

By: Zaffirini

S.B. No. 2106

A BILL TO BE ENTITLED

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

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

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

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

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

21 (2) a behavior contract with the child that must be
22 signed by the child, the child's parent or guardian, and an employee
23 of the school and that includes a specific description of the
24 behavior that is required or prohibited for the child and the

1 penalties for additional alleged school offenses, including
2 additional disciplinary action or the filing of a complaint in a
3 criminal court;

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

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

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

15 SECTION 2. This Act applies beginning with the 2019-2020
16 school year.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2019.