

By: Talarico, VanDeaver, Meyer, Dutton

H.B. No. 3013

Substitute the following for H.B. No. 3013:

By: Allen

C.S.H.B. No. 3013

A BILL TO BE ENTITLED

AN ACT

relating to the suspension or expulsion of a student by an open-enrollment charter school.

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

SECTION 1. The heading to Section 12.131, Education Code, is amended to read as follows:

Sec. 12.131. STUDENT DISCIPLINE [~~REMOVAL OF STUDENTS TO DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM; EXPULSION OF STUDENTS~~].

SECTION 2. Section 12.131, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1), (d), (e), and (f) to read as follows:

(b) An open-enrollment charter school may:

(1) only suspend a student for a reason identified in the school's code of conduct; and

(2) only [not elect to] expel a student for a reason for which expulsion [that] is [not] authorized under Subchapter A, Chapter 37, [by Section 37.007] or [specified in] the school's code of conduct [as conduct that may result in expulsion].

(b-1) An open-enrollment charter school's code of conduct may not authorize expulsion based on:

(1) a student's attendance or academic ability or performance; or

(2) acts or omissions of a student's parent or legal

1 guardian.

2 (d) A suspension under this section may not exceed three  
3 school days.

4 (e) Except as required under Section 37.007(e), a student  
5 who is younger than 10 years of age may not be expelled for a period  
6 of more than one school year.

7 (f) An employee of an open-enrollment charter school may not  
8 suggest a student withdraw from the school in lieu of being  
9 disciplined as provided by the school's code of conduct.

10 SECTION 3. This Act applies beginning with the 2019-2020  
11 school year.

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