

By: Olivo

H.B. No. 2148

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to compliance by a school district with requirements for a  
3 disciplinary alternative education program.

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

5 SECTION 1. Section 37.008, Education Code, is amended by  
6 adding Subsections (o) and (o-1) to read as follows:

7 (o) This subsection applies to a school district's  
8 disciplinary alternative education program regardless of whether  
9 the program is operated by the district, by an entity under contract  
10 with the district, or, if the district is primarily responsible for  
11 daily operations of the program, by a shared services arrangement.  
12 The superintendent of a district annually shall provide to the  
13 commissioner, in the time and manner established by commissioner  
14 rule, written notice of, as applicable:

15 (1) the compliance by each district disciplinary  
16 alternative education program with this section and with each rule  
17 adopted under Subsection (a-1) or another provision of this  
18 section; or

19 (2) any failure of a district disciplinary alternative  
20 education program to comply with this section or a rule adopted  
21 under this section.

22 (o-1) The written notice under Subsection (o)(2) must  
23 specifically explain any failure of a district disciplinary  
24 alternative education program to comply with this section or a rule

1 adopted under this section.

2 SECTION 2. This Act applies beginning with the 2009-2010  
3 school year.

4 SECTION 3. 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, 2009.