Directions: Use this guide to prepare for Federal & State Compliance records reviews.

Texas Education Code 37.008 (m-1)
Under TEC 37.008(m-1), failure to report all disciplinary removals and truancy actions as required by state and federal law may result in a review by the commissioner of education and notice to the local school board of any problems noted in the district’s data, or a violation of a law or other rule. This review may also result in a notification to the county attorney, district attorney, criminal district attorney, as appropriate, and the attorney general. This provision can apply to missing, inaccurate, and/or falsified information/data.

A trained administrator will determine the correct codes and may forward discipline information to data-entry personnel. In no case should data entry/clerical personnel be responsible for determining disciplinary coding.

Student Discipline Folders
Every student with a PEIMS reportable discipline removal must have a discipline referral form*, parent notification letter, and a discipline folder labeled with the student’s full name, ID and Grade.

*Federal and State Compliance highly recommends the HISD Discipline Referral Template because it includes all of the required PEIMS elements.

Discipline Documentations
1. What data elements are required on discipline referrals?

**Very Important:**
- The referral MUST be completed in ink or typed with all required information:
- NEVER send home discipline documentation that includes the names of other students (per HISD Legal Department).
- When using Reason Code 41, at least 2 students must be involved in the incident.
- When using Reason Code 27, make sure that there is an assailant and a victim.
2. What documentation is required for suspensions?

In-School Suspension (ISS)

1. **Discipline Referral**
2. **ISS Letter** – must include incident description, days/dates assigned, and must be signed and dated by administrator.

Out-of-Suspension (OSS)

1. **Discipline Referral**
2. **OSS Letter** – must include incident description, days/dates assigned, and must be signed and dated by administrator.

3. What documentation is required for alternative education placements?

District Alternative Education Placement (DAEP)**

1. **Discipline Referral**
2. Copy of the DAEP Placement Letter
3. Copy of the DAEP On-line Referral Application
4. Copy of the approval/rejection email from the DAEP administrator

Juvenile Justice Alternative Education Placement (JJAEP)

1. **Discipline Referral**
2. Copy of the JJAEP On-line Referral Application.
3. Copy of Letter of Recommended Expulsion
4. Copy of the Expulsion Letter
5. Copy of the final written order expelling the student (if student is expelled)
6. Documentation of an MDR’s findings and signature page(s) (for special education students)
7. Copy of the victim parental letter must be on file with the appropriate signatures; *Action Reason Code is 17, 18, 19, 28, 30 or 32.* (if required) Letter must be sent within 30 Days of offense. Copy of letter must be kept in a separate folder and proof of delivery must be indicated on the referral.

**IMPORTANT:**

- If the student withdraws prior to the discipline disposition, the action (due process) must be completed in the student’s absence and filed in the student’s folder.
- All subsequent dates in Chancery must be dated on or before the actual date of the student’s withdrawal from school.

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Compliance Reviews

1. When are discipline reviews conducted, and what records are included?
   The reviews begin January and continue through June. If deemed necessary, a school’s records may be reviewed in the fall. The analyst will review up to 100 records (includes mandatory DAEP & JJAEP placements).

2. Discipline Records Reviews – What do schools need to know?
   - Federal and State Compliance (FSC) analysts conduct manual discipline records reviews each year for all HISD schools. **EMPTY FOLDERS ARE NOT ACCEPTABLE.**
   - An analyst assigned to the school will contact campus PEIMS discipline designees to schedule a visit.
   - Discipline contacts **DO NOT** need to be present during the review.

3. How can schools prepare for the review?
   **Campus discipline contacts must be sure to:**
   - Attend/complete the annual FSC PEIMS Discipline Training.
   - Keep discipline folders in secured location.
   - Maintain a discipline folder for any student that has been removed from his/her regularly scheduled class for a PEIMS disciplinary event.
   - Monitor the documentation and the Chancery data to be sure that both are accurate.

4. What happens after the review?
   - The analyst will debrief the findings with the principal and/or PEIMS contact(s).
   - The principal/coordinator and the senior compliance analyst will sign and date all review forms. *(The campus can make copies of the review forms for their records.)*
   - The original review forms will be filed in the Federal and State Compliance Department.
   - FSC will follow up with non-compliant schools. Noncompliance is < 80%.

5. How must campuses use the data from review findings?
   - The review findings will identify anomalies in data and/or documentation that campuses **MUST** address prior to the Summer PEIMS Submission.
   - Campuses must update or complete discipline documentation as required.
   - Schools must contact their assigned analyst with any questions.
   - **Schools are accountable for inaccurate data that is submitted to PEIMS.**

6. Can the campus principal or administrator in charge of discipline request a review?
   Yes, either individual can call FSC at 713-556-6753 or email his/her assigned senior compliance analyst to request a discipline records review at any time during the school year.
Corrections to Manual Documentation

What are the guidelines for correcting manual documentation?

To correct a documentation error, the administrator must draw a line through the error, make the correction, and then initial and date it. **NEVER** use correction fluid/tape to modify documentation.

Foster Children

What do schools need to know?

TEA requires school district’s to provide notice to a foster child’s educational decision-maker and caseworker regarding certain events that may significantly impact the child’s education (HB 2619). Be sure to notify the student’s caregiver and case manager if he/she is removed from class due to suspension, in-school suspension, DAEP referral or JJAEP referral. List the case manager’s contact information on the student’s Chancery Contacts screen.

Resources

1. Where can schools find required discipline forms and documents?

   - Documents and forms required for coding and suspensions are on the **FSC website**, http://www.houstonisd.org/Domain/8334.
   - Documents and forms required for DAEP and JJAEP placements are on the **Student Discipline website**, http://www.houstonisd.org/Domain/15184.

2. What is the retention schedule for discipline records?

   See the HISD **Records Retention Schedule for Schools**, http://www.houstonisd.org/Page/31617.