

---

# 2013 Discipline Data Validation Manual

---

Texas Education Agency

---

Department of Assessment and Accountability  
Division of Performance Reporting

---

**Copyright © Notice** The materials are copyrighted © and trademarked ™ as the property of the Texas Education Agency (TEA) and may not be reproduced without the express written permission of TEA, except under the following conditions:

1. Texas public school districts, charter schools, and Education Service Centers may reproduce and use copies of the Materials and Related Materials for the districts' and schools' educational use without obtaining permission from TEA.
2. Residents of the state of Texas may reproduce and use copies of the Materials and Related Materials for individual personal use only without obtaining written permission of TEA.
3. Any portion reproduced must be reproduced in its entirety and remain unedited, unaltered, and unchanged in any way.
4. No monetary charge can be made for the reproduced materials or any document containing them; however, a reasonable charge to cover only the cost of reproduction and distribution may be charged.

Private entities or persons located in Texas that are **not** Texas public school districts, Texas Education Service Centers, or Texas charter schools, or any entity, whether public or private, educational or non-educational, located **outside the state of Texas** MUST obtain written approval from TEA and will be required to enter into a license agreement that may involve the payment of a licensing fee or a royalty.

For information contact:

Office of Copyrights, Trademarks, License Agreements, and Royalties  
Texas Education Agency  
1701 N. Congress Ave.  
Austin, TX 78701-1494  
Phone: (512) 463-9270  
Email: [copyrights@tea.state.tx.us](mailto:copyrights@tea.state.tx.us)

# Table of Contents

---

<b>SECTION I: INTRODUCTION.....</b>	<b>1</b>
Performance-Based Monitoring Data Validation.....	3
Differences Between Discipline Data Validation Indicators and Other PBM Indicators .....	3
Discipline Data Validation Indicators: Background .....	4
List of 2013 Discipline Data Validation Indicators .....	5
Data Sources .....	5
Data Validation Reports.....	5
Sample Report.....	7
Data Validation Requirements for Districts .....	8
Additional Resources .....	8
<b>SECTION II: 2013 DISCIPLINE DATA VALIDATION INDICATORS.....</b>	<b>9</b>
Discipline Data Validation Indicator #1: Length of Out-Of-School Suspension .....	11
Discipline Data Validation Indicator #2: Length of In-School Suspension (Report Only).....	12
Discipline Data Validation Indicator #3: Unauthorized Expulsion: Students Age 10 and Older.....	13
Discipline Data Validation Indicator #4: Unauthorized Expulsion: Students under Age 10 .....	15
Discipline Data Validation Indicator #5: Unauthorized DAEP Placement: Students under Age 6 .....	16
Discipline Data Validation Indicator #6: High Number of Discretionary DAEP Placements .....	17
Discipline Data Validation Indicator #7: African American (Not Hispanic/Latino) Discretionary DAEP Placements .....	18
Discipline Data Validation Indicator #8: Hispanic Discretionary DAEP Placements .....	20
Discipline Data Validation Indicator #9: No Mandatory Expellable Incidents Reported for Multiple Years .....	22
<b>SECTION III: APPENDICES.....</b>	<b>23</b>
Appendix: A – ESC Performance-Based Monitoring Contacts .....	25
Appendix: B – Comments and Questions .....	26



# Section I: Introduction

---



## Performance-Based Monitoring Data Validation

The Performance-Based Monitoring (PBM) system, which was developed in 2003 in response to state and federal statute, is a comprehensive system designed to improve student performance and program effectiveness. The PBM system is a data-driven system that relies on data submitted by districts; therefore, the integrity of districts' data is critical. To ensure data integrity, the PBM system includes annual data validation analyses that examine districts' leaver and dropout data, student assessment data, and discipline data. Additional data analyses, including random audits, are conducted as necessary to ensure the data submitted to the Texas Education Agency (TEA) are accurate and reliable.

## Differences Between Discipline Data Validation Indicators and Other PBM Indicators

There are key differences between the discipline data validation indicators used as part of the PBM Data Validation System and the performance indicators used in the Performance-Based Monitoring Analysis System (PBMAS). A PBMAS performance indicator yields a *definitive* result, e.g., 85% of a district's graduates completed the Recommended High School Program. A discipline data validation indicator typically *suggests* an anomaly that may require a local review to determine whether the anomalous data are accurate. For example, a district may report it expelled a student for three unexcused absences. This unauthorized expulsion will appear as a data anomaly. The district will need to determine, after a local review and verification process, whether the reported expulsion was a coding error or a failure to comply with the requirements of Texas Education Code, Chapter 37. Depending on the indicator, the local review may also conclude the district's data are accurate and verifiable.

Another difference between PBMAS performance indicators and PBM discipline data validation indicators is the use of standards. A PBMAS performance indicator is based on a *standard* that is made public with as much advance notice as possible and that all districts can achieve over time. The goal for districts on PBMAS performance indicators is progress toward the standard. A discipline data validation indicator is typically based on an *annual review of data* in an attempt to identify what data may be anomalous or what trends can be observed over time. Standards on individual discipline data validation indicators generally are not, and generally cannot be, made public in advance, although there are some exceptions (e.g., length of out-of-school suspension). The goal for districts on PBM discipline data validation indicators is to report accurate data each year.

The required response by the district is also different depending on whether the district is identified under a PBMAS performance indicator or a PBM discipline data validation indicator. Districts identified with a PBMAS performance indicator concern are generally expected to (a) improve performance; or (b) if the identification of a performance indicator concern occurred because of inaccurate data, improve local data collection and submission procedures. Districts identified as a result of a discipline data validation indicator are generally expected to (a) validate and document that their data are, in fact, correct; and (b) if correct data reflect a program implementation concern, address that concern; or (c) if the district's identification occurred because of incorrect data, improve local data collection and submission procedures.

Differences between Discipline Data Validation Indicators and PBMAS Indicators			
Indicator Type	Result	Standards	District Response
Discipline Data Validation	Suggests an anomaly	Based on annual review of data to identify anomalous data and trends observed over time	Validate accuracy of data locally and, as necessary, improve local data collection and submission procedures or address program implementation concerns
PBMAS	Yields a definitive result	Based on standards established in advance	Improve performance or program effectiveness or if identification occurred because of inaccurate data, improve data collection and submission procedures

By their very nature and purpose, some discipline data validation indicators may identify one or more districts that are collecting and reporting accurate data. **Confirming the accuracy of data is a critical part of the process that is necessary to validate and safeguard the integrity of the overall PBM system.** As such, the process districts engage in to either validate the accuracy of their data or determine that erroneous data were submitted is fundamental to the integrity of the entire system.

Many districts initially identified through a discipline data validation indicator will be able to confirm the accuracy of their data. This is expected and should be handled by those districts as a routine data confirmation that is documented locally and, in some cases, communicated back to the agency. Other districts identified through a discipline data validation indicator will find their anomalous data to be the result of an isolated reporting error that can be addressed through better training, improved quality control of local data collection and submission processes, or other targeted local response. For some districts identified through a discipline data validation indicator, it will be determined that the anomalous data reflect a systemic issue within one data collection (e.g., discipline data in general) or a pervasive issue (i.e., across data systems). In these less typical occurrences, the district’s response will be more extensive, including more involvement by the agency and the application of sanctions as necessary and appropriate.

## Discipline Data Validation Indicators: Background

In 1995, the 74<sup>th</sup> 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, TEA developed a process for collecting and evaluating discipline data. A record (425 Disciplinary Action Data—Student) was added to the Public Education Information Management System (PEIMS) to obtain the data necessary for these analyses. 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.

The Texas Education Code (TEC) provides specific authority for TEA to monitor PEIMS data integrity:

§7.028. Limitation on Compliance Monitoring. (a) Except as provided by Section 29.001(5), 29.010(a), 39.056, or 39.057, 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:

...

- (3) data integrity for purposes of:
  - (A) the Public Education Information Management System (PEIMS); and
  - (B) accountability under Chapter 39.

...



(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.

In addition, TEC §37.008, requires an electronic evaluation of discipline data:

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.

Finally, TEC §39.057 authorizes the commissioner to conduct special accreditation investigations:

(5) when extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Sections 37.006 and 37.007, are determined.

## List of 2013 Discipline Data Validation Indicators

The statutory requirements described above, as well as other requirements, are met through nine discipline data validation indicators. Detailed information on these indicators is provided in the next section of this manual.

1. Length of Out-of-School Suspension
2. Length of In-School Suspension (Report Only)
3. Unauthorized Expulsion: Students Age 10 and Older
4. Unauthorized Expulsion: Students under Age 10
5. Unauthorized DAEP Placement: Students under Age 6
6. High Number of Discretionary DAEP Placements
7. African American (Not Hispanic/Latino) Discretionary DAEP Placements
8. Hispanic Discretionary DAEP Placements
9. No Mandatory Expellable Incidents Reported for Multiple Years

## Data Sources

The 2013 discipline data validation analysis for the indicators listed above is based on discipline data from the 2012-2013 school year which were submitted by districts in June 2013. Indicator #9 also includes an analysis of discipline data from the 2010-2011 and 2011-2012 school years.

## Data Validation Reports

District-level reports and certain student-level data<sup>1</sup> will be generated for each district identified on one or more of the 2013 discipline data validation indicators and districts with data available for the Report Only indicator. These reports and student-level data are made available via the Accountability application on TEASE. Districts not identified and districts with no data available for the Report Only indicator will receive the following message if they attempt to access the report on TEASE: *“A PBM Discipline Data Validation Report is not available for your district (number: xxx) due to any of the following reasons: (a) your district did not trigger any indicators in the PBM Discipline Data Validation System; (b) your district did not meet minimum size requirements for evaluation under certain indicators; or (c) your district did not report any discipline data for the previous school year and therefore was not evaluated in the PBM Discipline Data Validation System.”*

---

<sup>1</sup> Student-level data are not applicable to Indicators #2 and #6 - #9. Campus-level data are provided for Indicator #9.  
Discipline Data Validation Manual 2013

If a district has been identified on an indicator, relevant information such as the number of instances where specific coding was identified will be noted on each district's report. Only the indicators a district triggers and/or any Report Only indicators for which the district has data will be listed on the report. For example, in the sample report, only certain indicators are listed because the sample district only triggered the five specific indicators shown and had no data for the Report Only indicator.

# Sample Report

CONFIDENTIAL  
Texas Education Agency  
2013 PBM Data Validation Report  
Discipline Data

Example ISD

Region ZZ

DATA SOURCES:

INDICATORS 1-8 = PEIMS SUMMER SUBMISSION 2013 (425 Record)  
INDICATOR 9 = PEIMS SUMMER SUBMISSION 2011, 2012, AND 2013 (425 Record)

<u>INDICATOR</u>	<u>DISTRICT COUNT</u>			
1. LENGTH OF OUT-OF-SCHOOL SUSPENSION				1
3. UNAUTHORIZED EXPULSION: STUDENTS AGE 10 AND OLDER				4
4. UNAUTHORIZED EXPULSION: STUDENTS UNDER AGE 10				3
6. HIGH NUMBER OF DISCRETIONARY DAEP PLACEMENTS	<u>STANDARD</u> 4.5	<u>DISTRICT RATE</u> 6.0	<u>NUMERATOR</u> 359	<u>DENOMINATOR</u> 5,982
8. HISPANIC DISCRETIONARY DAEP PLACEMENTS	STATE RATE AND <u>DIFFERENCE</u> (DIFF) TBD	DISTRICT RATE AND <u>DIFFERENCE</u> (DIFF) 6.5	<u>NUMERATOR</u>	<u>DENOMINATOR</u>
HISPANIC DAEP PLACEMENTS	TBD	12.5	160	1,277
ALL DAEP PLACEMENTS	TBD	6.0	359	5,982

This report contains confidential information and data that are not masked to protect individual student confidentiality. Unauthorized disclosure of confidential student information is illegal as provided in the Family Educational Rights and Privacy Act of 1974 (FERPA) and implementing federal regulations found in 34 CFR, Part 99.

For detailed information on each of the indicators above, see the 2013 Discipline Data Validation Manual available at <http://www.tea.state.tx.us/pbm/DVManuals.aspx>.

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

**LENGTH OF OUT-OF-SCHOOL SUSPENSION:** The district reported 1 instance of out-of-school suspension that exceeded the allowable length under state law.

**UNAUTHORIZED EXPULSION: STUDENTS AGE 10 AND OLDER:** The district reported 4 instances of unauthorized expulsion of one or more students age 10 and older.

**UNAUTHORIZED EXPULSION: STUDENTS UNDER AGE 10:** The district reported 3 instances of unauthorized expulsion of one or more students under age 10.

**HIGH NUMBER OF DISCRETIONARY DAEP PLACEMENTS:** The district reported 359 discretionary DAEP placements and 5,982 students in attendance, resulting in a discretionary DAEP placement rate of 6.0. That rate exceeds the standard of 4.5.

**HISPANIC DISCRETIONARY DAEP PLACEMENTS:** The district reported 160 discretionary DAEP placements of Hispanic students based on 1,277 Hispanic students in attendance, resulting in a discretionary DAEP placement rate for Hispanic students of 12.5. That rate is more than double the rate reported for all students (6.0). (The state rates are listed as “To Be Determined” [TBD] on the sample report but will appear as actual rates on each district’s report.)

## Data Validation Requirements for Districts

The Program Monitoring and Interventions (PMI) Division will notify each district selected for a PBM discipline data validation intervention via the Intervention Stage and Activity Manager (ISAM) application on TEASE. The PMI Division will inform districts that intervention stages have been posted to ISAM by posting a “To the Administrator Addressed” letter on the TEA web page for correspondence or sending a “To the Administrator Addressed” letter via electronic mail or first-class mail. It is the district’s obligation to access the correspondence from the PMI Division by (a) subscribing to the listserv for “To the Administrator Addressed” correspondence; and (b) accessing the ISAM system as directed to retrieve intervention instructions and information. Questions about performance-based monitoring **interventions** should be directed to the Program Monitoring and Interventions Division at [PMIdivision@tea.state.tx.us](mailto:PMIdivision@tea.state.tx.us) or (512) 463-5226.

## Additional Resources

Performance-based monitoring contacts at each education service center are available to provide districts with technical assistance concerning the 2013 discipline data validation indicators (See Appendix A). 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 that present student rosters listed by both Reason and Action Codes, are available as additional resources for districts.

There are several PEIMS EDIT+ reports in particular that districts may find helpful as part of a local review of discipline data. These reports are based on data reported by districts.

- PRF7D012: Student Disciplinary Action Detail Report by Reason
- PRF7D013: Student Disciplinary Action Detail Report by Action
- PRF7D014: Student Disciplinary Action Summary
- PRF7D029: Student Disciplinary Action with Campus of Disciplinary Responsibility
- PRF0A001: Data Element Summary Reports
- PRF5D003: Student Roster (may be helpful for identifying students with two or more races)

These reports, along with other data and reports 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 2013 discipline data validation indicators.

# Section II: 2013 Discipline Data Validation Indicators

---



## Discipline Data Validation Indicator #1: Length of Out-Of-School Suspension

This indicator identifies districts with one or more students reported as suspended out-of-school (OSS) for more than the three school days allowed under TEC §37.005.

### Minimum Size Requirements

- Not Applicable

### Notes

- Charters are included in this indicator.
- Discipline Reason Codes are not considered in this indicator.
- A district will trigger this indicator if it reports students as suspended out-of-school for more than the 3 days allowable.
- The Official Length of Disciplinary Assignment and the Actual Length of Disciplinary Assignment are calculated for either Action Code 05 or 25, or cumulatively if both codes are used for the same incident.
- As stipulated in 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.

### Applicable Discipline Action Codes from the PEIMS 425 Record

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

## **Discipline Data Validation Indicator #2: Length of In-School Suspension (Report Only)**

This indicator identifies districts with one or more students placed in in-school suspension for 30 or more actual days.

### **Minimum Size Requirements**

- Not Applicable

### **Notes**

- This indicator is reported for district information and planning purposes only.
- Charters are **not** included in this indicator.
- Discipline Reason Codes are not considered in this indicator.
- The Actual Length of Disciplinary Assignment is calculated for either Action Code 06 or 26, or cumulatively if both codes are used for the same student in a district. Action Code 06 and 26 are counted equally.

### **Applicable Discipline Action Codes from the PEIMS 425 Record**

- 06=In-school suspension
- 26=Partial day in-school suspension



## Discipline Data Validation Indicator #3: Unauthorized Expulsion: Students Age 10 and Older

This indicator identifies districts with one or more students reported as expelled from their regular education setting based on a disciplinary reason not allowed under TEC §37.007.

### Minimum Size Requirements

- Not Applicable

### Notes

- Charters are not included in this indicator.
- A district will trigger this indicator if it reports any combination of the Reason and Action Codes that follow. For example, a district that reports expelling a student without placement in another education setting as a result of a formal expulsion hearing (Action Code 01) for fighting/mutual combat (Reason Code 41) will trigger this indicator for the unauthorized expulsion.

### Applicable Discipline Reason Codes from the PEIMS 425 Record

- 01=Permanent removal by a teacher from class – TEC §37.002(b)
- 02=Conduct punishable as a felony – TEC §37.006(a)(2)(A)
- 21=Violation of student code of conduct not included under TEC §§37.002(b), 37.006, or 37.007
- 28=Assault under Penal Code §22.01(a)(1) against someone other than a school district employee or volunteer – TEC §37.006(a)(2)(B)
- 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 (failure to attend school) – Parent contributing to truancy – TEC §25.093(a)
- 43=Truancy (failure to attend school) – Student with at least 3 unexcused absences – TEC §25.094
- 44=Truancy (failure to attend school) – Student with 10 unexcused absences – TEC §25.094
- 45=Truancy (failure to attend school) – Student failure to enroll in school – TEC §25.085
- 56=Registered sex offender, not under court supervision – TEC §37.305

### Applicable Disciplinary Action Codes from the PEIMS 425 Record

- 01=Expulsion (TEC §37.007) without placement in another educational setting as a result of a formal expulsion hearing [TEC §37.009(f)]
- 02=Expulsion (TEC §37.007) with placement in a JJAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 03=Expulsion (TEC §37.007) with placement in an on-campus DAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 04=Expulsion (TEC §37.007) with placement in an off-campus DAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 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 by a special education hearing officer (not a hearing officer employed or appointed by the district)

## Discipline Data Validation Indicator #4: Unauthorized Expulsion: Students under Age 10

This indicator identifies districts that reported expelling one or more students under age 10, which is prohibited under TEC §37.007(h) unless the student is expelled to a DAEP for bringing a firearm to school, as defined by 18 U.S.C. Section 921.

### Minimum Size Requirements

- Not Applicable

### Notes

- Charters are included in this indicator.
- Reason Code 11 (*Used, exhibited, or possessed a firearm—TEC §§37.007(a)(1)(A) and 37.007(e) and/or brought a firearm to school – TEC §37.007(e)*) is **not** considered in this indicator.
- A district will trigger this indicator if it reports any of the following Action Codes for a student under age 10 for any Reason Code other than Reason Code 11. For example, a district that reports expelling a nine-year old student with placement in an off-campus DAEP as a result of a formal expulsion hearing (Action Code 04) for serious and persistent misconduct (Reason Code 20) will trigger the indicator for the unauthorized expulsion.

### Applicable Disciplinary Action Codes from the PEIMS 425 Record

- 01=Expulsion (TEC §37.007) without placement in another educational setting as a result of a formal expulsion hearing [TEC §37.009(f)]
- 02=Expulsion (TEC §37.007) with placement in a JJAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 03=Expulsion (TEC §37.007) with placement in an on-campus DAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 04=Expulsion (TEC §37.007) with placement in an off-campus DAEP as a result of a formal expulsion hearing [TEC §37.009(f)]
- 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 by a special education hearing officer (not a hearing officer employed or appointed by the district)

## Discipline Data Validation Indicator #5: Unauthorized DAEP Placement: Students under Age 6

This indicator identifies districts that reported a DAEP placement of one or more students under age 6, which is prohibited under TEC §37.006(l) unless the student is expelled to a DAEP for bringing a firearm to school, as defined by 18 U.S.C. Section 921.

### Minimum Size Requirements

- Not Applicable

### Notes

- Charters are included in this indicator.
- Reason Code 11 (*Used, exhibited, or possessed a firearm—TEC §§37.007(a)(1)(A) and 37.007(e) and/or brought a firearm to school – TEC §37.007(e)*) is **not** considered in this indicator.
- A district will trigger this indicator if it reports any of the following Action Codes for a student under age six for any Reason Code other than Reason Code 11. For example, a district that reports placing a five-year old student in an on-campus or off-campus DAEP as a result of a conference, rather than a formal hearing as required for expulsion (Action Code 07) for violating the local code of conduct (Reason Code 21) will trigger the indicator for the unauthorized DAEP placement.

### Applicable Discipline Action Codes from the PEIMS 425 Record

- 07=Placement in an on-campus or off-campus DAEP (TEC §37.008) as a result of a conference [TEC §37.009(a)], 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
- 14=Placement in a DAEP by court order
- 54=Placement in an alternative education program 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 of a determination by a special education 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)

## Discipline Data Validation Indicator #6: High Number of Discretionary DAEP Placements

This indicator identifies districts with a high number of discretionary DAEP placements for all students.

### Calculation

$$\frac{\text{number of discretionary DAEP placements of all students}}{\text{number of all students in attendance}}$$

### Minimum Size Requirements:

- Denominator  $\geq$  30 students in attendance
- Numerator  $\geq$  10 discretionary DAEP placements

### Notes

- Charters are included in this indicator.
- A district will trigger this indicator if its discretionary DAEP placement rate is 4.5 or higher.
- Only one action per incident number is counted under this indicator.

### Applicable Discipline Action Codes from the PEIMS 425 Record

- 07=Placement in an on-campus or off-campus DAEP (TEC §37.008) as a result of a conference [TEC §37.009(a)], 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

### Applicable Discipline Reason Codes from the PEIMS 425 Record

- 01=Permanent removal by a teacher from class – TEC §37.002(b)
- 02=Conduct punishable as a felony – TEC §37.006(a)(2)(A)<sup>2</sup>
- 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 – TEC §37.006(d) and TEC §37.007(b)(4)
- 21=Violation of student code of conduct not included under TEC §§37.002(b), 37.006, or 37.007
- 23=Emergency placement/expulsion – TEC §37.019
- 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
- 49=Engages in deadly conduct – TEC §37.007(b)(3)
- 50=Used, exhibited, or possessed a non-illegal knife as defined by student code of conduct and as allowed under TEC §37.007. (Knife blade equal to or less than 5.5 inches.)
- 56=Registered sex offender, not under court supervision – TEC §37.305

---

<sup>2</sup> If reported with Behavior Location Code 04 (Off campus, and further than 300 feet from the campus boundary; not while in attendance at a school-sponsored or school-related activity) or 05 (On campus of another school district, or while in attendance at a school-sponsored or school-related activity of another school district).

# Discipline Data Validation Indicator #7: African American (Not Hispanic/Latino) Discretionary DAEP Placements

This indicator identifies districts with a higher rate of African American discretionary DAEP placements compared to the rate of discretionary DAEP placements for all students.

## Calculation

1. Discretionary DAEP placement rate for African American students:

$$\frac{\text{number of discretionary DAEP placements of African American students}}{\text{number of African American students in attendance}}$$

2. Discretionary DAEP placement rate for all students:

$$\frac{\text{number of discretionary DAEP placements of all students}}{\text{number of all students in attendance}}$$

3. Difference:

$$\text{African American discretionary DAEP placement rate} - \text{all students' discretionary DAEP placement rate}$$

## Minimum Size Requirements:

- Denominator  $\geq 30$  African American students in attendance
- Numerator  $\geq 10$  discretionary DAEP placements of African American students

## Notes

- Charters are included in this indicator.
- An African American student for purposes of this indicator is a student who is not reported as Hispanic/Latino and is reported (with one or more races) as Black or African American.
- A district will trigger this indicator if its discretionary DAEP placement rate for African American students is double (or more) than its discretionary DAEP placement rate for all students.
- Only one action per incident number is counted under this indicator.

## Applicable Discipline Action Codes from the PEIMS 425 Record

- 07=Placement in an on-campus or off-campus DAEP (TEC §37.008) as a result of a conference [TEC §37.009(a)], 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

## Applicable Discipline Reason Codes from the PEIMS 425 Record

- 01=Permanent removal by a teacher from class – TEC §37.002(b)
- 02=Conduct punishable as a felony – TEC §37.006(a)(2)(A)<sup>3</sup>
- 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 – TEC §37.006(d) and TEC §37.007(b)(4)
- 21=Violation of student code of conduct not included under TEC §§37.002(b), 37.006, or 37.007
- 23=Emergency placement/expulsion – TEC §37.019

---

<sup>3</sup> If reported with Behavior Location Code 04 (Off campus, and further than 300 feet from the campus boundary; not while in attendance at a school-sponsored or school-related activity) or 05 (On campus of another school district, or while in attendance at a school-sponsored or school-related activity of another school district).

- 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
- 49=Engages in deadly conduct – TEC §37.007(b)(3)
- 50=Used, exhibited, or possessed a non-illegal knife as defined by student code of conduct and as allowed under TEC §37.007. (Knife blade equal to or less than 5.5 inches.)
- 56=Registered sex offender, not under court supervision – TEC §37.305

## Discipline Data Validation Indicator #8: Hispanic Discretionary DAEP Placements

This indicator identifies districts with a higher rate of Hispanic discretionary DAEP placements compared to the rate of discretionary DAEP placements for all students.

### Calculation

1. Discretionary DAEP placement rate for Hispanic students:

$$\frac{\text{number of discretionary DAEP placements of Hispanic students}}{\text{number of Hispanic students in attendance}}$$

2. Discretionary DAEP placement rate for all students:

$$\frac{\text{number of discretionary DAEP placements of all students}}{\text{number of all students in attendance}}$$

3. Difference:

$$\text{Hispanic discretionary DAEP placement rate} - \text{all students' discretionary DAEP placement rate}$$

### Minimum Size Requirements:

- Denominator  $\geq$  30 Hispanic students in attendance
- Numerator  $\geq$  10 discretionary DAEP placements of Hispanic students

### Notes

- Charters are included in this indicator.
- A Hispanic student for purposes of this indicator is a student who is reported as Hispanic\Latino regardless of the student's reported race(s).
- A district will trigger this indicator if its discretionary DAEP placement rate for Hispanic students is double (or more) than its discretionary DAEP placement rate for all students.
- Only one action per incident number is counted under this indicator.

### Applicable Discipline Action Codes from the PEIMS 425 Record

- 07=Placement in an on-campus or off-campus DAEP (TEC §37.008) as a result of a conference [TEC §37.009(a)], 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

### Applicable Discipline Reason Codes from the PEIMS 425 Record

- 01=Permanent removal by a teacher from class – TEC §37.002(b)
- 02=Conduct punishable as a felony – TEC §37.006(a)(2)(A)<sup>4</sup>
- 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 – TEC §37.006(d) and TEC §37.007(b)(4)
- 21=Violation of student code of conduct not included under TEC §§37.002(b), 37.006, or 37.007
- 23=Emergency placement/expulsion – TEC §37.019

---

<sup>4</sup> If reported with Behavior Location Code 04 (Off campus, and further than 300 feet from the campus boundary; not while in attendance at a school-sponsored or school-related activity) or 05 (On campus of another school district, or while in attendance at a school-sponsored or school-related activity of another school district).



- 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
- 49=Engages in deadly conduct – TEC §37.007(b)(3)
- 50=Used, exhibited, or possessed a non-illegal knife as defined by student code of conduct and as allowed under TEC §37.007. (Knife blade equal to or less than 5.5 inches.)
- 56=Registered sex offender, not under court supervision – TEC §37.305

## Discipline Data Validation Indicator #9: No Mandatory Expellable Incidents Reported for Multiple Years

This indicator identifies districts that have one or more campuses with no mandatory expellable incidents reported for three consecutive years.

### Minimum Size Requirements

- Only campuses with enrollment equal or greater than 30 students in all three years (2010-2011, 2011-2012 and 2012-2013 school years) are included.

### Notes

- Charters are **not** included in this indicator.
- Campuses where the highest grade level reported in PEIMS for attendance, extended year, or leavers is Early Education (EE), Pre-Kindergarten (PK), or Kindergarten (KG) are **not** included in this indicator.
- Only regular instructional campuses are included.
- For all of the Reason Codes listed below (except Reason Code 29), those reported with Behavior Location Codes 02 (Off campus, but within 300 feet of campus property line) or 05 (On campus of another school district, or while in attendance at a school-sponsored or school-related activity of another school district) are not included in the calculation of this indicator.

### Applicable Discipline Reason Codes from the PEIMS 425 Record

- 11=Used, exhibited, or possessed a firearm – TEC §§37.007(a)(1)(A) and 37.007(e) and/or brought a firearm to school – TEC §37.007(e)
- 12=Used, exhibited, or possessed an illegal knife – TEC §37.007(a)(1)(B) (Illegal knife blade longer than 5.5 inches)
- 13=Used, exhibited, or possessed a club – TEC §37.007(a)(1)(C)
- 14=Used, exhibited, or possessed a prohibited weapon under Penal Code §46.05 – TEC §37.007(a)(1)(D)
- 16=Arson – TEC §37.007(a)(2)(B)
- 17=Murder, capital murder, criminal attempt to commit murder, or capital murder – TEC §37.007(a)(2)(C)
- 18=Indecency with a child – TEC §37.007(a)(2)(D)
- 19=Aggravated kidnapping – TEC §37.007(a)(2)(E)
- 29=Aggravated assault under Penal Code §22.02 against a school district employee or volunteer – TEC §37.007(d)
- 30=Aggravated assault under Penal Code §22.02 against someone other than a school district employee or volunteer – TEC §37.007(a)(2)(A)
- 31=Sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal Code §22.021 against a school district employee or volunteer – TEC §37.007(d)
- 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 – TEC §37.007(a)(2)(A)
- 36=Felony controlled substance violation – TEC §37.007(a)(3)
- 37=Felony alcohol violation – TEC §37.007(a)(3)
- 46=Aggravated robbery – TEC §37.007(a)(2)(F), TEC §37.006(C)-(D) (HB 9680)
- 47=Manslaughter – TEC §37.007(a)(2)(G)
- 48=Criminally negligent homicide – TEC §37.007(a)(2)(H)

# Section III: Appendices

---



## Appendix: A – ESC Performance-Based Monitoring Contacts

Latest updates to the ESC Performance Based Monitoring Contacts can be found at

<http://mansfield.tea.state.tx.us/tea.askted.web/Forms/Home.aspx>, using the Search RESCs function.

Full Name	Region	City	Phone	Email Address
TINA MCINTYRE	1	EDINBURG	(956) 984-6027	tmcintyre@esc1.net
DAN BAEN	2	CORPUS CHRISTI	(361) 561-8415	dan.baen@esc2.us
DAWN SCHUENEMANN	2	CORPUS CHRISTI	(361) 561-8551	dawn.schuenemann@esc2.us
BRENDA O'BANNION	3	VICTORIA	(361) 573-0731 ext:212	bobannion@esc3.net
PAM SNYDER	3	VICTORIA	(361) 573-0731 ext:252	psnyder@esc3.net
SHARON BENKA	4	HOUSTON	(713) 744-6358	sbenka@esc4.net
KELLY INGRAM	4	HOUSTON	(713) 744-6358	kingram@esc4.net
JERRY KLEKOTTA	4	HOUSTON	(713) 744-6393	gklekotta@esc4.net
MONICA MAHFOUZ	5	BEAUMONT	(409) 951-1702	mmahfouz@esc5.net
TERESA ANDERSON	6	HUNTSVILLE	(936) 435-8250	tanderson@esc6.net
SANDY CAMMARATA-GARCIA	6	HUNTSVILLE	(936) 435-8235	sgarcia@esc6.net
JAYNE TAVENNER	6	HUNTSVILLE	(936) 435-8242	jtavenner@esc6.net
CAROL WILLIAMS	6	HUNTSVILLE	(936) 435-8355	cwilliams@esc6.net
HENRYETT LOVELY WATSON	7	KILGORE	(903) 988-6854	hlovely-watson@esc7.net
SHARON LUSK	7	KILGORE	(903) 988-6908	slusk@esc7.net
MS PAM ALBRITTON	8	MT PLEASANT	(903) 572-8551 ext:2762	palbritton@reg8.net
MR LEONARD BELES	8	MT PLEASANT	(903) 572-8551 ext:2740	lbeles@reg8.net
MS KERRI BOWLES	8	MT PLEASANT	(903) 572-8551 ext:2720	kbowles@reg8.net
MS KELLY CORDRAY	8	MT PLEASANT	(903) 572-8551 ext:2713	kcordray@reg8.net
MS KAREN J THOMPSON	8	MT PLEASANT	(903) 572-8551 ext:2616	karen.thompson@reg8.net
DARREN FRANCIS	9	WICHITA FALLS	(940) 322-6928 ext:302	darren.francis@esc9.net
JILL LANDRUM	9	WICHITA FALLS	(940) 322-6928	jill.landrum@esc9.net
KENNY MILLER	9	WICHITA FALLS	(940) 322-6928	kenny.miller@esc9.net
PAT PAGE	9	WICHITA FALLS	(940) 322-6928 ext:370	pat.page@esc9.net
WES PIERCE	9	WICHITA FALLS	(940) 322-6928	wes.pierce@esc9.net
ROSEMARY MANGES	10	RICHARDSON	(972) 348-1586	rosemary.manges@region10.org
JAN MOBERLEY	10	RICHARDSON	(972) 348-1426	jan.moberley@region10.org
RENEE AGENT	11	FORT WORTH	(817) 740-3658	ragent@esc11.net
DEANNA JENKINS	11	FORT WORTH	(817) 740-3685	djenkins@esc11.net
CARIE DOWNES	12	WACO	(254) 297-1252	cdownes@esc12.net
CHRISTINE HOLOCEK	12	WACO	(254) 297-1284	cholecek@esc12.net
STEPHANIE KUCERA	12	WACO	(254) 297-1154	skucera@esc12.net
BILL TARLETON	12	WACO	(254) 297-1158	blarleton@esc12.net
JENNIFER WOMACK	13	AUSTIN	(512) 919-5308	jennifer.womack@esc13.txed.net
TAMARA MCGAUGHEY	14	ABILENE	(325) 675-8616	tmcgaughey@esc14.net
EMILIA MORENO	14	ABILENE	(325) 675-8644	emoreno@esc14.net
LAURA STRUBE	15	SAN ANGELO	(325) 658-6571 ext:4065	laura.strube@netxv.net
SHIRLEY CLARK	16	AMARILLO	(806) 677-5130	shirley.clark@esc16.net
JENNIFER DE LEON	17	LUBBOCK	(806) 281-5889	jdeleon@esc17.net
KELLI CRAIN	18	MIDLAND	(432) 567-3273	kcrain@ESC18.NET
LEE LENTZ-EDWARDS	18	MIDLAND	(432) 563-2380	llentz@esc18.net
KAYE ORR	18	MIDLAND	(432) 567-3244	kayeorr@esc18.net
JOHN PETREE	18	MIDLAND	(432) 561-4385	jpetree@esc18.net
INDHIRA SALAZAR	18	MIDLAND	(432) 567-3275	isalazar@esc18.net
JAMYE SWINFORD	18	MIDLAND	(432) 561-4350	jswinfor@esc18.net
DR MARIA LUISA NIESTAS	19	EL PASO	(915) 780-6551	mlniestas@esc19.net
REBECCA ONTIVEROS	19	EL PASO	(915) 780-5093	rontiveros@esc19.net
DAWN WHITE	20	SAN ANTONIO	(210) 370-5402	dawn.white@esc20.net

## Appendix: B – Comments and Questions

COMMENTS AND QUESTIONS	
Questions about the <i>2013 Discipline Data Validation Indicators</i> should be addressed to:	Questions about <i>Interventions</i> , including ISAM inquiries should be addressed to:
Performance-Based Monitoring Phone: (512) 936-6426 Email: <a href="mailto:pbm@tea.state.tx.us">pbm@tea.state.tx.us</a>	Program Monitoring and Interventions Phone: (512) 463-5226 Email: <a href="mailto:PMdivision@tea.state.tx.us">PMdivision@tea.state.tx.us</a>
Comments on the 2013 Discipline Data Validation Indicators:	
Comments on the 2013 Discipline Data Validation Indicators are welcome and will assist the agency in its evaluation and future development efforts. Comments may be submitted to Rachel Harrington, Director, Performance-Based Monitoring, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494 or sent via e-mail to <a href="mailto:pbm@tea.state.tx.us">pbm@tea.state.tx.us</a> . Comments should be provided no later than March 14, 2014, in order to allow sufficient time for consideration in the 2014 data validation development cycle.	





Texas Education Agency  
Performance-Based Monitoring  
1701 North Congress Avenue  
Austin, Texas 78701-1494