

## **BILL ANALYSIS**

Senate Research Center  
89R28347 BCH-F

C.S.H.B. 6  
By: Leach et al. (Perry)  
Education K-16  
5/16/2025  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

According to data published by the National Center for Education Statistics in 2022, public schools have seen increased incidents of student misconduct, disruptive behavior outside of the classroom, and acts of disrespect towards teachers and staff since the start of the COVID-19 pandemic. H.B. 6 seeks to address these issues affecting Texas classrooms by revising disciplinary processes and procedures to ensure appropriate measures are taken with respect to classroom disruption, serious and dangerous behavior both in and out of school, and student misconduct and to provide increased flexibility and mechanisms to further support safe classrooms, Texas school children, and Texas educators.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 6 amends current law relating to discipline management and access to telehealth mental health services in public schools.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 12 (Section 37.0083, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 12.111, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires that each charter under Subchapter D (Open-Enrollment Charter School) include certain provisions, including a prohibition on discrimination in admission policy on the basis of certain characteristics, although the charter is authorized to provide for the exclusion of a student who has engaged in conduct outlined in Section 37.006 (Removal for Certain Conduct) related to placement in a disciplinary alternative education program or a juvenile justice alternative education program, has engaged in conduct outlined in Section 37.007 (Expulsion for Serious Offenses) and was expelled, or has been convicted of a criminal offense or has a juvenile court adjudication, rather than the exclusion of a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline program under Subchapter A (Alternative Settings for Behavior Management), Chapter 37 (Discipline; Law and Order). Makes a nonsubstantive change.

(a-1) Authorizes a charter granted under this subchapter, notwithstanding Subsection (a)(5) (relating to authorizing the charter to exclude students who have engaged in certain conduct), to provide for the exclusion of a student from an open-enrollment charter school campus that includes a child-care facility based on the student's conviction for a criminal offense that would preclude the student from being admitted to a school district campus that includes a child-care facility.

SECTION 2. Amends Section 12A.004(a), Education Code, as follows:

(a) Prohibits a local innovation plan from providing for the exemption of a district designated as a district of innovation from certain provisions of Title 2 (Public Education), including Chapter 37. Makes a nonsubstantive change.

SECTION 3. Amends Subchapter B, Chapter 22, Education Code, by adding Section 22.05121, as follows:

Sec. 22.05121. IMMUNITY FROM DISCIPLINARY PROCEEDINGS FOR ACTIONS RELATED TO DISCIPLINE AND LAW AND ORDER. (a) Defines "disciplinary proceeding."

(b) Prohibits a professional employee of a school district from being subject to disciplinary proceedings for the reporting of a violation of Chapter 37 to another professional employee of a school district, the Texas Education Agency (TEA), or a law enforcement agency, or for an action taken in good faith to remove a student from class under Section 37.002 (Removal By Teacher).

(c) Provides that the immunity provided by Subsection (b) is in addition to any other immunity provided by law. Prohibits this section from being construed to interfere with any other immunity provided by law.

SECTION 4. Amends Section 29.041(3), Education Code, to redefine "supplemental special education services."

SECTION 5. Amends Section 37.001(b-1), Education Code, as follows:

(b-1) Requires that the methods adopted under Subsection (a)(8) (relating to requiring that the student code of conduct provide certain methods for classroom management) provide that a student who is enrolled in a special education program under Subchapter A (Special Education Program), Chapter 29 (Educational Programs), is prohibited from being disciplined in a manner that results in a change in the student's educational placement for conduct prohibited in accordance with Subsection (a)(7) (relating to requiring that the student code of conduct prohibit bullying, harassment, and making hitlists and ensure that district employees enforce those prohibitions) until an admission, review, and dismissal committee meeting has been held to review the conduct.

SECTION 6. Amends Section 37.0012, Education Code, by amending Subsection (a) and adding Subsections (a-1) and (b-1), as follows:

(a) Requires a single person at each campus to be designated to serve as the campus behavior coordinator.

(a-1) Authorizes additional school staff members to assist the campus behavior coordinator in the performance of the campus behavior coordinator's duties, provided that the campus behavior coordinator personally verifies that all aspects of this subchapter are appropriately implemented.

(b-1) Requires the campus behavior coordinator to perform certain duties.

SECTION 7. Amends Section 37.002, Education Code, by amending Subsections (b), (c), and (d) and adding Subsections (b-2), (b-3), (c-1), (c-2), (f), (f-1), and (g), as follows:

(b) Authorizes a teacher to remove from class a student who:

(1) repeatedly interferes, rather than who has been documented by the teacher to repeatedly interfere, with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn;

(2) demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student; or

(3) engages in conduct that constitutes bullying, as defined by Section 37.0832.

Deletes existing text authorizing a teacher to remove from class a student whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Makes nonsubstantive changes.

(b-2) Requires a teacher, campus behavior coordinator, or other appropriate administrator to notify a parent or person standing in parental relation to the student of the removal of a student under this section.

(b-3) Authorizes a teacher, subject to certain provisions of Section 28.0022 (Certain Instructional Requirements and Prohibitions), to remove a student from class under Subsection (b) of this section based on a single incident of behavior described by Subsection (b)(1), (2), or (3).

(c) Prohibits the principal from returning a student who has been removed to a teacher's classroom without the teacher's written consent unless the committee established under Section 37.003 (Placement Review Committee) determines that such placement is the best or only alternative available and, not later than the third class day after the day on which the student was removed from class, a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a) (relating to requiring that a conference among the campus behavior coordinator or other appropriate administrator, a parent or guardian, the teacher removing the student from class be held). Prohibits the principal from returning the student to that teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student. Provides that the principal is authorized to only designate an employee of the school whose primary duties do not include classroom instruction to create a return to class plan.

(c-1) Requires that a return to class plan required under Subsection (c) be created before or at the conference described by that subsection. Requires that a plan created before the conference be discussed at the conference.

(c-2) Requires the commissioner of education (commissioner) to adopt a model return to class plan for use by a school district in creating a return to class plan for a student under Subsection (c).

(d) Prohibits a student from being returned to a teacher's class without the teacher's written consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available and a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a). Prohibits a student, if the teacher removed the student from class because the student has engaged in the elements of any offense listed in Section 37.007(a)(2)(A) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of certain assaults) or (a)(4) (relating to requiring a student to be expelled if the student engages in conduct that contains elements of the offense of assault against a school district employee or volunteer), rather than Section 37.006(a)(2)(B) (relating to requiring a student to be removed from class and placed in a disciplinary alternative education program if the student engages in conduct that contains the elements of the offense of assault on or within 300 feet of school property) or Section 37.007(a)(2)(A) or (b)(2)(C) (relating to authorizing a student to be expelled if the student engages in conduct that contains the elements of an offense relating to an abusable volatile chemical), against the teacher, from being returned to the teacher's class without the teacher's written consent.

(f) Authorizes a student to appeal the student's removal from class under this section to certain entities.

(f-1) Requires the principal, campus behavior coordinator, or other appropriate administrator, at the conference required under Section 37.009(a), to notify a student who has been removed from class under this section and the parent of or person standing in parental relation to the student of the student's right to appeal under Subsection (f).

(g) Provides that Section 37.004 (Placement of Students With Disabilities) applies to the removal or placement under this section of a student with a disability who receives special education services.

SECTION 8. Amends Section 37.005, Education Code, by amending Subsections (a), (b), (c), and (d) and adding Subsection (b-1) and (c-2), as follows:

(a) Authorizes the principal or other appropriate administrator to suspend a student who engages in conduct identified in the student code of conduct adopted under Section 37.001 (Student Code of Conduct) as conduct for which a student may be subject to an in-school or out-of-school suspension, rather than be suspended.

(b) Prohibits an out-of-school suspension under Section 37.005 (Suspension), rather than a suspension under this section, from exceeding three school days. Provides that an in-school suspension under this section is not subject to any time limit.

(b-1) Requires a school's placement review committee to review the in-school suspension of a student under this section at least once every 15 school days after the date the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate. Requires the placement review committee, if the committee determines that continued in-school suspension is appropriate, to document the determination.

(c) Prohibits a student who is enrolled in a grade level below grade three from being placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in certain conduct, including conduct that threatens the immediate health and safety of other students in the classroom, or conduct that results in repeated or significant disruption to the classroom, rather than conduct that contains elements of a violent offense under certain sections of the Penal Code. Makes a nonsubstantive change.

(c-2) Authorizes the campus administrator or district designee, on receiving a written request from the student's parent or person standing in parental relation to the student, to at the administrator's or designee's sole discretion reassign a student placed in out-of-school suspension under Subsection (c) to an in-school suspension if the student's parent or person standing in parental relation to the student demonstrates through supporting information and documentation that the parent or person is unable to provide suitable supervision for the student during school hours during the period of the suspension. Provides that the alternative placement provided by this section is authorized to be used only in extenuating circumstances and is prohibited from being used as a routine replacement for out-of-school suspension. Requires the school district to maintain documentation of each reassignment under this subsection, including the parent's or person's request, the reason for the parent's or person's unavailability, and the supporting information and documentation.

(d) Makes a nonsubstantive change to this subsection.

SECTION 9. Amends Section 37.006, Education Code, by amending Subsections (a), (b), (c), and (d) and adding Subsection (d-1), as follows:

(a) Creates exceptions under Sections 37.007(a) and 37.007(a)(3).

(b) Requires a student to be removed from class and placed in a disciplinary alternative education program under Section 37.008 (Disciplinary Alternative Education Programs) if the student engages in conduct on or off of school property against any school

employee or volunteer as defined by Section 22.053 (School District Volunteers) that contains the elements of certain offenses, including the offense of harassment under Section 42.07 (Harassment), Penal Code. Deletes existing text creating an exception under Section 37.002(d). Makes nonsubstantive changes.

(c) Requires a student, in addition to Subsections (a) and (b) (relating to requiring a student to be removed and placed in a disciplinary alternative education program if the student engages in conduct on or off campus that contains the elements of the offense of retaliation), to be removed from class and placed in a disciplinary alternative education program under Section 37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

(1) the student receives deferred prosecution under Section 53.03 (Deferred Prosecution), Family Code, for conduct defined as any of the following offenses under the Penal Code:

(A) makes nonsubstantive changes to this paragraph;

(B) the offense of deadly conduct under Section 22.05 (Deadly Conduct);

(C) creates this paragraph from existing text and makes a nonsubstantive change;

(D) the offense of disorderly conduct involving a firearm under Section 42.01(a)(7) (relating to providing that a person commits an offense if they intentionally or knowingly discharge a firearm in a public place other than a sport shooting range) or (8) (relating to providing that a person commits an offense if they intentionally or knowingly display a firearm or other deadly weapon in a public place in a manner calculated to alarm); or

(E) the offense of unlawfully carrying weapons under Section 46.02 (Unlawful Carrying Weapons), except for an offense punishable as a Class C misdemeanor under that section;

(2) a court or jury finds that the student has engaged in delinquent conduct under Section 54.03 (Adjudication Hearing), Family Code, for conduct defined as an offense listed in Subdivision (1), rather than a felony offense in Title 5 (Offenses Against the Person), Penal Code, or the felony offense of aggravated robbery under Section 29.03 (Robbery), Penal Code; or

(3) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in a conduct defined as an offense listed in Subdivision (1), rather than a felony offense in Title 5, Penal Code, or the felony offense of aggravated robbery under Section 29.03, Penal Code.

(d) Authorizes a student, in addition to Subsections (a), (b), and (c), to be removed from class and placed in a disciplinary alternative education program under Section 37.008:

(1) if the student:

(A) engages in conduct that contains the elements of the offense of disruptive activities under Section 37.123 (Disruptive Activities); or

(B) subject to Subsection (d-1), engages in conduct that contains the elements of the offense of disruption of classes under Section 37.124 (Disruption of Classes), unless Subsection (d) (relating to providing that it is an exception that, at the time the person engaged in certain conduct, the person was younger than 12 years of age) of that section applies to the student; or

(2) creates this subdivision from existing text and makes nonsubstantive changes.

(d-1) Provides that a student is authorized to be removed from class under Subsection (c)(1)(B) for certain conduct only if the conduct is intentional and repeated.

SECTION 10. Amends Section 37.007, Education Code, by amending Subsections (a) and (b) and adding Subsection (f-1), as follows:

(a) Requires a student, except as provided by Subsection (k) (relating to prohibiting a student from being expelled solely of the student's use, exhibition, or possession of a firearm that occurs at certain locations) and subject to the requirements of Section 37.009(a), to be expelled from a school if the student engages in certain conduct on or off of school property, rather than on school property or while attending a school-sponsored or school-related activity on or off of school property, including engaging in conduct that contains elements of certain offenses, including kidnapping under Section 20.03 (Kidnapping), Penal Code, burglary under Section 30.02 (Burglary), Penal Code, or robbery under Section 29.02 (Robbery), Penal Code; engages in conduct that contains the elements of the offense of assault under Section 22.01(a)(1) (relating to providing that a person commits an offense if the person intentionally, knowingly, or recklessly causes bodily injury to another), Penal Code, against a school district employee or volunteer as defined by Section 22.053 of the Education Code; or engages in conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Section 37.125 (Exhibition, Use, or Threat of Use of Firearms) of the Education Code.

(b) Authorizes a student to be expelled if the student:

(1) makes no changes to this subdivision;

(2) creates an exception under Subsection (a)(3) (relating to requiring a student to be expelled if the student engages in conduct that is punishable as a felony);

(3) while within 300 feet of school property, as measured from any point on the school's real property boundary line, possesses a firearm, as defined by 18 U.S.C. Section 921, rather than subject to Subsection (d) (relating to requiring a student to be expelled to be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a)), engages in conduct specified by Subsection (a) or possesses a firearm, as defined by 18 U.S.C. Section 921; or

(4) redesignates existing Subdivision (5) as Subdivision (4) and makes no further changes.

Deletes existing text authorizing a student to be expelled if the student, while on or within 300 feet of school property, engages in conduct that contains the elements of an offense under Section 22.01(a)(1), Penal Code, against a school district employee or volunteer as defined by Section 22.053. Deletes text of existing Subdivision (4) authorizing a student to be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a)(2)(A) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of the offense of certain assaults) or (C) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of certain offenses related to murder) or the offense of aggravated robbery under Section 29.03 (Aggravated Robbery), Penal Code, against another student, without regard to whether the conduct occurs on or off the school property or while attending a school-sponsored or school-related activity on or off of school property.

Makes nonsubstantive changes to this subsection.

(f-1) Requires a school district to place a student expelled under Section 37.007 (Expulsion for Serious Offenses) in a juvenile justice alternative education program, if the school district is located in a county that operates a juvenile justice alternative

education program or the school district contracts with the juvenile board of another county for the provision of a juvenile justice alternative education program, or a virtual or in-person disciplinary alternative education program.

SECTION 11. Amends Section 37.0081(a-1), Education Code, to require an expelled student placed in an alternative setting to be placed in certain programs, including a virtual or in-person disciplinary alternative education program.

SECTION 12. Amends Subchapter A, Chapter 37, Education Code, by adding Section 37.0083, as follows:

**Sec. 37.0083. VIRTUAL DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM.**

(a) Provides that the board of trustees of a school district, the board's designee, or a juvenile court is authorized to place a student who has been expelled under Section 37.007 or 37.0081 in a virtual disciplinary alternative education program established by the district and provide virtual instruction and instructional materials for remote learning to the student only if no positions for the grade level in which the student is enrolled are available in the district's in-person disciplinary alternative education program or, if the county in which the district is located operates a juvenile justice alternative education program, or if the school district contracts with the juvenile board of another county for the provision of a juvenile justice alternative education program, that county's juvenile justice alternative education program.

(a-1) Requires a school district, if the board of trustees of the school district, the board's designee, or a juvenile court places a student in a virtual disciplinary alternative education program under this section, to ensure that the student has suitable computer equipment and Internet access and provide the computer equipment and Internet access if necessary.

(b) Requires a school district to ensure that, to the extent practicable in a virtual setting, the district's virtual disciplinary alternative education program complies with the requirements for a disciplinary alternative education program under Section 37.008.

(c) Requires a school's placement review committee to review the placement of a student in a virtual disciplinary alternative education program under this section at least once every 45 school days after the date the placement begins to determine if continued placement in the program is appropriate. Requires the placement review committee, if the committee determines that continued placement is appropriate, to document the determination.

(d) Requires a student placed in a virtual disciplinary alternative education program to be counted toward the district's average daily attendance for purposes of receipt of state funds under the Foundation School Program.

(e) Prohibits a school district from requiring a teacher who provides virtual instruction to students in a virtual disciplinary alternative education program to provide virtual instruction and in-class instruction for a course during the same class period.

(f) Prohibits a teacher from providing instruction for a virtual disciplinary education program course unless the teacher has completed a professional development course on virtual instruction.

(g) Requires the commissioner to adopt rules as necessary to implement this section, including rules providing for a method of taking attendance for students placed in a virtual disciplinary alternative education program and rules requiring school districts to provide basic professional development training for teachers providing instruction in a virtual disciplinary alternative education program.

SECTION 13. Amends Section 37.009, Education Code, by adding Subsection (f-1) to authorize the board of trustees of a school district or the board's designee to order the placement of a student expelled under Section 37.007 in an alternative education program as provided by Subsection (f-1) of that section.

SECTION 14. Amends Section 37.010, Education Code, by adding Subsection (c-1), as follows:

(c-1) Provides that this subsection applies to a juvenile court in a county that operates a program under Section 37.011 (Juvenile Justice Alternative Education Program). Authorizes a court, notwithstanding certain provisions of Section 37.010 (Court Involvement), to order a student expelled under Section 37.007 to attend a school district's virtual disciplinary alternative education program, if the district has established a virtual disciplinary alternative education program under Section 37.0083 and the county's juvenile justice alternative education program under Section 37.011 has no available positions for the grade level in which the student is enrolled.

SECTION 15. Amends Sections 37.011(b), (h), and (k), Education Code, as follows:

(b) Deletes existing text requiring the juvenile court, the juvenile board, or the juvenile board's designee, if a student admitted into the public schools of a school district under Section 25.001(b) (relating to requiring the board of trustees to admit into the public schools of the district free of tuition a person who is over and younger than 21 years of age) is expelled from school for conduct for which expulsion is required under Section 37.007(d) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of certain offenses against an employee or volunteer), to take certain actions.

(h)-(k) Makes conforming changes to these subsections.

SECTION 16. Amends Section 37.015(a), Education Code, to make a conforming change.

SECTION 17. Amends Section 37.019, Education Code, by adding Subsection (b-1) to authorize the principal or the principal's designee to order the emergency placement or expulsion of a student under Section 37.019 (Emergency Placement or Expulsion) based on a single incident of behavior by the student.

SECTION 18. Amends Subchapter A, Chapter 37, Education Code, by adding Section 37.028, as follows:

Sec. 37.028. PENALTIES FOR IMPOSITION OF DISCIPLINARY MEASURES PROHIBITED. (a) Prohibits TEA from withholding any state funding or imposing a penalty on a school district based on the number of students in the district that have been removed from a classroom, placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program or a juvenile justice alternative education program, or expelled.

(b) Prohibits this section from being construed to limit TEA from taking any action to enforce requirements under federal law related to a determination of significant disproportionality based on the race and ethnicity of students with disabilities.

SECTION 19. Amends Section 37.055, Education Code, by amending Subsections (a) and (b) and adding Subsections (a-1) and (a-2), as follows:

(a) Requires a representative of the school district, a student, and the student's parent, on admitting the student to a school-community guidance center, placing a student in a disciplinary alternative education program, or expelling a student, to develop an agreement that specifies the responsibilities of the parent and the student.



(a-1) Requires the school district to provide to the student's parent written notice of the meeting at which the agreement described by Subsection (a) will be developed and encourage the student's parent to attend the meeting. Requires the district to ensure the student's parent is authorized to attend the meeting in person or by telephone or video conference.

(a-2) Provides that, if the student and the student's parent participate in the development and completion of the agreement described by Subsection (a), the school district is required to review and authorized to reduce the length of any discipline to be imposed on the student.

(b) Authorizes the superintendent of the school district to obtain a court order from a district, county, or justice court in whose jurisdiction all or any part of the school district is located requiring a parent to fully, reasonably, and timely participate in the development of an agreement under Section 37.085 (Arrests Prohibited for Certain Class C Misdemeanors), rather than comply with an agreement made under this section, and to comply with the agreement if the parent receives notice of a meeting to develop the agreement under Subsection (a-1) and fails to attend the meeting on two separate occasions. Authorizes a parent who violates a court order issued under this subsection to be punished for contempt of court or by other appropriate judicial remedy.

SECTION 20. Amends Section 37.115, Education Code, by amending Subsection (d) and adding Subsection (d-1), as follows:

(d) Authorizes a threat assessment and safe and supportive school team (team) to serve more than one campus of a school district, provided that each district is assigned a team and, in serving a particular campus, the team includes the person designated to serve as the campus behavior coordinator under Section 37.0012 for that campus. Makes nonsubstantive changes.

(d-1) Provides that, notwithstanding Subsection (d), if a student in a special education program under Subchapter A, Chapter 29, is the subject of a threat assessment under Subsection (f) (relating to requiring each team to conduct a threat assessment that includes certain information), the team conducting the threat assessment is required to include a person who has knowledge of student disabilities and how student disabilities manifest and is authorized to include certain professionals.

SECTION 21. Amends Subchapter D, Chapter 37, Education Code, by adding Section 37.1151, as follows:

Sec. 37.1151. SUIT FOR TEMPORARY ALTERNATIVE PLACEMENT FOR CERTAIN STUDENTS. (a) Defines "student with a disability."

(b) Authorizes a school district, if, pursuant to a threat assessment conducted with respect to a student under Section 37.115 (Threat Assessment and Safe and Supportive School Program and Team), the school district in which the student is enrolled determines that the student's continued placement in the student's current educational setting is substantially likely to result in physical harm to the student or another person, to file a civil action for injunctive relief in a district court to authorize the district to immediately remove the student from the student's current educational setting and place the student in an alternative educational setting.

(c) Requires the school district requesting injunctive relief under this section to show that:

(1) the district has made reasonable efforts to maintain the student's current educational setting and minimize the likelihood of physical harm to the student or another person;

(2) despite the district's efforts under Subdivision (1), maintaining the student's current educational setting is substantially likely to result in physical harm to the student or another person; and

(3) the district provided notice to the student's parent or person standing in parental relation to the student of the results of the threat assessment conducted with respect to the student under Section 37.115 and the filing of a civil action under Subsection (b).

(d) Provides that the district court, not later than the fifth calendar day after the date a school district files a civil action under Subsection (b), is required to determine whether the district has provided sufficient evidence to satisfy the requirements of Subsection (c), and, if so, is authorized to order the district to remove the student from the student's current educational setting and place the student in an alternative educational setting for a period not to exceed 60 instructional days.

(e) Requires the district court, in making the determination under Subsection (d), to consider certain factors.

(f) Requires the school district, before the expiration of an order issued under Subsection (d) for a student enrolled in the school district's special education program under Subchapter A, Chapter 29, to request from the student's parent or person standing in parental relation to the student consent for a qualified professional to conduct a functional behavioral assessment of the student.

(g) Requires the school district, before the expiration of an order issued under Subsection (d) for a student enrolled in the school district's special education program under Subchapter A, Chapter 29, to seek consent from the student's parent or person standing in parental relation to conduct a functional behavioral assessment of the student by a licensed specialist in school psychology, a licensed behavior analyst, or a behavior specialist.

(h) Authorizes the school district, on the expiration of an order issued under Subsection (d), to file another civil action under Subsection (b) to extend the period of the student's placement in an alternative educational setting if the district determines, pursuant to an additional threat assessment conducted with respect to the student under Section 37.115, that the student's return to the student's previous educational setting is substantially likely to result in physical harm to the student or another person.

(i) Requires a school district to ensure that a student with a disability who is placed in an alternative educational setting under this section continues to receive all required educational services, including services under the student's individualized education program or the student's plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), as applicable.

(j) Provides that a school district that has filed a civil action under Subsection (b) for the removal of a student is not subject to the requirements of Section 37.009(a) with respect to that removal.

SECTION 22. Amends Subchapter F, Chapter 38, Education Code, by adding Section 38.2545, as follows:

Sec. 38.2545. TEXAS CHILD HEALTH ACCESS THROUGH TELEMEDICINE. (a) Defines "consortium" and "program."

(b) Requires a school district, if the Texas Child Mental Health Care Consortium (consortium) makes available mental health services to the district through the

Texas Child Health Access through Telemedicine program (program), to offer to each student enrolled in the district access to those mental health services.

(c) Prohibits a school district from requiring a student to participate in any service provided under Subsection (b) or referring to participation nor allowing participation of a student who is younger than 18 years of age in any component of the program that involves mental health education or screening unless the district obtains signed written consent from the student's parent or legal guardian.

(d) Requires the program to obtain written consent from the parent or legal guardian of a student as required by Section 113.0152 (Consent Required for Services to Minor), Health and Safety Code, before providing to the student a mental health service under this section.

(e) Provides that the program is not considered a "school official with a legitimate educational interest" for purposes of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g). Prohibits a school district from sharing records relating to a student with the program unless the district obtains written consent from the student, or the parent or legal guardian of the student, if the student is younger than 18 years of age.

(f) Requires the program to maintain, provide to each school district at which the program is available, and post certain information on the consortium's Internet website.

SECTION 23. Amends Section 113.0251, Health and Safety Code, as follows:

Sec. 113.0251. BIENNIAL REPORT. Requires the consortium, not later than December 1 of each even-numbered year, to prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committee of each house of the legislature with primary jurisdiction over behavioral health issues and post on its Internet website a written report that outlines:

(1)-(2) makes no changes to these subdivisions;

(3) during the preceding two years, the percentage of participants in the program operated by the consortium meeting certain criteria;

(4) during the preceding two years, the percentage of potential participants meeting certain criteria; and

(5) redesignates existing Subdivision (3) as Subdivision (5) and makes no further changes.

SECTION 24. Repealers: Sections 37.007(d) (relating to requiring a student to be expelled if the student engages in conduct that contains the elements of certain offenses against an employee or volunteer) and (i) (relating to authorizing a student who engages in certain conduct to be expelled from the school if the conduct occurs at certain places), Education Code.

SECTION 25. (a) Requires TEA, not later than the first day of the 2025–2026 school year, to prepare and provide to each school district a report identifying each law relating to school discipline that was amended or added by the 89th Legislature, Regular Session, 2025.

(b) Requires a school district to provide to each student and the parent of or person standing in parental relation to the student the report prepared under Subsection (a) of this section.

SECTION 26. Provides that Section 12A.004(a), Education Code, applies to a local innovation plan adopted or renewed before, on, or after the effective date of this Act.

SECTION 27. Provides that Section 22.05121, Education Code, as added by this Act, applies to a disciplinary proceeding for conduct that occurs before, on, or after the effective date of this Act, except that a disciplinary proceeding finally resolved before the effective date of this Act is unaffected by this Act.

SECTION 28. Requires a school district, notwithstanding Sections 38.2545(c)(2), (d), and (e), Education Code, as added by this Act, to comply with the requirements of those provisions and update consent forms and documents as necessary for compliance as soon as practicable after the effective date of this Act but not later than December 1, 2025.

SECTION 29. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 30. Effective date: upon passage or September 1, 2025.