

By: Allen

H.B. No. 3325

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a public school student's transition from an  
3 alternative education program to a regular educational  
4 environment, including parental rights related to that transition,  
5 and the admission of certain students with a criminal or  
6 disciplinary history.

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

8 SECTION 1. Section 12.104(b), Education Code, is amended to  
9 read as follows:

10 (b) An open-enrollment charter school is subject to:

11 (1) a provision of this title establishing a criminal  
12 offense;

13 (2) the provisions in Chapter 554, Government Code;  
14 and

15 (3) a prohibition, restriction, or requirement, as  
16 applicable, imposed by this title or a rule adopted under this  
17 title, relating to:

18 (A) the Public Education Information Management  
19 System (PEIMS) to the extent necessary to monitor compliance with  
20 this subchapter as determined by the commissioner;

21 (B) criminal history records under Subchapter C,  
22 Chapter 22;

23 (C) reading instruments and accelerated reading  
24 instruction programs under Section 28.006;

- 1 (D) accelerated instruction under Section  
2 28.0211;
- 3 (E) high school graduation requirements under  
4 Section 28.025;
- 5 (F) special education programs under Subchapter  
6 A, Chapter 29;
- 7 (G) bilingual education under Subchapter B,  
8 Chapter 29;
- 9 (H) prekindergarten programs under Subchapter E  
10 or E-1, Chapter 29, except class size limits for prekindergarten  
11 classes imposed under Section 25.112, which do not apply;
- 12 (I) extracurricular activities under Section  
13 33.081;
- 14 (J) discipline management practices or behavior  
15 management techniques under Section 37.0021;
- 16 (K) health and safety under Chapter 38;
- 17 (L) the provisions of Subchapter A, Chapter 39;
- 18 (M) public school accountability and special  
19 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
20 39, and Chapter 39A;
- 21 (N) the requirement under Section 21.006 to  
22 report an educator's misconduct;
- 23 (O) intensive programs of instruction under  
24 Section 28.0213;
- 25 (P) the right of a school employee to report a  
26 crime, as provided by Section 37.148;
- 27 (Q) bullying prevention policies and procedures

1 under Section 37.0832;

2 (R) the right of a school under Section 37.0052  
3 to place a student who has engaged in certain bullying behavior in a  
4 disciplinary alternative education program or to expel the student;

5 (S) the right under Section 37.0151 to report to  
6 local law enforcement certain conduct constituting assault or  
7 harassment;

8 (T) a parent's right to information regarding the  
9 provision of assistance for learning difficulties to the parent's  
10 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

11 (U) establishment of residency under Section  
12 25.001;

13 (V) school safety requirements under Sections  
14 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,  
15 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and  
16 37.2071 and Subchapter J, Chapter 37;

17 (W) the early childhood literacy and mathematics  
18 proficiency plans under Section 11.185;

19 (X) the college, career, and military readiness  
20 plans under Section 11.186; ~~and~~

21 (Y) parental options to retain a student under  
22 Section 28.02124; and

23 (Z) the requirements for a student's transition  
24 from an alternative education program under Section 37.023.

25 SECTION 2. Section 25.001, Education Code, is amended by  
26 adding Subsections (b-3) and (b-4) to read as follows:

27 (b-3) Except as provided by Subsection (b-4) and

1 notwithstanding any provision of Chapter 37, the board of trustees  
2 of a school district or the board's designee may not refuse to  
3 enroll a student based on the student's criminal, juvenile, or  
4 disciplinary history or standing. A district shall promptly enroll  
5 a student released from an alternative education program, as  
6 defined by Section 37.023, who is otherwise eligible for enrollment  
7 under Subsection (b). This subsection may not be construed to  
8 prohibit the board or the board's designee from:

9 (1) revoking admission of a student under Subsection  
10 (b-1);

11 (2) refusing to admit a person under 18 years of age  
12 whom the board is not required to admit under Subsection (d);

13 (3) transferring a student in accordance with Section  
14 25.0341 or 25.0342; or

15 (4) expelling a student or placing a student in a  
16 disciplinary alternative education program under Section 37.008 or  
17 a juvenile justice alternative education program under Section  
18 37.011 in accordance with Section 37.0051, 37.0052, 37.006, 37.007,  
19 37.0081, or 37.011, as applicable.

20 (b-4) Subsection (b-3) does not apply to the interdistrict  
21 transfer of a student under Subchapter B.

22 SECTION 3. The heading to Section 37.023, Education Code,  
23 is amended to read as follows:

24 Sec. 37.023. TRANSITION FROM ALTERNATIVE EDUCATION PROGRAM  
25 TO REGULAR EDUCATIONAL ENVIRONMENT [~~CLASSROOM~~].

26 SECTION 4. Section 37.023, Education Code, is amended by  
27 amending Subsections (c), (d), and (e) and adding Subsections

1 (c-1), (d-1), (g), and (h) to read as follows:

2 (c) Not later than five instructional days after the date of  
3 a student's release from an alternative education program, the  
4 campus administrator shall hold a meeting to coordinate the  
5 student's enrollment and transition to a regular educational  
6 environment [~~classroom~~]. The coordination must include assistance  
7 and recommendations from the student's parent or a person standing  
8 in parental relation to the student and, as applicable:

- 9 (1) school counselors;
- 10 (2) school district peace officers;
- 11 (3) school resource officers;
- 12 (4) licensed clinical social workers;
- 13 (5) campus behavior coordinators;
- 14 (6) classroom teachers who are or may be responsible  
15 for implementing the student's personalized transition plan  
16 developed under Subsection (d);
- 17 (7) for a student who is a student with a disability as  
18 defined by Section 21.001, the campus special education  
19 administrator or other campus administrator responsible for  
20 overseeing the student's educational program, as applicable;
- 21 (8) for a student who is a court-related child, the  
22 liaison officer appointed under Section 37.014; and
- 23 (9) [~~7~~] any other appropriate school district  
24 personnel.

25 (c-1) The campus administrator shall, before finalizing a  
26 personalized transition plan for a student under Subsection (d),  
27 provide to the student's parent or a person standing in parental

1 relation to the student:

2 (1) a list of the people who will be assisting in the  
3 student's enrollment and transition to a regular educational  
4 environment under Subsection (c); and

5 (2) an opportunity to meet, either in person or  
6 remotely, with the people included on the list described by  
7 Subdivision (1) to:

8 (A) discuss any proposed assistance or  
9 recommendations for the student's transition; and

10 (B) provide information regarding the student  
11 that may be useful in developing the plan.

12 (d) The enrollment and transition assistance required by  
13 Subsection (c) must include a personalized transition plan for the  
14 student developed by the campus administrator. A personalized  
15 transition plan:

16 (1) must include:

17 (A) recommendations for the best educational  
18 placement of the student based on a review of the student's previous  
19 coursework, course credit earned, performance on any assessment  
20 instrument administered under Section 37.0082, and educational  
21 record, including:

22 (i) a calculation of the number of course  
23 credits the student has earned toward graduation requirements, as  
24 determined under Subsection (g); and

25 (ii) a description of appropriate courses  
26 in which the student should be placed; and

27 (B) the provision of information to the student's

1 parent or a person standing in parental relation to the student  
2 regarding the process to request a full individual and initial  
3 evaluation of the student for purposes of special education  
4 services under Section 29.004; and

5 (2) may include:

6 (A) recommendations for counseling, behavioral  
7 management, or academic assistance for the student with a  
8 concentration on the student's academic or career goals; and

9 (B) recommendations for assistance for obtaining  
10 access to mental health services provided by the district or  
11 school, a local mental health authority, or another private or  
12 public entity ~~[, and~~

13 [~~(C) a regular review of the student's progress~~  
14 ~~toward the student's academic or career goals]~~.

15 (d-1) After a student has transitioned to a regular  
16 educational environment under this section, the campus  
17 administrator or the administrator's designee shall conduct  
18 reviews at the beginning of each semester and the end of each school  
19 year of the student's progress toward the student's academic or  
20 career goals.

21 (e) As soon as practicable after completing a student's  
22 personalized transition plan under Subsection (d) [~~if~~  
23 practicable], the campus administrator shall provide an electronic  
24 or written copy of the personalized transition plan to [~~or the~~  
25 administrator's designee, shall meet with] the student's parent or  
26 a person standing in parental relation to the student [~~to~~  
27 ~~coordinate plans for the student's transition]~~.

1       (g) A school district shall adopt a policy that, to the  
2 greatest extent possible, allows for credits that were successfully  
3 completed while the student was enrolled in an alternative  
4 education program or at a previous school, including a school in the  
5 Windham School District, to fulfill credits required for high  
6 school graduation, provided that the completed courses meet the  
7 standards adopted under Section 28.002(c). The policy adopted  
8 under this subsection may provide for partial credit, if determined  
9 appropriate by the district.

10       (h) The commissioner may adopt rules as necessary to  
11 implement this section.

12       SECTION 5. This Act applies beginning with the 2025-2026  
13 school year.

14       SECTION 6. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2025.