

PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING  
DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM OPERATIONS

FOCA  
(LEGAL)

DISCIPLINARY  
ALTERNATIVE  
EDUCATION  
PROGRAM (DAEP)

The District shall provide a disciplinary alternative education program (DAEP) that meets the following criteria:

1. Is provided in a setting other than the student's regular classroom.
2. Is located on or off a regular school campus.
3. Provides for the students who are assigned to the DAEP to be separated from students who are not assigned to the program.
4. Focuses on English language arts, mathematics, science, history, and self-discipline.
5. Provides for students' educational and behavioral needs.
6. Provides supervision and counseling.
7. Employs only teachers who meet all certification requirements under Education Code Chapter 21, Subchapter B.
8. Provides not less than the minimum amount of instructional time per day required by Education Code 25.082(a) [see EC].

The DAEP may provide for a student's transfer to a different campus, a school-community guidance center, or a community-based alternative school.

*Education Code 37.008(a), (b)*

ELEMENTARY  
SCHOOL STUDENTS

An elementary school student may not be placed in a DAEP with any other student who is not an elementary school student. *Education Code 37.006(f)*

ACADEMIC MISSION

The academic mission of DAEPs shall be to enable students to perform at grade level. *Education Code 37.008(m)*

OPPORTUNITY TO  
COMPLETE  
COURSEWORK

The District shall offer a student removed to a DAEP an opportunity to complete coursework, before the beginning of the next school year, through any method available, including a correspondence course, distance learning, or summer school. The District may not charge the student for a course provided under this subsection. Except for this requirement, the District is not required to provide in the DAEP a course necessary to fulfill a student's high school graduation requirements. *Education Code 37.008(l)*

ASSESSMENT OF  
ACADEMIC GROWTH

The District shall administer to a student placed in a DAEP program for a period of 90 school days or longer an assessment instrument approved by the Commissioner for that purpose. The instrument shall be administered:

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1. Initially on placement of the student in the program; and
2. Subsequently on the date of the student's departure from the program, or as near that date as possible.

The assessment must be designed to assess at least a student's basic skills in reading and mathematics and is in addition to the assessment instruments required to be administered under Education Code Chapter 39. [See EKB]

*Education Code 37.0082*

DRUG AND ALCOHOL  
TREATMENT

A program of educational and support services may be provided to a student and the student's parents when the offense involves drugs or alcohol as specified under Education Code 37.006 and 37.007. A DAEP that provides chemical dependency treatment services must be licensed under Health and Safety Code Chapter 464. *Education Code 37.008(k)*

OFF-CAMPUS  
PROGRAM

An off-campus DAEP is not subject to a requirement imposed by the Education Code, other than a limitation on liability, a reporting requirement, or a requirement imposed by Education Code Chapter 37 or Chapter 39. *Education Code 37.008(c)*

FUNDING

A student removed to a DAEP is counted in calculating the District's average daily attendance for the student's time in actual attendance in the program. *Education Code 37.008(f)*

ALLOCATIONS TO  
DAEPS

The District shall allocate to a DAEP the same expenditure per student attending the DAEP as would be allocated to the student's school if the student were attending the student's regularly assigned education program, including a special education program. *Education Code 37.008(g)* [See also EHBC]

JOINTLY CREATED  
PROGRAMS

The District may provide a DAEP jointly with one or more other districts. *Education Code 37.008(d)*

COOPERATION AND  
ASSISTANCE

The District shall cooperate with government agencies and community organizations that provide services in the District to students placed in a DAEP. *Education Code 37.008(e)*

SERVICE CENTERS

If the District requests, a regional education service center may provide the District with information on developing a DAEP that takes into consideration the District's wealth, size, and existing facilities in determining the program best suited to the District. *Education Code 37.008(i)*

ANNUAL EVALUATION

TEA shall provide an annual evaluation for each district to be considered in complying with Education Code 11.252 [see BQ and BQA]. Performance data shall be disaggregated with respect to race, ethnicity, and socioeconomic status. Information reported

shall conform to limitations consistent with requirements under the Federal Educational Rights and Privacy Act of 1974 [see FL]. The Commissioner may consider the results of this evaluation as a component of monitoring and/or a special accreditation investigation.

The performance of the District's DAEP shall be evaluated on the basis of specific indicators in relation to appropriate performance benchmarks. This evaluation shall be based on the following indicators, with consideration given to the length of student assignment:

1. Student performance on state assessment instruments, including appropriate Texas Learning Index measures;
2. Other indicators of student performance in the annual evaluation, which may include course completion rates, dropout rates, completion rates, and attendance rates; and
3. Repeated disciplinary actions resulting in placement in a DAEP.

In addition, the District's DAEP and overall discipline management in preventing referrals shall be evaluated annually on the basis of identification and placement practices. Placement indicators are evaluated against appropriate standards and include the following:

1. Percentage of the District's students placed in a DAEP, considering all discretionary placements under Education Code 37.001, 37.002, 37.006, and 37.007, and, separately, those mandatory placements under Education Code 37.006 and 37.007;
2. Percentage of the District's minority and economically disadvantaged students placed in a DAEP, considering all discretionary placements under Education Code 37.001, 37.002, 37.006, and 37.007, and, separately, those mandatory placements under Education Code 37.006 and 37.007; and
3. Percentage of the District's students with disabilities placed in a DAEP, considering all discretionary placements under Education Code 37.001, 37.002, 37.006, and 37.007, and, separately, those mandatory placements under Education Code 37.006 and 37.007.

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