

By: Shaheen

H.B. No. 1141

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the suspension of certain public school students and to  
3 the repeal of the positive behavior program for public schools.

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

5 SECTION 1. Section 29.934(d), Education Code, is amended to  
6 read as follows:

7 (d) To be designated as a resource campus, the campus must:

8 (1) implement a targeted improvement plan as described  
9 by Chapter 39A and establish a school community partnership team;

10 (2) adopt an accelerated campus excellence turnaround  
11 plan as provided by Section 39A.105(b) except that a classroom  
12 teacher who satisfies the requirements for demonstrated  
13 instructional effectiveness under Section 39A.105(b)(3) must also  
14 hold a current designation assigned under Section 21.3521;

15 (3) be in a school district that has adopted an  
16 approved local optional teacher designation system under Section  
17 21.3521;

18 (4) satisfy certain staff criteria by:

19 (A) requiring a principal or teacher employed at  
20 the campus before the designation to apply for a position to  
21 continue at the campus;

22 (B) employing only teachers who have at least  
23 three years of teaching experience;

24 (C) employing at least one school counselor for

1 every 300 students; and

2 (D) employing at least one appropriately  
3 licensed professional to assist with the social and emotional needs  
4 of students and staff, who must be a:

5 (i) family and community liaison;

6 (ii) clinical social worker;

7 (iii) specialist in school psychology; or

8 (iv) professional counselor;

9 (5) ~~[implement a positive behavior program as provided~~  
10 ~~by Section 37.0013;~~

11 ~~[(6)]~~ implement a family engagement plan as described  
12 by Section 29.168;

13 (6) ~~[(7)]~~ develop and implement a plan to use high  
14 quality instructional materials;

15 (7) ~~[(8)]~~ if the campus is an elementary campus,  
16 operate the campus for a school year that qualifies for funding  
17 under Section 48.0051; and

18 (8) ~~[(9)]~~ annually submit to the commissioner data and  
19 information required by the commissioner to assess fidelity of  
20 implementation.

21 SECTION 2. Section 37.005, Education Code, is amended by  
22 amending Subsection (d) and adding Subsections (d-1) and (f) to  
23 read as follows:

24 (d) A school district or open-enrollment charter school may  
25 not place a student who is homeless in out-of-school suspension  
26 unless the student engages in the following conduct ~~[described by~~  
27 ~~Subsections (c)(1)-(3)]~~ while on school property or while attending

1 a school-sponsored or school-related activity on or off of school  
2 property:

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

5 (2) conduct that contains the elements of a violent  
6 offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code;  
7 or

8 (3) selling, giving, or delivering to another person  
9 or possessing, using, or being under the influence of any amount of:

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

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

15 (C) an alcoholic beverage, as defined by Section  
16 1.04, Alcoholic Beverage Code.

17 (d-1) The campus behavior coordinator may coordinate with  
18 the school district's homeless education liaison to identify  
19 appropriate alternatives to out-of-school suspension for a student  
20 who is homeless. [~~In this subsection, "student who is homeless"~~  
21 ~~has the meaning assigned to the term "homeless children and youths"~~  
22 ~~under 42 U.S.C. Section 11434a.]~~

23 (f) In this section, "student who is homeless" has the  
24 meaning assigned to the term "homeless children and youths" under  
25 42 U.S.C. Section 11434a.

26 SECTION 3. The following provisions of the Education Code  
27 are repealed:

1           (1) Section 37.0013; and

2           (2) Section 37.005(c).

3           SECTION 4. This Act applies beginning with the 2025-2026  
4 school year.

5           SECTION 5. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2025.