

- SUBJECT:** Parental notification and documentation of student placement in DAEP
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 8 ayes — Eissler, Hochberg, Allen, Aycock, Farias, Jackson, Olivo, Weber
0 nays
3 absent — Dutton, Patrick, Shelton
- SENATE VOTE:** On final passage, March 17 — 31-0
- WITNESSES:** For — Erica Terrazas, Texas Appleseed; (*Registered, but did not testify:* Rose Cruz; Monty Exter, Association of Texas Professional Educators; Samuel Gunter, Texas Criminal Justice Coalition; Lindsay Gustafson, TCTA; Ted Melina Raab, Texas AFT; Jeff Miller, Advocacy Incorporated; Jodie Smith, Texans Care for Children; Rona Statman, The Arc of Texas)

Against — None
- BACKGROUND:** All school districts must provide a disciplinary alternative education program (DAEP) to separate students with severe behavior problems from the general student population. Students are assigned to DAEP according to the student code of conduct adopted by a school district board of trustees. A DAEP must provide the same educational curriculum and meet the statutory requirements imposed upon all public schools. In addition to meeting the student's educational needs, a DAEP provides for a student's behavioral needs and provides counseling.
- A conference among the principal or school administrator, a parent or guardian of the student, the teacher removing the student from class, and the student must be held. At the conference, the student is given notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. Following the conference, the principal assigns the student to alternative education for a period consistent with the student code of conduct.

DIGEST:

SB 33 would require a school district to provide to the parents of a student removed to DAEP written notice of the guidelines DAEPs must meet, including information regarding all methods available for completing the coursework and that the methods are available at no cost to the student.

A school principal or school administrator would have to prepare and maintain documentation regarding each conference held concerning a student's placement in DAEP. Documentation would have to indicate the date and time the conference was held, identify each person who attended the conference, identify each person who failed to attend, and indicate the outcome of the conference.

The bill would apply beginning with the 2009-2010 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.