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SB 38: Increase Accountability for Texas Public Schools

In recent years, Texas public schools have experienced a dramatic increase in the number of student disciplinary referrals resulting in suspension, expulsion, placement in alternative disciplinary education programs, or placement in juvenile justice alternative education programs. In addition to gathering data regarding student attendance and achievement rates, the Texas Education Agency collects information regarding each school district's disciplinary referrals. The collected information is broken down by race, gender, ethnicity, socioeconomic status, special education status, and discretionary versus non-discretionary referrals.

However, much of the information regarding disciplinary referrals is not shared with the public. The TEA's website simply states the percentage of students who are placed in DAEP and/or JJAEP at a particular school and compares these figures to the state average. Data regarding suspension (in-school or out-of-school) is not presented on the agency's website, and the breakdown of disciplinary referrals by race, gender, and other categories is omitted.

SB 38 will illuminate the disparities that exist between school districts regarding their reliance on disciplinary referrals. Students with disabilities, minorities, and students living in certain school districts are much more likely to receive disciplinary referrals. According to a report compiled by Texas Appleseed, a non-profit advocacy group, "the statewide average overall referral rate to a Disciplinary Alternative Education Program is 2% a year; however 167 school districts referred students at two to six times the state average for one or more years between 2001 and 2006."

SB 38 would make school districts more accountable by:

- mandating that the TEA include information about the rates of in-school and out-of-school suspensions when it publishes disciplinary data on its website;
- breaking down the disciplinary referral data by race, gender, ethnicity, socioeconomic status, special education status, and discretionary versus non-discretionary referrals; and
- requiring school districts to report each school's disciplinary referral data on report cards sent annually to parents or guardians.

SB 38 empowers communities.

The enhanced reporting requirements will increase awareness in communities of school district disciplinary practices, and will show which districts are more reliant disciplinary referrals. Parents need access to this information in order to make educated decisions about where to send their children to school and how to keep schools and school districts accountable.