

By: Wu

H.B. No. 2221

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a compliance report submitted to the United States  
3 Department of Education containing data concerning certain  
4 citations issued and certain incidences of students taken into  
5 custody on public school property.

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

7 SECTION 1. Subchapter C, Chapter 37, Education Code, is  
8 amended by adding Section 37.0811 to read as follows:

9 Sec. 37.0811. COMPLIANCE REPORT FOR SUBMISSION TO UNITED  
10 STATES DEPARTMENT OF EDUCATION: CITATIONS AND STUDENTS TAKEN INTO  
11 CUSTODY. (a) In this section, "citation" means a ticket issued by  
12 a school district peace officer to a student for a Class C  
13 misdemeanor.

14 (b) Not later than the 60th day after the last day of classes  
15 for the school year, the superintendent of a school district, to  
16 demonstrate compliance with Title VI, Civil Rights Act of 1964  
17 (Pub. L. No. 88-352), shall submit to the United States Department  
18 of Education Office for Civil Rights a compliance report that  
19 contains incident-based data describing the total number of  
20 citations issued and the total number of students taken into  
21 custody by a peace officer on school property in the district during  
22 regular school hours for the preceding school year, organized by  
23 campus. The incident-based data submitted under this subsection  
24 must include information identifying:

1           (1) the age of the student;

2           (2) the gender of the student;

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

4           (4) whether the student is eligible for special  
5 education services under Section 29.003;

6           (5) whether the student is educationally  
7 disadvantaged;

8           (6) the offense involved;

9           (7) the campus where the offense occurred; and

10           (8) the number of citations as authorized by Article  
11 14.06(b), Code of Criminal Procedure, issued to students as  
12 compared to the number of custodial arrests, disaggregated by each  
13 category of student described in Subdivisions (1)-(5).

14           (c) The superintendent shall ensure a copy of each report  
15 submitted under Subsection (b) is maintained on file with the  
16 school district until the 10th anniversary of the date the report is  
17 submitted.

18           (d) The superintendent shall post on the school district's  
19 Internet website the report submitted under Subsection (b).

20           (e) The commissioner shall adopt rules as necessary to  
21 administer this section.

22           SECTION 2. Section 37.0811, Education Code, as added by  
23 this Act, applies beginning with the 2013-2014 school year.

24           SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.