

DAEP PLACEMENT AND PARTICIPATION IN SCHOOL ACTIVITIES

Section 37.006 includes a list of types of conduct for which a district is required to place a student in a DAEP (Disciplinary Alternative Education Program). Subsection (g) of that section provides that “[t]he terms of a placement *under this section* must prohibit the student from attending or participating in a school-sponsored or school-related activity.” (Emphasis added). In addition to the required placements under Section 37.006, a district may include other bases for a DAEP placement in its student code of conduct under Section 37.0001(a)(1). Also, a principal may make a DAEP placement under Section 37.002(c) in response to a classroom removal under that section.

The application of Section 37.006(g) is expressly limited to placements “under” that section. Section 37.006(g) does not apply to a placement made pursuant to Sections 37.001(a)(1) or 37.002(c) if the conduct is not included in Section 37.006. A district may adopt its own policy governing the terms of such a placement with respect to participation in school-sponsored or school-related activities. A district must be careful to apply Section 37.006(g) to any placement made for conduct that is included in Section 37.006 even if the conduct is separately identified in the district’s code of conduct or resulted in a removal under Section 37.002

6/20/2001