

By: Olivo

H.B. No. 2618

A BILL TO BE ENTITLED

AN ACT

1  
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 2009-2010  
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, 2009.