

1-1 By: Van de Putte S.B. No. 1541  
 1-2 (In the Senate - Filed March 8, 2013; March 19, 2013, read  
 1-3 first time and referred to Committee on Education; April 11, 2013,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 8, Nays 0; April 11, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 COMMITTEE SUBSTITUTE FOR S.B. No. 1541 By: Van de Putte

1-18 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to discipline of public school students by school bus  
 1-21 drivers.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subsection (a), Section 37.001, Education Code,  
 1-24 is amended to read as follows:

1-25 (a) The board of trustees of an independent school district  
 1-26 shall, with the advice of its district-level committee established  
 1-27 under Subchapter F, Chapter 11, adopt a student code of conduct for  
 1-28 the district. The student code of conduct must be posted and  
 1-29 prominently displayed at each school campus or made available for  
 1-30 review at the office of the campus principal. In addition to  
 1-31 establishing standards for student conduct, the student code of  
 1-32 conduct must:

1-33 (1) specify the circumstances, in accordance with this  
 1-34 subchapter, under which a student may be removed from a classroom,  
 1-35 campus, ~~or~~ disciplinary alternative education program, or school  
 1-36 bus;

1-37 (2) specify conditions that authorize or require a  
 1-38 principal or other appropriate administrator to transfer a student  
 1-39 to a disciplinary alternative education program;

1-40 (3) outline conditions under which a student may be  
 1-41 suspended as provided by Section 37.005 or expelled as provided by  
 1-42 Section 37.007;

1-43 (4) specify that consideration will be given, as a  
 1-44 factor in each decision concerning suspension, removal to a  
 1-45 disciplinary alternative education program, expulsion, or  
 1-46 placement in a juvenile justice alternative education program,  
 1-47 regardless of whether the decision concerns a mandatory or  
 1-48 discretionary action, to:

1-49 (A) self-defense;

1-50 (B) intent or lack of intent at the time the  
 1-51 student engaged in the conduct;

1-52 (C) a student's disciplinary history; or

1-53 (D) a disability that substantially impairs the  
 1-54 student's capacity to appreciate the wrongfulness of the student's  
 1-55 conduct;

1-56 (5) provide guidelines for setting the length of a  
 1-57 term of:

1-58 (A) a removal under Section 37.006; and

1-59 (B) an expulsion under Section 37.007;

1-60 (6) address the notification of a student's parent or

2-1 guardian of a violation of the student code of conduct committed by  
2-2 the student that results in suspension, removal to a disciplinary  
2-3 alternative education program, or expulsion;

2-4 (7) prohibit bullying, harassment, and making hit  
2-5 lists and ensure that district employees enforce those  
2-6 prohibitions; and

2-7 (8) provide, as appropriate for students at each grade  
2-8 level, methods, including options, for:

2-9 (A) managing students in the classroom and on  
2-10 school grounds;

2-11 (B) disciplining students; and

2-12 (C) preventing and intervening in student  
2-13 discipline problems, including bullying, harassment, and making  
2-14 hit lists.

2-15 SECTION 2. Subchapter A, Chapter 37, Education Code, is  
2-16 amended by adding Section 37.0022 to read as follows:

2-17 Sec. 37.0022. REMOVAL BY SCHOOL BUS DRIVER. (a) The  
2-18 driver of a school bus transporting students to or from school or a  
2-19 school-sponsored or school-related activity may send a student to  
2-20 the principal's office to maintain effective discipline on the  
2-21 school bus. The principal shall respond by employing appropriate  
2-22 discipline management techniques consistent with the student code  
2-23 of conduct adopted under Section 37.001.

2-24 (b) The driver of a school bus transporting students to or  
2-25 from school or a school-sponsored or school-related activity shall  
2-26 send to the principal for placement in a disciplinary alternative  
2-27 education program or for expulsion, as appropriate, a student who,  
2-28 while on the school bus, engages in conduct described under Section  
2-29 37.006 or 37.007.

2-30 (c) Section 37.004 applies to any placement under this  
2-31 section of a student with a disability who receives special  
2-32 education services.

2-33 SECTION 3. This Act applies beginning with the 2013-2014  
2-34 school year.

2-35 SECTION 4. This Act takes effect immediately if it receives  
2-36 a vote of two-thirds of all the members elected to each house, as  
2-37 provided by Section 39, Article III, Texas Constitution. If this  
2-38 Act does not receive the vote necessary for immediate effect, this  
2-39 Act takes effect September 1, 2013.

2-40 \* \* \* \* \*