

By: Garcia

S.B. No. 370

A BILL TO BE ENTITLED

AN ACT

relating to the removal, suspension, or expulsion of a public school student enrolled in certain grade levels.

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

SECTION 1. Section 37.005, Education Code, is amended by adding Subsection (d) to read as follows:

(d) A student enrolled in a grade level below grade three may not be suspended.

SECTION 2. Section 37.006(1), Education Code, is amended to read as follows:

(1) Notwithstanding any other provision of this code, other than Section 37.007(e) [~~37.007(e)(2)~~], a student who is younger than six years of age or who is enrolled in a grade level below grade three may not be removed from class and placed in a disciplinary alternative education program.

SECTION 3. Section 37.007(h), Education Code, is amended to read as follows:

(h) Subject to Subsection (e), notwithstanding any other provision of this section, a student who is younger than 10 years of age or who is enrolled in a grade level below grade three may not be expelled for engaging in conduct described by this section.

SECTION 4. Section 37.0081, Education Code, is amended by adding Subsection (i) to read as follows:

(i) A student enrolled in a grade level below grade three

1 may not be expelled and ordered placed in an alternative setting
2 under this section.

3 SECTION 5. This Act applies beginning with the 2017-2018
4 school year.

5 SECTION 6. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.