

1-1 By: Talarico, et al. (Senate Sponsor - Zaffirini) H.B. No. 3012
 1-2 (In the Senate - Received from the House May 2, 2019;
 1-3 May 3, 2019, read first time and referred to Committee on
 1-4 Education; May 17, 2019, reported favorably by the following vote:
 1-5 Yeas 11, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Hughes	X			
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the disposition of certain students to alternative
 1-22 education settings and the provision of educational services to
 1-23 students in those settings or subject to in-school or out-of-school
 1-24 suspension.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 37.005, Education Code, is amended by
 1-27 adding Subsection (e) to read as follows:

1-28 (e) A school district shall provide to a student during the
 1-29 period of the student's suspension under this section, regardless
 1-30 of whether the student is placed in in-school or out-of-school
 1-31 suspension, an alternative means of receiving all course work
 1-32 provided in the classes in the foundation curriculum under Section
 1-33 28.002(a)(1) that the student misses as a result of the suspension.
 1-34 The district must provide at least one option for receiving the
 1-35 course work that does not require the use of the Internet.

1-36 SECTION 2. Section 37.011(b), Education Code, is amended to
 1-37 read as follows:

1-38 (b) If a student admitted into the public schools of a
 1-39 school district under Section 25.001(b) is expelled from school for
 1-40 conduct for which expulsion is required under Section 37.007(a),
 1-41 (d), or (e), or for conduct that contains the elements of the
 1-42 offense of terroristic threat under Section 22.07, Penal Code, the
 1-43 juvenile court, the juvenile board, or the juvenile board's
 1-44 designee, as appropriate, shall:

1-45 (1) if the student is placed on probation under
 1-46 Section 54.04, Family Code, order the student to attend the
 1-47 juvenile justice alternative education program in the county in
 1-48 which the student resides from the date of disposition as a
 1-49 condition of probation, unless the child is placed in a
 1-50 post-adjudication treatment facility;

1-51 (2) if the student is placed on deferred prosecution
 1-52 under Section 53.03, Family Code, by the court, prosecutor, or
 1-53 probation department, require the student to immediately attend the
 1-54 juvenile justice alternative education program in the county in
 1-55 which the student resides for a period not to exceed six months as a
 1-56 condition of the deferred prosecution;

1-57 (3) in determining the conditions of the deferred
 1-58 prosecution or court-ordered probation, consider the length of the
 1-59 school district's expulsion order for the student; and

1-60 (4) provide timely educational services to the student
 1-61 in the juvenile justice alternative education program in the county

2-1 in which the student resides, regardless of the student's age or
2-2 whether the juvenile court has jurisdiction over the student.

2-3 SECTION 3. This Act applies beginning with the 2019-2020
2-4 school year.

2-5 SECTION 4. This Act takes effect immediately if it receives
2-6 a vote of two-thirds of all the members elected to each house, as
2-7 provided by Section 39, Article III, Texas Constitution. If this
2-8 Act does not receive the vote necessary for immediate effect, this
2-9 Act takes effect September 1, 2019.

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