

Amend CSHB 3689 (Senate committee printing) as follows:

(1) In the recital to SECTION 3.012 of the bill (page 12, line 7), strike "Sections 141.057 and 141.058" and substitute "Sections 141.057, 141.058, and 141.059".

(2) In SECTION 3.012 of the bill (page 12, between lines 30 and 31), insert:

Sec. 141.059. RESIDENTIAL TREATMENT FACILITY. (a) The commission may contract with a local mental health and mental retardation authority that, on April 1, 2009, had an unutilized or underutilized residential treatment facility, for the establishment of a residential treatment facility for juveniles with mental illness or emotional injury who, as a condition of juvenile probation, are ordered by a court to reside at the facility and receive education services at the facility. The commission may work in cooperation with the local mental health and mental retardation authority to provide mental health residential treatment services for juveniles residing at a facility established under this section.

(b) A residential treatment facility established under this section must provide juveniles receiving treatment at the facility:

(1) a short-term program of mental health stabilization that does not exceed 150 days in duration; and

(2) all educational opportunities and services, including special education instruction and related services, that a school district is required under state or federal law to provide for students residing in the district through a charter school operated in accordance with and subject to Subchapter D, Chapter 12, Education Code.

(c) If a residential treatment facility established under this section is unable to provide adequate and sufficient educational opportunities and services to juveniles residing at the facility, the facility may not continue to operate beyond the end of the school year in which the opportunities or services provided by the facility are determined to be inadequate or insufficient.

(d) Notwithstanding any other law and in addition to the number of charters allowed under Subchapter D, Chapter 12, Education Code, the State Board of Education shall grant a charter

on the application of a residential treatment facility established under this section for a school chartered for the purposes of this section.

(3) Add the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 4.\_\_\_\_. Section 29.012, Education Code, is amended by adding Subsection (e) to read as follows:

(e) This section does not apply to a residential treatment facility for juveniles established under Section 141.059, Human Resources Code.

(4) Add the following appropriately numbered SECTION to ARTICLE 5 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 5.\_\_\_\_. Section 141.059, Human Resources Code, as added by this Act, and Section 29.012, Education Code, as amended by this Act, apply beginning with the 2009-2010 school year.