

BILL ANALYSIS

Senate Research Center
81R2332 CAS-F

S.B. 38
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Education Agency (TEA), through the Public Education Information Management System (PEIMS), collects each district's disciplinary data. PEIMS data includes all in-school suspension, out-of-school suspension, disciplinary alternative education program (DAEP), and juvenile justice alternative education program (JJAEP) placements disaggregated by race, gender, ethnicity, socioeconomic status, special education status, and discretionary versus non-discretionary referrals. However, when presented to the public through the Academic Excellence Indicator System (AEIS), this data only includes overall district counts and percents of students placed in alternative education programs like the DAEP and JJAEP, and compares that to the state average. The data presented does not include in-school suspension and out-of-school suspension and is not disaggregated by factors such as race, ethnicity, gender, socioeconomic status, special education status, and discretionary versus non-discretionary referrals. School districts, under Section 39.052 (Campus Report Card), Education Code, are also not required to include this information on student report cards distributed to parents and/or guardians of each student.

The purpose of this legislation is to shed light upon the disparities that exist among districts regarding their rates of placing students in disciplinary settings. This legislation will also empower constituents by providing them with access to disciplinary data they can use to evaluate the effectiveness of the discipline plan at their home district.

As proposed, S.B. 38 requires TEA to include all disciplinary placement data, disaggregated by race, gender, ethnicity, socioeconomic status, special education status, and discretionary versus mandatory referrals, in their AEIS school, district, and region reports. S.B. 38 also requires that all disciplinary information be reported on individual school report cards which are annually sent home to the parent, guardian, conservator, or other person having lawful control of each student at the campus.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.051(b), Education Code, by adding Subdivision (15) to require, among the indicators based on information that is disaggregated by race, ethnicity, gender, and socioeconomic status adopted under this section, the inclusion of the percentage of students subject to each of the following actions, disaggregated by whether the action was discretionary or mandatory and by status as a student in a special education program under Subchapter A, Chapter 29 (Special Education Program): placement in an in-school suspension setting; suspension from school; placement in a disciplinary alternative education program; expulsion from school; and placement in a juvenile justice alternative education program. Makes nonsubstantive changes.

SECTION 2. Amends Section 39.052(b), Education Code, to make a conforming change.

SECTION 3. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 4. Effective date: upon passage or September 1, 2009.