

Amend **CSSB 8** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 37, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. FINANCIAL EXIGENCY AND SCHOOL DISCIPLINE TASK FORCE

Sec. 37.401. FINDINGS. (a) The legislature finds that:

(1) Section 1, Article VII, Texas Constitution, provides for the support and maintenance of an efficient system of public free schools because a general diffusion of knowledge is essential to the preservation of the liberties and rights of people;

(2) to serve the purpose described by Subdivision (1):

(A) public schools should be safe, welcoming, and engaging places for children to learn; and

(B) school discipline policies and practices should be designed to:

(i) protect students from harm;

(ii) create healthy and productive learning environments;

(iii) assist students in learning from their mistakes; and

(iv) maximize students' opportunities to learn;

(3) in public schools across the state, financial exigencies have caused changes in the management and operation of public schools that affect the administration of district and classroom discipline policies, creating an environment in which students are removed from school through out-of-school suspension, expulsion, and removals to disciplinary alternative education programs and juvenile justice alternative education programs for minor incidents of misbehavior that could be more appropriately dealt with using more effective strategies;

(4) students are being cited, arrested, or otherwise referred to law enforcement officials for minor misbehavior that could be dealt with using more effective school disciplinary methods; and

(5) these disciplinary problems exist and contribute to high dropout rates, low graduation rates, achievement gaps, and long-term costs to the community in the form of less educated and less productive citizens.

(b) As a result of the finding in Subsection (a), the legislature determines that it is necessary and appropriate to create a legislative task force to assess:

(1) changes in the administration of district and classroom disciplinary policies caused by financial exigencies;

(2) changes in the management and operation of public schools caused by financial exigencies;

(3) changes in the implementation of school discipline strategies, as they relate to the juvenile justice system, caused by financial exigencies; and

(4) evidence-based solutions that promote discipline strategies to keep students in school, reduce the criminalization of school-based behaviors, and address financial exigency changes in the management and operation of public schools.

Sec. 37.402. FINANCIAL EXIGENCY AND SCHOOL DISCIPLINE TASK FORCE. (a) The Financial Exigency and School Discipline Task Force is created to study and assess:

(1) changes to current school discipline practices and statutes relating to discipline practices in elementary and secondary public schools attributable to financial exigencies;

(2) the use of law enforcement citations, arrests, and other juvenile justice sanctions for school-based behaviors in elementary and secondary public schools; and

(3) the interaction of school discipline practices with the state juvenile justice system.

(b) The task force shall consist of six legislative members appointed as follows:

(1) three members of the senate, two of whom are appointed by the lieutenant governor and one of whom is appointed by the chair of the caucus of the minority party of the senate; and

(2) three members of the house of representatives, two of whom are appointed by the speaker of the house of representatives and one of whom is appointed by the chair of the caucus of the

minority party of the house of representatives.

(c) The lieutenant governor shall select a task force member to serve as the chair of the task force, and the speaker of the house of representatives shall select a task force member to serve as vice chair of the task force.

(d) The chair and vice chair of the task force shall jointly select not more than 10 persons to serve as nonvoting members of the task force and assist the task force members in reviewing the issues described by Subsection (a).

(e) Nonvoting members appointed under Subsection (d) must include persons who have knowledge and experience in the areas of school discipline and juvenile justice and who represent the following constituencies:

- (1) school districts;
- (2) teachers and administrators employed by public schools;
- (3) students and parents of students enrolled in public schools;
- (4) law enforcement agencies;
- (5) district attorneys;
- (6) criminal defense attorneys;
- (7) restorative justice practitioners; and
- (8) community organizations.

(f) The nonvoting task force members shall serve without compensation and without reimbursement for expenses.

Sec. 37.403. MEETINGS. (a) The Financial and Exigency School Discipline Task Force shall hold at least four public meetings and may hold additional public meetings as determined necessary by the chair.

- (b) At each meeting, the task force:
- (1) shall take testimony on and discuss the issues described by Section 37.402(a); and
 - (2) may solicit and receive written comments from members of the public.

Sec. 37.404. DUTY AND AUTHORITY TO COMPILE RELEVANT INFORMATION. In addition to taking testimony under Section 37.403, the Financial Exigency and School Discipline Task Force:

(1) shall review any available, non-identifying data collected by the agency, school districts, or law enforcement agencies in studying issues relating to disciplinary policies and practices and the use of juvenile justice sanctions for school-based adolescent behaviors; and

(2) may solicit information from the National Conference of State Legislatures, other national research organizations, and other states or organizations that have studied or introduced legislation concerning evidence-based practices for addressing school discipline issues.

Sec. 37.405. STAFF SUPPORT. The Texas Legislative Council shall provide staff support to the Financial Exigency and School Discipline Task Force.

Sec. 37.406. REPORT. Not later than December 1, 2012, the Financial Exigency and School Discipline Task Force shall deliver to the lieutenant governor, the speaker of the house of representatives, and the clerks of the standing committees of the senate and the house of representatives with primary jurisdiction over public education a report that includes:

(1) the findings of the task force relating to the issues described by Section 37.402(a) studied and assessed under this subchapter; and

(2) a summary of any recommended legislation.

Sec. 37.407. EXPIRATION. This subchapter expires September 1, 2013.

SECTION _____. Not later than the 30th day after the effective date of this Act, the appointing authorities described by Section 37.402, Education Code, as added by this Act, shall make the appointments under that section.