

By: Walle

H.B. No. 711

A BILL TO BE ENTITLED

AN ACT

relating to a study and report by the Texas Education Agency regarding certain public school disciplinary placements.

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

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.023 to read as follows:

Sec. 37.023. STUDY AND REPORT REGARDING DISCIPLINARY PLACEMENTS. (a) In this section, a disciplinary placement includes:

(1) removal from class and placement in in-school suspension under Section 37.002;

(2) suspension from school under Section 37.005;

(3) removal from class and placement in a disciplinary alternative education program under Section 37.006;

(4) expulsion from school under Section 37.007; and

(5) placement in a juvenile justice alternative education program under Section 37.011 following an expulsion from school.

(b) The agency shall conduct a study of student disciplinary placements made by school districts and open-enrollment charter schools to determine:

(1) the academic progress made by those students; and

(2) the percentage of those students who are:

(A) members of a racial or ethnic minority group;

or

1                   (B) eligible for a special education program  
2 under Section 29.003.

3           (c) In determining the academic progress of students for  
4 purposes of Subsection (b)(1), the agency shall consider, as  
5 applicable:

6                   (1) the results of assessment instruments  
7 administered under Section 39.023;

8                   (2) overall grade point average;

9                   (3) class rank;

10                   (4) four-, five-, and six-year high school graduation  
11 rates;

12                   (5) the percentage of students who have:

13                           (A) obtained a high school equivalency  
14 certificate;

15                           (B) received a certificate of course work  
16 completion; or

17                           (C) received a high school diploma;

18                   (6) the percentage of students who have completed each  
19 of the following:

20                           (A) the minimum high school program;

21                           (B) the recommended high school program; and

22                           (C) the advanced high school program;

23                   (7) the percentage of students who have dropped out of  
24 school; and

25                   (8) any other indicator the agency determines to be  
26 appropriate.

27           (d) The agency shall require each school district and

1 open-enrollment charter school to provide any information  
2 necessary to conduct the study under this section. A district or  
3 charter school shall provide the information in a manner that does  
4 not provide personally identifiable information concerning a  
5 student.

6 (e) In conducting the study under this section, the agency  
7 may consult with a faculty or staff member of a public or private  
8 institution of higher education who has expertise relevant to an  
9 issue to be studied.

10 (f) Not later than December 1, 2012, the agency shall submit  
11 to the governor, the lieutenant governor, the speaker of the house  
12 of representatives, and the presiding officer of each legislative  
13 standing committee with primary jurisdiction over primary and  
14 secondary education a written report that contains:

15 (1) the results of the study under this section; and  
16 (2) agency recommendations concerning statutory  
17 changes necessary or appropriate for:

18 (A) reducing the number of students described by  
19 Subsections (b)(2)(A) and (B) who are assigned by school districts  
20 and open-enrollment charter schools to disciplinary placements;  
21 and

22 (B) improving the academic progress, especially  
23 the high school graduation rates, of those students.

24 (g) This section expires January 1, 2013.

25 SECTION 2. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 711

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

2 Act takes effect September 1, 2011.