

**Texas Education Agency
Methodology for Designating
Persistently Dangerous School for 2009-2010 School Year**

Pursuant to the requirements of No Child Left Behind Act of 2001, Section 9532, Texas Education Agency (TEA) has developed a definition and methodology for identification of campuses required to implement the School Safety Choice Option (SSCO). A campus will be required to implement the SSCO if it meets the following criteria:

- The campus is coded as a Regular Instructional Campus in AskTED, and
- The campus enrollment numbers fewer than 200 students and has two (2) or more mandatory expellable incidents per year for the three (3) most recent consecutive years for which data are available; or
- The campus enrollment numbers 200 or more students and has a number of mandatory expellable incidents per year equal to 1% or more for the three (3) most recent consecutive years for which data are available.

LEAs report PEIMS data periodically in the summer and fall; therefore, SSCO uses the three previous years' data and not the current year's data to make identifications.

All regular instructional campuses that have at least one of the mandatory expulsion incidents listed in the incident chart, below, in any of the most recent three years for which data are available, will be included in the pool of campuses analyzed. Each incident is counted once, regardless of the number of students involved.

The enrollment figure used is the summer PEIMS submission attendance figure, a unique count of the students served at the campus in a given year.

All incidents related to a continuation action from a prior school year or district are omitted from consideration in designating the watch list or persistently dangerous school.

If a district is identified as persistently dangerous, the Texas Education Agency will provide the LEA specific implementation requirements.

Mandatory Expellable Incidents Included in Definition		
Disciplinary Action Reason Code	Description of Behavior	Required to Implement SSCO
11	Used, exhibited, or possessed a firearm	<p>Current Method for Identifying Campuses Required to Implement the SSCO:</p> <p>On campuses with a student population of fewer than 200 students, two (2) or more incidents per year in each of the three (3) most recent consecutive years for which data are available (2005-2006, 2006-2007, 2007-2008) will cause the campus to be identified as a persistently dangerous school.</p> <p>On campuses with a population of 200 or more students, a number of incidents equal to 1% of the campus enrollment in each of the three (3) most recent consecutive years for which data are available (2005-2006, 2006-2007, 2007-2008) will cause the campus to be identified as a persistently dangerous school.</p>
12	Used, exhibited, or possessed an illegal knife	
13	Used, exhibited, or possessed a club	
14	Used, exhibited, or possessed a prohibited weapon	
16	Arson	
17	Murder, attempted murder	
18	Indecency with a child	
19	Aggravated kidnapping	
29	Aggravated assault on school employee	
30	Aggravated assault on student	
31	Sexual assault or aggravated sexual assault on school employee	
32	Sexual assault or aggravated sexual assault on student	
36	Felony controlled substance violation	
37	Felony alcohol violation	
46	Aggravated robbery	
47	Manslaughter	
48	Criminally negligent homicide	

Watch List for Two Years' Incidents: If a campus meets the incident rates in the definition for the two most recent consecutive years (2006-2007, 2007-2008) the Agency will require the district to submit its most recent Multi-Hazard Plan [TEC 37.108(a)]. The Agency will also request the district's most recently completed School Security Audit Report [TEC 37.108(b)], if available, along with any Corrective Action Plan developed to address any district-wide issues or issues identified on the campus as a result of the audit report.

Watch List for One Year's Incidents: If a campus meets the incident rates in the definition for the most recent year (2007-2008) (but not for the other two years), the Agency will require the district to submit its Multi-Hazard Plan [TEC 37.108(a)] and will also request its most recently completed School Security Audit Report [TEC 37.108(b)], if available, for the campus.

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