86R14069 TSS-F

By:  Zaffirini S.B. No. 2106

A BILL TO BE ENTITLED

AN ACT

relating to including referral of a student to a restorative justice or discipline program as part of a school district's system of graduated sanctions for certain school offenses.

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

SECTION 1.  Section 37.144, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a)  A school district that commissions peace officers under Section 37.081 may develop a system of graduated sanctions that the school district may require to be imposed on a child before a complaint is filed under Section 37.145 against the child for a school offense that is an offense under Section 37.124 or 37.126 or under Section 42.01(a)(1), (2), (3), (4), or (5), Penal Code. A system adopted under this section must include multiple graduated sanctions. The system may require:

(1)  a warning letter to be issued to the child and the child's parent or guardian that specifically states the child's alleged school offense and explains the consequences if the child engages in additional misconduct;

(2)  a behavior contract with the child that must be signed by the child, the child's parent or guardian, and an employee of the school and that includes a specific description of the behavior that is required or prohibited for the child and the penalties for additional alleged school offenses, including additional disciplinary action or the filing of a complaint in a criminal court;

(3)  the performance of school-based community service by the child; and

(4)  the referral of the child to counseling, community-based services, restorative justice or discipline programs, or other in-school or out-of-school services aimed at addressing the child's behavioral problems.

(c)  In this section, "restorative justice or discipline program" includes a program that addresses student behavior by building relationships and encouraging belonging over exclusion, social engagement over control, and meaningful accountability over punishment.

SECTION 2.  This Act applies beginning with the 2019-2020 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, 2019.