

By: Turner of Harris

H.B. No. 2747

A BILL TO BE ENTITLED

AN ACT

relating to disciplinary alternative education programs.

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

SECTION 1. Section 37.008, Education Code, is amended by amending Subsections (a) and (a-1) and adding Subsections (a-2), (a-3), and (n) to read as follows:

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

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

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

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

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

(5) provides for students' educational and behavioral needs, including a student's special education needs as provided under Subsection (a-2);

(6) provides supervision and counseling;

(7) employs:

(A) only teachers who meet all certification requirements established under Subchapter B, Chapter 21; and

(B) a sufficient number of teachers to maintain

1 an average ratio of not less than one teacher for each 15 students  
2 placed in the district's program; and

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

5 (a-1) The agency shall adopt minimum standards for the  
6 operation of disciplinary alternative education programs,  
7 including standards relating to:

8 (1) ~~[student/teacher ratios;~~

9 ~~[(2)]~~ student health and safety;

10 (2) [(3)] reporting of abuse, neglect, or  
11 exploitation of students; and

12 (3) [(4)] training for teachers in behavior  
13 management and safety procedures[~~, and~~

14 ~~[(5) planning for a student's transition from a~~  
15 ~~disciplinary alternative education program to a regular campus].~~

16 (a-2) A disciplinary alternative education program must  
17 provide to a student participating in a school district's special  
18 education program educational services as necessary to support the  
19 student in meeting the goals identified in the student's  
20 individualized education program and in accordance with:

21 (1) Subchapter A, Chapter 29;

22 (2) Section 37.004; and

23 (3) federal law.

24 (a-3) Section 29.081 applies to a disciplinary alternative  
25 education program.

26 (n) A school district shall establish transition procedures  
27 for a student who is returning from a disciplinary alternative

1 education program to the student's regularly assigned education  
2 program. The procedures must provide for:

3 (1) a timeline for the student's transition;

4 (2) written and oral communication from each  
5 disciplinary alternative education program employee assigned to  
6 the student to each employee at the student's regularly assigned  
7 education program assigned to the student concerning the student's  
8 disciplinary alternative education program placement, including  
9 communication concerning the student's academic performance and  
10 assignments or other tasks completed; and

11 (3) a written list of any actions taken during the  
12 student's disciplinary alternative education program placement to  
13 satisfy Section 29.081(a).

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

16 SECTION 3. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2009.