

By: Dutton

H.B. No. 289

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 at least a bachelor's degree in behavioral  
20 science;

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

23 (7) [~~6~~] provides supervision and counseling;

24 (8) [~~7~~] employs only teachers who meet all

1 certification requirements established under Subchapter B, Chapter  
2 21; and

3 (9) [~~(8)~~] provides not less than the minimum amount of  
4 instructional time per day required by Section 25.082(a).

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

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

25 SECTION 3. This Act applies beginning with the 2009-2010  
26 school year.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2009.