

By: Allen, A. Johnson of Harris,
Thompson of Harris, Wu, Hull

H.B. No. 1626

Substitute the following for H.B. No. 1626:

By: Thompson of Harris

C.S.H.B. No. 1626

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a public school student's transition from an
3 alternative education program to a regular educational
4 environment, including parental rights related to that transition,
5 and the admission of certain students with a criminal or
6 disciplinary history.

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

8 SECTION 1. Section 25.001, Education Code, is amended by
9 adding Subsection (b-3) to read as follows:

10 (b-3) Notwithstanding any provision of Chapter 37, the
11 board of trustees of a school district or the board's designee may
12 not refuse to enroll a student based on the student's criminal,
13 juvenile, or disciplinary history or standing. A district shall
14 promptly enroll a student released from an alternative education
15 program, as defined by Section 37.023, who is otherwise eligible
16 for enrollment under Subsection (b). This subsection may not be
17 construed to prohibit the board or the board's designee from:

18 (1) revoking admission of a student under Subsection
19 (b-1);

20 (2) refusing to admit a person under 18 years of age
21 whom the board is not required to admit under Subsection (d);

22 (3) transferring a student in accordance with Section
23 25.0341 or 25.0342; or

24 (4) expelling a student or placing a student in a

1 disciplinary alternative education program under Section 37.008 or
2 a juvenile justice alternative education program under Section
3 37.011 in accordance with Section 37.0051, 37.0052, 37.006, 37.007,
4 37.0081, or 37.011, as applicable.

5 SECTION 2. The heading to Section 37.023, Education Code,
6 is amended to read as follows:

7 Sec. 37.023. TRANSITION FROM ALTERNATIVE EDUCATION PROGRAM
8 TO REGULAR EDUCATIONAL ENVIRONMENT [~~CLASSROOM~~].

9 SECTION 3. Section 37.023, Education Code, is amended by
10 amending Subsections (c), (d), and (e) and adding Subsections
11 (c-1), (d-1), (g), and (h) to read as follows:

12 (c) Not later than five instructional days after the date of
13 a student's release from an alternative education program, the
14 campus administrator shall hold a meeting to coordinate the
15 student's enrollment and transition to a regular educational
16 environment [~~classroom~~]. The coordination must include assistance
17 and recommendations from the student's parent or a person standing
18 in parental relation to the student and, as applicable:

- 19 (1) school counselors;
- 20 (2) school district peace officers;
- 21 (3) school resource officers;
- 22 (4) licensed clinical social workers;
- 23 (5) campus behavior coordinators;
- 24 (6) classroom teachers who are or may be responsible
25 for implementing the student's personalized transition plan
26 developed under Subsection (d);
- 27 (7) for a student who is a student with a disability as

1 defined by Section 21.001, the campus special education
2 administrator or other campus administrator responsible for
3 overseeing the student's educational program, as applicable;

4 (8) for a student who is a court-related child, the
5 liaison officer appointed under Section 37.014; and

6 (9) [~~7~~] any other appropriate school district
7 personnel.

8 (c-1) The campus administrator shall, before finalizing a
9 personalized transition plan for a student under Subsection (d),
10 provide to the student's parent or a person standing in parental
11 relation to the student:

12 (1) a list of the people who will be assisting in the
13 student's enrollment and transition to a regular educational
14 environment under Subsection (c); and

15 (2) an opportunity to meet, either in person or
16 remotely, with the people included on the list described by
17 Subdivision (1) to:

18 (A) discuss any proposed assistance or
19 recommendations for the student's transition; and

20 (B) provide information regarding the student
21 that may be useful in developing the plan.

22 (d) The enrollment and transition assistance required by
23 Subsection (c) must include a personalized transition plan for the
24 student developed by the campus administrator. A personalized
25 transition plan:

26 (1) must include recommendations for the best
27 educational placement of the student based on a review of the

1 student's previous coursework, course credit earned, performance
2 on any assessment instrument administered under Section 37.0082,
3 and educational record, including:

4 (A) a calculation of the number of course credits
5 the student has earned toward graduation requirements, as
6 determined under Subsection (g); and

7 (B) a description of appropriate courses in which
8 the student should be placed; and

9 (2) may include:

10 (A) recommendations for counseling, behavioral
11 management, or academic assistance for the student with a
12 concentration on the student's academic or career goals;

13 (B) recommendations for assistance for obtaining
14 access to mental health services provided by the district or
15 school, a local mental health authority, or another private or
16 public entity; and

17 (C) the provision of information to the student's
18 parent or a person standing in parental relation to the student
19 about the process to request a full individual and initial
20 evaluation of the student for purposes of special education
21 services under Section 29.004 [~~, and~~

22 [~~(D) a regular review of the student's progress~~
23 ~~toward the student's academic or career goals]~~.

24 (d-1) After a student has transitioned to a regular
25 educational environment under this section, the campus
26 administrator shall conduct reviews at the beginning of each
27 semester and the end of each school year of the student's progress

1 toward the student's academic or career goals.

2 (e) As soon as practicable after completing a student's
3 personalized transition plan under Subsection (d) [~~If~~
4 ~~practicable~~], the campus administrator shall provide an electronic
5 or written copy of the personalized transition plan to [~~, or the~~
6 ~~administrator's designee, shall meet with~~] the student's parent or
7 a person standing in parental relation to the student [~~to~~
8 ~~coordinate plans for the student's transition~~].

9 (g) A campus administrator shall adopt a policy that, to the
10 greatest extent possible, allows for credits that were successfully
11 completed while the student was enrolled in an alternative
12 education program or at a previous school, including a school
13 within the Windham School District, to fulfill credits required for
14 high school graduation, provided that the completed courses meet
15 the standards adopted under Section 28.002(c). The policy adopted
16 under this subsection may provide for partial credit, if determined
17 appropriate by the administrator.

18 (h) The commissioner may adopt rules as necessary to
19 implement this section.

20 SECTION 4. This Act applies beginning with the 2023-2024
21 school year.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2023.