

House Bill 674
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (CS)

CONFERENCE

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0013 to read as follows:

Sec. 37.0013. POSITIVE BEHAVIOR PROGRAM. (a) Each school district and open-enrollment charter school may develop and implement a program, in consultation with campus behavior coordinators employed by the district or school and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in conduct described by Section 37.005(a) and is not subject to Section 37.005(c). The program must:

- (1) be age-appropriate and research-based;
- (2) provide models for positive behavior;
- (3) promote a positive school environment;
- (4) provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and
- (5) provide behavior management strategies, including:
 - (A) positive behavioral intervention and support;
 - (B) trauma-informed practices;
 - (C) social and emotional learning;
 - (D) a referral for services, as necessary; and
 - (E) restorative practices.

(b) Each school district and open-enrollment charter school may annually conduct training for staff employed by the district or school on the program adopted under Subsection (a).

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

(c) A student who is enrolled in a grade level below grade

SECTION 2. Same as House version.

House Bill 674
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

three may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in:

(1) conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;

(2) conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or

(3) selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:

(A) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

(C) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

SECTION 2. This Act applies beginning with the 2017-2018 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SENATE VERSION (CS)

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE