



In Support of HB 6

Regarding disciplinary policies in public schools

May 8, 2025

The Association of Texas Professional Educators (ATPE) offers the following input in support of House Bill 6. We appreciate Chairman Leach's thoughtful work on this critical issue of classroom discipline. As an organization dedicated to advocating for the needs of Texas educators and students, we believe this legislation represents an important step toward ensuring safe, focused classrooms where educators can teach and students can learn.

The 2025 ATPE Legislative Program—adopted July 9, 2024, by a vote of the ATPE House of Delegates, a governing body of the association's educator members—states:

ATPE supports measures to ensure all educational settings are safe and secure environments where students, school employees, and volunteers can be productive. ATPE recommends that school districts and the state:

- **Immediately remove any student who threatens or physically assaults a school employee, a volunteer, or another student to an alternate placement as determined by district policy and in accordance with state and federal law. The student's parent or guardian should be notified in accordance with state and federal law.**
- **Make personnel standards and curriculum for all disciplinary alternative education programs commensurate with public education requirements.**
- **Utilize resources to identify, deter, and/or recover students from human trafficking, gang involvement, and/or substance abuse.**
- **Require accurate coding and reporting of incidents at schools.**
- **Require comprehensive training for all staff in Chapter 37 (relating to student discipline) as well as annual notification of and/or updates on campus/level procedures regarding compliance with Chapter 37 of the Texas Education Code.**

ATPE appreciates that HB 6 seeks to address disruptive student behavior and would remove students who engage in serious misconduct as well as refocus the learning environment on teaching instead of managing discipline. We support the efforts to minimize disruption to student learning while maintaining appropriate consequences for misconduct. We believe the bill's intent can be further strengthened by ensuring that the educational needs of students removed from the classroom continue to be met in high-quality settings.

We would note that, as currently drafted, the bill focuses primarily on mandatory placements and expulsion procedures. While these are essential tools, we urge the committee to consider broadening the bill to support a more well-rounded approach to student behavior and school safety. For example, we recommend integrating:

The Association of Texas Professional Educators (ATPE) has been a strong voice for Texas educators since 1980. It is the leading educators' association in Texas. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for more than 5 million public schoolchildren. ATPE is the ally and the voice of Texas public school educators.

- Provisions from SB 27 by Sen. Creighton related to improving campus-wide behavioral practices, and
- Classroom management training elements from HB 222 by Rep. Talarico.

These additions would help ensure that HB 6 addresses not only consequences but also the root causes of disruptive behavior, providing educators with the tools and training needed to prevent and de-escalate issues before they rise to the level of removal or expulsion.

We do have specific concerns regarding the implementation and equity of certain provisions in the bill. First, ATPE strongly supports improving the quality of DAEPs across the state. Students placed in a DAEP must continue to receive a full and appropriate academic program delivered by certified teachers. We encourage the Legislature to take this opportunity to raise standards for DAEP instruction and staffing to ensure students are not academically penalized by their placement.

Second, while we understand the intent of allowing districts to establish local virtual DAEPs, we caution against encouraging widespread adoption without proper guardrails. Virtual instruction has yielded mixed results, and students placed in DAEPs—many of whom already face academic and behavioral challenges—may be further disadvantaged in an under-resourced or poorly structured online environment. We recommend piloting one or more model programs with state support before scaling this option statewide.

Third, the bill creates a new legal mechanism for school districts to seek injunctive relief from a court to override the placement decisions of an ARD or Section 504 committee when a student is deemed to pose a physical threat. While safety is paramount, this provision (Sec. 37.1151) raises serious concerns about maintaining federal due process protections for students with disabilities under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act. We urge the committee to add clear safeguards to ensure that any such actions are in full compliance with federal law and only used as a last resort.

We also appreciate that HB 6 includes protections for specific student groups, such as students experiencing homelessness, and encourages consideration of extenuating circumstances when determining placements.

Lastly, we support the bill's provisions that reinforce teacher authority and promote documentation of chronic disruptive behavior. However, we urge that the requirement for teachers to implement "appropriate classroom management techniques" following a student's return be paired with funded professional development and dedicated planning time to ensure those expectations are realistic and supportive of educator success.

ATPE supports HB 6 and its efforts to provide better support for teachers, safer school environments, and an emphasis on continuing education for all students. For additional information, please contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.