

1-1 By: Johnson of Dallas, Giddings H.B. No. 674
 1-2 (Senate Sponsor - Garcia)
 1-3 (In the Senate - Received from the House May 10, 2017;
 1-4 May 11, 2017, read first time and referred to Committee on
 1-5 Education; May 21, 2017, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 7, Nays 3;
 1-7 May 21, 2017, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Taylor of Galveston	X			
1-10 Lucio	X			
1-11 Bettencourt		X		
1-12 Campbell	X			
1-13 Hall		X		
1-14 Huffines			X	
1-15 Hughes	X			
1-16 Seliger	X			
1-17 Taylor of Collin		X		
1-18 Uresti	X			
1-19 West	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 674 By: Uresti

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to the suspension of a student enrolled in a grade level
 1-25 below grade three from public school and to a positive behavior
 1-26 program for public schools.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter A, Chapter 37, Education Code, is
 1-29 amended by adding Section 37.0013 to read as follows:

1-30 Sec. 37.0013. POSITIVE BEHAVIOR PROGRAM. (a) Each school
 1-31 district and open-enrollment charter school may develop and
 1-32 implement a program, in consultation with campus behavior
 1-33 coordinators employed by the district or school and representatives
 1-34 of a regional education service center, that provides a
 1-35 disciplinary alternative for a student enrolled in a grade level
 1-36 below grade three who engages in conduct described by Section
 1-37 37.005(a) and is not subject to Section 37.005(c). The program
 1-38 must:

- 1-39 (1) be age-appropriate and research-based;
- 1-40 (2) provide models for positive behavior;
- 1-41 (3) promote a positive school environment;
- 1-42 (4) provide alternative disciplinary courses of
 1-43 action that do not rely on the use of in-school suspension,
 1-44 out-of-school suspension, or placement in a disciplinary
 1-45 alternative education program to manage student behavior; and
- 1-46 (5) provide behavior management strategies,
 1-47 including:
 - 1-48 (A) positive behavioral intervention and
 1-49 support;
 - 1-50 (B) trauma-informed practices;
 - 1-51 (C) social and emotional learning;
 - 1-52 (D) a referral for services, as necessary; and
 - 1-53 (E) restorative practices.

1-54 (b) Each school district and open-enrollment charter school
 1-55 may annually conduct training for staff employed by the district or
 1-56 school on the program adopted under Subsection (a).

1-57 SECTION 2. Section 37.005, Education Code, is amended by
 1-58 adding Subsection (c) to read as follows:

1-59 (c) A student who is enrolled in a grade level below grade
 1-60 three may not be placed in out-of-school suspension unless while on

2-1 school property or while attending a school-sponsored or
2-2 school-related activity on or off of school property, the student
2-3 engages in:

2-4 (1) conduct that contains the elements of an offense
2-5 related to weapons under Section 46.02 or 46.05, Penal Code;

2-6 (2) conduct that contains the elements of a violent
2-7 offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code;
2-8 or

2-9 (3) selling, giving, or delivering to another person
2-10 or possessing, using, or being under the influence of any amount of:

2-11 (A) marihuana or a controlled substance, as
2-12 defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.
2-13 Section 801 et seq.;

2-14 (B) a dangerous drug, as defined by Chapter 483,
2-15 Health and Safety Code; or

2-16 (C) an alcoholic beverage, as defined by Section
2-17 1.04, Alcoholic Beverage Code.

2-18 SECTION 3. This Act applies beginning with the 2017-2018
2-19 school year.

2-20 SECTION 4. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2017.

2-25 * * * * *