

BILL ANALYSIS

H.B. 2991
By: Talarico
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that school suspensions are demonstrated to be an inefficient means of punishment. Recent studies indicate that students' test scores tend to be lower in years during which they were suspended and that the more days the student served a suspension, the lower their test scores fell. There are concerns that, while many school districts in Texas have already reduced their number of suspensions or banned out-of-school suspensions entirely, some districts have been slower to do so. H.B. 2991 seeks to compel schools to create and implement restorative discipline programs and provide them with the necessary guidance and resources to do so effectively.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2991 amends the Education Code to replace the authorization for each public school district and open-enrollment charter school to develop and implement a positive behavior program that provides a disciplinary alternative to suspension for a student enrolled in a grade level below grade three with a requirement to do so for a student enrolled in any grade level who engages in conduct for which the student may be suspended, including conduct that violates a state penal law. The bill specifies that the restorative practices to be provided in the program are restorative justice practices, defined by the bill as practices that emphasize repairing harm caused by a person's conduct to another person or to the community. These provisions apply beginning with the 2019-2020 school year.

H.B. 2991 establishes the restorative justice coordinating council to assist the Texas Education Agency and public school districts in developing and delivering restorative justice programs and training. The bill sets out the composition of the council and provides for the appointment and terms of council members. The bill requires the restorative justice coordinating council, not later than September 1, 2020, to develop and maintain a database of restorative justice programs used by Texas school districts and to review and update as necessary the database at least annually. The bill requires the council, not later than December 1, 2020, and by December 1 of each following even-numbered year, to submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report on the council's activities in the preceding biennium and any recommendations for legislative or other action.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.