



# Texas Federation of Teachers aft, afl-cio

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## TESTIMONY OF ERIC HARTMAN ON BEHALF OF THE TEXAS FEDERATION OF TEACHERS BEFORE THE SENATE EDUCATION COMMITTEE SEPTEMBER 20, 2006

Every few years since 1993, two years before the legislature enacted Chapter 37, the Texas Federation of Teachers has surveyed its members about their experience with student discipline. The percentage of our members reporting a significant problem with student discipline in their classroom has dropped significantly and steadily since this law was passed, from 36 percent in 1993 to 22 percent this year.

We believe this improvement is a tribute to the core provisions of the law granting teachers the authority to remove disruptive and violent students from their classroom, triggering mandatory placement in a disciplinary alternative education program for serious offenses such as assault causing bodily injury; and triggering mandatory placement in a juvenile-justice alternative education program for the most serious offenses, including aggravated assault and sexual assault.

We urge you to keep these core provisions intact, as the legislature has done now for 11 years, and not to allow them to be undermined as you consider whether it is necessary to streamline or clarify the law.

Responses to our safe-schools survey from TFT members this year show that we still have work to do to ensure that this law is enforced. More than a quarter of the 2,434 responses tabulated thus far cite assaults on students as a significant problem at their school, for example. Some 52 percent say uniform enforcement of current rules for student behavior is the biggest improvement we could make in student discipline, while 48 percent say teachers need more support from school principals. These percentages are a bit better than the 57 percent recorded on both of these items on our last previous survey in 2002—but not by much.

We invited our members to add comments to their survey responses, and their comments reinforce our concern about lack of enforcement of this important school-safety law. For example:

- One middle-school teacher wrote: “School has tough rules but the administration is reluctant to enforce them.”
- An elementary-school teacher wrote: “Yes, teachers tried to use the law but met with resistance from administration.”
- Another middle-school teacher who had just retired said: “I would love to be back in the classroom once again. But when the superintendent for middle schools e-mailed principals that

no more behavior problems would be sent to the disciplinary AEP, my classroom became my school's AEP. The 'old lion' could handle them. This 'old lion' got tired."

—Unfortunately, all too rare were responses like this one from a high-school teacher: "We enforce the Safe Schools Act [Chapter 37] and therefore have few problems of significance."

Teachers need your help to send a message to all school districts and schools that this law must be enforced. Training for both teachers and administrators in the proper enforcement of the law is part of the answer. TFT provides education on the law to members and non-members with tens of thousands of copies of our Texas Safe Schools Act brochure disseminated each year. (A copy of the latest edition is attached to this testimony. It's also on our Web site.) We also conduct workshops around the state every year to spread the word about educators' rights and responsibilities under this law. But much more emphasis needs to be placed on making administrators aware of the law and training them in how to apply it properly.

We will support you in trying to secure more resources for alternative education programs, which continue to receive inadequate state funding. We want safer and more orderly classrooms conducive to learning for the vast majority of students who behave themselves, but we also want to help students with discipline problems get back on track academically and behaviorally.

We ask you to be on guard, though, against measures that would tamper with the core provisions of the law in the guise of improving it. For example, it has been suggested that the state law must be changed because some administrators and school boards, quite apart from state law, have adopted their own local policies triggering disciplinary placements for minor infractions. But the cure for that problem is not to dilute the mandatory consequences spelled out in state law for major, violent offenses.

Similarly, it has been suggested that somehow the cure for errors of judgment by local administrators in applying the law is to take away the authority of teachers to initiate removal of violent and disruptive students. Thus the suggested cure for administrators' abuse of discretionary power over student discipline is to grant them more discretionary power over student discipline! We urge you to reject such misguided proposals.

Finally, as you explore the facts about student discipline problems, we encourage you to look at some issues not often considered. For example, how much are these problems correlated with high pupil-teacher ratios? How much are they correlated with the presence of inexperienced or underqualified educators at a campus? (For instance, we know that 63 percent of teachers in core courses on low-performing high schools were teaching out of field, as of 2004. How does that phenomenon relate to problems with student discipline?) Another question: What are the demographic characteristics of the student populations that benefit from the appropriate enforcement of this law through the removal and alternative educational placement of disruptive and violent students?

We thank you again for your work on this issue and look forward to working with you to make enforcement of this law more effective in the future.