

2019-2020 MAJOR CHANGES--SISD STUDENT CODE OF CONDUCT

Legislative bills from the 86th Legislative Session that modified the Student Code of Conduct

- **HB 446** removes clubs from Penal Code 46.02, making the offense of unlawfully carrying a weapon outside of one's premises, vehicle, or watercraft applicable only to handguns. The bill did not remove clubs from the list of weapons defined in Penal Code 46.01 or from Penal Code 46.03, which prohibits weapons in certain places, including the premises of a school or educational institution, the grounds or building where a school-sponsored activity is taking place, or a passenger vehicle of a school.
- **HB 692** prohibits a district from placing in out-of-school suspension a student who is homeless, unless the student engages in certain conduct. The bill allows for the campus behavior coordinator to work with the homeless liaison to find an appropriate alternative for the student. In addition, HB 65 requires districts to report to the commissioner information regarding out-of-school suspensions.
- **HB 811** adds a student's status as homeless or in the conservatorship of DFPS to the list of mitigating factors the district must consider in making a disciplinary decision regarding suspension, placement in a DAEP, expulsion, or placement in a JJAEP.
- **HB 3012** amends Section 37.005 of the Education Code to require a school district to provide a student who is placed in either in school or out-of-school suspension a way to receive all coursework provided in the student's foundation curriculum classes. The bill further stipulates that the district must provide one option for receiving the coursework that does not require the use of the internet.
- **HB 3630 and Senate Bill (SB) 712** prohibit a district employee, volunteer, or independent contractor from using an aversive technique or causing an aversive technique to be used on a student. These are techniques intended to reduce misbehavior by intentionally inflicting significant physical or emotional discomfort or pain. The bills clarify that the new provisions do not prohibit a teacher from removing a student from class under Education Code 37.002.
- **SB 11** requires districts to establish a threat assessment and safe and supportive school team to serve at each campus and adopt policies and procedures for the teams. Each team will conduct threat assessments for individuals who make threats of violence or exhibit harmful, threatening, or violent behavior as defined. Harmful, threatening, or violent behavior includes behaviors, such as verbal threats, threats of self-harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in specific interventions, including mental health or behavioral supports or exclusionary school discipline.
- **SB 38** amends the definition of hazing to include coercion of a student to consume a drug or alcoholic beverage or liquor in an amount that would lead a reasonable person to believe the student is intoxicated.

- **SB 1306** requires districts to post on their website, for each campus, the email address and dedicated phone number of the campus behavior coordinator. If the district is exempt from designating a campus behavior coordinator as a district of innovation, it must post the email address and phone number of a campus administrator designated as responsible for student discipline.
- **SB 1707** requires the district to include the duties of peace officers, school resource officers, and security personnel in its district improvement plan, Student Code of Conduct, and any other documents that outline the duties of such personnel.
- **SB 2135** requires law enforcement notice of a student's arrest or referral for certain crimes to provide sufficient information to allow the district to determine whether to create a threat assessment or safety plan related to that student. However, additional information requested by the superintendent or designee for the purpose of creating a threat assessment or safety plan cannot be used to determine whether there is a reasonable belief that a student engaged in a felony offense for discipline purposes.
- **SB 2432** requires the district to place a student in a DAEP if the student engages in certain forms of harassment against an employee while on or within 300 feet of school property or while attending a school-sponsored or related activity on or off school property.
- **HB 2184** requires the DAEP administrator to provide the administrator of the campus where the student is returning with information about the student's progress while in the alternative setting, including an assessment of academic growth and results of any assessments given to the student. The bill also requires that, no later than the fifth day after the student is released back to the campus, the campus administrator must develop a personal transition plan for the student by working with campus personnel.