

## **BILL ANALYSIS**

C.S.H.B. 426  
By: Madden  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Disciplinary Alternative Education Programs (DAEPs) are alternative education environments for students who commit virtually any disciplinary violation or criminal offense. Some DAEP campuses are located on the regular school campus while others are self contained off-campus.

Under current law, there is very little in terms of minimum standards of operation for a school district's Disciplinary Alternative Education Programs. Under Section 37.008, Education Code, the state requires that DAEPs focus on English language arts, mathematics, science, history, and self-discipline, provide for the students' educational and behavioral needs, and provide supervision and counseling.

DAEP students' drop out rate is over twice the rate for students state wide. Some DAEPs offer as little as two hours per day of instruction, and students in DAEPs generally do very poorly on the TAKS test. This legislation is intended to address this issue, and provide for more specific minimum standards in order to ensure a quality education for these students.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill amends Section 37.008, Education Code to require the Texas Education Agency (TEA) to adopt minimum standards for the operation of disciplinary alternative education programs, including standards relating to student/teacher ratios, student health and safety, reporting of abuse, neglect, or exploitation of students, training for teachers in behavior management and safety procedures, and planning for a student's transition from a disciplinary alternative education program to a regular campus.

The bill provides that not later than December 15, 2008, TEA shall deliver a report to the Legislature providing the estimated cost to TEA of enforcing such standards, including the estimated cost of on-site monitoring to enforce the standards, and alternative methods of monitoring compliance with the standards. The provision establishing this reporting requirement expires January 15, 2009.

The standards adopted under the provisions of this Act apply beginning with the 2007-2008 school year.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds a provision relating to the TEA reporting requirement. The substitute directs TEA to also report to the Legislature on the estimated cost to TEA of alternative methods of monitoring compliance with the standards to be adopted under the Act.

The substitute includes other minor or nonsubstantive changes to the original made in conformance with Legislative Council drafting guidelines.