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| DATE: | December 14, 2023 |
| SUBJECT: | House Bill 3 Transfer of Student Records |
| CATEGORY: | Information |
| NEXT STEPS: | Share with district and campus leaders, district PEIMS coordinators, Safe and Supportive School Program team members, campus behavior coordinators, campus registrars, and campus TREx clerks |

New Record Transfer Requirements

During the 88th Regular Session, the Texas Legislature amended Texas Education Code (TEC), §25.002(a), and added TEC, §25.036(c), in House Bill 3, to require the transfer of a child’s disciplinary record and any threat assessments when a child transfers to a new school district. The Texas Education Agency (TEA) has updated the Student Attendance Accounting Handbook (SAAH) and the Texas Records Exchange (TREx) Data Standards to include this new requirement.

TREx Discipline Record

The requirement to transfer a student’s discipline record supersedes the previous requirement to transfer only unexpired discipline actions. The discipline record is defined as a student’s cumulative record of formal disciplinary actions reported to the Public Education Information Management System (PEIMS) from the date that the student was first enrolled in a public school and that the local education agency (LEA) has retained in accordance with the records retention policy. To assist LEAs with the requirement to transfer discipline records, TEA has added one element to the TREx Discipline Action complex type, and nine existing PEIMS data elements with two corresponding code tables. These new data elements will facilitate transmitting current year PEIMS discipline actions for the student to the receiving school. When a student transfers into a new LEA, the discipline record received is considered part of the cumulative record.

Beginning December 18, 2023, the TREx system will interface with PEIMS and retrieve up to five years of PEIMS discipline data reported for a student and provide the information in a downloadable attachment. This discipline data will be retrieved from PEIMS utilizing the student’s Unique ID when fulfilling TREx requests.

LEAs should develop a procedure to collect, review, and store discipline records received when a student transfers into an LEA.

TREx Behavioral Threat Assessment Indicator and Record Transfer

To assist LEAs with the requirement to transfer all student behavior threat assessments, TEA has added a new data element to the TREx Student Record that will indicate a behavioral threat assessment (BTA) exists for a student. When transferring BTA records, LEAs must ensure the BTA record contains any and all materials provided to or produced by a team during a threat assessment of a student as specified in TEC §37.115(j-1). BTA records must be

converted to a compatible file format and attached to the TREx record as an additional attachment.

BTA records are required to be retained until the student's 24th birthday, and all BTAs for the student are subject to the transfer requirement even if the BTA was conducted by a previous LEA. LEAs should develop a procedure to ensure the behavior threat assessment indicator is populated within their local source systems (e.g., student information systems) when a Safe and Supportive School Program (SSSP) team initiates a BTA for a student. If a student transfers before the assessment has been completed, the sending LEA must ensure all records associated with the assessment are transmitted so the assessment may be completed by the receiving LEA.

LEAs should develop a procedure to collect, review, and store BTA records that are received when a student transfers into the LEA. This procedure should include the population of the BTA indicator in their local source system, a review of records by the SSSP team that serves the campus, and the process for storing the transferred BTA records.

Resources

TEA has developed a [guidance video](#) to assist LEA PEIMS coordinators, campus registrars, and campus TREx clerks with transferring discipline and BTA records in the TREx system.

The Texas School Safety Center, in collaboration with TEA, has developed a [Guidance Checklist](#) to assist school districts in complying with the requirement to transfer BTA records.

TREx Acceptable Formats for BTA Records: • PDF; • MS Word (.doc) files; • MS Excel (.xls) files; and • Data file (such as ASCII data file) in another application.

Additional Supports and Questions

School Safety Questions

If you have any questions on behavior threat assessments or school safety requirements, please email safeschools@tea.texas.gov.

TREx and PEIMS Questions

If you have questions about the PEIMS process or TREx updates, please submit a TSDS Incident Management System (TIMS) ticket within the TSDS Portal.