



Impact of 2025 Texas School Discipline Laws on Your Children

Texas' new school discipline law, House Bill 6, rewrites years of discipline policy. With this measure, schools can more easily remove or suspend young children for minor classroom offenses. The law encourages the use of harsh, harmful discipline practices that research shows leads to students being overly punished, especially those who are Black, Latino or with disabilities.

Although we have seen these punitive discipline methods fail time and time again, this bill doubles down on punishment over intervention. The consequences will result in Texas students falling behind academically, dropping out of school or being pushed into the school-to-prison pipeline.

Main Components of HB 6

- Expands the grounds for which a teacher can remove a student from class to include a single instance of disruptiveness, unruly, or abusive behavior.
- Eliminates educator documentation requirements for teacher removals under Texas Education Code 37.002(b).
- Allows students in pre-kindergarten to second grade to be placed in out-of-school suspension (OSS) for documented repeated or significant disruption to the classroom.
- Allows for unlimited in-school suspensions, with a 10-day periodic review and a three-day limit for out-of-school suspension.
- Allows administrators discretion in disciplining students for possession or use of an e-cigarette or vape, but requires students to be placed in in-school suspension (ISS) for at least 10 days for a first-time offense.
- Expands the definition of “supplemental special education services” to include “crisis prevention and intervention training” for parents and guardians.
- Allows charter schools to deny admission to students who have been in a disciplinary alternative education program (DAEP) or juvenile justice alternative education program (JJAEP) or have been expelled or convicted of a criminal offense.

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- Prohibits schools from opting out of state school discipline laws through “district of innovation” status.
- Grants school employees immunity from disciplinary proceedings and reporting.
- Requires one administrator to be designated as a “campus behavior coordinator” responsible for monitoring referrals and reporting criminal or threatening behaviors to the campus threat assessment team.
- Allows school boards to adopt policies promoting parent involvement in student discipline, enabling parents to request a behavioral agreement, which may reduce a student's time in disciplinary placement.

Key Provisions in HB 6

✕ Teacher Removals from the Classroom

HB 6 lowers the standard for teacher removals to repeated interference, unruly, disruptive and abusive behavior, and bullying. The law allows students to be removed based on a single incident of disruptiveness.

It also establishes a process for students to appeal removal that requires parent notification.

Additionally, a principal cannot return the student to the classroom without a return-to-class plan or a teacher's written consent. A return-to-class plan must be made before or at a student-parent conference.

HB 6 requires one campus administrator to be designated as the “campus behavior coordinator,” who will monitor referrals and report certain criminal or threatening behaviors to the campus threat assessment team.

Under HB 6, it is now easier to suspend students, including our youngest and most vulnerable children, in Texas schools. Here are the new rules on in-and out-of-school suspensions:

In-School Suspension

- In-school suspension is now unlimited for all children.
- Students have the right to a review of their in-school suspension placement at least once every 10 days to assess the student's educational progress and determine whether the in-school suspension placement is appropriate
- In-school suspension must provide appropriate behavioral support and comparable education services.

Out-of-School Suspension

- HB 6 did not alter the three-day limit to out-of-school suspension.
- The law allows a parent to request a student's out-of-school suspension placement to be changed to in-school suspension if the parent provides documentation that they cannot supervise the student.

Pre-kindergarten to Second Graders and Homeless Students

Out-of-school suspension is now allowed for very young children and

✕ Suspensions

children who are homeless if the student's conduct:

- Constitutes a weapons, drug, or alcohol offense;
- Threatens the immediate health and safety of other students; or
- Is documented as a repeated or significant disruption to the classroom.

✕ Disciplinary Alternative Education Program (DAEP)

There are new ways students can be sent to DAEPs. A mandatory placement in DAEP can be for:

- Harassment of a school employee or volunteer
- Accusations of off-campus behavior constituting "deadly conduct"
- Disorderly conduct involving a firearm

Discretionary placement, or placement that is up to the school official based on the interaction, can be for:

- "Disruptive activities"
- "Disruption of class" (only if the conduct is intentional and repeated)

These vague terms could be harmful to students who may be experiencing behavioral challenges and need support, rather than being placed in a DAEP.

☑ School Leaders Decide How to Handle Vape and E- Cigarette Cases

HB 6 eliminated the mandatory requirement for students to be sent to a DAEP for possession or use of a vape or e-cigarette.

Instead, possession or use of an e-cigarette is now a discretionary removal to a DAEP; however, if a first-time offender is not placed in a DAEP, they must be placed in ISS for at least ten school days.

☑ Parent involvement in disciplinary placements

When a student is referred to a DAEP or is facing expulsion, the principal or campus behavior coordinator must notify the parent or guardian of their right to request a behavior agreement.

If a behavior agreement is created in collaboration with parents, the student, and the school, the students' time in a disciplinary setting can be reduced.

HB 6 requires districts to include a statement regarding parent involvement in discipline proceedings in student codes of conduct.

The law also clarifies that special education students may not be disciplined in a manner that would constitute a change in the student's educational placement without an admission, review, dismissal (ARD) committee review.

✕ Virtual Alternative to Expulsion

HB 6 creates a "virtual education" option for students who have been expelled if their county JJAEP does not accept them or if the county does not have a JJAEP.

Your Rights Under House Bill 6

Under HB 6, students may be removed from class more quickly than before, and after only one incident or without supporting documentation. Students also face serious sanctions for an increased list of vague, subjective conduct offenses that may be connected to age and developmentally appropriate behaviors or a manifestation of a student's disability. Despite the challenges students and families might face in the student discipline process, you have rights under local school board policies and state and federal law. Here are a few.

● Right to Request a Behavior Agreement

HB 6 authorized school boards to create a parent involvement policy to help families when a child is disciplined. If such a policy is created, parents have the right to ask for a behavioral agreement if their child is placed in a disciplinary alternative education program (DAEP) or expelled. If the student and parent follow the agreement, the student has the right to be considered for a shorter DAEP placement period (at the discretion of school officials).

● Right to Request Accommodations for Out-of-School Suspension

Out-of-school suspension is disruptive, disengaging for students and can create stress for families, particularly economically disadvantaged families who cannot take time off work to stay home with a child. Under HB 6, families can request that an out-of-school suspension placement be changed to in-school suspension if they show documentation that they cannot supervise a suspended child.

● Right to Notification and Involvement

Parents must be informed if their child is removed from class, suspended, placed in DAEP or expelled. Parents can attend meetings, review behavioral agreements and advocate for fair treatment. Parents can and should ask for records and explanations about their student's removal.

● Right to Due Process

Before expelling a student, the student must be given appropriate due process under the U.S. Constitution. This includes notice of the charges, a hearing, the right to present a defense (including by a parent/guardian or another adult), and the right to appeal decisions. Texas law also requires schools to consider several mitigating factors before imposing punitive discipline, including a student's disciplinary history, intent, self-defense, disability status and other factors outlined in Texas Education Code 37.001(a)(4).

● Right to Grieve and Appeal Unfair Punishments

Texas law requires students and parents to have a conference with the school behavior coordinator, referring teacher, and other school support staff prior to serious disciplinary action. If a parent believes that school staff followed district policy or take appropriate disciplinary action, the parent can initiate a review under the school's grievance policy. Parents can request information and documentation about the parent complaint or grievance process from school officials.

Resources

[Ending Harmful Discipline to Create Safer Schools](#), IDRA webpage
[IDRA School Discipline – Online Technical Assistance Toolkit](#)
[Sign up for updates from IDRA](#)
[Enrolled Text of HB 6](#)