A BILL TO BE ENTITLED

1   AN ACT

2 relating to school district reporting of students placed in

3 disciplinary alternative education programs or expelled from

4 school.

5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6   SECTION 1. Section 37.020, Education Code, is amended by

7 amending Subsections (b) and (c) and adding Subsection (d) to read

8 as follows:

9   (b) For each placement in a disciplinary alternative

10 education program established under Section 37.008, the district

11 shall report:

12   (1) information identifying the student, including

13 the student's race, sex, and date of birth, that will enable the

14 agency to compare placement data with information collected through

15 other reports;

16   (2) information indicating whether the student was

17 enrolled in a special education program under Subchapter A, Chapter

18 29, at the time of the placement;

19   (3) information indicating whether the placement was

20 based on:

21   (A) conduct violating the student code of conduct

22 adopted under Section 37.001;

23   (B) conduct for which a student may be removed

24 from class under Section 37.002(b);

1   (C) conduct for which placement in a disciplinary

2 alternative education program is required by Section 37.006; or

3   (D) conduct occurring while a student was

4 enrolled in another district and for which placement in a

5 disciplinary alternative education program is permitted by Section

6 37.008(j);

7   (4) [(3)] the number of full or partial days the

8 student was assigned to the program and the number of full or

9 partial days the student attended the program; and

10   (5) [(4)] the number of placements that were

11 inconsistent with the guidelines included in the student code of

12 conduct under Section 37.001(a)(5).

13   (c) For each expulsion under Section 37.007, the district

14 shall report:

15   (1) information identifying the student, including

16 the student's race, sex, and date of birth, that will enable the

17 agency to compare placement data with information collected through

18 other reports;

19   (2) information indicating whether the student was

20 enrolled in a special education program under Subchapter A, Chapter

21 29, at the time of the expulsion;

22   (3) information indicating whether the expulsion was

23 based on:

24   (A) conduct for which expulsion is required under

25 Section 37.007, including information specifically indicating

26 whether a student was expelled on the basis of Section 37.007(e); or

27   (B) conduct for which expulsion is permitted

1 under Section 37.007;

2   (4) [(3)] the number of full or partial days the

3 student was expelled;

4   (5) [(4)] information indicating whether:

5   (A) the student was placed in a juvenile justice

6 alternative education program under Section 37.011;

7   (B) the student was placed in a disciplinary

8 alternative education program; or

9   (C) the student was not placed in a juvenile

10 justice or other disciplinary alternative education program; and

11   (6) [(5)] the number of expulsions that were

12 inconsistent with the guidelines included in the student code of

13 conduct under Section 37.001(a)(5).

14   (d) For each circumstance in which a student engages in

15 conduct for which the student is subject to expulsion under Section

16 37.007(a), (d), or (e), but in which the district does not expel the

17 student because the student's incarceration or other circumstance

18 prevents the district from taking that action, the district shall

19 report information:

20   (1) identifying the student, including the student's

21 race, sex, and date of birth;

22   (2) indicating whether the student was enrolled in a

23 special education program under Subchapter A, Chapter 29, at the

24 time of the conduct;

25   (3) describing the conduct in which the student

26 engaged; and

27   (4) specifying the incarceration or other disposition

1   that resulted from the student's conduct.

2   SECTION 2.   This Act applies beginning with the 2005-2006

3   school year.

4   SECTION 3.   This Act takes effect immediately if it receives

5   a vote of two-thirds of all the members elected to each house, as

6   provided by Section 39, Article III, Texas Constitution.   If this

7   Act does not receive the vote necessary for immediate effect, this

8   Act takes effect September 1, 2005.