

By: Dutton

H.B. No. 1043

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of courses in behavioral modification by
3 disciplinary alternative education programs and juvenile justice
4 alternative education programs.

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

6 SECTION 1. Section 37.008(a), Education Code, is amended
7 to read as follows:

8 (a) Each school district shall provide a disciplinary
9 alternative education program that:

10 (1) is provided in a setting other than a student's
11 regular classroom;

12 (2) is located on or off of a regular school campus;

13 (3) provides for the students who are assigned to the
14 disciplinary alternative education program to be separated from
15 students who are not assigned to the program;

16 (4) focuses on English language arts, mathematics,
17 science, history, and self-discipline;

18 (5) offers a course in behavioral modification taught
19 by a person who has a master's degree in behavioral science;

20 (6) provides for students' educational and behavioral
21 needs;

22 (7) ~~[(6)]~~ provides supervision and counseling; and

23 (8) employs only teachers who ~~[(7) requires that to~~
24 ~~teach in an off-campus disciplinary alternative education program,~~

1 ~~each teacher]~~ meet all certification requirements established
2 under Subchapter B, Chapter 21~~], and~~

3 ~~[(8) notwithstanding Subdivision (7), requires that~~
4 ~~to teach in a disciplinary alternative education program of any~~
5 ~~kind, each teacher employed by a school district during the~~
6 ~~2003-2004 school year or an earlier school year meet, not later than~~
7 ~~the beginning of the 2005-2006 school year, all certification~~
8 ~~requirements established under Subchapter B, Chapter 21].~~

9 SECTION 2. Section 37.011(d), Education Code, is amended
10 to read as follows:

11 (d) A juvenile justice alternative education program must
12 focus on English language arts, mathematics, science, social
13 studies, and self-discipline and must offer a course in behavioral
14 modification taught by a person who has a master's degree in
15 behavioral science. Each school district shall consider course
16 credit earned by a student while in a juvenile justice alternative
17 education program as credit earned in a district school. Each
18 program shall administer assessment instruments under Subchapter
19 B, Chapter 39, and shall offer a high school equivalency program.
20 The juvenile board or the board's designee, with the parent or
21 guardian of each student, shall regularly review the student's
22 academic progress. In the case of a high school student, the board
23 or the board's designee, with the student's parent or guardian,
24 shall review the student's progress towards meeting high school
25 graduation requirements and shall establish a specific graduation
26 plan for the student. The program is not required to provide a
27 course necessary to fulfill a student's high school graduation

1 requirements other than a course specified by this subsection.

2 SECTION 3. This Act applies beginning with the 2007-2008
3 school year.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.