

AN ACT

relating to juveniles committed to the Texas Juvenile Justice Department and the transition of students from alternative education programs to regular classrooms.

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

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.023 to read as follows:

Sec. 37.023. TRANSITION FROM ALTERNATIVE EDUCATION PROGRAM TO REGULAR CLASSROOM. (a) In this section:

(1) "Alternative education program" includes:

(A) a disciplinary alternative education program operated by a school district or open-enrollment charter school;

(B) a juvenile justice alternative education program; and

(C) a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity.

(2) "Licensed clinical social worker" has the meaning assigned by Section 505.002, Occupations Code.

(b) As soon as practicable after an alternative education program determines the date of a student's release from the program, the alternative education program administrator shall:

(1) provide written notice of that date to:

(A) the student's parent or a person standing in

parental relation to the student; and

(B) the administrator of the campus to which the student intends to transition; and

(2) provide the campus administrator:

(A) an assessment of the student's academic growth while attending the alternative education program; and

(B) the results of any assessment instruments administered to the student.

(c) Not later than five instructional days after the date of a student's release from an alternative education program, the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from:

(1) school counselors;

(2) school district peace officers;

(3) school resource officers;

(4) licensed clinical social workers;

(5) campus behavior coordinators;

(6) classroom teachers who are or may be responsible for implementing the student's personalized transition plan developed under Subsection (d); and

(7) any other appropriate school district personnel.

(d) The assistance required by Subsection (c) must include a personalized transition plan for the student developed by the campus administrator. A personalized transition plan:

(1) must include recommendations for the best educational placement of the student; and

1           (2) may include:

2                   (A) recommendations for counseling, behavioral  
3 management, or academic assistance for the student with a  
4 concentration on the student's academic or career goals;

5                   (B) recommendations for assistance for obtaining  
6 access to mental health services provided by the district or  
7 school, a local mental health authority, or another private or  
8 public entity;

9                   (C) the provision of information to the student's  
10 parent or a person standing in parental relation to the student  
11 about the process to request a full individual and initial  
12 evaluation of the student for purposes of special education  
13 services under Section 29.004; and

14                   (D) a regular review of the student's progress  
15 toward the student's academic or career goals.

16           (e) If practicable, the campus administrator, or the  
17 administrator's designee, shall meet with the student's parent or a  
18 person standing in parental relation to the student to coordinate  
19 plans for the student's transition.

20           (f) This section applies only to a student subject to  
21 compulsory attendance requirements under Section 25.085.

22           SECTION 2. Section 59.009(a), Family Code, is amended to  
23 read as follows:

24           (a) For a child at sanction level six, the juvenile court  
25 may commit the child to the custody of the Texas Juvenile Justice  
26 Department ~~[or a post-adjudication secure correctional facility~~  
27 ~~under Section 54.04011(c)(1)].~~ The department~~[, juvenile board, or~~

~~local juvenile probation department, as applicable,~~] may:

(1) require the child to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than nine months or more than 24 months unless the department reduces or ~~[, board, or probation department]~~ extends the period and the reason for the reduction or ~~[an]~~ extension is documented;

(2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of the harm caused and according to the child's ability, if there is a victim of the child's conduct;

(3) require the child and the child's parents or guardians to participate in programs and services for their particular needs and circumstances; and

(4) if appropriate, impose additional sanctions.

SECTION 3. Section 244.003(b), Human Resources Code, is amended to read as follows:

(b) Except as provided by Section 243.051(c), these records and all other information concerning a child, including personally identifiable information, are not public and are available only:

(1) according to the provisions of Section 58.005, Family Code, Section 244.051 of this code, and Chapter 67, Code of Criminal Procedure; or

(2) to an individual or entity assisting the department in providing transition planning and reentry services to the child, as determined by the department.

SECTION 4. Section 245.054(a), Human Resources Code, is amended to read as follows:

(a) In addition to providing the court with notice of release of a child under Section 245.051(b), as soon as possible but not later than the 10th [~~30th~~] day before the date the department releases the child, the department shall provide the court that committed the child to the department:

(1) a copy of the child's reentry and reintegration plan developed under Section 245.0535; and

(2) a report concerning the progress the child has made while committed to the department.

SECTION 5. Section 30.106(e), Education Code, is repealed.

SECTION 6. Section 37.023, Education Code, as added by this Act, applies beginning with the 2019-2020 school year.

SECTION 7. The changes in law made by this Act to Section 59.009(a), Family Code, do not apply to a child committed to a post-adjudication secure correctional facility under former Section 54.04011(c)(1), Family Code, and the former law is continued in effect for a child committed to the facility.

SECTION 8. This Act takes effect September 1, 2019.

H.B. No. 3195

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3195 was passed by the House on April 25, 2019, by the following vote: Yeas 105, Nays 31, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3195 on May 24, 2019, by the following vote: Yeas 102, Nays 40, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3195 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor