



Texas Must Prioritize Evidence-Based Practices to Create Safe and Supportive Schools

IDRA Testimony On Senate Bill 11, submitted by Paige Duggins-Clay, J.D., to the House Public Education Committee, April 25, 2023

Dear Chair Buckley and Honorable Members of the Committee:

My name is Paige Duggins-Clay, J.D., and I serve as the chief legal analyst at IDRA, an independent, non-partisan non-profit committed to achieving equal educational opportunity for every student through strong public schools that prepare all students to access and succeed in college.

I respectfully submit this testimony on SB 11 to express our appreciation for Sen. Nichols and his staff for their work listening to all stakeholders and working to address concerns with the bill as filed. I also want to emphasize that the state must do more to support students and educators, address the root causes of challenging behaviors, promote safety and strengthen school communities.

We must enact effective measures at every level to protect students from horrific acts of physical violence, like school shootings. As we do so, we must also ensure our students feel safe every day, in every way, by adopting practices that have been shown to promote safe and welcoming schools and do not compromise the overall well-being of our children (Craven, 2022). While SB 11 prioritizes facilities standards and school accountability for meeting those standards, decades of research demonstrate that prevention is key to addressing targeted school violence and other harmful behaviors that negatively impact school communities.

IDRA is concerned that some of the language in SB 11, including the vendor registry created in Section 11 of the bill, signals that schools should prioritize school hardening and procurement of security technology and products and detract from evidence-based methods of ensuring school safety. These include critical and much-needed investments in mental and behavioral health, addressing the teacher shortage, and supporting students and families recovering from the trauma and instruction loss of the pandemic. We simply have not done enough this session to address these issues.

IDRA supports the provisions in SB 11 that increase the capacity of regional education service centers, the Texas School Safety Center, and TEA to provide guidance and assistance to schools in implementing best practices for school safety and security. We believe it is critical that these agencies retain the assistance of diverse and well-qualified experts that focus on evidence-based strategies in all dimensions of safe and supportive schools.

We are concerned by Sections 6 and 7 of the bill (as engrossed in the Senate) that change the time frame for a student's referral to truancy court under the Family Code. The intent of this provision, as indicated in the author's statement of intent in the bill analysis, is to "restore a shorter timeline for schools to refer students to truancy court." Expediting court involvement is not in the best interest of children and families. In fact, Texas Education Code Sec. 25.0915 requires school districts to adopt truancy prevention measures that are designed to "minimize the need for referrals to truancy court" (TEC, 2023). SB 11 undermines that requirement and school districts' efforts to develop robust truancy prevention plans. Rather than accelerating a family's contact with the court system, we ask this committee to instead support measures that improve the school-based interventions, outreach and support required by law.

We are also concerned that there are insufficient data to support this change in policy. We reached out to TEA's research and data analysis team, which indicated that TEA stopped collecting truancy data in 2016 and then resumed collection in 2021. To our knowledge, the only available recent truancy data are for 2021 and 2022. Given the impact of the pandemic resulting in high rates of chronic absenteeism (Texas House, 2022), we urge this committee to focus on identifying and understanding the root causes of truant behavior and evaluating how schools are implementing required truancy prevention measures, including through more robust and regular data collection and reporting at the local and state level.

Recommendations

IDRA urges the legislature to invest in evidence-based practices and resources that support students and educators, address the root causes of challenging youth behaviors, promote safety and strengthen school communities. These include:

- Allocate funding and provide technical support to aid school districts in implementing evidence-based strategies to strengthen relationships, support students and educators, and improve school climate, such as positive behavior interventions and supports (PBIS);
- Increase school-based mental health resources, including counseling, behavioral intervention and social work professionals;
- Invest in behavior management techniques and alternatives to exclusionary discipline that address root causes of challenging and problematic behavior;
- Train and provide technical assistance to support full implementation of student support teams established in SB 11 (2019) to intervene and prevent violence before it occurs; and
- Require robust data collection, reporting and analysis relating to chronic absenteeism.

IDRA is available for any questions or further resources that we can provide. For more information, please contact Paige Duggins-Clay, J.D., at paige.duggins-clay@idra.org.

Resources

Craven, M. (June 16, 2022). What Safe Schools Should Look Like for Every Student – A Guide to Building Safe and Welcoming Schools and Rejecting Policies that Hurt Students – IDRA Issue Brief. IDRA.
<https://idra.news/SafeSchoolsIB>

David-Ferdon, C., Vivolo-Kantor, A., Dahlberg, L.L., Marshall, K.J., Rainford, N., & Hall, J. (2016). A Comprehensive Technical Package for the Prevention of Youth Violence and Associated Risk Behaviors. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention.
<https://www.cdc.gov/violenceprevention/pdf/yv-technicalpackage.pdf>

Texas House. (December 2022). Interim Report to the 88th Texas Legislature. Texas House Committee on Public Education. <https://house.texas.gov/media/pdf/committees/reports/87interim/Public-Education-Committee-Interim-Report-2022.pdf>
TEC, Sec. 25.0915. Truancy Prevention Measures. Texas Education Code. <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.25.htm#25.0915>

IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by leading policy analyses and advocacy; dynamic teacher training and principal coaching; useful research, evaluation and frameworks for action; and innovative student, family and community engagement.