

By: Lalani

H.B. No. 2875

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the development and adoption by school districts of
3 local policies to address eloping behavior by students with autism
4 or other intellectual or developmental disabilities.

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

6 SECTION 1. Subchapter A, Chapter 29, Education Code, is
7 amended by adding Section 29.031 to read as follows:

8 Sec. 29.031. LOCAL POLICY ON ELOPING BEHAVIOR. (a) In this
9 section, "eloping" means the act of leaving a safe or supervised
10 area unexpectedly and without notice, often as a result of a sensory
11 trigger, anxiety, or an inability to communicate effectively.

12 (b) A school district may adopt and implement a local policy
13 to address eloping by a student with autism or another intellectual
14 or developmental disability that emphasizes:

15 (1) behavioral support plans incorporated in the
16 individualized education program developed for the student under
17 Section 29.005 or the plan developed for the student under Section
18 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);

19 (2) staff training to better understand the causes of
20 eloping, de-escalation techniques, and other effective safety
21 measures; and

22 (3) nonpunitive policies that ensure eloping
23 incidents are not treated as disciplinary infractions.

24 (c) A policy adopted under this section may not treat

1 eloping as intentionally absconding or fleeing for an unlawful
2 purpose.

3 (d) Subject to Subsection (c), a school district may
4 collaborate with law enforcement and emergency services agencies to
5 develop protocols for safely recovering students who elope.

6 SECTION 2. This Act applies beginning with the 2025-2026
7 school year.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2025.