

See the following pages for forms regarding removal of a student to a disciplinary alternative education program (DAEP):

Exhibit A: Notice of a Removal Conference—2 pages

Exhibit B: Placement Order to the Disciplinary Alternative Education Program—3 pages

Exhibit C: Placement Order to the Disciplinary Alternative Education Program for a Student Under Ten Years of Age (For an Expellable Offense Other than a Firearm Violation)—3 pages

Note: Additional information regarding placement in a DAEP setting and DAEP operations can be found at FOC and FOCA.

San Felipe Del Rio CISD

233901

STUDENT DISCIPLINE

PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC
(EXHIBIT)

EXHIBIT A

NOTICE OF A REMOVAL CONFERENCE
LEVEL ONE – STUDENT GUIDANCE AND LEARNING CENTER

[When a student is placed in a disciplinary alternative education program (DAEP), the campus behavior coordinator is required by law to promptly contact the parent or guardian by telephone or in person and make a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian. See FO(LEGAL).]

Date: _____

HAND-DELIVERED

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED _____
(REFERENCE NUMBER)

Name of parent or guardian: _____

Address of parent or guardian: _____

Re: Notice of a removal conference for placement of _____
(*student's name*) in the disciplinary alternative education program (DAEP)

Dear (Parent or Guardian),

Your child, (Name), has been recommended for placement at the Student Guidance and Learning Center (SGLC), which is a disciplinary alternative education program (DAEP), for the following offense as prescribed by the Student Code of Conduct:

(Describe offense(s) with specific reference to the facts and evidence which may be considered at the hearing and any police charges related to this offense. Offenses are listed in the Student Code of Conduct and Chapter 37.)

In accordance with District's Board Policy and the Student Code of Conduct, before placement at the SGLC, the student is entitled to the following process:

- Prior written notice of the charges and a full and fair hearing before the District's hearing officer;
- The right to respond to the charges;
- The right to an adult representative or legal counsel. (You are requested to notify the District if you intend to bring an attorney to the hearing).

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STUDENT DISCIPLINE

PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC
(EXHIBIT)

An SGLC/DAEP Removal conference before the District's designated hearing officer will be held and is scheduled for [INSERT DATE AND TIME OF CONFERENCE] at [INSERT LOCATION.] Please contact [INSERT NAME AND NUMBER] if you are unable to meet for the conference on this date or time. A copy of the District's policies concerning discipline procedures is attached to this letter FOC (LEGAL). PLEASE REVIEW THESE POLICIES.

While the discipline referral is being processed, the student will be placed in the school's in-school suspension (ISS) program or other emergency placement as appropriate. If approved for assignment to the SGLC/DAEP, you will be contacted with enrollment information and procedures. A copy of the placement order will also be sent to the county juvenile authority.

During this time, the student will continue to receive instruction, to the extent possible, in the courses in which _____ (*he or she*) is enrolled and will receive full credit for work completed.

The student has been told of the misconduct of which _____ (*he or she*) is accused, and will be given an opportunity to explain _____ (*his or her*) version of the events. Unless you request and are granted a postponement, you and your child are expected to appear at the stated time and place of the conference. If you and your child do not appear at the stated time of the conference, the decision regarding placement in the DAEP will be made based solely on the evidence presented.

If you have any questions regarding this matter, please call my office at _____ (*telephone number*).

Sincerely,

(*Principal or Asst. Principal*)

Attachment: FOC (LEGAL)

EXHIBIT B

PLACEMENT ORDER TO THE
STUDENT GUIDANCE AND LEARNING CENTER

[When a student is placed in a disciplinary alternative education program (DAEP), the campus behavior coordinator is required by law to promptly contact the parent or guardian by telephone or in person and make a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian. See FO(LEGAL).]

Date: _____

HAND-DELIVERED

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED _____
(REFERENCE NUMBER)

Name of parent or guardian: _____

Address of parent or guardian: _____

Re: Notice of removal to the disciplinary alternative education program (DAEP) —
_____ (student's name)

Dear _____ (name of parent or guardian):

Dear (Parent or Guardian)

This letter is to inform you that on the basis of the evidence presented at the removal conference held on _____ (date of removal conference) your child, _____ (Name), was recommended for placement in the Student Guidance and Learning Center for the following misconduct or violation of the San Felipe Del Rio Consolidated Independent School District's rules and regulations:

- (Describe offense(s) with specific reference to the facts and evidence which may be considered at the hearing and any police charges related to this offense. Offenses are listed in the Student Code of Conduct and Chapter 37.)

At the hearing, you were given the right to present documentary or other evidence to refute the charges of misconduct. In making this decision, the District considered factors relating to the violation, such as self-defense, intent or lack of intent at the time the student engaged in

the conduct, disciplinary history, or a disability that impairs the student's capacity to appreciate the wrongfulness of the conduct. Therefore, based on all the evidence presented, I have made the following findings:

The student was in violation of the Student Code of Conduct and has indeed committed an offense as described above. Based on my consideration of the offense and all the factors involved, I have determined that the student will be placed in the Student Guidance and Learning Center. The placement will be for _____ (Enter # of Successful Days) successful days to begin on _____ (Enter Beginning Date of Assignment) to _____ (Enter Ending Date of Assignment). The student must report to the Principal of the Student Guidance and Learning Center on the date of assignment for the intake process. At the end of the review placement period, _____ (Enter # of Successful Days) successful days, a review of the student's placement at the SGLC campus will be held on _____ (Enter Projection Date of Review) to determine if the student warrants an early return to his/her home campus. This review does not constitute a second removal conference and will serve only to review the student's progress in the DAEP setting. Any decision at this proceeding regarding placement, including length of placement, is solely at the discretion of the Board or the Board's designee and is final; it may not be appealed. Therefore, the student may not enroll in a regular SFDR CISD educational setting until the duration of placement has expired.

A parent conference with the SGLC Principal, is required on the first day of placement at the Student Guidance & Learning Center located at 215 W. Garfield. If you have any questions, please call (830) 778-4452.

State law prohibits a student assigned to the Student Guidance and Learning Center, from attending or participating in school related activities on or off campus. Please be advised that my decision may be appealed as per FNG (Legal/Local/Exhibit). If you have any questions, please feel free to call at [Insert telephone number]. A copy of the placement order will be sent to the County Juvenile Authority.

Sincerely,

Attachments: FNG (LEGAL/LOCAL/EXHIBIT)

[*TEA has advised that, unless addressed in the placement order, absences of a student while assigned to a DAEP do not impact the period of placement. Therefore, if you intend to extend a DAEP placement to make up for any absences incurred by the student, this will need to be referenced in the placement order.]

EXHIBIT C

PLACEMENT ORDER TO THE DISCIPLINARY ALTERNATIVE EDUCATION
PROGRAM AT THE STUDENT GUIDANCE AND LEARNING CENTER

FOR A STUDENT UNDER TEN YEARS OF AGE
(For an Expellable Offense Other than a Firearm Violation)

[When a student is placed in a disciplinary alternative education program (DAEP), the campus behavior coordinator is required by law to promptly contact the parent or guardian by telephone or in person and make a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian. See FO(LEGAL).]

Date: _____

HAND-DELIVERED

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED _____
(REFERENCE NUMBER)

Name of parent or guardian: _____

Address of parent or guardian: _____

Re: Notice of placement in the disciplinary alternative education program (DAEP)
_____ (student's name)

Dear _____ (name of parent or guardian):

This letter is to inform you that evidence was presented at the removal conference held on _____ (date of conference) before the _____ (Board or Superintendent) at which _____ (student's name) was accused of _____ (offense), a violation of Texas Education Code Section 37.007 and the District's Student Code of Conduct. On the basis of that evidence, _____ (student's name) was found to have committed the violation stated above. In making this decision, the District considered factors relating to the violation, such as self-defense, intent or lack of intent at the time the student engaged in the conduct, disciplinary history, or a disability that impairs the student's capacity to appreciate the wrongfulness of the conduct.

Texas Education Code Sections 37.006(f) and 37.007(h) require that a student who commits an expellable offense and is under ten years of age be placed in the District's DAEP at the Student Guidance and Learning Center.

_____ (student's name) will be placed at the SGLC for a period of _____ (Enter # of Successful Days) successful days to begin on _____ (Enter Beginning Date of Assignment) to _____ (Enter Ending

Date of Assignment). The student must report to the Principal of the Student Guidance and Learning Center on the date of assignment for the intake process. At the end of the re-view placement period, _____ (Enter # of Successful Days) successful days, a review of the student's placement at the SGLC campus will be held on _____ (Enter Projection Date of Review) to determine if the student warrants an early return to his/her home campus. This review does not constitute a second removal conference and will serve only to review the student's progress in the DAEP setting. Any decision at this proceeding regarding placement, including length of placement, is solely at the discretion of the Board or the Board's designee and is final; it may not be appealed. Therefore, the student may not enroll in a regular SFDRCID educational setting until the duration of placement has expired.

_____ (student's name) will attend the SGLC until the period of removal specified herein is served.

If the offense for which the student was placed at the SGLC is to be reported to the juvenile court under Sections 37.006 and 37.010(a), then a copy of this order will be delivered to the authorized officer of the juvenile court in the county in which _____ (student's name) resides.

In addition, the District will notify law enforcement authorities of the offense pursuant to Texas Education Code Section 37.015(a).

If you have any questions regarding this matter, please call my office at _____ (telephone number).

Sincerely,

SFDRCID Superintendent

cc: Juvenile Court

cc: _____ (appropriate police department)

[*TEA has advised that, unless addressed in the placement order, absences of a student while assigned to a DAEP do not impact the period of placement. Therefore, if you intend to extend a DAEP placement to make up for any absences incurred by the student, this will need to be referenced in the placement order.]