

Student Guide to Changes in Texas School Discipline Laws

The Texas legislature recently passed two new laws that went into effect September 2013 changing how schools may handle non-traffic, fine-only misdemeanors, known as “Class C misdemeanors.” Class C misdemeanors include disorderly conduct—like cursing, making offensive gestures, being too loud, or fighting in school—as well as other minor crimes like skipping school or trespassing. This guide explains how these new laws change school disciplinary procedures surrounding Class C misdemeanors.

What The New Laws Change	What The New Laws Don't Change
<ul style="list-style-type: none">➤ No more ticketing of students in school for Class C misdemeanors.➤ Instead, school must file formal complaint to charge students with Class C misdemeanors.➤ No more criminal charges for Disruption of Class or Disruption of Transportation on students' own campus.	<ul style="list-style-type: none">➤ School attendance laws.➤ Treatment of more serious misdemeanors or felonies committed at school.➤ The school district's code of conduct governing student behavior and school administrators' ability to discipline students in a school setting.

Even under the new laws, school administrators can still send you to adult criminal court for minor misbehavior, like disorderly conduct. They just have to file a criminal complaint now, rather than write you a ticket. The complaint does the same thing as a ticket—charges you with a crime and requires you to show up in court.

While the misbehavior leading to the complaint may be minor, the consequences are not. You can be ordered to pay fines up to \$500 plus court costs and have a criminal conviction on your record.

If you are charged with a Class C misdemeanor for something that happened in school...
<ul style="list-style-type: none">➤ Be respectful and calm in your interactions with school police, administrators and teachers.➤ Tell your parents. They may be able to help you through the complicated court proceedings.➤ If you received a ticket, instead of a complaint, take your parents to meet with school administrators to explain that new state law prohibits ticketing students. Contact Texas Appleseed to report the ticket.➤ Show up to court on the required date and time with any documents that help to show why you should not be convicted.➤ You have the right to hire a lawyer to represent you in court, or you may be able to find someone to represent you for free, such as the local legal aid office. However, the court will not appoint a lawyer to you at no cost. If you are forced to represent yourself, check out the Texas Rio Grande Legal Aid's guides at www.trla.org/youthrights.➤ You have a right to plead “not guilty” to any criminal charge. If you did not commit the offense or know of other reasons why you should not be convicted, pleading “not guilty” is the only way to explain to the judge that you are innocent or should not be convicted.➤ If you are convicted, the judge may order you to pay a fine up to \$500 or court costs. If your family cannot afford the fines, let the judge know—the judge may sentence you to community service or tutoring instead of a fine.➤ If you have a disability, you have special rights in a Class C misdemeanor case. Contact Disability Rights Texas before your court date for more information at 1-800-252-9108.

For more information, contact Deborah Fowler, Texas Appleseed, dfowler@texasappleseed.net, (512) 473-2800 x105. **The information in this guide is not legal advice. If you need legal advice, consult an attorney.**