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| BILL ANALYSIS |

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| C.S.H.B. 3654 |
| By: Davis |
| Youth Health & Safety, Select |
| Committee Report (Substituted) |

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| **BACKGROUND AND PURPOSE** In Texas, the range of conduct for which a student can be disciplined is broad, ranging from isolated and minor disruptions to violent behavior. A student engaging in this conduct can have negative repercussions on others, including the educator and other school employees and volunteers. Worse yet, this conduct may affect the educator's responsibility to provide effective classroom instruction and identify students with significant behavioral or mental health issues. While many of these behavioral infractions occur on campus, a good number of them also occur in off-campus locations such as school buses, athletic games, or band competitions. C.S.H.B. 3654 seeks to address this issue by clarifying disciplinary procedures for certain behavioral infractions that occur both on and off campus. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** C.S.H.B. 3654 amends the Education Code to require a principal or other appropriate administrator to suspend a public school student who does the following, on or off school property:* engages in conduct that contains the elements of the offense of assault of intentionally, knowingly, or recklessly causing bodily injury to another or conduct that is otherwise deliberately violent and threatens the health or safety of another; and
* engages in that conduct against any employee or volunteer in retaliation for or as a result of the person's employment or association with a public school district.

The prohibition on a suspension exceeding three school days expressly does not apply to a suspension for engaging in such conduct against a district employee or volunteer. The bill establishes that statutory requirements regarding the placement of students with disabilities apply to a suspension of a student that would constitute a change in placement under federal law of a student with a disability who receives special education services. The bill applies beginning with the 2023-2024 school year.  |
| **EFFECTIVE DATE** On passage, or, if the bill does not receive the necessary vote, September 1, 2023. |
| **COMPARISON OF INTRODUCED AND SUBSTITUTE**While C.S.H.B. 3654 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.The substitute includes a provision not present in the introduced establishing that statutory requirements regarding the placement of students with disabilities apply to a suspension of a student that would constitute a change in placement under federal law of a student with a disability who receives special education services.  |
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