2004 Disciplinary Alternative Education Program (DAEP) Data Integrity Manual

March 29, 2005

School District Disciplinary Alternative Education Program (DAEP) Indicators: Background

In 1995, the 74th Texas Legislature enacted the Safe Schools Act, which created Disciplinary Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs) to serve students who had committed disciplinary offenses. To evaluate districts' use of DAEPs and JJAEPs and to review the documentation of district-reported discipline information, the Texas Education Agency (TEA) developed a process for collecting and evaluating disciplinary data. A new record was added to the Public Education Information Management System (PEIMS) to obtain the data necessary for analyzing these data. This record collected both Disciplinary Action *Reason* Codes and Disciplinary *Action* Codes in order to capture both the student's conduct and the district's subsequent response. Initial data inquiries at TEA focused on student-level behaviors and the disciplinary action the district took in response to a student's specific offense. Several different discrepancy reports were issued to districts, and corrective actions were requested.

Legislation from the 78th Texas Legislature (2003) revised Texas Education Code (TEC) §37.008, requiring an electronic evaluation of DAEP data:

> *New* TEC §37.008. Disciplinary Alternative Education Programs. (m-1) The commissioner shall develop a process for evaluating a school district disciplinary alternative education program electronically. The commissioner shall also develop a system and standards for review of the evaluation or use systems already available at the agency. The system must be designed to identify districts that are at high risk of having inaccurate disciplinary alternative education program data or of failing to comply with disciplinary alternative education program requirements. The commissioner shall notify the board of trustees of a district of any objection the commissioner has to the district's disciplinary alternative education program data or of a violation of a law or rule revealed by the data, including any violation of disciplinary alternative education program requirements, or of any recommendation by the commissioner concerning the data. If the data reflect that a penal law has been violated, the commissioner shall notify the county attorney, district attorney, or criminal district attorney, as appropriate, and the attorney general. The commissioner is entitled to access to all district records the commissioner considers necessary or appropriate for the review, analysis, or approval of disciplinary alternative education program data.

In addition, TEC §7.027 authorizes TEA to monitor PEIMS data integrity:

> *New* §7.027. Limitation on Compliance Monitoring. (a) Except as provided by Section 29.001(5), 29.010(a), 39.074, or 39.075, the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, Subchapter A, Chapter 37, or Section 38.003, and the use of funds provided for such a program under Subchapter C, Chapter 42, only as necessary to ensure:
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(3) data integrity for purposes of:
        (A) the Public Education Information Management System (PEIMS); and
        (B) accountability under Chapter 39.

. . .

and (b) The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.

As part of the 2003-2004 transition year of monitoring, school districts' DAEP data were evaluated with the most current discipline data available for the 2002-2003 school year. Student-level error reports were provided to districts along with a requirement that districts address any discrepancies through a locally developed improvement plan.

For the 2004-2005 school year, districts' DAEP data were evaluated and reported using both 2002-2003 and the 2003-2004 discipline data. District-level rather than student-level reports were generated and are available via the TEA Secure Environment (TEASE) to each district that has one or more inappropriate Action Codes for a specific Reason Code as outlined in the DAEP indicators described in this document. In addition, each education service center will be provided with the report data for the districts in its region. These reports are being distributed well in advance of the PEIMS Submission 3 for 2005 in order to provide districts and education service centers with the opportunity to make any necessary improvements in data submission procedures prior to submitting the 2004-2005 discipline data. It is the ongoing obligation of districts to comply with the discipline requirements of TEC Chapter 37.

Five indicators were developed to meet the Chapter 37 statutory requirements described above:
- Length of Student's Out-of-School Suspension
- Unauthorized Student Expulsion
- Conduct Requiring Mandatory Expulsion
- Mandatory Expulsion to a JJAEP
- Conduct Requiring Mandatory Placement in a DAEP

The indicators above rely on the existence of *some* discipline data that can be evaluated. In certain instances, districts have campuses that have no reported disciplinary incidents over a two-year period. This absence of data may be appropriate *or* may occur because disciplinary incidents have not been reported. As such, TEA has developed an indicator (Zero Reported Incidents) that provides information for district information and planning purposes. Districts with campuses that have zero reported incidents may wish to determine whether the absence of disciplinary data is appropriate.

Special note on charter schools: Because state statutory requirements for acting on and reporting disciplinary offenses differ for school districts and charters, indicators have not been developed for charters at this time.

Detailed information on all of these indicators is provided in the pages that follow. If a district has one or more inappropriate Action Codes for a specific Reason Code within an indicator, this is referred to as "triggering" an indicator.

In some cases, the circumstances surrounding a particular student's disciplinary offense may result in a district submitting more than one record for the same student with identical incident numbers and Reason Codes but different Action Codes. For example, a student may receive out-of-school suspension for an expellable behavior before being expelled. In this situation, because one of the Action Codes indicated that the appropriate expulsion was exercised, no error is counted. In this same example, if neither Action Code had indicated that the required expulsion was exercised, one error is counted. However, while the report count will list only one Reason Code-level error for this type of situation, districts should carefully review any incident for which multiple Action Codes are incorrect for the same Reason Code to ensure disciplinary data are submitted accurately. (If a district reports multiple records for one student with identical incident numbers but *different* Reason Codes, each corresponding Action Code is considered individually, and each identified error is counted separately.)

The district count of the number of instances where inappropriate coding was identified will be noted on each district's report. Only the indicators that a district triggers will be listed on the report, and district counts will be provided only for the relevant years in which the district reported inappropriate coding. For example, in the sample report below, three of the six indicators are listed because the district only triggered those three indicators.

SAMPLE REPORT
2004 Data Integrity Report
Disciplinary Alternative Education Program (DAEP)

Example ISD   Region XX

	District Count	District Count
**		
INDICATOR	2002-2003 PEIMS DATA	2003-2004 PEIMS DATA
LENGTH OF OUT-OF-SCHOOL SUSPENSION		1
UNAUTHORIZED EXPULSION	4	
MANDATORY EXPULSION	9	9

The district counts in the sample report above can be interpreted as follows:

LENGTH OF OUT-OF-SCHOOL-SUSPENSION: In the 2002-2003 PEIMS data, the district did not report any inappropriate coding for this indicator, and therefore the district count is blank on the report. In the 2003-2004 PEIMS data, the district reported one (1) instance of out-of-school suspension that exceeded the allowable length under state law.

UNAUTHORIZED EXPULSION: In the 2002-2003 PEIMS data, the district reported four (4) instances of expulsion that were for unauthorized reasons. In the 2003-2004 PEIMS data, the district did not report any inappropriate coding for this indicator, and therefore the district count is blank on the report.

MANDATORY EXPULSION: In both the 2002-2003 and 2003-2004 PEIMS data, the district reported nine (9) instances of conduct requiring mandatory expulsions but did not report exercising the required expulsions.

It is possible for districts to trigger certain indicators (Indicators 3-5 in this manual) by appropriately coding actions that were taken for a student receiving special education services. For this to be the case, an Admission, Review, and Dismissal (ARD) committee must have determined that a special education student's disability may have been linked to the student's behavior, thus relieving the district of the obligation to impose disciplinary actions otherwise required by state law. If a district determines that this is, in fact, the only reason it triggered this indicator and this decision has been documented by the district, then no improvements in its data collection and submission procedures related to this indicator are needed. Please refer to the Notes section for each indicator for information on instances where this may occur.

Performance-based monitoring and PEIMS contacts at each education service center are available to provide districts with technical assistance concerning the DAEP data integrity indicators. In addition, the PEIMS Data Standards, which describe the PEIMS data reporting requirements and provide descriptions of data elements and the codes used to report them, as well as PEIMS Edit+ reports, which present student rosters listed by both Reason and Action Codes, are available as additional resources for districts from the following web address: http://www.tea.state.tx.us/peims/. Two specific Edit+ reports that districts may find helpful are: PRF7D012 (Student Disciplinary Action Detail Report by Reason) and PRF7D013 (Student Disciplinary Action Detail Report by Action). These reports, along with other data and reports that are available locally to districts, can be used to identify and analyze the specific instances that caused a district to trigger one or more of the 2004 DAEP data integrity indicators.

DAEP Indicator #1: Length of Student's Out-Of-School Suspension

This indicator identifies districts with students that were reported as suspended out-of-school for more than the three school days allowed under TEC §37.005.

APPLICABLE DISCIPLINE <u>ACTION</u> CODES FROM THE PEIMS 425 RECORD

Out of school suspensions are those that have the following <u>Action</u> Codes:

- 05=Out-of-school suspension
- 25=Partial day out-of-school suspension

- **Either** the cumulative sum of DAYS_ASSIGNED for the Action Codes above cannot exceed 3 days
- **Or** the cumulative sum of DAYS_ACTUAL for the Action Codes Above cannot exceed 3 days.

NOTES

- There are no minimum size requirements for this indicator.
- Discipline Reason Codes are not used in the calculation of this indicator.
- A district will trigger this indicator if it reports students as suspended out-of-school for more than the 3 days allowable.
- Action Code 25 (Partial day out-of-school suspension) was a new code for use in the 2003-2004 school year.
- DAYS ASSIGNED AND DAYS ACTUAL are calculated for either Action Code 05 or 25 or cumulatively if both codes are used for the same incident.
- Reminder from the PEIMS Data Standards: In accordance with TEC §37.005, **under no circumstance may an OSS exceed (3) three days.** If a student receives out-of-school suspension for a partial school day (even if for one class period), that partial day is considered one of the three total allowable out-of-school suspension days.

DAEP Indicator #2: Unauthorized Student Expulsion

This indicator identifies districts with students that were reported as expelled from their regular education setting based on a disciplinary reason that is <u>not</u> allowed under TEC §37.007.

APPLICABLE DISCIPLINE <u>REASON</u> CODES FROM THE PEIMS 425 RECORD

The following <u>Reason</u> Codes are **not** appropriate for expulsion:

- 01=Disruptive behavior
- 02=Conduct punishable as a felony
- 07=Public lewdness or indecent exposure
- 09=Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5, Penal Code
- 10=Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses not in Title 5, Penal Code
- 21=Violation of student code of conduct not included under TEC §§37.002, 37.006 or 37.007
- 28=Assault under Penal Code §22.01(a)(1) against someone other than a school district employee or volunteer
- 33=Possessed, purchased, used, or accepted a cigarette or tobacco product as defined in the Health and Safety Code, Section 3.01, Chapter 161.252
- 34=School-related gang violence – Action by three or more persons having a common identifying sign or symbol, or an identifiable sign or symbol, or an identifiable leadership who associate in the commission of criminal activities under Penal Code §71.01
- 41=Fighting/Mutual combat – excludes all offenses under Penal Code §22.01
- 42=Truancy-parent contributing to truancy
- 43=Three unexcused absences
- 44=Ten unexcused absences
- 45=Failure to enroll in school

APPLICABLE DISCIPLINARY <u>ACTION</u> CODES FROM THE PEIMS 425 RECORD

The following <u>Action</u> Codes are **not** appropriate to use for the above Reason Codes:

- 01=Expulsion without placement in another educational setting as a result of a formal expulsion hearing
- 02=Expulsion with placement in a JJAEP as a result of a formal expulsion hearing
- 03=Expulsion with placement in an on-campus DAEP as a result of a formal expulsion hearing

ACTION CODES ARE CONTINUED ON NEXT PAGE.

- 04=Expulsion with placement in an off-campus DAEP as a result of a formal expulsion hearing
- 09=Continuation of other district's expulsion order
- 11=Continuation of the district's expulsion order from the prior school year
- 12=Continuation of the district's expulsion with placement to a JJAEP from the prior school year
- 15=Continuation of other district's expulsion with placement to a JJAEP
- 50=Expulsion without placement in another educational setting as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 51=Expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 52=Expulsion with placement to an on-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 53=Expulsion with placement to an off-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 56=Continuation of other district's expulsion order as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 58=Continuation of the district's expulsion order from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 59=Continuation of the district's expulsion with placement to a JJAEP from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 61=Continuation of other district's expulsion with placement to a JJAEP as a result of a determination of a hearing officer (not a hearing officer employed or appointed by the district)

NOTES

- There are no minimum size requirements for this indicator.
- A district will trigger this indicator if it reports that it expelled a student for a reason that is not authorized. A district that triggers this indicator may also trigger Indicator #5. (See Notes section of Indicator #5 for more information.)
- Reason Codes 42 (Truancy-parent contributing to truancy), 43 (Three unexcused absences), 44 (Ten unexcused absences), and 45 (Failure to enroll in school) were new codes for use in the 2003-2004 school year.

DAEP Indicator #3: Conduct Requiring Mandatory Expulsion

This indicator identifies districts with students that were reported with conduct requiring mandatory expulsion as specified in TEC §37.007 but did not have a corresponding action code confirming the required expulsion.

APPLICABLE DISCIPLINE REASON CODES FROM THE PEIMS 425 RECORD

The following Reason Codes require a mandatory expulsion:

- 11=Used, exhibited, or possessed a firearm and/or brought a firearm to school
- 12=Used, exhibited, or possessed an illegal knife (TEC §37.007(a)(1)(B)
- 13=Used, exhibited, or possessed a club
- 14=Used, exhibited, or possessed a prohibited weapon under Penal Code §46.05
- 16=Arson
- 17=Murder, capital murder, criminal attempt to commit murder or capital murder
- 18=Indecency with a child
- 19=Aggravated kidnapping
- 29=Aggravated assault under Penal Code §22.02 against a school district employee or volunteer
- 30=Aggravated assault under Penal Code §22.02 against someone other than a school district employee or volunteer
- 31=Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against a school district employee or volunteer
- 32=Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against someone other than a school district employee or volunteer
- 36=Felony controlled substance violation
- 37=Felony alcohol violation
- 46=Aggravated robbery
- 47=Manslaughter
- 48=Criminally negligent homicide

APPLICABLE DISCIPLINARY ACTION CODES FROM THE PEIMS 425 RECORD

AND one of the following Action Codes confirming the required expulsion:

- 01=Expulsion without placement in another educational setting as a result of a formal expulsion hearing.
- 02=Expulsion with placement in a JJAEP as a result of a formal expulsion hearing.
- 03=Expulsion with placement in an on-campus DAEP as a result of a formal expulsion hearing.

- 04=Expulsion with placement in an off-campus DAEP as a result of a formal expulsion hearing.
- 09=Continuation of other district's expulsion order
- 11=Continuation of the district's expulsion order from the prior school year
- 12=Continuation of the district's expulsion with placement to JJAEP from the prior school year
- 15=Continuation of other district's expulsion with placement to JJAEP
- 50=Expulsion without placement in another educational setting as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 51=Expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 52=Expulsion with placement to an on-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 53=Expulsion with placement to an off-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 56=Continuation of other district's expulsion order as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 58=Continuation of the district's expulsion order from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 59=Continuation of the district's expulsion with placement to a JJAEP from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 61=Continuation of other district's expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)

NOTES

- There are no minimum size requirements for this indicator.
- A district will trigger this indicator if it reports one or more Reason Codes listed above without also reporting one of the allowable Action Codes listed above. Districts in counties where the population exceeds 125,000 may trigger this indicator and also Indicator #4.
- This indicator excludes students under the age of ten as of September 1 in the relevant school year.
- Reason Codes 46 (Aggravated robbery), 47 (Manslaughter), and 48 (Criminally negligent homicide) were new codes for use in the 2003-2004 school year.
- Special Note Concerning Students Receiving Special Education Services: It is possible for a district to trigger this indicator by appropriately coding actions that were taken for a student receiving special education services. For this to be the case, an Admission, Review, and Dismissal (ARD) committee must have determined that a special education student's disability may have been linked to the student's behavior, thus relieving the district of the obligation to impose disciplinary actions otherwise required by state law. If a district determines that this is, in fact, the only reason it triggered this indicator and this decision has been documented by the district, then no improvements in its data collection and submission procedures related to this indicator are needed.

DAEP Indicator #4: Mandatory Expulsion to a Juvenile Justice Alternative Education Program (JJAEP) in Counties Where the Population exceeds 125,000

This indicator identifies districts that are required to expel to a JJAEP for mandatory expulsion reasons as required by TEC §37.011 but did not do so.

APPLICABLE DISCIPLINE REASON CODES FROM THE PEIMS 425 RECORD

Reason Codes that require a mandatory expulsion to a JJAEP in counties where the population exceeds 125,000 are:
- 11=Used, exhibited, or possessed a firearm and/or brought a firearm to school
- 12=Used, exhibited, or possessed an illegal knife (TEC §37.007(a)(1)(B)
- 13=Used, exhibited, or possessed a club
- 14=Used, exhibited, or possessed a prohibited weapon under Penal Code §46.05
- 16=Arson
- 17=Murder, capital murder, criminal attempt to commit murder or capital murder
- 18=Indecency with a child
- 19=Aggravated kidnapping
- 29=Aggravated assault under Penal Code §22.02 against a school district employee or volunteer
- 30=Aggravated assault under Penal Code §22.02 against someone other than a school district employee or volunteer
- 31=Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against a school district employee or volunteer
- 32=Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against someone other than a school district employee or volunteer
- 36=Felony controlled substance violation
- 37=Felony alcohol violation
- 46=Aggravated robbery
- 47=Manslaughter
- 48=Criminally negligent homicide

APPLICABLE DISCIPLINE ACTION CODES FROM THE PEIMS 425 RECORD

AND one of the following Action Codes confirming the required expulsion to a JJAEP:
- 02=Expulsion with placement to a JJAEP as a result of a formal expulsion hearing
- 12=Continuation of the district's expulsion with placement to a JJAEP from the prior school year
- 15=Continuation of other district's expulsion with placement to a JJAEP

ACTION CODES ARE CONTINUED ON NEXT PAGE

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- 51=Expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed by the district)
- 59=Continuation of the district's expulsion with placement to a JJAEP from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed by the district)
- 61=Continuation of other district's expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed by the district)

NOTES

- There are no minimum size requirements for this indicator.
- This indicator excludes students under the age of ten as of September 1 in the relevant school year.
- Counties where the population is greater than 125,000 are required to operate a JJAEP.
- A district will trigger this indicator if it is in a county where the population exceeds 125,000 and reports conduct requiring mandatory expulsion to a JJAEP but does not report the mandatory JJAEP expulsion using one of the appropriate Action Codes shown above. It is possible for a district in a county where the population exceeds 125,000 to trigger this indicator for not expelling a student to a JJAEP when required and also trigger Indicator #3 for not expelling a student for conduct requiring a mandatory expulsion. For example, if a district in a county where the population exceeds 125,000 reports Reason Code 16 (Arson) with Action Code 06 (In-school suspension), the district will trigger Indicator #3 for not expelling as required AND also trigger Indicator #4 for not expelling to a JJAEP.
- Special Note Concerning Students Receiving Special Education Services: It is possible for a district to trigger this indicator by appropriately coding actions that were taken for a student receiving special education services. For this to be the case, an Admission, Review, and Dismissal (ARD) committee must have determined that a special education student's disability may have been linked to the student's behavior, thus relieving the district of the obligation to impose disciplinary actions otherwise required by state law. If a district determines that this is, in fact, the only reason it triggered this indicator and this decision has been documented by the district, then no improvements in its data collection and submission procedures related to this indicator are needed.

DAEP Indicator #5: Conduct Requiring Mandatory Placement in a DAEP

This indicator identifies districts with students that were reported with conduct requiring _minimally_ a mandatory DAEP placement as described in TEC §37.006 and, in certain instances, optional expulsion as described in TEC §37.007 but that did not have a corresponding action code confirming the required DAEP placement or, if exercised, the optional expulsion.

APPLICABLE DISCIPLINARY <u>REASON</u> CODES FROM THE PEIMS 425 RECORD

Group A Reason Codes for which students **must** be placed in a DAEP are:

- 02=Conduct punishable as a felony
- 07=Public lewdness or indecent exposure
- 09=Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5, Penal Code
- 28=Assault under Penal Code §22.01(a)(1) against someone other than a school district employee or volunteer

Group B Reason Codes for which students must **either** be placed in a DAEP **or** expelled, depending on district decision-making, are:

- 04=Possessed, sold, used or was under the influence of marihuana or other controlled substance
- 05=Possessed, sold, used or was under the influence of an alcoholic beverage
- 06=Abuse of a volatile chemical
- 08=Retaliation against school employee
- 26=Terroristic threat
- 27=Assault under Penal Code §22.01(a)(1) against a school district employee or volunteer
- 35=False alarm/false report

THE ACTION CODES FOR THIS INDICATOR START ON THE NEXT PAGE.

APPLICABLE DISCIPLINARY <u>ACTION</u> CODES FROM THE PEIMS 425 RECORD

Group A Reason Codes can <u>*only*</u> have one of the following <u>Action</u> Codes:

- 07=Placement in an on-campus or off-campus DAEP as a result of a conference, rather than a formal hearing as required for expulsion
- 08=Continuation of other district's DAEP placement
- 10= Continuation of the district's DAEP placement from the prior school year
- 54=Placement in an AEP established under TEC §37.008 as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 55=Continuation of other district's DAEP placement as a result by a special education determination of a hearing officer (not a hearing officer employed or appointed by the district)
- 57=Continuation of the district's DAEP placement from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)

Group B Reason Codes must have **either** one of the action codes from above (07, 08, 10, 54, 55, 57) **or** one of the following action codes:

- 01=Expulsion without placement in another educational setting as a result of a formal expulsion hearing
- 02=Expulsion with placement in a JJAEP as a result of a formal expulsion hearing
- 03=Expulsion with placement in an on-campus DAEP as a result of a formal expulsion hearing
- 04=Expulsion with placement in an off-campus DAEP as a result of a formal expulsion hearing
- 09=Continuation of other district's expulsion order
- 11=Continuation of the district's expulsion order from the prior school year
- 12=Continuation of the district's expulsion with placement to JJAEP from the prior school year
- 15=Continuation of other district's expulsion with placement to JJAEP
- 50=Expulsion without placement in another education setting as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 51=Expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 52=Expulsion with placement to an on-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 53=Expulsion with placement to an off-campus DAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 56=Continuation of other district's expulsion order as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 58=Continuation of the district's expulsion order from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 59=Continuation of the district's expulsion with placement to a JJAEP from the prior school year as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)
- 61=Continuation of other district's expulsion with placement to a JJAEP as a result of a determination by a special education hearing officer (not a hearing officer employed or appointed by the district)

NOTES
▪ There are no minimum size requirements for this indicator.   ▪ This indicator excludes students under the age of six as of September 1 in the relevant school year.   ▪ A district will trigger this indicator if it reports one or more Reason and Action Codes in a combination other than what is allowable as described above.   ▪ It is possible for a district to trigger this indicator for not placing a student in a DAEP when required <u>and</u> also trigger Indicator #2 for unauthorized student expulsion. For example, if a district reports Reason Code 02 (Conduct punishable as a felony) with Action Code 01 (Expulsion without placement in another educational setting as a result of a formal expulsion hearing), the district will trigger Indicator #5 for not using the appropriate Action Code for Group A Reason Codes AND also trigger Indicator #2 for expelling a student for an unauthorized reason. Please refer to Indicator #2 for information on unauthorized expulsions.   ▪ Special Note Concerning Students Receiving Special Education Services: It is possible for a district to trigger this indicator by appropriately coding actions that were taken for a student receiving special education services. For this to be the case, an Admission, Review, and Dismissal (ARD) committee must have determined that a special education student's disability may have been linked to the student's behavior, thus relieving the district of the obligation to impose disciplinary actions otherwise required by state law. If a district determines that this is, in fact, the only reason it triggered this indicator and this decision has been documented by the district, then no improvements in its data collection and submission procedures related to this indicator are needed.

DAEP Indicator #6: Zero Reported Incidents

This indicator identifies districts that have one or more campuses with no reported discipline data for two or more years.

APPLICABLE DISCIPLINE <u>ACTION</u> CODES FROM THE PEIMS 425 RECORD

- All disciplinary action codes are examined under this indicator.

NOTES

- This indicator is reported for district information and planning purposes only.
- Because it is possible for districts to have one or more campuses that legitimately have no reported discipline data for two or more years, the following filters were applied to this indicator to limit the number of districts identified:
    - Only campuses with campus enrollment greater than 9 students in all years (2001-2002, 2002-2003, and 2003-2004) are included.
    - Only regular instructional and alternative instructional campuses (campus types "1" and "2") are included.

QUESTIONS:

Questions about the *2004 DAEP Data Integrity Indicators* should be addressed to:

Address:	**Division of Performance-Based Monitoring**
	Texas Education Agency
	1701 North Congress Avenue
	Austin, Texas 78701-1494
Phone:	**(512) 936-6426**
Fax:	**(512) 475-3880**
Email:	pbm@tea.state.tx.us