

# 2006 Discipline Data Validation Manual

Performance-Based Monitoring System

January 9, 2007  
Texas Education Agency  
Department of Accountability and Data Quality  
Performance-Based Monitoring Division

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## **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 uses performance and program effectiveness data submitted to the state by local education agencies (LEAs); therefore, it is critically important that the data used in the system are reliable. To ensure data integrity, the PBM system includes three annual data validation analyses that use a variety of indicators to examine district leaver and dropout data, student assessment data, and discipline data. Additional data analyses are conducted as necessary to ensure the data submitted to the Texas Education Agency (TEA) are accurate and reliable.

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

There are key differences between the data validation indicators that are used as part of the PBM system and the performance indicators that are used in the Performance-Based Monitoring Analysis System (PBMAS). A PBMAS performance indicator yields a **definitive** result, e.g., 100% of an LEA's graduates completed the Recommended High School Program. A data validation indicator typically **suggests** an anomaly that a local review will determine is either the result of a data coding error or a failure to comply with program requirements. For example, an LEA may report that it expelled a student for three unexcused absences. This unauthorized expulsion will appear as a data anomaly. The LEA 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.

Because a PBMAS performance indicator yields a definitive result, an LEA's performance on PBMAS indicators is made **public**. Because a data validation indicator typically yields a result that is not definitive, an LEA's initial results on these indicators are **not made public**. Results of the data validation indicators are only released on the TEA Secure Environment (TEASE).

Another difference between PBMAS performance indicators and PBM data validation indicators is standards. A PBMAS performance indicator is based on a **standard** that is made public with as much advance notice as possible and that all LEAs can achieve over time. The goal for LEAs on PBMAS performance indicators is progress toward the standard over time. A data validation indicator is typically based on an **annual review of data trends** in an attempt to identify what data may be anomalous or what trends can be observed. Standards on individual data validation indicators generally are not, and generally cannot be, made public in advance, although there are some exceptions (e.g., underreported students). The goal for LEAs on PBM data validation indicators is 100% data accuracy each year in the data that are collected and submitted by the LEA.

The required response by the LEA is also different depending on whether the LEA is identified under a PBMAS performance indicator or a PBM data validation indicator. LEAs that are identified with a PBMAS performance indicator concern are generally

expected to (a) improve performance; and/or (b) if the identification of a performance indicator concern occurred because of inaccurate data, improve data collection and submission procedures. LEAs that are identified as a result of a data validation indicator are generally expected to (a) validate that their data are, in fact, correct; and (b) if correct data reflect a program implementation concern, address that concern; or (c) if their identification occurred because of incorrect data, improve local data collection and submission procedures.

By their very nature and purpose, data validation indicators may identify some LEAs that are collecting and reporting data that are entirely accurate. **Validating accurate 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 that LEAs engage in to either validate the accuracy of their data or determine that erroneous data were collected and/or submitted is fundamental to the integrity of the entire system.

### **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 new 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.

Legislation from the 78<sup>th</sup> Texas Legislature (2003) revised Texas Education Code (TEC) §37.008, requiring 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.

In addition, TEC §7.028 authorizes TEA to monitor PEIMS data integrity:

§7.028. Limitation on Compliance Monitoring. (a) Except as provided by Section 29.001(5), 29.010(a), 39.074, 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:

...

(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.

### **List of 2006 Discipline Data Validation Indicators**

Four indicators were developed to meet the statutory requirements described above:

- Length of Student's Out-of-School Suspension
- Unauthorized Student Expulsion
- Unauthorized Expulsion of a Student under Age 10
- Unauthorized DAEP Placement of a Student under Age 6

In certain instances, districts may have one or more campuses that reported no disciplinary incidents requiring the removal of a student from the classroom. This absence of data may be appropriate *or* may occur because disciplinary incidents have not been reported. As such, TEA has developed a fifth 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 discipline data is appropriate. Detailed information on all of the 2006 discipline data validation indicators is provided in the pages that follow.

Special note on charter schools: Because state statutory requirements for acting on and reporting disciplinary offenses differ for school districts and charters, charters are not included in these indicators at this time.

## **Data Validation Reports**

The 2006 discipline data validation analysis for the indicators listed above is based on discipline data from the 2005-2006 school year which were submitted by districts in June/July 2006. District-level reports and student level data will be produced for each district that is identified for further review as a result of this analysis. These reports and data will be available via the TEA Secure Environment (TEASE). Districts not identified for further review will receive the following message if they attempt to access the report on TEASE: *“Your district was not identified in the 2006 discipline data validation analysis, and therefore no report will be generated.”*

If a district reports one or more inappropriate Action Codes for a specific Reason Code within a particular indicator, this is referred to as “triggering” the indicator. 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. For example, in the sample report below, three of the five indicators are listed because the district only triggered those three indicators.

**SAMPLE REPORT**  
**CONFIDENTIAL**  
Texas Education Agency  
2006 Data Validation Report  
Discipline Data

EXAMPLE ISD

REGION ZZ

DATA SOURCE:

INDICATORS 1-4 = PEIMS SUMMER SUBMISSION 2006 (425 RECORD)

INDICATOR 5 = PEIMS SUMMER SUBMISSION 2005 AND 2006 (425 RECORD)

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<u>INDICATOR</u>	<u>DISTRICT COUNT</u>
#1 LENGTH OF OUT-OF-SCHOOL SUSPENSION	1
#2 UNAUTHORIZED EXPULSION	4
#3 UNAUTHORIZED EXPULSION OF A STUDENT UNDER AGE 10	3

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 2006 Discipline Data Validation Manual available at <http://www.tea.state.tx.us/pbm/DIManuals.html>.

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

- #1 LENGTH OF OUT-OF-SCHOOL-SUSPENSION: The district reported one (1) instance of out-of-school suspension that exceeded the allowable length under state law.
- #2 UNAUTHORIZED EXPULSION: The district reported four (4) instances of expulsion that were for unauthorized reasons.
- #3 UNAUTHORIZED EXPULSION OF A STUDENT UNDER AGE 10: The district reported three (3) instances of unauthorized expulsion of students under age 10.

### ***Data Validation Requirements for Districts***

Districts will be notified by the Program Monitoring and Interventions Division of any required data validation activities and the timelines for completing those activities. Guidance and resource documents that pertain specifically to the performance-based monitoring data validation indicators are available at: <http://www.tea.state.tx.us/pmi/datamon/>. These documents have been developed to support districts in reviewing their current data reporting and programmatic practices related to discipline data.

### ***Additional Resources***

Performance-based monitoring contacts at each education service center are available to provide districts with technical assistance concerning the 2006 discipline data validation 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 that 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/>. Three specific Edit+ reports that districts may find helpful are: PRF7D012 (Student Disciplinary Action Detail Report by Reason), PRF7D013 (Student Disciplinary Action Detail Report by Action), and PRF7D014 (Student Disciplinary Action Summary). 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 2006 discipline data validation indicators.

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# Discipline Data Validation Indicators

## Discipline Data Validation 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 ACTION CODES FROM THE PEIMS 425 RECORD

Out of school suspensions are those that have the following Action Codes:

- 05=Out-of-school suspension
- 25=Partial day out-of-school suspension
  
- The cumulative sum of **Official Length of Disciplinary Assignment** for the Action Codes above cannot exceed 3 days.
- The cumulative sum of **Actual Length of Disciplinary Assignment** for the Action Codes Above cannot exceed 3 days.

### NOTES

- There are no minimum size requirements for 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.

## **Discipline Data Validation 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 not allowed under TEC §37.007.

### **APPLICABLE DISCIPLINE REASON CODES FROM THE PEIMS 425 RECORD**

A district will trigger this indicator if it reports one of the following Reason Codes in combination with one of the Action Codes on the next page:

- 01=Permanent removal by a teacher
- 02=Conduct punishable as a felony
- 07=Public lewdness or indecent exposure
- 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

## APPLICABLE DISCIPLINARY ACTION CODES FROM THE PEIMS 425 RECORD

The following Action Codes are **not** appropriate to use for the Reason Codes on the previous page:

- 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 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 any combination of the above Reason and Action Codes. 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.
- Students under age 10 at the time of the incident are not included in this indicator. (See Indicator #3.)

### Discipline Data Validation Indicator #3: Unauthorized Expulsion of a Student under Age 10

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

#### **APPLICABLE DISCIPLINARY ACTION CODES FROM THE PEIMS 425 RECORD**

The following Action Codes pertaining to expulsion are **not** appropriate for students under age 10. 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.

- 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.
- 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 above 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.

## Discipline Data Validation Indicator #4: Unauthorized DAEP Placement of a Student Under Age 6

This indicator identifies districts that reported a DAEP placement of a student under age 6, which is prohibited under TEC §37.006(1) unless the student is expelled to a DAEP program for bringing a firearm to school, as defined by 18 U.S.C. Section 921.

### APPLICABLE DISCIPLINE ACTION CODES FROM THE PEIMS 425 RECORD

The following Action Codes pertaining to DAEP assignments are **not** appropriate for students under age 6. 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.

- 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
- 14 = Placement in a DAEP by Court order
- 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)

### NOTES

- There are no minimum size requirements for 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 above 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.

## **Discipline Data Validation Indicator #5: Zero Reported Incidents (Report Only Indicator)**

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

### **APPLICABLE DISCIPLINE ACTION 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 discipline data to report for two years, the following filters are applied to this indicator:
  - Only campuses with campus enrollment equal or greater than 30 students in both years (2004-2005 and 2005-2006) are included.
  - Only regular instructional and alternative instructional campuses (campus types “1” and “2”) are included.
  - 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.

## QUESTIONS:

Questions about the *2006 Discipline Data Validation Indicators* should be addressed to:

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### **Comments on the 2006 Discipline Data Validation Indicators**

Comments on the 2006 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, Division Director, Division of Performance-Based Monitoring, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494** or sent via e-mail to [pbm@tea.state.tx.us](mailto:pbm@tea.state.tx.us). Comments should be provided no later than March 15, 2007, in order to allow sufficient time for consideration in the 2007 data validation development cycle.



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