

By: Middleton

S.B. No. 1523

A BILL TO BE ENTITLED

AN ACT

relating to the discipline of certain public school students.

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

SECTION 1. Sections 37.005(a), (b), (c), and (d), Education Code, are amended 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.

(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~~

1 ~~offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code];~~

2 or

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

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

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

11 (C) an alcoholic beverage, as defined by Section
12 1.04, Alcoholic Beverage Code.

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

24 SECTION 2. Section 37.001(b-1), Education Code, is
25 repealed.

26 SECTION 3. Section 37.005, Education Code, as amended by
27 this Act, applies beginning with the 2025-2026 school year.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2025.