



## House Bill 3485

*Relating to information reported through the Public Education Information Management System and to parents regarding disciplinary measures used by a school district or open-enrollment charter school.*

---

Despite the lack of evidence that exclusionary discipline is an effective method of changing students' behavior in schools, it is often used. One in 10 Texas students were suspended, expelled, or placed in an alternative education program during the 2018-19 school year.<sup>1</sup> This is some of the information currently gathered and collected at the state level. Other forms of discipline data are unavailable. Without this additional data, it is unknown why students are being disciplined or what is needed to support teachers in the classroom. When students are relocated out of their typical learning environment, research shows an increased likelihood of lowered academic performance, dropping out, antisocial behavior, and future contact with the justice system.<sup>2,3</sup> The collection of this data at the state level is critical for Texas.

HB 3485 recognizes the importance of the collection of discipline response data so that we can better understand the relationship between resources in schools and school discipline in Texas. HB 3485 directs TEA to aggregate data in an annual report, inclusive of discipline data that is already being collected at the local levels. Particularly, data that is not accessible at the state level, such as discretionary classroom removals, law enforcement involvement, the number of students receiving multiple suspensions, and expulsions as a result of zero-tolerance policies adopted by schools would become available.

Youth behaviors stemming from unidentified mental health concerns, substance use, or trauma can be misunderstood as “bad” behavior, often leading to punitive discipline practices. This issue is crucial for students of color and those with disabilities who experience disproportionate rates of removals from their classrooms.<sup>4</sup> Research shows that while students of color do not “misbehave” more frequently or more seriously, they are disproportionately disciplined and arrested at school.<sup>5</sup> Further, research shows that children identified as having an emotional disturbance had higher rates of discipline than any other category of disability.<sup>6</sup> The data indicates correlation between classroom removals, racial disparities, and health equity.

This legislation will create a statewide collection of data so that it that is easily accessible and provide opportunities for school districts and the state. This data will not only highlight where districts and the state can strategically address potential lack of resources, but also highlight districts that have found solutions for other schools to learn from. This data is needed so Texas can better understand how to create systems that work together to provide all students with the appropriate type and amount of supports they need to be engaged learners, better understand what resources and supports teachers need to keep classrooms safe, and to address systemic inequities and disparities.

Increased reliance on discipline is heightened when schools do not have adequate services to provide alternative responses to disruptive behavior. When there are no other resources at hand, classroom removals may be implemented rather than research-based practices. The effects of punitive discipline can have adverse effects on school climate, often negatively affecting students' sense of safety, their well-being, and ability to learn.<sup>7</sup> Alternatively, cultivating well-being at schools is shown to subsequently improve academic achievement and school climates, including improved students' test scores, commitment to school, attendance, grades, graduation rates, and truancy and disciplinary rates.<sup>8</sup>

Submitted by: Shannon Hoffman, MSW, LCDC, Policy Program Specialist | [shannon.hoffman@austin.utexas.edu](mailto:shannon.hoffman@austin.utexas.edu)

---

<sup>1</sup> Texas Education Agency. (September 19, 2019). *State level annual discipline summary: PEIMS discipline data for 2018- 2019*. Retrieved from [https://rptsvr1.tea.texas.gov/cgi/sas/broker?\\_service=marykay&\\_program=adhoc.download\\_static\\_summary.sas&district=&agg\\_level=STATE&ref=Download\\_State\\_Summaries.html&test\\_flag=&\\_debug=0&school\\_yr=19&report\\_type=html&Download\\_State\\_Summary=Next](https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=adhoc.download_static_summary.sas&district=&agg_level=STATE&ref=Download_State_Summaries.html&test_flag=&_debug=0&school_yr=19&report_type=html&Download_State_Summary=Next)

<sup>2</sup> Pufall, Jones, E., Margolius, M., Rollock, M., Tang Yan, C., Cole, M.L., and Zaff, J.F. (2018). *Disciplines and disconnected: How students experience exclusionary discipline in Minnesota and the promise of non-exclusionary alternatives*. Washington, DC: America's Promise Alliance

---

<sup>3</sup> Texas Appleseed. (2019). *Texas: The state of school discipline. A look at the data: 2017-2018*. Retrieved from

<https://www.texasappleseed.org/sites/default/files/SchoolDisciplineinTexas-new.pdf>

<sup>4</sup> Texas Education Agency. (2019, September 19). *State level annual discipline summary: PEIMS discipline data for 2018-2019*. Retrieved December 10, 2019, from

[https://rptsvr1.tea.texas.gov/cgi/sas/broker?\\_service=marykay&\\_program=adhoc.download\\_static\\_summary.sas&district=&agg\\_level=STATE&ref\\_error=Download\\_State\\_Summaries.html&test\\_flag=&\\_debug=0&school\\_yr=19&report\\_type=html&Download\\_State\\_Summary=Next](https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=adhoc.download_static_summary.sas&district=&agg_level=STATE&ref_error=Download_State_Summaries.html&test_flag=&_debug=0&school_yr=19&report_type=html&Download_State_Summary=Next)

<sup>5</sup> U.S. Department of Justice, Civil Rights Division & U.S. Department of Education, Office for Civil Rights. (2014, January 14). *Joint "dear colleague" letter on the nondiscriminatory administration of school discipline*. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html#ftn7>

<sup>6</sup> Fabelo, T., Thompson, M. D., Plotkin M., Carmichael, D., Marchbanks, M.P., and Booth, E.A. (2011). *Breaking schools' rules: A statewide study of how school discipline relates to student's success and juvenile justice involvement*. College Station, TX:

Public Policy Research Institute. Retrieved from <http://ppri.tamu.edu/breaking-schools-rules/>

<sup>7</sup> Institute for Policy Studies. 2018. *Students under siege: How the school-to-prison pipeline, poverty, and racism danger our school children*. Retrieved from <https://ips-dc.org/wp-content/uploads/2018/08/KAREN-REPORT-2.pdf>

<sup>8</sup> Suldo, S. M., Gormley, M. J., DuPaul, G. J., & Anderson-Butcher, D. (2014). The impact of school mental health on student and school-level academic outcomes: Current status of the research and future directions. *School Mental Health, 6*(2), 84-98.