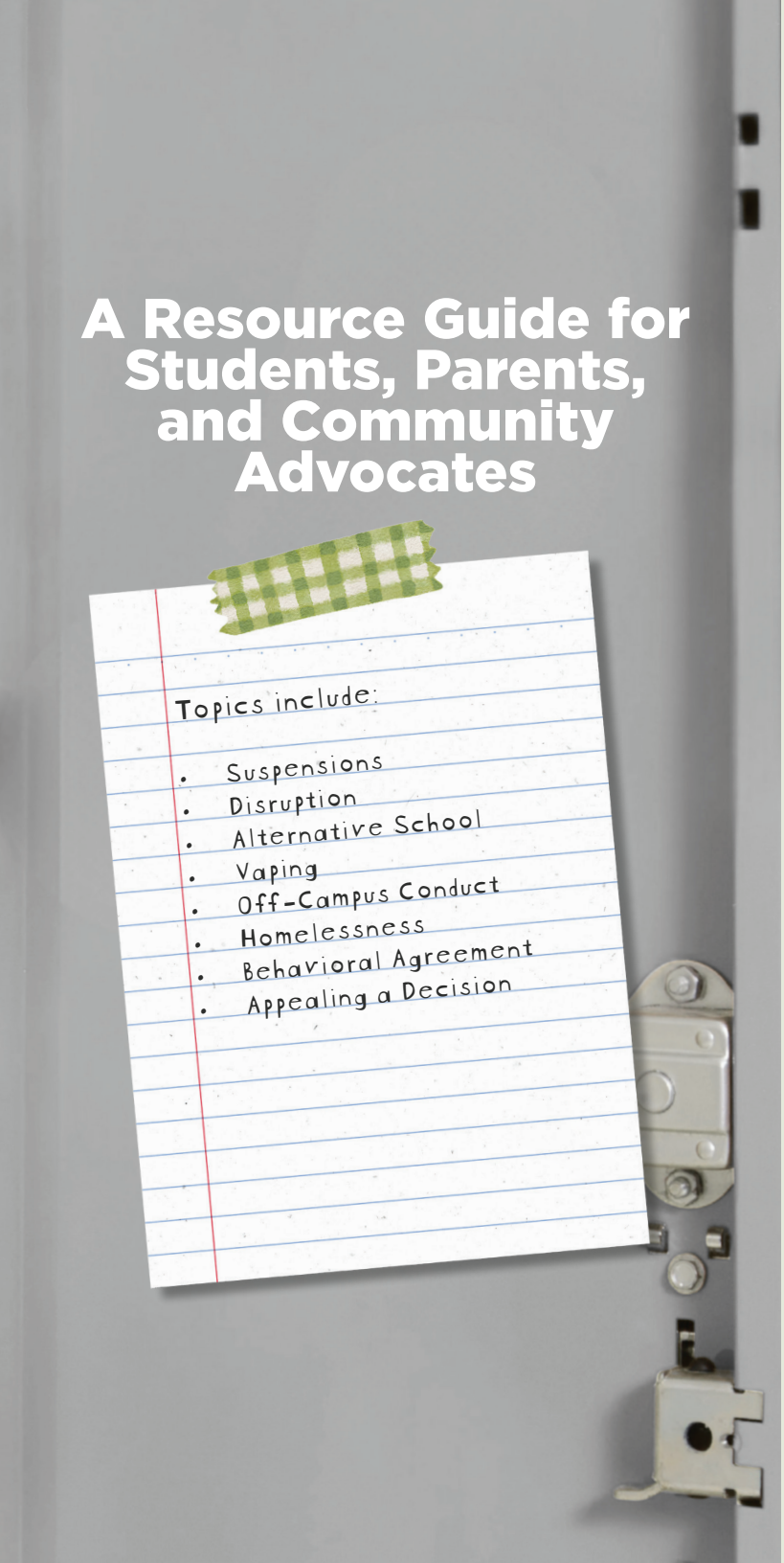
Know Your Rights

Understanding 2025 Changes to Texas School Discipline Law

Texas Appleseed

October 2025

A Resource Guide for Students, Parents, and Community Advocates



Students

Q: Are younger students and homeless students protected from out-of-school suspensions?

A: Sometimes. Students below the third grade and students experiencing homelessness generally cannot receive out-of-school suspensions, but there are exceptions if they:

- Bring a weapon to school
- Engage in violent behavior
- Have drug-related offenses
- NEW: threaten the immediate health and safety of other students
- NEW: have documented repeated or significant classroom disruption

If you or a young person you know is experiencing homelessness and has been given an OSS but does not know where to go, please check out our Texas Youth Resource Map to see what daytime drop-in centers are available in your community.

Q: What does it mean to cause a significant classroom disruption?

A: It is unclear. Documented repeated or significant disruption could include multiple behavior reports, teachers' notes about classroom interruptions, and incident reports. You should speak with your parent or guardian if you're accused of creating a significant classroom disruption; from there, you and your family can ask the school to develop a behavioral intervention plan to provide you with the supportive resources you require.

Q: What if I'm caught with a vape on campus?

A: Under House Bill 6, a school administrator can send you to a disciplinary alternative education program for vaping, but it's not required. This also depends on school district policy. Especially if it's your first time being caught with a vape, you should ask your school leaders to share drug education resources with you while you remain in your classroom.

Q: Under House Bill 6, how long can I be sent to in-school suspension or out-of-school suspension?

A: In-school suspension: There is no time limit, but the school must review your placement every 10 days. Out-of-school suspension: Limited to 3 school days maximum.

Q: I've been accused of making a threat at school, and I have a disability. What happens next?

A: The Texas Legislature created school-based threat assessments in 2019. If a kid is suspected of making a threat in school, the campus threat assessment team must meet to determine if the threat is valid. Also, due to a 2023 law, parents must be notified of the threat assessment process and be given the opportunity to participate. Under House Bill 6, when threat assessment teams are considering the case of a student with a disability, the teams must consult with school staff members who have previously worked with that student before making their determination.

Q: What happens if I get sent to a virtual disciplinary alternative education program?

A: Under the new law, a school administrator can place you in a virtual alternative education program if you've been expelled. The school has to provide you with the technology to access the program, and the school should check in with you every 45 days to see how it's going for you.

Q: What should I do if I get sent to a disciplinary alternative education program (DAEP) for seriously interfering with the classroom?

A: Speak with your parent or guardian as soon as you learn of the DAEP hearing and prepare to present the case as to why you should remain in your classroom. You can uplift your previous grades, extracurricular involvement, participation in the community, and factors from your home life to argue that you'd like to remain where you started.

Q: What does "seriously interfere" mean?

A: Under House Bill 6, an individual teacher or principal is left to determine the definition of this phrase. "Seriously interfere" generally means that it makes it impossible for the teacher to teach, prevents other students from learning, and/or disrupts typical school functions.

Q: Can I be placed in an alternative school after just one incident of misbehavior?

A: Yes. Instead of looking for patterns of behavior or multiple incidents, principals can immediately place a student in alternative school (also known as a disciplinary alternative education placement or DAEP) based on a single incident if they determine your behavior is so unruly, disruptive, or abusive that it seriously interferes with:

- A teacher's ability to teach the class.
- Other students' ability to learn.
- School operations or school-sponsored activities.

Parents

Q: My child has been suspended from school. Can I ask the school to reassign them from out-of-school suspension to in-school suspension?

A: Yes, only for students below third grade. Under House Bill 6, a parent can email school faculty members, such as the principal and vice principal, to ask for their child to be moved from out-of-school suspension to in-school suspension. The parent who makes this request must show that the out-of-school suspension — and related childcare costs — would present a financial hardship for the parent.

Q: How does House Bill 6 impact parental involvement in school disciplinary placements?

A: Under HB 6, a school board can adopt a policy that addresses parental involvement in disciplinary placements. If the school board does adopt a parental participation policy, parents have the right to have a behavioral agreement written regarding their child.

Q: How frequently should a school administrator review my child's placement in a virtual disciplinary alternative education program?

A: Every 45 days.

Q: What happens if my child is accused of having a vape under the new law?

A: House Bill 6 changes a previous law that required schools to send students to disciplinary alternative education programs (DAEPs) for possessing a vape. Under House Bill 6, an administrator may send a student to a DAEP for a first-time vaping offense, but it is not required. This also depends on school district policy. Parents are encouraged to push school campuses to respond to first-time vaping incidents with on-campus instruction, rather than a DAEP placement.

Q: What training is available for parents under House Bill 6?

A: Under House Bill 6, parents can receive training in crisis intervention and prevention in classrooms.

Q: What protections for my child can the behavioral agreement provide?

A: House Bill 6 allows the behavioral agreement to reduce the time that a student spends in a disciplinary placement. It does not enable a different disciplinary placement, but this behavioral agreement can be a useful tool for parents as they deal with long disciplinary placements for their children.

Q: What right do I have to appeal the decision to remove my child from class for disruptive conduct?

A: Under House Bill 6, a parent can appeal a decision to remove their child from class for disruptive conduct to the school's placement review committee, the threat assessment team of the campus, the principal, the campus behavior coordinator, or another appropriate administrator.

Q: Can a school send my child to a virtual DAEP?

A: Yes, if a student has been expelled, a school administrator can place the student in a virtual DAEP. The school must provide the appropriate technology to access the internet if the student is sent to a virtual DAEP. This assignment will take place if a student is denied enrollment at a juvenile justice alternative education program for any reason.

Q: What counts as "documented repeated or significant disruption" that qualifies young children for out-of-school suspension?

A: This is not clear yet because the law is new. Documented repeated or significant disruption could include multiple behavior reports, teachers' notes about classroom interruptions, and incident reports. Ask to see all documentation for your child's behavior before agreeing that it meets this standard. Challenge whether the behavior is truly a "significant" disruption, instead of normal childhood behavior, and, if necessary, consider submitting a request to school administrators to discuss with you what is going on in your child's classroom.

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