

## **BILL ANALYSIS**

Senate Research Center  
83R7210 JSL-D

S.B. 1304  
By: Davis  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Through the Public Education Information Management System (PEIMS), the Texas Education Agency (TEA) collects a variety of information regarding disciplinary tools used on school grounds. This information, though valuable, is incomplete. TEA does not collect any information on the use of corporal punishment; the definition of "in-school suspension" is vague according to TEA; and information regarding tickets associated with behavior in school is often confused with tickets assigned for truancy.

S.B. 1304 seeks to clarify the statute regarding disciplinary reporting.

The bill compels TEA to create a PEIMS code for corporal punishment, clarifies that "in-school suspension" means removal from the classroom for longer than 75 percent of a single class period, and directs the commissioner of education to create a process for schools to report the number of citations made on school campus issued to students.

As proposed, S.B. 1304 amends current law relating to a requirement for school districts to report disciplinary actions to the commissioner of education.

### **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 Subchapter A, Chapter 37, Education Code, by adding Section 37.0201, as follows:

Sec. 37.0201. ADDITIONAL REPORTS RELATING TO DISCIPLINARY ACTIONS.

(a) Requires a school district, in addition to the reports required under Section 37.020 (Reports Relating to Expulsions and Disciplinary Alternative Education Program Placements), to submit to the commissioner of education (commissioner) a report that contains each instance in which a student is subject to the following disciplinary actions in the district:

- (1) the use of corporal punishment as provided by Section 37.0011 (Use of Corporal Punishment);
- (2) removal from class under Section 37.002 (Removal by Teacher);
- (3) the use of restraint or time-out under Section 37.0021 (Use of Confinement, Restraint, Seclusion, and Time-Out);
- (4) placement in an in-school suspension setting;
- (5) suspension from school;
- (6) placement in a disciplinary alternative education setting;

(7) expulsion from school; and

(8) placement in a juvenile justice alternative education program.

(b) Requires that the report, for each instance in which a student is subject to a disciplinary action under Subsection (a), include information identifying:

(1) the age of the student;

(2) the sex of the student;

(3) the race or ethnicity of the student; and

(4) whether the student is eligible for special education services under Section 29.003 (Eligibility Criteria).

(c) Prohibits a report required under this section from including personally identifiable student information and requires that a report required under this section comply with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

(d) Requires each school district to submit the report required by this section annually in a manner determined by the commissioner.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.