

SUBJECT: Barring out-of-school suspension for students experiencing homelessness

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, Dutton, K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — M. González

WITNESSES: For —Desiree Viramontes Le, Round Rock ISD; Brett Merfish, Texas Appleseed; Lauren Rose, Texas Network of Youth Services; Kaycie Alexander, Texas Public Policy Foundation; Bryce Jackson; (*Registered, but did not testify*: Adam Cahn, Cahnman's Musings; Jo DePrang, Children's Defense Fund-Texas; Alyssa Thomason, Doctors for Change; Eric Kunish, National Alliance on Mental Illness Austin; Alissa Sughrue, National Alliance on Mental Illness (NAMI) Texas; Will Francis, National Association of Social Workers-Texas Chapter; Josh Cogan, Outlast Youth; Kathryn Freeman, Texas Baptist Christian Life Commission; Bryan Mares, Texas CASA; Darren Grissom, TX PTA; Knox Kimberly, Upbring)

Against — (*Registered, but did not testify*: David Anderson, Arlington ISD Board of Trustees; Michelle Davis)

On — (*Registered, but did not testify*: Lisa Dawn-Fisher, Texas State Teachers Association)

BACKGROUND: 42 U.S.C. sec. 11434a defines homeless children and youth as individuals who lack a fixed, regular, and adequate nighttime residence.

DIGEST: HB 692 would prohibit school districts from placing a student who was homeless in out-of-school suspension. A campus behavior coordinator could coordinate with a district's homeless education liaison to identify alternatives to out-of-school suspension. The bill would define students

who are homeless using the definition of homeless children and youths in federal law.

The bill would apply beginning with the 2019-2020 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

HB 692 would protect vulnerable students and encourage schools to implement more trauma-informed disciplinary alternatives.

Prohibiting out-of-school suspensions for students who are experiencing homelessness would protect a vulnerable population. Homeless children and youth are more likely than their peers to face disciplinary action, including suspension, and more likely to drop out of school. They already are confronted with a lack of stable housing and limited access to basic necessities. Many also receive vital resources, such as meals, from school. Sending these students away from school puts them back in unstable environments that could cause further trauma and worsen behavioral issues.

The bill would not stop school districts from disciplining students experiencing homelessness and would prohibit only a particular disciplinary approach that has been shown to be detrimental. Out-of-school suspensions are discretionary, based on each district's code of conduct, and are not required by Texas law. By allowing campus behavior coordinators to create alternative punishments alongside districts' homeless student liaisons, HB 692 would encourage districts to implement trauma-informed alternatives that were not detrimental to students' emotional and physical well-being.

**OPPONENTS
SAY:**

HB 692 could undermine a school's ability to provide a safe and secure school environment and could promote unequal disciplinary treatment of students. Some offenses are egregious enough to warrant a student's

immediate removal from campus for the safety of other students and staff. The bill also could have the unintended effect of encouraging schools to treat students differently. It could inadvertently single out students experiencing homelessness by not placing them in out-of-school suspension for infractions for which other students would receive that punishment.