Step 2 – Interim Assignment

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

**SERVICES DURING INTERIM ASSIGNMENT PENDING ARDC MEETING**

I have removed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*student name*] from his/her current placement due to a violation of the Student Code of Conduct. I have also recommended a disciplinary change of placement for the student, which will be considered by the student’s ARD Committee. An ARD Committee meeting will be held within ten (10) school days to consider a change of placement.

Until the ARD Committee meets, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is assigned as follows:

\_\_\_\_\_ Days of out-of-school suspension

\_\_\_\_\_ Days of in-school suspension

\_\_\_\_\_ Days assigned to the district’s DAEP

As a result of this interim assignment, the total number of days in which the student has been removed from the IEP placement this school year will exceed ten. Therefore, I have reviewed the student’s IEP and having consulted with one of the student’s teachers, I have determined that the services provided during this interim assignment will enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s IEP.

APPROVED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Special Education Teacher Campus Administrator

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Step 6 – Letter to Parents Scheduling DAEP Conference

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

[*parent*/*guardian name*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Re: Proposed Disciplinary Alternative Education Program (DAEP) Placement of [*student name*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

As we discussed by telephone on [*date*], it has been recommended that your student, [*student name*], be placed in [*school district name*] ISD’s Disciplinary Alternative Education Program (DAEP) for allegedly [*describe the offense with particularity based on provisions in the Student Code of Conduct*] on [*select one location: school property / within 300 feet of school property / at a school-related or school-sponsored activity / off campus where permitted by policy FO, FOC, or Student Code of Conduct*] in violation of [*refer to appropriate provisions of the Student Code of Conduct, local policy, and the Texas Education Code*]. A conference to discuss this matter will be held on [*day*], [*month*] [*date*], [*year*], at [*time*] at the [*location*] located at [*address*].

*[\* Administrator Note: If the district is closed due to a weather or health-related emergency or government order, and the disciplinary conference cannot take place on school property and, as a result of such closure, the conference will be conducted remotely by telephone or through video conferencing, explain when the conference will be held, the reason for a remote conference, and information for joining the conference call or videoconference*] At the conference, your student will be given an opportunity to tell [*his/her*] side of the story before a final decision is made about the disciplinary recommendation. The conference will be recorded.

If you plan to have an attorney present at the conference, please notify me at least twenty-four hours prior to the conference so that the District can make appropriate arrangements with its legal counsel.

We are also seeking to set up an ARD committee meeting to discuss this matter. If you have not yet received an invitation to an ARD committee meeting, you will soon. If your student is ordered to DAEP as an outcome of our upcoming conference, the DAEP Order will not be implemented until such time as the ARD Committee can meet to determine if your student’s conduct was a manifestation of [*his/her*] disability. Until the conference and ARD committee meetings are held, your student is [*temporary assignment pending conference*] as an interim measure.

Unless you request and are granted a postponement, you and your student are expected to appear at the stated time and place of the conference. If you do not attend the conference, a decision regarding DAEP placement may be made based on the available information and without the benefit of hearing your student’s account of events.

Enclosed for your reference is a copy of the Notice of Procedural Safeguards.

Please contact me if you have any questions.

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Enclosures: Notice of Procedural Safeguards

Step 8•A – Notice to Law Enforcement

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

[*name, title*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

In accordance with Texas Education Code § 37.015(a) or 37.0151(a), I am writing to notify you that I reasonably believe that [*student name(s)*] engaged in the following reportable conduct [*check all that apply*]:

|  |  |  |
| --- | --- | --- |
| * murder or capital murder
* criminal attempt to commit murder or capital murder
* manslaughter
* criminally negligent homicide
* arson
* burglary
* robbery
* aggravated robbery
* retaliatory assault against employee/volunteer
* harassment through repeated electronic communications
 | * weapon offenses
* deadly conduct
* terroristic threat
* aggravated assault
* sexual assault
* aggravated sexual assault
* injury to a child, elderly, or disabled person
* aggravated kidnaping
* organized criminal activity
* mandatory expellable conduct
* possessing or promoting lewd visual material depicting a child
 | * continuous sexual abuse of a young child(ren)
* indecency with a child
* sexual performance of a child
* compelling prostitution
* criminal solicitation
* using a child to assist or commit a drug offense
* drug-related offenses
* assault
 |

Specifically, the student is alleged to have [*describe offense with particularity*] on [*select one location: school property / at a school-sponsored or school-related activity on or off school property; in some cases, student misconduct not school-related can result in DAEP placement --- see Board policy FOC and recite the applicable circumstance here– same as noted above re “off-campus* ] on [*date*].

The personal data of the student is as follows:

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sex: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/guardian: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Step 8•B – Notice to Instructional or Support Employees

[*School District Letterhead*]

**CONFIDENTIAL MEMORANDUM**

TO: [*List instructional or support employees that have regular contact with the student*]

FROM: [*administrator*]

RE: Report of Misconduct

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

In accordance with Texas Education Code § 37.015(e), I am advising you that I reasonably believe that [*student name*] engaged in [*describe offense with particularity and refer to appropriate provisions of Texas Education Code § 37.015*] on [*select the location applicable to each offense: school property / at a school-sponsored or school-related activity on or off school property*] on [*date*]. Based on this conduct, it is proposed that the student be [*name disciplinary consequence*.] You are directed to keep this information confidential.

If you need additional information concerning this matter, please feel free to contact me.

Please check the box, initial below, and fill in the date after you review this memo:

* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

Step 10 – Authorization to Release Education Records

**[*SCHOOL DISTRICT NAME*] ISD**

**Authorization to Release Education Records and Information**

I, the below-signed parent or guardian of the student identified in this authorization, authorize [*school district name*] ISD and its employees, representatives, and agents to release and disclose personally identifiable information and/or education records regarding my student, [*student name*], to [*name of representative(s)*] so that [*he/she/they*] may advise and represent me and/or my student regarding the proposed Disciplinary Alternative Education Program (DAEP) placement of my student, related ARD Committee or Section 504 meetings, or any subsequent appeal.

I release and discharge [*school district name*] ISD, its trustees, administrators, employees, agents, volunteers, and assigns, all both in their official and individual capacities, from any and all claims or causes of action arising out of or in any way related to releasing the above-referenced information and records during the DAEP placement process, related ARD Committee meetings, or any subsequent appeal.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/guardian of [*Student name*] Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*Student name*] Date

Step 11 – DAEP Placement Conference Guide

*NOTE: This script is designed for and addressed to the individual charged with considering a student’s placement in DAEP. Because your role is to serve as the decision maker, you are in charge of the conference. Plan for plenty of time (usually half an hour or more) and ensure that you will not be interrupted.*

My name is [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]. I am the campus behavior coordinator for [*campus name*]. It is [*time*] on [*day of week*], [*month*] [*date*], 20\_\_\_. We are here today *[\* Administrator Note: if relevant, state “meeting remotely by telephone/videoconference”*] to consider the proposed DAEP placement of [*student name*].

So that we have an accurate record of the conference, an audio recording is being made. Please avoid talking over others so the audio will reflect the proceedings accurately. Will everyone present please identify themselves, starting with the student or the student’s representative?

[*Wait for everyone present to identify themselves. If you think someone did not speak loudly enough to be heard on the recording, ask him or her to please speak more loudly and repeat his or her name.*]

In preparation for today’s conference, I reviewed [*identify documents and items required to be considered as part of the decision-making process. By law, the District must consider the student’s intent or lack of intent, the student’s discipline history, whether the student acted in self-defense,* *the student’s status in the conservatorship of the Department of Family and Protective Services, whether the student is homeless, or whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct. Also remember to discuss all of the documents and factors that the Student Code of Conduct requires you to consider as part of the decision-making process. These are usually factors such as the severity and effect of the misconduct, the age and grade level of the student, the student’s demeanor, or frequency of the misconduct. Summarize your general conclusions on those issues (for example, “the records show the student has no prior discipline referrals for the current school year”)*].

It is being recommended that [*student name*] be placed in the District’s Disciplinary Alternative Education Program or DAEP for \_\_\_\_ school days for [*describe offense as stated in the Student Code of Conduct. Be sure that your description of the misconduct matches the description contained in notice letters to the parent.*] Specifically, it is alleged that [*give more specific detail regarding the nature of the misconduct.*] Such conduct is in violation of District policy FOC, the District’s Student Code of Conduct, and Texas Education Code section [*37.0052, 37.304, or 37.305*]. [NOTE: *modify the list of violations so that it matches the scope of the misconduct*].

In deciding to recommend DAEP placement, I [*describe the scope of the district’s initial review and preliminary findings. If there is supporting documentation (a police referral for example) you should provide a copy to the student after first redacting the personally identifiable information of other students. Give each separate document an exhibit number or letter.*]

Before I make a decision about the recommended DAEP placement, I want to hear [*student name*]’s account of what happened and give [*student name*] an opportunity to respond to the allegations. If necessary, I may conduct additional research after our conference today in order to clarify any issues.

Today, I plan to listen rather than talk. I take this process seriously and will listen with an open mind. In order to fully understand what happened, I might ask questions at the end of your presentation to clarify any issues. When I believe I have a full understanding of your side of the story, I will conclude the conference.

Do you have any questions about how we are going to proceed with today’s conference?

[*Wait for response. Use your best judgment to respond. Generally, at this point questions should be limited to the procedure for the conference.*]

Please tell me your response to these allegations.

[*Listen to the student’s side of the story*.]

[*If the parent/student or representative asks questions regarding your reasons for a decision or other questions related to the substance of the allegations, use your best judgment in responding. You may either answer the question or decline politely with such statements as: “I’m here today only to listen to your concerns and requests” or “I’m not here to talk. I’m here to listen to you. Please go on.”*]

[*When the parent/student or representative appears to be finished, you may ask clarifying questions if necessary:*] I’m trying to fully understand what you mean, and I need you to answer a few clarifying questions for me.

[*If necessary, ask questions to clarify broad statements or terms that are unclear, such as:*

* *I don’t understand what you mean by \_\_\_\_\_\_\_. Would you give me more specific information about that?*
* *Would you give me an example of what you mean by \_\_\_\_\_\_\_\_?*

*When you believe you fully understand the concerns, close the conference*.]

Thank you for sharing. At this point, I think I understand your account of events. Is there any other information you would like me to be aware of related to this situation?

Thank you for meeting with me today. I will consider your comments very carefully and provide you with a written decision by [*month and date*]. [*In the alternative, you can issue your discipline decision at the conclusion of the hearing. If you do so verbally, let the family know you will follow up with a written order.*]

The time is now [*time*] and this conference is concluded.

Step 12 – DAEP Placement Order

[*School District Letterhead*]

**DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM PLACEMENT ORDER**

[*Student name*] was recommended for placement in [*school district name*] ISD’s Disciplinary Alternative Education Program (DAEP) for [*describe offense – refer to appropriate provisions of the Student Code of Conduct and/or the Texas Education Code*] on [*select one location: school property / within 300 feet of school property / at a school-related or school-sponsored activity / off campus, where permitted by policy FO, FOC, or Student Code of Conduct*]. A DAEP placement conference was held on [day], [*month*] [*date*], [*year*] at approximately [*time*] in the [*location*] of [*school district*] before [*administrator name*], [*administrator title*]. Present at the conference were: [*name all persons present*].

After considering the information related to the alleged misconduct, student’s account of events, the laws and policies related to the charge against the student, and the facts involved, it was determined that [*student name*] committed the misconduct as charged.

IT IS ORDERED that [*student name*] be placed in the [*school district name*] ISD Disciplinary Alternative Education Program for [*time in school days*] with the placement to begin on [*month*] [*date*], [*year*].

[*\* Note to administrator: If the DAEP placement extends beyond the school year, include the following sentence: “Because (pick one or both of the following: the student’s presence in the regular classroom or campus presents a danger of physical harm to the student or another OR the student engaged in serious or persistent misbehavior that violates the Student Code of Conduct), the DAEP placement will extend beyond the end of the school year.”*]

[*\* Note to administrator: If the DAEP placement is inconsistent with the guidelines adopted in the Student Code of Conduct, then insert the following sentence: “The period of placement in DAEP (select one: exceeds/is below) the recommended period of placement established in [school district name] ISD’s Student Code of Conduct.”*]

[*Student name*] is prohibited from attending or participating in school-sponsored or school-related activities during the term of placement in DAEP. [OPTIONAL LANGUAGE, IF RELEVANT: Add: *this prohibition includes participating in graduation events and ceremony*] This restriction applies until the student fulfills the DAEP assignment at this or another school district.

[\* *Note to administrator: Include the following sentence only if DAEP placement was ordered pursuant to Texas Education Code § 37.006:*] A copy of this Order will be delivered to the authorized officer of the juvenile court in the county in which the student resides pursuant to Texas Education Code § 37.010(a).

Should the student seek to enroll in another school district before serving the full term of the DAEP placement, [*school district name*] ISD will provide a copy of the DAEP order at the same time other records are provided to the enrolling school district.

Enforcement of this Order is subject to further action by [*student name*]’s Admission, Review and Dismissal Committee.

The personal data of the student is as follows:

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Sex: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SSN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/guardian: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 County: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated this the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*administrator name*], Campus Behavior Coordinator

[*school district name*] ISD

Step 13 – Letter to Parents Enclosing DAEP Placement Order

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

[*parent*/*guardian & student name*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Re: Disciplinary Alternative Education Program Placement of [*student name*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

As you know, it was recommended that your student, [*student name*], be placed in [*school district name*] ISD’s Disciplinary Alternative Education Program for allegedly [*describe the offense with particularity* *based on provisions in the Student Code of Conduct*] on [*select the location applicable to each offense: school property / within 300 feet of school property / at a school-related or school-sponsored activity / off campus, where permitted by policy FO, FOC, or Student Code of Conduct*]. A conference was held on [*day*], [*month*] [*date*], [*year*], at [*time*] at the [*location*] located at [*address*]. Present at the conference were: [*name all persons present*]. At the conference your student was given an opportunity to share [*the student’s*] account of the events.

Based on the information presented at the DAEP conference, I determined that [*student name*] committed [*describe the offense or offenses with particularity based on provisions in the Student Code of Conduct*] on [*select the location applicable to each offense: school property / within 300 feet of school property / at a school-related or school-sponsored activity / off campus;* *where permitted by policy FO, FOC, or Student Code of Conduct*] in violation of [*list appropriate provisions of the Student Code of Conduct, local policy, and/or the Texas Education Code*]. I am directing that [*student name*] be placed in the [*school district name*] ISD Disciplinary Alternative Education Program for [*time in school days*] with the placement to begin on [*month*] [*date*], [*year*].

[*If the ARD Committee already convened*:] On [*day*], [*month*] [*date*], [*year*], your student’s ARD Committee met and determined that the behavior in question was not a manifestation of [*his/her*] disability. Accordingly, I am directing that [*student name*] be placed in the [*school district name*] ISD Disciplinary Alternative Education Program for [*time in school days*] with the placement to begin on [*month*] [*date*], [*year*].

In arriving at this decision, I considered [*list all factors or documents the Student Code of Conduct requires you to consider as part of the decision-making process.*] Furthermore, I considered the student’s intent or lack of intent, the student’s discipline history, whether the student acted in self-defense, whether the student is under the conservatorship of the Department of Family and Protective Services, whether the student is homeless (as defined under federal law), or whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct, as required by law.

A copy of the DAEP Placement Order is enclosed for your reference. [*If the ARD Committee has not yet convened:*] Enforcement of this Order is subject to further action by [*student name*]’s Admission, Review and Dismissal Committee. A meeting of [*student name*]’s Admission, Review and Dismissal Committee is scheduled for [time] on [*month*] [*date*], [*year*].

[*Include the following sentence only if DAEP was ordered pursuant to Texas Education Code § 37.006*]: As required by Texas Education Code § 37.010, a copy of the Order will be delivered to the authorized officer of the juvenile court in [\_\_\_\_\_\_\_\_\_] County. If your student enrolls in another school district before serving the full term of the DAEP placement, [*school district name*] ISD will provide a copy of the DAEP order to the enrolling school district at the same time other records are provided.

Please note that [*student name*] is required to follow all DAEP rules during the placement, and failure to do so may result in expulsion from the DAEP. Additionally, your student must attend the DAEP or [*Student Name*] will be considered truant. [*Unless transportation is a related service included in the student’s IEP, you may enforce the District’s standard practice for providing transportation as follows: “The District [will or will not] provide transportation to DAEP.” If transportation is not provided, include the following: “It is your responsibility to ensure that your student arrives at the DAEP.”*] During the DAEP placement, your student is prohibited from attending or participating in any school-sponsored or school-related activity [*including, if applicable, the graduation ceremony*] other than attendance at the DAEP. This restriction applies until the student fulfills the DAEP assignment at this or another school district. I am including a copy of the DAEP rules for you to read and review with your student.

While attending the DAEP [*student name*] will have an opportunity to complete coursework required for graduation, at no cost to the student, before the beginning of next school year. Methods available for completing coursework include: [*list all available methods such as correspondence courses, distance learning, and summer school.*]

If you are dissatisfied with this result, you may appeal to [*hearing officer*]. [*Unless your Student Code of Conduct says otherwise, include the following: This DAEP placement order, however, is not deferred pending the outcome of any appeal.*] For your reference enclosed is a copy of local policy [*FNG and/or FOC*] outlining the appeal procedures and a copy of the Notice of Procedural Safeguards. Do not hesitate to contact me at [*phone number*] should you have any questions about your student’s DAEP placement.

Sincerely,

[*administrator name*], Campus Behavior Coordinator

[*school district name*] ISD

Enclosures: DAEP Placement Order

 DAEP rules

[*FNG and/or FOC*] (local)

Notice of Procedural Safeguards

Step 16 – Letter to Juvenile Court Enclosing DAEP Order

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

[*Name of Authorized Officer*] [*Via Hand Delivery or Regular Mail*]

[*Title*] Juvenile Court

[*address*]

[*address*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

According to Texas Education Code § 37.010(a), we are required to deliver a copy of a Disciplinary Alternative Education Program (DAEP) Placement Order to the authorized officer of the juvenile court in the county in which the student placed in DAEP resides. In compliance with this provision, enclosed please find a copy of the DAEP Placement Order for [*student name*]. The student has been placed in [*school district name*] ISD’s DAEP pursuant to Texas Education Code § 37.006 after conducting a conference in which all due process rights were provided to the student in accordance with Texas Education Code § 37.009.

If I may furnish additional information concerning this matter, please contact me at [*phone number*].

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Enclosure: DAEP Placement Order

Step 17 – DAEP Notice Memo to Instructional Educators

[*School District Letterhead*]

**CONFIDENTIAL MEMORANDUM**

TO: [*List each educator who has responsibility for instruction of the student or persons under the direction and supervision of an educator who has responsibility for instruction of the student*]

FROM: [*administrator*]

RE: Report of Misconduct

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

In accordance with Texas Education Code § 37.006(o), you are advised that [*student name*] has been placed in the District’s Disciplinary Alternative Education Program for [*describe offense with particularity*]on [*select one: school property / at a school-sponsored or school-related activity on or off school property; where permitted by policy FO, FOC, or Student Code of Conduct*] on [*date*].

Please note that you are required to keep this information confidential. The State Board for Educator Certification may revoke or suspend your certification if you intentionally violate the confidentiality requirement set out in Texas Education Code § 37.006(o).

If you need additional information concerning this matter, please feel free to contact me.

Please check the box, initial below, and fill in the date after you review this memo:

* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.
* \_\_\_\_\_ I, [*instructional employee*], reviewed this memorandum on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

Step 20 – Letter to Parents Scheduling DAEP Placement Review

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

[*parent*/*guardian name*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Re: Review of Disciplinary Alternative Education Program Placement of [*student name*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

As we discussed by telephone on [*date*], your student, [*student name*], will have spent 120 calendar days in [*school district name*] ISD’s Disciplinary Alternative Education Program (DAEP) on [*date*], and we would like to review [*student name*]’s status in DAEP. I am writing to confirm our meeting scheduled for [*day*], [*month*] [*date*], [*year*], at [*time*] at the [*location*] located at [*address*]. [\* Administrator Note: If the district is closed due to a weather or health-related emergency or government order, and the disciplinary conference cannot take place on school property so will be conducted remotely by telephone or through video conferencing, explain when the conference will be held, the reason for a remote conference, and information for joining the conference call or videoconference]

At the conference we will review [*student name*]’s placement in DAEP and discuss [*student name*] academic status. [*If the student is in high school:*] We will also discuss your student’s progress toward meeting high school graduation requirements and establish a specific graduation plan for [*student name*]. During the review, you will have an opportunity to provide reasons supporting your student’s return to the regular classroom. The conference will be recorded.

You may contact me at [*phone number*] should you have any questions prior to our meeting.

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Step 22 – Letter to Parents Scheduling Review of Criminal Status

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

[*parent*/*guardian name*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Re: Review of Disciplinary Alternative Education Program (DAEP) Placement of [*student name*]

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

As we discussed by telephone on [*date*], [*school district name*] ISD received notice that [*describe contents of article 15.27(g) notice*]. Based on that notice, we would like to review [*student name*]’s status in DAEP.

I am writing to confirm our meeting scheduled for [*day*], [*month*] [*date*], [*year*], at [*time*] at the [*location*] located at [*address*]. [\* Administrator Note: If the district is closed due to a weather or health-related emergency or government order, and the disciplinary conference cannot take place on school property so will be conducted remotely by telephone or through video conferencing, explain when the conference will be held, the reason for a remote conference, and information for joining the conference call or videoconference] At the conference, we will discuss the notice and whether your student should continue in DAEP or be returned to the regular classroom. The conference will be recorded.

Please do not hesitate to contact me at [*phone number*] if you have any questions prior to our meeting.

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Step 26 – Letter to Parents Scheduling DAEP Appeal

[*School District Letterhead*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

[*parent*/*guardian name*] [*Via Hand Delivery or Certified Mail RRR*]

[*address*]

[*address*]

Re: Appeal of DAEP Placement

Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

I am in receipt of your complaint dated [*month/date, year*], and received by my office on [*month/date, year*] seeking to appeal the decision to place your student in the [*school district name*] ISD’s Disciplinary Alternative Education Program. As we discussed by telephone on [*date*], your DAEP appeal is scheduled for [*day*], [*month*/*date*], [*year*], at [*time*] at the [*location*] located at [*address*]. [\*Administrator Note: If the district is closed due to a weather or health-related emergency or government order, and the appeal cannot take place on school property so will be conducted remotely by telephone or through video conferencing, explain when the appeal will be held, the reason for a remote appeal, and information for joining the conference call or videoconference.] During our conference you will have an opportunity to explain why you disagree with the DAEP placement and describe what action you would like the District to take to resolve your complaint. Until our conference, your student is [*placement pending conference; although unlikely, check your Student Code of Conduct to determine whether an appeal defers the DAEP placement, and, if so, what placement options are available pending an appeal*]. The conference will be recorded.

Please do not hesitate to contact me at [*phone number*] should you have any questions about the DAEP appeal procedure or need any additional information. A copy of the appeal procedure is enclosed for your reference.

Sincerely,

[*administrator name*], [*administrator title*]

[*school district name*] ISD

Enclosures: [*FOC and/or FNG*] (legal) & (local)