

1-1 By: Madden, Strama (Senate Sponsor - Zaffirini) H.B. No. 426
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on
1-4 Education; May 21, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 426 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to standards for the operation of school district
1-11 disciplinary alternative education programs.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 37.008, Education Code, is amended by
1-14 amending Subsection (a) and adding Subsections (a-1), (a-2), and
1-15 (a-3) to read as follows:

1-16 (a) Each school district shall provide a disciplinary
1-17 alternative education program that:

1-18 (1) is provided in a setting other than a student's
1-19 regular classroom;

1-20 (2) is located on or off of a regular school campus;

1-21 (3) provides for the students who are assigned to the
1-22 disciplinary alternative education program to be separated from
1-23 students who are not assigned to the program;

1-24 (4) focuses on English language arts, mathematics,
1-25 science, history, and self-discipline;

1-26 (5) provides for students' educational and behavioral
1-27 needs;

1-28 (6) provides supervision and counseling;

1-29 (7) employs only teachers who ~~requires that to teach~~
1-30 ~~in an off-campus disciplinary alternative education program, each~~
1-31 ~~teacher]~~ meet all certification requirements established under
1-32 Subchapter B, Chapter 21; and

1-33 (8) provides not less than the minimum amount of
1-34 instructional time per day required by Section 25.082(a)
1-35 [notwithstanding Subdivision (7), requires that to teach in a
1-36 disciplinary alternative education program of any kind, each
1-37 teacher employed by a school district during the 2003-2004 school
1-38 year or an earlier school year meet, not later than the beginning of
1-39 the 2005-2006 school year, all certification requirements
1-40 established under Subchapter B, Chapter 21].

1-41 (a-1) The agency shall adopt minimum standards for the
1-42 operation of disciplinary alternative education programs,
1-43 including standards relating to:

1-44 (1) student/teacher ratios;

1-45 (2) student health and safety;

1-46 (3) reporting of abuse, neglect, or exploitation of
1-47 students;

1-48 (4) training for teachers in behavior management and
1-49 safety procedures; and

1-50 (5) planning for a student's transition from a
1-51 disciplinary alternative education program to a regular campus.

1-52 (a-2) Not later than December 15, 2008, the agency shall
1-53 deliver a report to the legislature that provides the estimated
1-54 costs to the agency of enforcing the standards adopted under
1-55 Subsection (a-1), including the estimated cost of:

1-56 (1) on-site monitoring to enforce the standards; and

1-57 (2) alternative methods of monitoring compliance with
1-58 the standards.

1-59 (a-3) Subsection (a-2) and this subsection expire January
1-60 15, 2009.

1-61 SECTION 2. (a) Section 37.008(a), Education Code, as
1-62 amended by this Act, applies beginning with the 2007-2008 school
1-63 year.

2-1 (b) Standards for the operation of school district
2-2 disciplinary alternative education programs adopted under Section
2-3 37.008(a-1), Education Code, as added by this Act, apply beginning
2-4 with the 2007-2008 school year.

2-5 SECTION 3. This Act takes effect immediately if it receives
2-6 a vote of two-thirds of all the members elected to each house, as
2-7 provided by Section 39, Article III, Texas Constitution. If this
2-8 Act does not receive the vote necessary for immediate effect, this
2-9 Act takes effect September 1, 2007.

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