

1-1 By: Leach, et al. (Senate Sponsor - Perry) H.B. No. 6  
1-2 (In the Senate - Received from the House April 16, 2025;  
1-3 April 24, 2025, read first time and referred to Committee on  
1-4 Education K-16; May 20, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 10, Nays 1;  
1-6 May 20, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15		X		
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 6 By: Hagenbuch

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to discipline management and access to telehealth mental  
1-24 health services in public schools.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 12.111, Education Code, is amended by  
1-27 amending Subsection (a) and adding Subsection (a-1) to read as  
1-28 follows:

1-29 (a) Each charter granted under this subchapter must:

1-30 (1) describe the educational program to be offered,  
1-31 which must include the required curriculum as provided by Section  
1-32 28.002;

1-33 (2) provide that continuation of the charter is  
1-34 contingent on the status of the charter as determined under Section  
1-35 12.1141 or 12.115 or under Chapter 39A;

1-36 (3) specify the academic, operational, and financial  
1-37 performance expectations by which a school operating under the  
1-38 charter will be evaluated, which must include applicable elements  
1-39 of the performance frameworks adopted under Section 12.1181;

1-40 (4) specify:

1-41 (A) any basis, in addition to a basis specified  
1-42 by this subchapter or Chapter 39A, on which the charter may be  
1-43 revoked, renewal of the charter may be denied, or the charter may be  
1-44 allowed to expire; and

1-45 (B) the standards for evaluation of a school  
1-46 operating under the charter for purposes of charter renewal, denial  
1-47 of renewal, expiration, revocation, or other intervention in  
1-48 accordance with Section 12.1141 or 12.115 or Chapter 39A, as  
1-49 applicable;

1-50 (5) prohibit discrimination in admission policy on the  
1-51 basis of sex, national origin, ethnicity, religion, disability,  
1-52 academic, artistic, or athletic ability, or the district the child  
1-53 would otherwise attend in accordance with this code, although the  
1-54 charter may:

1-55 (A) provide for the exclusion of a student who:

1-56 (i) has engaged in conduct outlined in  
1-57 Section 37.006 and was placed in a disciplinary alternative  
1-58 education program or a juvenile justice alternative education  
1-59 program;

1-60 (ii) has engaged in conduct outlined in

Section [37.007](#) and was expelled; or

(iii) ~~has been convicted of a criminal offense or has a juvenile court adjudication [has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37]; and~~

(B) provide for an admission policy that requires a student to demonstrate artistic ability if the school specializes in performing arts;

(6) specify the grade levels to be offered;

(7) describe the governing structure of the program, including:

(A) the officer positions designated;

(B) the manner in which officers are selected and removed from office;

(C) the manner in which members of the governing body of the school are selected and removed from office;

(D) the manner in which vacancies on that governing body are filled;

(E) the term for which members of that governing body serve; and

(F) whether the terms are to be staggered;

(8) specify the powers or duties of the governing body of the school that the governing body may delegate to an officer;

(9) specify the manner in which the school will distribute to parents information related to the qualifications of each professional employee of the program, including any professional or educational degree held by each employee, a statement of any certification under Subchapter B, Chapter 21, held by each employee, and any relevant experience of each employee;

(10) describe the process by which the person providing the program will adopt an annual budget;

(11) describe the manner in which an annual audit of the financial and programmatic operations of the program is to be conducted, including the manner in which the person providing the program will provide information necessary for the school district in which the program is located to participate, as required by this code or by commissioner rule, in the Public Education Information Management System (PEIMS);

(12) describe the facilities to be used;

(13) describe the geographical area served by the program;

(14) specify any type of enrollment criteria to be used;

(15) provide information, as determined by the commissioner, relating to any management company that will provide management services to a school operating under the charter; and

(16) specify that the governing body of an open-enrollment charter school accepts and may not delegate ultimate responsibility for the school, including the school's academic performance and financial and operational viability, and is responsible for overseeing any management company providing management services for the school and for holding the management company accountable for the school's performance.

(a-1) Notwithstanding Subsection (a)(5), a charter granted under this subchapter may 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. Section [12A.004](#)(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that

a district may be exempt from Sections [11.1511\(b\)\(5\)](#) and (14) and Section [11.162](#);

(3) state curriculum and graduation requirements adopted under Chapter [28](#);

(4) Chapter [37](#); and

(5) ~~[(4)]~~ academic and financial accountability and sanctions under Chapters [39](#) and [39A](#).

SECTION 3. Subchapter [B](#), Chapter [22](#), Education Code, is amended by adding Section 22.05121 to read as follows:

Sec. 22.05121. IMMUNITY FROM DISCIPLINARY PROCEEDINGS FOR ACTIONS RELATED TO DISCIPLINE AND LAW AND ORDER. (a) In this section, "disciplinary proceeding" means:

(1) an action brought by the school district employing a professional employee of a school district to discharge or suspend the employee or terminate or not renew the employee's term contract; or

(2) an action or proceeding brought by the State Board for Educator Certification.

(b) A professional employee of a school district may not be subject to disciplinary proceedings for:

(1) the reporting of a violation of Chapter [37](#) to another professional employee of a school district, the agency, or a law enforcement agency; or

(2) an action taken in good faith to remove a student from class under Section [37.002](#).

(c) The immunity provided by Subsection (b) is in addition to any other immunity provided by law. This section may not be construed to interfere with any other immunity provided by law.

SECTION 4. Section [29.041\(3\)](#), Education Code, is amended to read as follows:

(3) "Supplemental special education services" means an additive service that provides an educational benefit to a student receiving special education services under Subchapter A, including:

(A) occupational therapy, physical therapy, and speech therapy; ~~and~~

(B) private tutoring and other supplemental private instruction or programs; and

(C) crisis prevention and intervention training for the student's parent or person standing in parental relation to the student.

SECTION 5. Section [37.001\(b-1\)](#), Education Code, is amended to read as follows:

(b-1) The methods adopted under Subsection (a)(8) must provide that a student who is enrolled in a special education program under Subchapter [A](#), Chapter [29](#), may not be disciplined in a manner that results in a change in the student's educational placement for conduct prohibited in accordance with Subsection (a)(7) until an admission, review, and dismissal committee meeting has been held to review the conduct.

SECTION 6. Section [37.0012](#), Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (b-1) to read as follows:

(a) A single person at each campus must be designated to serve as the campus behavior coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal.

(a-1) Additional school staff members may 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) The campus behavior coordinator shall:

(1) monitor disciplinary referrals;

(2) report to the campus's threat assessment and safe and supportive school team established under Section [37.115](#) any student who engages in conduct that contains the elements of:

(A) the offense of terroristic threat under Section [22.07](#), Penal Code;

(B) the offense of unlawfully carrying weapons under Section [46.02](#), Penal Code;

(C) an offense relating to prohibited weapons under Section [46.05](#), Penal Code; or

(D) the offense of exhibiting, using, or threatening to exhibit or use a firearm under Section [37.125](#) of this code; and

(3) report to the campus's threat assessment and safe and supportive school team established under Section [37.115](#) any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others.

SECTION 7. Section [37.002](#), Education Code, is amended by amending Subsections (b), (c), and (d) and adding Subsections (b-2), (b-3), (c-1), (c-2), (f), (f-1), and (g) to read as follows:

(b) A teacher may remove from class a student who:

(1) ~~repeatedly interferes [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; ~~[or]~~

(2) ~~demonstrates [whose]~~ 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](#) ~~[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]~~.

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

(b-3) Subject to Sections [28.0022](#)(a)(2) and (d), a teacher may 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) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into a disciplinary alternative education program as provided by Section [37.008](#). The principal may not return the student to that 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, 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). The principal may not return 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. The principal may only designate an employee of the school whose primary duties do not include classroom instruction to create a return to class plan. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.

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

(c-2) The commissioner shall 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) A teacher shall remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in conduct described under Section [37.006](#) or [37.007](#). The student may not be returned to that 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). If the teacher removed the student from class because the student has engaged in the elements of any offense listed in ~~[Section 37.006(a)(2)(B) or]~~ Section 37.007(a)(2)(A) or (a)(4) ~~[(b)(2)(C)]~~ against the teacher, the student may not be returned to the teacher's class without the teacher's written consent. The teacher may not be coerced to consent.

(f) A student may appeal the student's removal from class under this section to:

(1) the school's placement review committee established under Section 37.003; or

(2) the campus's threat assessment and safe and supportive school team established under Section 37.115, in accordance with a district policy providing for such an appeal to be made to the team.

(f-1) The principal, campus behavior coordinator, or other appropriate administrator shall, at the conference required under Section 37.009(a), 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) Section 37.004 applies to the removal or placement under this section of a student with a disability who receives special education services.

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

(a) The principal or other appropriate administrator may suspend a student who engages in conduct identified in the student code of conduct adopted under Section 37.001 as conduct for which a student may be subject to an in-school or out-of-school suspension ~~[suspended]~~.

(b) An out-of-school ~~[A]~~ suspension under this section may not exceed three school days. An in-school suspension under this section is not subject to any time limit.

(b-1) A school's placement review committee shall 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. If the placement review committee determines that continued in-school suspension is appropriate, the committee shall document the determination.

(c) A student who is enrolled in a grade level below grade three may not be 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:

(1) conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;

(2) conduct that threatens the immediate health and safety of other students in the classroom;

(3) conduct that results in repeated or significant disruption to the classroom ~~[contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code];~~ or

(4) ~~[(3)]~~ selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:

(A) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

(C) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

(c-2) On receiving a written request from the student's parent or person standing in parental relation to the student, the campus administrator or district designee may at the

6-1 administrator's or designee's sole discretion reassign a student  
 6-2 placed in out-of-school suspension under Subsection (c) to an  
 6-3 in-school suspension if the student's parent or person standing in  
 6-4 parental relation to the student demonstrates through supporting  
 6-5 information and documentation that the parent or person is unable  
 6-6 to provide suitable supervision for the student during school hours  
 6-7 during the period of the suspension. The alternative placement  
 6-8 provided by this section may be used only in extenuating  
 6-9 circumstances and may not be used as a routine replacement for  
 6-10 out-of-school suspension. The school district shall maintain  
 6-11 documentation of each reassignment under this subsection,  
 6-12 including the parent's or person's request, the reason for the  
 6-13 parent's or person's unavailability, and the supporting information  
 6-14 and documentation.

6-15 (d) A school district or open-enrollment charter school may  
 6-16 not place a student who is homeless in out-of-school suspension  
 6-17 unless the student engages in conduct described by Subsections  
 6-18 (c)(1)-(4) [~~(c)(1)-(3)~~] while on school property or while attending  
 6-19 a school-sponsored or school-related activity on or off of school  
 6-20 property. The campus behavior coordinator may coordinate with the  
 6-21 school district's homeless education liaison to identify  
 6-22 appropriate alternatives to out-of-school suspension for a student  
 6-23 who is homeless. In this subsection, "student who is homeless" has  
 6-24 the meaning assigned to the term "homeless children and youths"  
 6-25 under 42 U.S.C. Section 11434a.

6-26 SECTION 9. Section 37.006, Education Code, is amended by  
 6-27 amending Subsections (a), (b), (c), and (d) and adding Subsection  
 6-28 (d-1) to read as follows:

6-29 (a) Subject to the requirements of Section 37.009(a), a  
 6-30 student shall be removed from class and placed in a disciplinary  
 6-31 alternative education program as provided by Section 37.008 if the  
 6-32 student:

6-33 (1) engages in conduct involving a public school that  
 6-34 contains the elements of the offense of false alarm or report under  
 6-35 Section 42.06, Penal Code, or terroristic threat under Section  
 6-36 22.07, Penal Code; or

6-37 (2) commits the following on or within 300 feet of  
 6-38 school property, as measured from any point on the school's real  
 6-39 property boundary line, or while attending a school-sponsored or  
 6-40 school-related activity on or off of school property:

6-41 (A) except as provided by Section 37.007(a),  
 6-42 engages in conduct punishable as a felony;

6-43 (B) engages in conduct that contains the elements  
 6-44 of the offense of assault under Section 22.01(a)(1), Penal Code;

6-45 (C) except as provided by Section 37.007(a)(3),  
 6-46 sells, gives, or delivers to another person or possesses or uses or  
 6-47 is under the influence of:

6-48 (i) a controlled substance, as defined by  
 6-49 Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et  
 6-50 seq., excluding marihuana, as defined by Section 481.002, Health  
 6-51 and Safety Code, or tetrahydrocannabinol, as defined by rule  
 6-52 adopted under Section 481.003 of that code; or

6-53 (ii) a dangerous drug, as defined by  
 6-54 Chapter 483, Health and Safety Code;

6-55 (C-1) possesses, uses, or is under the influence  
 6-56 of, or sells, gives, or delivers to another person marihuana, as  
 6-57 defined by Section 481.002, Health and Safety Code, or  
 6-58 tetrahydrocannabinol, as defined by rule adopted under Section  
 6-59 481.003 of that code;

6-60 (C-2) possesses, uses, sells, gives, or delivers  
 6-61 to another person an e-cigarette, as defined by Section 161.081,  
 6-62 Health and Safety Code;

6-63 (D) sells, gives, or delivers to another person  
 6-64 an alcoholic beverage, as defined by Section 1.04, Alcoholic  
 6-65 Beverage Code, commits a serious act or offense while under the  
 6-66 influence of alcohol, or possesses, uses, or is under the influence  
 6-67 of an alcoholic beverage;

6-68 (E) engages in conduct that contains the elements  
 6-69 of an offense relating to an abusable volatile chemical under

Sections [485.031](#) through [485.034](#), Health and Safety Code;

(F) engages in conduct that contains the elements of the offense of public lewdness under Section [21.07](#), Penal Code, or indecent exposure under Section [21.08](#), Penal Code; or

(G) engages in conduct that contains the elements of the offense of harassment under Section [42.07](#)(a)(1), (2), (3), or (7), Penal Code, against an employee of the school district.

(b) A ~~[Except as provided by Section 37.007(d), a]~~ student shall be removed from class and placed in a disciplinary alternative education program under Section [37.008](#) if the student engages in conduct on or off of school property against any school employee or volunteer as defined by Section [22.053](#) that contains the elements of the offense of:

(1) retaliation under Section [36.06](#), Penal Code; or

(2) harassment under Section [42.07](#), Penal Code~~[, against any school employee]~~.

(c) In addition to Subsections (a) and (b), a student shall 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](#), Family Code, for conduct defined as any of the following offenses under the Penal Code:

(A) a felony offense under ~~[in]~~ Title 5~~[, Penal Code]; [or]~~

(B) the offense of deadly conduct under Section [22.05](#);

(C) the felony offense of aggravated robbery under Section [29.03](#)~~[, Penal Code];~~

(D) the offense of disorderly conduct involving a firearm under Section [42.01](#)(a)(7) or (8); or

(E) the offense of unlawfully carrying weapons under Section [46.02](#), 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](#), Family Code, for conduct defined as an offense listed in Subdivision (1)~~[+]~~

~~[(A) a felony offense in Title 5, Penal Code; or~~

~~[(B) the felony offense of aggravated robbery under Section [29.03](#), 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)~~[+]~~

~~[(A) a felony offense in Title 5, Penal Code; or~~

~~[(B) the felony offense of aggravated robbery under Section [29.03](#), Penal Code].~~

(d) In addition to Subsections (a), (b), and (c), a student may 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](#); 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](#), unless Subsection (d) of that section applies to the student; or

(2) based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

(A) ~~[(1)]~~ the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than aggravated robbery under Section [29.03](#), Penal Code, or those offenses defined in Title 5, Penal Code; and

(B) ~~[(2)]~~ the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

(d-1) A student may be removed from class under Subsection

(d)(1)(B) for conduct described by Section 37.124(c)(1)(A) only if the conduct is intentional and repeated.

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

(a) Except as provided by Subsection (k) and subject to the requirements of Section 37.009(a), a student shall be expelled from a school if the student, ~~[on school property or while attending a school-sponsored or school-related activity]~~ on or off of school property:

(1) engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Section 46.02, Penal Code, or elements of an offense relating to prohibited weapons under Section 46.05, Penal Code;

(2) engages in conduct that contains the elements of the offense of:

(A) aggravated assault under Section 22.02, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;

(B) arson under Section 28.02, Penal Code;

(C) murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal attempt, under Section 15.01, Penal Code, to commit murder or capital murder;

(D) indecency with a child under Section 21.11, Penal Code;

(E) kidnapping under Section 20.03, Penal Code, or aggravated kidnapping under Section 20.04, Penal Code;

(F) burglary under Section 30.02, Penal Code, robbery under Section 29.02, Penal Code, or aggravated robbery under Section 29.03, Penal Code;

(G) manslaughter under Section 19.04, Penal Code;

(H) criminally negligent homicide under Section 19.05, Penal Code; or

(I) continuous sexual abuse of young child or disabled individual under Section 21.02, Penal Code; ~~[or]~~

(3) engages in conduct specified by Section 37.006(a)(2)(C), if the conduct is punishable as a felony;

(4) engages in conduct that contains the elements of the offense of assault under Section 22.01(a)(1), Penal Code, against a school district employee or volunteer as defined by Section 22.053 of this code; or

(5) 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 of this code.

(b) A student may be expelled if the student:

(1) engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code, or terroristic threat under Section 22.07, Penal Code;

(2) while on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property:

(A) except as provided by Subsection (a)(3), sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of:

(i) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(ii) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or

(iii) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code;

(B) engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code; or

(C) ~~[engages in conduct that contains the~~



~~elements of an offense under Section 22.01(a)(1), Penal Code, against a school district employee or a volunteer as defined by Section 22.053; or~~

~~[(D)] engages in conduct that contains the elements of the offense of deadly conduct under Section 22.05, Penal Code;~~

~~(3) [subject to Subsection (d)], while within 300 feet of school property, as measured from any point on the school's real property boundary line, [+]~~

~~[(A)] engages in conduct specified by Subsection (a), or~~

~~[(B)] possesses a firearm, as defined by 18 U.S.C. Section 921;~~

~~[(4)] engages in conduct that contains the elements of any offense listed in Subsection (a)(2)(A) or (C) or the offense of aggravated robbery under Section 29.03, Penal Code, against another student, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property;] or~~

~~(4) [(5)] engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02, Penal Code, if:~~

~~(A) the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and~~

~~(B) the student knowingly:~~

~~(i) alters, damages, or deletes school district property or information; or~~

~~(ii) commits a breach of any other computer, computer network, or computer system.~~

(f-1) A school district shall place a student expelled under this section in:

(1) 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

(2) a virtual or in-person disciplinary alternative education program.

SECTION 11. Section 37.0081(a-1), Education Code, is amended to read as follows:

(a-1) The student must be placed in:

(1) 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

(2) a virtual or in-person disciplinary alternative education program.

SECTION 12. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0083 to read as follows:

Sec. 37.0083. VIRTUAL DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM. (a) The board of trustees of a school district, the board's designee, or a juvenile court may 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:

(1) the district's in-person disciplinary alternative education program; or

(2) 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

10-1 education program.

10-2 (a-1) If the board of trustees of a school district, the  
 10-3 board's designee, or a juvenile court places a student in a virtual  
 10-4 disciplinary alternative education program under this section, the  
 10-5 school district shall ensure that the student has suitable computer  
 10-6 equipment and Internet access and provide the computer equipment  
 10-7 and Internet access if necessary.

10-8 (b) A school district must ensure that, to the extent  
 10-9 practicable in a virtual setting, the district's virtual  
 10-10 disciplinary alternative education program complies with the  
 10-11 requirements for a disciplinary alternative education program  
 10-12 under Section 37.008.

10-13 (c) A school's placement review committee shall review the  
 10-14 placement of a student in a virtual disciplinary alternative  
 10-15 education program under this section at least once every 45 school  
 10-16 days after the date the placement begins to determine if continued  
 10-17 placement in the program is appropriate. If the placement review  
 10-18 committee determines that continued placement is appropriate, the  
 10-19 committee shall document the determination.

10-20 (d) A student placed in a virtual disciplinary alternative  
 10-21 education program shall be counted toward the district's average  
 10-22 daily attendance for purposes of receipt of state funds under the  
 10-23 Foundation School Program.

10-24 (e) A school district may not require a teacher who provides  
 10-25 virtual instruction to students in a virtual disciplinary  
 10-26 alternative education program to provide virtual instruction and  
 10-27 in-class instruction for a course during the same class period.

10-28 (f) A teacher may not provide instruction for a virtual  
 10-29 disciplinary alternative education program course unless the  
 10-30 teacher has completed a professional development course on virtual  
 10-31 instruction.

10-32 (g) The commissioner shall adopt rules as necessary to  
 10-33 implement this section, including rules providing for a method of  
 10-34 taking attendance for students placed in a virtual disciplinary  
 10-35 alternative education program and rules requiring school districts  
 10-36 to provide basic professional development training for teachers  
 10-37 providing instruction in a virtual disciplinary alternative  
 10-38 education program.

10-39 SECTION 13. Section 37.009, Education Code, is amended by  
 10-40 adding Subsection (f-1) to read as follows:

10-41 (f-1) The board or the board's designee may order the  
 10-42 placement of a student expelled under Section 37.007 in an  
 10-43 alternative education program as provided by Subsection (f-1) of  
 10-44 that section.

10-45 SECTION 14. Section 37.010, Education Code, is amended by  
 10-46 adding Subsection (c-1) to read as follows:

10-47 (c-1) This subsection applies to a juvenile court in a  
 10-48 county that operates a program under Section 37.011.  
 10-49 Notwithstanding Subsections (a) and (c), a court may order a  
 10-50 student expelled under Section 37.007 to attend a school district's  
 10-51 virtual disciplinary alternative education program, if:

10-52 (1) the district has established a virtual  
 10-53 disciplinary alternative education program under Section 37.0083;  
 10-54 and

10-55 (2) the county's juvenile justice alternative  
 10-56 education program under Section 37.011 has no available positions  
 10-57 for the grade level in which the student is enrolled.

10-58 SECTION 15. Sections 37.011(b), (h), and (k), Education  
 10-59 Code, are amended to read as follows:

10-60 (b) If a student admitted into the public schools of a  
 10-61 school district under Section 25.001(b) is expelled from school for  
 10-62 conduct for which expulsion is required under Section 37.007(a)[~~7~~  
 10-63 (a)], or (e), or for conduct that contains the elements of the  
 10-64 offense of terroristic threat as described by Section 22.07(c-1),  
 10-65 (d), or (e), Penal Code, the juvenile court, the juvenile board, or  
 10-66 the juvenile board's designee, as appropriate, shall:

10-67 (1) if the student is placed on probation under  
 10-68 Section 54.04, Family Code, order the student to attend the  
 10-69 juvenile justice alternative education program in the county in

11-1 which the student resides from the date of disposition as a  
 11-2 condition of probation, unless the child is placed in a  
 11-3 post-adjudication treatment facility;

11-4 (2) if the student is placed on deferred prosecution  
 11-5 under Section 53.03, Family Code, by the court, prosecutor, or  
 11-6 probation department, require the student to immediately attend the  
 11-7 juvenile justice alternative education program in the county in  
 11-8 which the student resides for a period not to exceed six months as a  
 11-9 condition of the deferred prosecution;

11-10 (3) in determining the conditions of the deferred  
 11-11 prosecution or court-ordered probation, consider the length of the  
 11-12 school district's expulsion order for the student; and

11-13 (4) provide timely educational services to the student  
 11-14 in the juvenile justice alternative education program in the county  
 11-15 in which the student resides, regardless of the student's age or  
 11-16 whether the juvenile court has jurisdiction over the student.

11-17 (h) Academically, the mission of juvenile justice  
 11-18 alternative education programs shall be to enable students to  
 11-19 perform at grade level. For purposes of accountability under  
 11-20 Chapters 39 and 39A, a student enrolled in a juvenile justice  
 11-21 alternative education program is reported as if the student were  
 11-22 enrolled at the student's assigned campus in the student's  
 11-23 regularly assigned education program, including a special  
 11-24 education program. Annually the Texas Juvenile Justice  
 11-25 Department, with the agreement of the commissioner, shall develop  
 11-26 and implement a system of accountability consistent with Chapters  
 11-27 39 and 39A, where appropriate, to assure that students make  
 11-28 progress toward grade level while attending a juvenile justice  
 11-29 alternative education program. The department shall adopt rules  
 11-30 for the distribution of funds appropriated under this section to  
 11-31 juvenile boards in counties required to establish juvenile justice  
 11-32 alternative education programs. Except as determined by the  
 11-33 commissioner, a student served by a juvenile justice alternative  
 11-34 education program on the basis of an expulsion required under  
 11-35 Section 37.007(a)[~~---(d)---~~] or (e) is not eligible for Foundation  
 11-36 School Program funding under Chapter 31 or 48 if the juvenile  
 11-37 justice alternative education program receives funding from the  
 11-38 department under this subchapter.

11-39 (k) Each school district in a county with a population  
 11-40 greater than 125,000 and the county juvenile board shall annually  
 11-41 enter into a joint memorandum of understanding that:

11-42 (1) outlines the responsibilities of the juvenile  
 11-43 board concerning the establishment and operation of a juvenile  
 11-44 justice alternative education program under this section;

11-45 (2) defines the amount and conditions on payments from  
 11-46 the school district to the juvenile board for students of the school  
 11-47 district served in the juvenile justice alternative education  
 11-48 program whose placement was not made on the basis of an expulsion  
 11-49 required under Section 37.007(a)[~~---(d)---~~] or (e);

11-50 (3) establishes that a student may be placed in the  
 11-51 juvenile justice alternative education program if the student  
 11-52 engages in serious misbehavior, as defined by Section 37.007(c);

11-53 (4) identifies and requires a timely placement and  
 11-54 specifies a term of placement for expelled students for whom the  
 11-55 school district has received a notice under Section 52.041(d),  
 11-56 Family Code;

11-57 (5) establishes services for the transitioning of  
 11-58 expelled students to the school district prior to the completion of  
 11-59 the student's placement in the juvenile justice alternative  
 11-60 education program;

11-61 (6) establishes a plan that provides transportation  
 11-62 services for students placed in the juvenile justice alternative  
 11-63 education program;

11-64 (7) establishes the circumstances and conditions  
 11-65 under which a juvenile may be allowed to remain in the juvenile  
 11-66 justice alternative education program setting once the juvenile is  
 11-67 no longer under juvenile court jurisdiction; and

11-68 (8) establishes a plan to address special education  
 11-69 services required by law.



SECTION 16. Section 37.015(a), Education Code, is amended to read as follows:

(a) The principal of a public or private primary or secondary school, or a person designated by the principal under Subsection (d), shall notify any school district police department and the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, whether or not the activity is investigated by school security officers:

(1) conduct that may constitute an offense listed under Section 508.149, Government Code;

(2) deadly conduct under Section 22.05, Penal Code;

(3) a terroristic threat under Section 22.07, Penal Code;

(4) the use, sale, or possession of a controlled substance, drug paraphernalia, or marihuana under Chapter 481, Health and Safety Code;

(5) the possession of any of the weapons or devices listed under Sections 46.01(1)-(14) or Section 46.01(16), Penal Code;

(6) conduct that may constitute a criminal offense under Section 71.02, Penal Code; or

(7) conduct that may constitute a criminal offense for which a student may be expelled under Section 37.007(a) ~~[(d)]~~ or (e).

SECTION 17. Section 37.019, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The principal or principal's designee may order the emergency placement or expulsion of a student under this section based on a single incident of behavior by the student.

SECTION 18. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.028 to read as follows:

Sec. 37.028. PENALTIES FOR IMPOSITION OF DISCIPLINARY MEASURES PROHIBITED. (a) The agency may not withhold any state funding or impose 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) This section may not be construed to limit the agency 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. Section 37.055, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1) and (a-2) to read as follows:

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

(1) a statement of the student's behavioral and learning objectives;

(2) a requirement that the parent attend specified meetings and conferences for teacher review of the student's progress; and

(3) the parent's acknowledgement that the parent understands and accepts the responsibilities imposed by the agreement regarding attendance at meetings and conferences and assistance in meeting other objectives, defined by the district, to aid student remediation.

(a-1) The school district shall 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. The district shall ensure



the student's parent may attend the meeting in person or by telephone or videoconference.

(a-2) If the student and the student's parent participate in the development and completion of the agreement described by Subsection (a), the school district shall review and may reduce the length of any discipline to be imposed on the student.

(b) The superintendent of the school district may 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 ~~[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. A parent who violates a court order issued under this subsection may be punished for contempt of court or by other appropriate judicial remedy.

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

(d) The superintendent of the district shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a school district, provided that:

(1) each district campus is assigned a team; and  
(2) 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.

(d-1) 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), the team conducting the assessment must include a person who has knowledge of student disabilities and how student disabilities manifest and may include:

(1) a special education teacher assigned to the student;  
(2) a licensed behavior analyst;  
(3) a licensed clinical or licensed master social worker; or  
(4) a licensed specialist in school psychology.

SECTION 21. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1151 to read as follows:

Sec. 37.1151. SUIT FOR TEMPORARY ALTERNATIVE PLACEMENT FOR CERTAIN STUDENTS. (a) In this section, "student with a disability" means a student who is covered by:

(1) the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.); or  
(2) Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(b) If, pursuant to a threat assessment conducted with respect to a student under Section 37.115, 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, the district may 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) The school district requesting injunctive relief under this section must 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:

(A) the results of the threat assessment conducted with respect to the student under Section 37.115; and

(B) the filing of a civil action under Subsection (b).

(d) Not later than the fifth calendar day after the date a school district files a civil action under Subsection (b), the district court shall determine whether the district has provided sufficient evidence to satisfy the requirements of Subsection (c), and, if so, may 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) In making the determination under Subsection (d), the district court shall consider:

(1) the results of the threat assessment conducted with respect to the student under Section 37.115;

(2) for a student with a disability, any recommendations or findings made by the student's admission, review, and dismissal committee or the student's team established under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), as applicable; and

(3) any other relevant information.

(f) 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, the school district shall 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) 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, the school district shall seek consent from the student's parent or person standing in parental relation to the student 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) On the expiration of an order issued under Subsection (d), the school district may 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) A school district must 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) 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. Subchapter F, Chapter 38, Education Code, is amended by adding Section 38.2545 to read as follows:

Sec. 38.2545. TEXAS CHILD HEALTH ACCESS THROUGH TELEMEDICINE. (a) In this section:

(1) "Consortium" means the Texas Child Mental Health Care Consortium established under Chapter 113, Health and Safety Code.

(2) "Program" means the Texas Child Health Access through Telemedicine program operated by the consortium.

(b) If the consortium makes available mental health services to a school district through the program, the district shall offer to each student enrolled in the district access to those

15-1 mental health services.

15-2 (c) A school district may not:

15-3 (1) require a student to participate in any service  
15-4 provided under Subsection (b); or

15-5 (2) refer for participation nor allow participation of  
15-6 a student who is younger than 18 years of age in any component of the  
15-7 program that involves mental health education or screening unless  
15-8 the district obtains signed written consent from the student's  
15-9 parent or legal guardian.

15-10 (d) The program must obtain written consent from the parent  
15-11 or legal guardian of a student as required by Section 113.0152,  
15-12 Health and Safety Code, before providing to the student a mental  
15-13 health service under this section.

15-14 (e) The Texas Child Health Access through Telemedicine  
15-15 program is not considered a "school official with a legitimate  
15-16 educational interest" for purposes of the Family Educational Rights  
15-17 and Privacy Act of 1974 (20 U.S.C. Section 1232g). A school  
15-18 district may not share records relating to a student with the  
15-19 program unless the district obtains written consent from the  
15-20 student, or the parent or legal guardian of the student, if the  
15-21 student is younger than 18 years of age.

15-22 (f) The program shall maintain, provide to each school  
15-23 district at which the program is available, and post on the  
15-24 consortium's Internet website:

15-25 (1) a list of health providers to which the program  
15-26 refers participants; and

15-27 (2) the process used by the program in vetting  
15-28 providers described by Subdivision (1).

15-29 SECTION 23. Section 113.0251, Health and Safety Code, is  
15-30 amended to read as follows:

15-31 Sec. 113.0251. BIENNIAL REPORT. Not later than December 1  
15-32 of each even-numbered year, the consortium shall prepare and submit  
15-33 to the governor, the lieutenant governor, the speaker of the house  
15-34 of representatives, and the standing committee of each house of the  
15-35 legislature with primary jurisdiction over behavioral health  
15-36 issues and post on its Internet website a written report that  
15-37 outlines:

15-38 (1) the activities and objectives of the consortium;

15-39 (2) the health-related institutions of higher  
15-40 education listed in Section 113.0052(1) that receive funding by the  
15-41 executive committee;

15-42 (3) during the preceding two years, the percentage of  
15-43 participants in the Texas Child Health Access through Telemedicine  
15-44 program operated by the consortium:

15-45 (A) who were prescribed a psychotropic drug by  
15-46 the consortium;

15-47 (B) who were referred to a health provider for  
15-48 further mental health services;

15-49 (C) who completed program treatment goals; and

15-50 (D) who were provided information on consortium  
15-51 research programs on the participant's discharge from the program;

15-52 (4) during the preceding two years, the percentage of  
15-53 potential participants:

15-54 (A) for whom a parent or legal guardian declined  
15-55 to give informed consent to participate in the program; and

15-56 (B) who were referred to but not enrolled in the  
15-57 program because the potential participant needed more emergent  
15-58 care; and

15-59 (5) ~~(3)~~ any legislative recommendations based on  
15-60 the activities and objectives described by Subdivision (1).

15-61 SECTION 24. Sections 37.007(d) and (i), Education Code, are  
15-62 repealed.

15-63 SECTION 25. (a) Not later than the first day of the  
15-64 2025-2026 school year, the Texas Education Agency shall prepare and  
15-65 provide to each school district a report identifying each law  
15-66 relating to school discipline that was amended or added by the 89th  
15-67 Legislature, Regular Session, 2025.

15-68 (b) A school district shall provide to each student and the  
15-69 parent of or person standing in parental relation to the student the

report prepared under Subsection (a) of this section.

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

SECTION 27. 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. Notwithstanding Sections 38.2545(c)(2), (d), and (e), Education Code, as added by this Act, a school district must 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. This Act applies beginning with the 2025-2026 school year.

SECTION 30. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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