

**PLACEMENT IN DISCIPLINARY ALTERNATIVE EDUCATION SETTING:
DISCIPLINARY ALTERNATIVE EDUCATION PROGRAMS OPERATIONS**

FOCA

**APPLICABILITY OF THIS
POLICY TO TSD STUDENTS**

TSD Board Policy FOF addresses the placement of TSD students in a disciplinary alternative education program (DAEP). The provisions of this policy apply to a TSD student once a manifestation determination ARD meeting has been held and the change of placement has been recommended.

**DISCIPLINARY
ALTERNATIVE EDUCATION
PROGRAM**

A disciplinary alternative education program (DAEP) is an educational and self-discipline alternative instruction program for students in elementary through high school grades who are removed from their regular classes for mandatory or discretionary disciplinary reasons and placed in a DAEP. *19 TAC 103.1201(a)*

TSD 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 the School campus.
3. Provides for the students who are assigned to the disciplinary alternative education program 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. Requires that to teach in an off-campus DAEP, each teacher must meet all certification requirements under Education Code Chapter 21, Subchapter B.

Education Code 37.008(a)(b)

SAFETY

TSD is responsible for the safety and supervision of the students assigned to the DAEP; however, the immunity from the liability established in Education Code 22.0511 [see DG], shall not be impacted. The DAEP staff shall be prepared and trained to respond to health issues and emergencies.

TSD shall establish a procedure for discipline and intervention measures to prevent and intervene against unsafe behavior and include disciplinary actions that do not jeopardize students' physical health and safety, harm emotional well-being, or discourage physical activity.

19 TAC 103.1201(h)

STAFFING

Staff at each DAEP shall participate in training programs on education, behavior management, and safety procedures that focus on positive and proactive behavior management strategies. The training programs must also target prevention and intervention that include:

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1. Training on the education and discipline of students with disabilities who receive special education services;
2. Instruction in social skills and problem-solving skills that addresses diversity, dating violence, anger management, and conflict resolution to teach students how to interact with teachers, family, peers, authority figures, and the general public; and
3. Annual training on established procedures for reporting abuse, neglect, or exploitation of students.

19 TAC 103.1201(i)

**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)

ENTRANCE PROCEDURES

TSD shall develop procedures for each DAEP and implement for newly-entering students and their parents or guardians on the expectations of the DAEP. These procedures shall include written contracts between students, parents or guardians, and the DAEP that formalize expectations and establish the students' individual plans for success. *19 TAC 103.1201(j)*

EXITING THE DAEP

The transition services established for a student who is exiting a DAEP and returning to the student's assigned department shall be implemented and updated annually as needed. The transition procedures shall include:

1. An established timeline for the student's transition from the DAEP to the student's assigned department; and
2. Written and oral communication from the DAEP staff to the assigned department during the student's assignment to the DAEP, including the student's educational performance and tasks completed.

19 TAC 103.1201(k)

FUNDING

A student removed to a DAEP is counted in calculating TSD's average daily attendance for the student's time in actual attendance in the program.

Education Code 37.008(f)

ALLOCATIONS TO DAEPS

TSD 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 special education program.

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Education Code 37.008(g) [See also EHBC]

JOINTLY CREATED
PROGRAMS

TSD may provide a DAEP jointly with one or more other districts.

Education Code 37.008(d)

COOPERATION AND
ASSISTANCE

TSD shall cooperate with government agencies and community organizations that provide services to students placed in a DAEP.

Education Code 37.008(e)

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