

1-1 By: Dutton (Senate Sponsor - West) H.B. No. 1043  
1-2 (In the Senate - Received from the House April 16, 2007;  
1-3 April 17, 2007, read first time and referred to Committee on  
1-4 Education; May 21, 2007, reported favorably, as amended, by the  
1-5 following vote: Yeas 6, Nays 1; May 21, 2007, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: West

1-7 Amend HB No. 1043 by striking on page 1, line 39 of the House  
1-8 engrossed version "a master's degree in behavioral science;" and  
1-9 replace with "at least a bachelor's degree in a behavioral science  
1-10 where practical, and if not, then the district shall request a  
1-11 waiver from the agency and make notice to the student's parent or  
1-12 guardian;"

1-13 AND

1-14 On page 1, lines 58-59 of the House engrossed version strike "a  
1-15 master's degree in behavioral science;" and replace with "at least  
1-16 a bachelor's degree in a behavioral science where practical, and if  
1-17 not, then the juvenile justice alternative education program shall  
1-18 request a waiver from the agency and make notice to the student's  
1-19 parent or guardian;"

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to the provision of courses in behavioral modification by  
1-23 disciplinary alternative education programs and juvenile justice  
1-24 alternative education programs.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 37.008(a), Education Code, is amended  
1-27 to read as follows:

1-28 (a) Each school district shall provide a disciplinary  
1-29 alternative education program that:

1-30 (1) is provided in a setting other than a student's  
1-31 regular classroom;

1-32 (2) is located on or off of a regular school campus;

1-33 (3) provides for the students who are assigned to the  
1-34 disciplinary alternative education program to be separated from  
1-35 students who are not assigned to the program;

1-36 (4) focuses on English language arts, mathematics,  
1-37 science, history, and self-discipline;

1-38 (5) offers a course in behavioral modification taught  
1-39 by a person who has a master's degree in behavioral science;

1-40 (6) provides for students' educational and behavioral  
1-41 needs;

1-42 (7) ~~[(6)]~~ provides supervision and counseling; and

1-43 (8) employs only teachers who ~~[(7) requires that to~~  
1-44 ~~teach in an off-campus disciplinary alternative education program,~~  
1-45 ~~each teacher]~~ meet all certification requirements established  
1-46 under Subchapter B, Chapter 21~~], and~~

1-47 ~~[(8) notwithstanding Subdivision (7), requires that~~  
1-48 ~~to teach in a disciplinary alternative education program of any~~  
1-49 ~~kind, each teacher employed by a school district during the~~  
1-50 ~~2003-2004 school year or an earlier school year meet, not later than~~  
1-51 ~~the beginning of the 2005-2006 school year, all certification~~  
1-52 ~~requirements established under Subchapter B, Chapter 21].~~

1-53 SECTION 2. Section 37.011(d), Education Code, is amended  
1-54 to read as follows:

1-55 (d) A juvenile justice alternative education program must  
1-56 focus on English language arts, mathematics, science, social  
1-57 studies, and self-discipline and must offer a course in behavioral  
1-58 modification taught by a person who has a master's degree in  
1-59 behavioral science. Each school district shall consider course  
1-60 credit earned by a student while in a juvenile justice alternative  
1-61 education program as credit earned in a district school. Each

2-1 program shall administer assessment instruments under Subchapter  
2-2 B, Chapter 39, and shall offer a high school equivalency program.  
2-3 The juvenile board or the board's designee, with the parent or  
2-4 guardian of each student, shall regularly review the student's  
2-5 academic progress. In the case of a high school student, the board  
2-6 or the board's designee, with the student's parent or guardian,  
2-7 shall review the student's progress towards meeting high school  
2-8 graduation requirements and shall establish a specific graduation  
2-9 plan for the student. The program is not required to provide a  
2-10 course necessary to fulfill a student's high school graduation  
2-11 requirements other than a course specified by this subsection.

2-12 SECTION 3. This Act applies beginning with the 2007-2008  
2-13 school year.

2-14 SECTION 4. This Act takes effect immediately if it receives  
2-15 a vote of two-thirds of all the members elected to each house, as  
2-16 provided by Section 39, Article III, Texas Constitution. If this  
2-17 Act does not receive the vote necessary for immediate effect, this  
2-18 Act takes effect September 1, 2007.

2-19 \* \* \* \* \*