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FACT SHEET 2013

H.B. 482

Improve the Educational Progress of Youth Placed in Disciplinary Alternative Education Programs

TEXAS MUST ADDRESS THE UNINTENDED CONSEQUENCES OF DISCIPLINARY ALTERNATIVE EDUCATION PROGRAMS

The Texas Legislature created Disciplinary Alternative Education Programs (DAEPs) to provide students with an appropriate educational setting while they are suspended from school.¹ Unfortunately, due to insufficient oversight, some Texas DAEPs offer students poor programming and inadequate resources.²

In fact, in a recent review of four major school districts' DAEPs, the state's Legislative Budget Board identified the following areas of concern: (1) failure to staff DAEPs with certified teachers, **(2) failure to provide a learning environment equivalent to mainstream campuses**, (3) inadequate training for DAEP instructors and staff, **(4) lack of instructional alignment between DAEPs and mainstream campuses**, (5) insufficient communication between DAEPs and mainstream campuses, and (6) an absence of transitional programming following a student's return to a mainstream campus after leaving a DAEP.³ These inadequacies hinder youths' ability to correct their misbehavior, potentially leading to further involvement in the juvenile justice system⁴ and, with it, life-altering consequences (e.g., reduced opportunities for employment, military service, or college enrollment).

Texas must ensure that all youth placed within DAEP settings receive educational programming consistent with their progress and with the goal of promoting a child to the next grade level.

KEY FINDINGS

- DAEPs do not currently meet the standards under which they were created. Students sent to a DAEP face poor programming, inadequate staff, and a multitude of barriers to successful reintegration to their main campus.⁵
- Students sent to a DAEP are at higher risk for expulsion⁶ and dropping out,⁷ resulting in fewer youth graduating from Texas' public schools and greater risk of justice system involvement.
- Providing direct instruction, aligning the curriculum with the regular classroom curriculum, and providing youth with regular classroom experiences were among the top five challenges identified by administrators and instructors in regards to educating youth in an alternative setting.⁸
- In 2012, over 90,000 youth were placed in DAEPs across Texas.⁹
- According to a 2012 Texas Appleseed report, Texas is spending significant costs on school disciplinary practices. On average, the districts examined in the report spent \$140 per student placed within a DAEP.¹⁰ Given this high cost, it is incumbent upon Texas school administrators to provide an appropriate level of educational programming to DAEP participants.

Solution offered on reverse.

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 482 BY REPRESENTATIVE ALVARADO

- **Under H.B. 482, youth placed in a DAEP for one semester or more must be afforded an education equivalent in content and rigor as provided in a regular classroom setting.** Current law requires any youth placed within a DAEP to undergo the minimum amount of instructional time per day: seven hours.¹¹ How this day is filled, however, is unspecified in statute. H.B. 482 delineates these requirements for any youth who is assigned to a DAEP for one semester or more, better ensuring educational progress in core subjects (e.g., English language arts, math, science, and history).
- **H.B. 482 aims to address the negative correlation between current discipline practices and the rate of dropouts.** Youth who face lengthy placements within a DAEP are at risk of falling behind and ultimately dropping out. H.B. 482 would require all DAEPs to establish a thorough curriculum for each grade level that will provide students with the opportunity to achieve promotion to the next grade level or to graduate on the same schedule as their classmates.

Citations

¹ Texas Education Code §37.008.

² Texas Appleseed, *Texas' School-to-Prison Pipeline, Dropout to Incarceration: The Impact of School Discipline and Zero Tolerance* (October 2007).

³ Legislative Budget Board, *Amarillo Independent School District – A Review of the Student Behavior Management System* (2011); Legislative Budget Board, *Dallas Independent School District – A Review of the Student Behavior Management System* (2011); Legislative Budget Board, *Fort Bend Independent School District – A Review of the Student Behavior Management System* (2011); Legislative Budget Board, *Ingleside Independent School District – A Review of the Student Behavior Management System* (2011).

⁴ The Council of State Governments Justice Center and the Public Policy Research Institute, *Breaking School Rules: A Statewide Study of How School Discipline Relates to Student's Success and Juvenile Justice Involvement* (July 2011).

⁵ Legislative Budget Board, *A Review of Student Behavior Management Systems* (2011).

⁶ The Council of State Governments, et al., *Breaking School Rules*.

⁷ Texas Appleseed, *Texas' School-to-Prison Pipeline*. "DAEP's have five times the dropout rate of mainstream schools," p. 3.

⁸ Legislative Budget Board, *Student Behavior Management Review Summary* (2011).

⁹ Data provided to Texas Criminal Justice Coalition by the Texas Education Agency, February 6, 2013.

¹⁰ Texas Appleseed, *Breaking Rules, Breaking Budgets: Cost of Exclusionary Discipline in 11 Texas School Districts* (October 2012).

¹¹ Texas Education Code § 25.082 (a).