

If school districts decide to develop a virtual DAEP, they may incur costs associated with the development and maintenance of the program. Additionally, districts may need to revise student codes of conduct and discipline procedures.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Texas Education Agency

LBB Staff: JMc, JPE, SL