

Amend **HB 878** by creating Subsection (a) and adding Subsection (b) as follows:

Sec. 37.0071. (a) RESTRICTING PLACEMENT OF STUDENTS WHO ENGAGE IN CERTAIN CONDUCT. ~~Notwithstanding any other provision of this subchapter~~ Except as provided by Subsection (b), and without regard to whether the following conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property, as student may not be placed in a regular classroom or on a regular campus while the student is enrolled in a school district in this state if the student:

(1) has been adjudicated under Section 54.03, Family Code, as having engaged in conduct that contains the elements of the offense of:

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

(B) sexual assault under Section 22.011, Penal Code; or

(C) aggravated sexual assault under Section 22.021, Penal Code;

(2) has been placed on deferred prosecution under Section 53.03, Family Code, for conduct that contains the elements of an offense specified under Subdivision (1); or

(3) has been placed on probation under Section 54.04(d)(1), Family Code, for conduct that contains the elements of an offense specified under Subdivision (1).

(b) The principal of the campus to which the student would be assigned if they had not been displaced under Subdivision (1) may decide to admit the student to the regular campus and place them in a regular classroom if the student receives counseling from a licensed professional counselor while enrolled in the school district and the principal reasonably believes the student will not be a threat to the other students at the campus.