

# Policy Research

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## **Disciplinary Alternative Education Program Practices**

Since adoption of the Texas Safe Schools Act in 1995, all Texas public school districts have been required to provide disciplinary alternative education programs (DAEPs). DAEPs serve as alternative education settings for students temporarily removed for disciplinary purposes from their regular instructional settings.

This report presents an overview of program characteristics and practices described in selected research as best practices in disciplinary alternative education settings. In addition, the report provides a policy history of disciplinary alternative education, a summary of statutory requirements related to DAEPs, and statewide statistics on DAEP assignments.

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**Abstract.** Texas public school districts have been required to provide disciplinary alternative education programs (DAEPs) since the 1996-97 school year. DAEPs serve two main purposes: to provide temporary disciplinary settings for disruptive students and to meet the basic academic and behavioral needs of students assigned to the programs. This report presents an overview of program characteristics and practices described in selected research as "best practices" in disciplinary alternative education settings. In addition, the report provides a policy history of disciplinary alternative education, a summary of statutory requirements related to DAEPs, and statewide statistics on DAEP assignments.

**Keywords.** Alternative education, DAEP, disciplinary alternative education, school discipline, school safety, school violence.

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# Disciplinary Alternative Education Program Practices

## Introduction

Since adoption of the Texas Safe Schools Act in 1995, all Texas public school districts have been required to provide disciplinary alternative education programs (DAEPs). DAEPs serve as alternative education settings for students temporarily removed for disciplinary purposes from their regular instructional settings. Chapter 37 of the Texas Education Code (TEC, 2005) stipulates that school districts must meet the educational and behavioral needs of students assigned to DAEPs but leaves program design and content to local discretion.

Although considerable research is available on alternative education in general, only recently have studies begun to focus specifically on disciplinary forms of alternative education. This report presents an overview of program characteristics and practices described in selected research as "best practices" in disciplinary alternative education settings. In addition, the report provides a policy history of disciplinary alternative education, a summary of statutory requirements related to DAEPs, and statewide statistics on DAEP assignments.

## Definitions of Disciplinary Alternative Education

### *Definitions in Research*

Disciplinary alternative education is a relatively new form of alternative education. In the 1970s, school districts across the United States began to establish alternative education programs and schools for student populations considered to be at risk of school failure or dropping out. Since the passage of the federal Gun Free Schools Act of 1994, alternative education programs have been created for a more specific group of students—those who have violated local or state-mandated rules of conduct or have been determined to be disruptive to the education of other students in

their assigned schools (Institute for the Study of Students at Risk [ISSR], 2001; Kleiner, Porch, & Farris, 2002; Zweig, 2003).

Disciplinary alternative education differs from other kinds of alternative education primarily in method of student placement and program purpose. Students are placed in disciplinary alternative education settings after removal from their assigned classrooms or schools, and attendance is compulsory for prescribed periods of time. Enrollment in nondisciplinary alternative education programs is by choice, typically requiring students to apply to attend the programs rather than their assigned schools.

The purpose of disciplinary alternative education is to provide temporary student placements for behavior management, often as alternatives to suspension or expulsion. The goal is for students to return to, and succeed in, their regularly assigned classrooms and schools. The purpose of nondisciplinary alternative education is to create full-time, voluntary educational programs for students who have not been succeeding in traditional schools. The expectation is that students in nondisciplinary settings will continue in the programs through graduation (Academic Information Management, Inc., 2001; Aron, 2006; ISSR, 2001; Lange & Sletten, 2002; McCreight, 1999; Moore & King, 2005; Raywid, 1994; Ruzzi & Kraemer, 2006).

### *Definition in Texas Statute*

TEC Chapter 37 defines DAEPs by physical setting and a limited set of requirements associated with curriculum and teachers. Each DAEP must:

- ◆ be provided in a setting other than a student's regular classroom;
- ◆ separate students assigned to the program from those not assigned to the program;
- ◆ focus academically on English language arts, mathematics, science, history, and self-discipline;

- ◆ provide for the educational and behavioral needs of students;
- ◆ provide supervision and counseling;
- ◆ require each teacher in the program to be certified in accordance with TEC Chapter 21, Subchapter B; and
- ◆ require each teacher in the program with a special education assignment to be appropriately certified or permitted for the assignment.

A DAEP may be located on or off of a regular campus and may be provided jointly by more than one school district. A school district must allocate to a DAEP the same expenditure, including federal, state, and local funds, per student attending the DAEP that would be allocated to the student's school if the student were attending his or her regularly assigned education program, including a special education program.

Academically, the mission of a DAEP is to enable students to perform at grade level. A school district must offer a student removed to a DAEP an opportunity to complete coursework before the beginning of the next school year at no expense to the student. The opportunity may be provided through any method available, including correspondence course, distance learning, or summer school. A school district may choose to provide a program of educational and support services to a student and the student's parents when the offense involves drugs or alcohol as specified under TEC §37.006 or §37.007. A DAEP that provides chemical dependency treatment services must be licensed under Chapter 464 of the Texas Health and Safety Code.

## **Policy History of Disciplinary Alternative Education**

Before the 1990s, students whose behaviors were considered sufficiently delinquent or disruptive to warrant removal from assigned classrooms were either suspended or expelled from school. In 1994, Congress passed the Gun Free Schools Act, requiring states that received federal funds to mandate at least a one-year expulsion for any student who brought a gun to school. In response, state legislatures and local districts enacted zero-tolerance discipline policies requiring or allowing

students to be removed from schools not only for gun possession, but for a broader range of behaviors, including: possession, distribution, or use of alcohol or drugs; physical attacks or fights; chronic truancy; possession or use of weapons other than firearms; and disruptive verbal behavior (Zweig, 2003; Kleiner, Porch, & Farris, 2002).

In 1993, under Senate Bill 7, the 73rd Texas Legislature created the Joint Select Committee to Review the Central Education Agency. Among other issues, the committee studied programs designed for students at risk of school failure, including students found to be disruptive to the education of other students (Joint Select Committee to Review the Central Education Agency, 1994). Committee recommendations for addressing the behaviors of "seriously and habitually disruptive students" (p. 20) included establishment of a statewide zero-tolerance discipline policy that would provide schools and districts broader authority to remove students from regular education settings. To counter the trend of expelling disruptive students from school and sending them "to the streets" (p. 18), the committee also recommended that all districts provide access to alternative education settings for students removed from regular education settings.

In 1995, the legislature passed Senate Bill 1, which established a system of alternative education that allowed for both the removal and continued education of students whose behaviors violated local or state-mandated rules of conduct. Codified in TEC Chapter 37, the legislation required that each school district in the state provide an alternative education program to which students could be removed for specified conduct. DAEPs were to be separate from the regular classroom, but provide for the educational and behavioral needs of students assigned to the programs. Texas school districts created and implemented DAEPs beginning with the 1996-97 school year.

Disciplinary alternative education settings have become increasingly common across the U.S. as a response to school crime, student violence, and classroom disruption (Education Commission of the States, 2007). At the federal level, the U. S. Department of Education continues to place a priority on promotion of safe and drug-free public schools.

## **Current Texas Statutory Requirements for DAEPs**

### ***Types and Terms of DAEP Assignment***

Assignments of students to DAEPs may be mandatory or discretionary. Mandatory assignments result from conduct specified in TEC Chapter 37. Discretionary assignments result from violations of locally-adopted student codes of conduct. For some behaviors, the type of assignment applicable depends on the circumstances, for example, whether the conduct occurred on or off campus. The terms of mandatory assignment must prohibit attendance or participation in school-sponsored or school-related events; whereas, the terms of discretionary assignment may permit such activity.

To maintain discipline in the classroom, a teacher may remove from class and send to the principal's office a student whose behavior repeatedly or seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Under such circumstances, the principal has discretion to assign the student to a DAEP. Generally, the principal may not return the student to the teacher's class without the teacher's consent, unless the school's placement review committee established under TEC §37.003 determines that such placement is the best or only alternative available.

Some restrictions to assignment apply. An elementary school student may not be placed in a DAEP with any other student who is not an elementary school student. A student younger than six years of age may not be placed in a DAEP unless he or she is subject to mandatory expulsion for bringing a firearm to school. Placement of a student with a disability who receives special education services may be made only by the student's admission, review, and dismissal committee.

### ***Student Code of Conduct***

Each school district code of conduct must specify the circumstances under which a student may be removed from a classroom, campus, or DAEP and the conditions that authorize or require transfer of a student to a DAEP. It also must

stipulate whether, in decisions to order removal to a DAEP, consideration is given to self-defense, intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, or a disability that substantially impairs the student's capacity to appreciate the wrongfulness of his or her conduct. The code is required to provide guidelines for setting the length of a term of removal to a DAEP and address notification of a student's parent or guardian of any violation that results in the student's removal to a DAEP.

### ***DAEP Assignment, Notification, and Review***

Within three days after the date a student is removed from class, the principal or another appropriate administrator must schedule a conference with the student, the parent or guardian of the student, and the teacher or administrator who removed the student from class. The student may not be returned to the regular classroom before the conference is held. At the conference, the student is entitled to an opportunity to respond to the reasons for the removal. Following the conference, the principal must order placement of the student for a period consistent with the student code of conduct. If school district policy allows a student to appeal such a decision to the board of trustees, the decision of the board is final and may not be appealed.

Under special circumstances, a principal may order the immediate placement of a student in a DAEP. At the time of an emergency placement, the student must be given oral notice of the reason for the action. Within 10 days after the date of the placement, the student must be accorded due process.

The period of DAEP placement may not exceed one year unless, after a review, the district determines the student is a threat to the safety of other students or district employees or that extended placement is in the best interest of the student. If a student's placement in a DAEP is to extend beyond 60 days or the end of the next grading period, a student's parent or guardian is entitled to notice of, and an opportunity to participate in, a proceeding before the board of trustees. A decision of the board may not be appealed.

The school district board of trustees must deliver to the student and the student's parent or

guardian a copy of the order placing the student in a DAEP. The school principal must provide notice of the student's conduct to each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, instruction of the student.

A student placed in a DAEP must be provided a review of his or her status, including academic status, by a designee of the board of trustees at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, must review the student's progress towards meeting high school graduation requirements and establish a specific graduation plan. At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus.

### **Data Reporting and Evaluation**

For each placement in a DAEP, school districts must report to the Texas Education Agency (TEA) information about the student, the offense, and the placement, as specified in TEC §37.020. TEA is required to evaluate DAEPs to identify school districts at high risk of having inaccurate DAEP data or of failing to comply with DAEP requirements. A district must be notified of any potential problems with its DAEP data; any violations of law or rule revealed by the data, including any violation of DAEP requirements; and any TEA recommendations concerning the data.

Validation of discipline data has been integrated into a data integrity component of the agency's performance-based monitoring system. TEA annually evaluates all school districts on two indicators specific to DAEPs: rate of assignment of students with disabilities and assignment of students under age six. Districts identified under these indicators are subject to interventions and sanctions.

TEA publishes state and district DAEP placement rates as part of annual performance-based monitoring analysis system reports. In addition, the agency publishes the *Comprehensive Annual Report on Texas Public Schools* (e.g., TEA, 2006), which includes information on DAEPs required under TEC §39.182. The report presents state-level data on DAEP assignments and participation

and performance of DAEP students on state assessments. TEA also has developed annual on-line disciplinary action reports and data files of disciplinary data at the state, regional, and district levels.

### **DAEP Assignments in Texas, 2005-06**

Texas school districts have provided DAEPs for more than a decade. Some school districts have one DAEP, some have multiple programs, and some share services with neighboring districts. In addition, DAEPs may be located on or off of regular campuses. In the 2005-06 school year, 28.4 percent of the 1,227 school districts in Texas that reported enrollment had at least one off-campus DAEP. Of all DAEP assignments in the 2005-06 school year, 37.4 percent were to the students' campuses of enrollment, and the remaining 62.6 percent were to campuses other than the students' campuses of enrollment.

For the 2005-06 school year, 128,319 DAEP assignments were reported (Table 1). The percentage of all assignments accounted for by students in Grades 7-12 (85.2%) was much higher

**Table 1. Assignments to Disciplinary Alternative Education Programs (DAEPs), by Grade Level, 2005-06**

Grade	DAEP assignments	
	Number	Percent
PK	<5	<0.1
K	159	0.1
1	886	0.7
2	1,023	0.8
3	1,251	1.0
4	1,937	1.5
5	3,791	3.0
6	9,957	7.8
7	17,720	13.8
8	21,672	16.9
9	35,502	27.7
10	17,239	13.4
11	10,328	8.1
12	6,853	5.3
State	128,319	100

*Note.* Parts may not add to 100 percent because of rounding. Data include multiple assignments for individual students.

than the percentage accounted for by students in Grades PK-6 (14.8%). Grade 9 had the highest number of DAEP assignments, followed by Grade 8.

Students may be assigned to DAEPs more than once in a school year. In the 2005-06 school year, 100,062 students accounted for the 128,319 total assignments (Table 2). About 80 percent of the students assigned to DAEPs were assigned only once during the school year. Most of the remaining students were assigned twice (14.8%), and 3.2 percent were assigned three times.

DAEP assignments	Students assigned	All DAEP assignments (%)
1	80,408	80.4
2	14,760	14.8
3	3,165	3.2
4 to 21	1,729	1.7
Total	100,062	100

*Note.* Parts may not add to 100 percent because of rounding.

In the 2005-06 school year, Hispanic students accounted for almost half (48.0%) of all DAEP assignments, including multiple assignments for individual students (Table 3). African American students accounted for 25.8 percent of all assignments, and White students accounted for 25.2 percent. Males accounted for almost three-fourths (73.9%) of DAEP assignments; economically disadvantaged students accounted for 62.1 percent of assignments; and students receiving special education services accounted for 23.9 percent of assignments.

The length of time a student attends a DAEP may differ from the length of time originally ordered. Reasons for a difference can include modification of the terms of assignment, early completion of the terms of assignment, failure to complete the full assignment before the end of the school year, student withdrawal from school, and student incarceration. For about three-quarters of all DAEP assignments in 2005-06 (96,620), attendance was six school weeks or less (Table 4). In

**Table 3. Assignments to Disciplinary Alternative Education Programs (DAEPs), by Student Group, 2005-06**

Group	DAEP assignments	
	Number	Percent
African American	33,126	25.8
Asian/Pacific Islander	821	0.6
Hispanic	61,537	48.0
Native American	491	0.4
White	32,344	25.2
Economically Disadvantaged	79,656	62.1
Female	33,520	26.1
Male	94,799	73.9
Special Education	30,606	23.9
State	128,319	100

*Note.* Parts may not add to 100 percent because of rounding. Data include multiple assignments for individual students.

just over 35 percent of the cases, attendance was 10 days or less.

Student codes of conduct are locally adopted, and school districts have considerable discretion in determining behaviors that authorize or require DAEP assignment. In 2005-06, almost two-thirds

**Table 4. Actual Length of Disciplinary Alternative Education Program (DAEP) Attendance, 2005-06**

Days attended	DAEP assignments			
	Number	Percent	Cumulative number	Cumulative percent
0	7,144	5.6	7,144	5.6
1-10	38,282	29.8	45,426	35.4
11-20	23,061	18.0	68,487	53.4
21-30	28,133	21.9	96,620	75.3
31-40	11,557	9.0	108,177	84.3
41-50	8,642	6.7	116,819	91.0
51-60	4,523	3.5	121,342	94.6
61-90	5,038	3.9	126,380	98.5
91-190	1,939	1.5	128,319	100
Total	128,319	100		

*Note.* Parts may not add to 100 percent because of rounding. Data include multiple assignments for individual students.

(64.7%) of all disciplinary incidents resulting in DAEP assignment were violations of student codes of conduct (Table 5). Controlled substance violations accounted for 12.5 percent of incidents, and fighting accounted for another 7.1 percent.

**Table 5. Most Common Reasons for Disciplinary Alternative Education Program (DAEP) Assignments, 2005-06**

Disciplinary reason	Disciplinary incidents	
	Number	Percent
Violation of student code of conduct	74,024	64.7
Controlled substance	14,274	12.5
Fighting, mutual combat	8,077	7.1
Assault against someone other than a school employee or volunteer	3,402	3.0
Misconduct while placed in a DAEP	2,797	2.4
Alcoholic beverage	2,552	2.2
Conduct punishable as a felony	1,291	1.1
Assault against a school employee or volunteer	1,129	1.0
Knife blade less than or equal to 5.5 inches	911	0.8
Criminal mischief	797	0.7
Other	5,084	4.4
Total	114,338	100

*Note.* Parts may not add to 100 percent because of rounding. Data are for the 10 most frequently reported reasons for assignments to DAEPs. A single disciplinary incident may result in DAEP assignment for more than one student.

## Best Practices in DAEPs

### *Selected Research*

Research on alternative education was reviewed for indications of "best practices" in DAEPs. Best practices include program structures, procedures, and activities determined to be successful in programs or schools serving students in disciplinary settings. Among the few studies that focus exclusively on DAEP-type programs, four were selected for discussion in this report because they were Texas-specific, statewide in focus, or both. Definitions of "best practice" varied among studies. In addition, the researchers used different information sources and different methods of

collecting and analyzing data. The studies described in the following sections include:

- ◆ a statewide survey of Texas school district superintendents (McCreight, 1999);
- ◆ a summary of findings from multiple Texas DAEP data sources (Academic Information Management, Inc. [AIM], 2001);
- ◆ a review of Tennessee alternative schools for suspended and expelled students (Moore & King, 2005); and
- ◆ a case study of a Texas DAEP (Coleman, 2002).

### *McCreight Study*

In 1999, a statewide survey of Texas school district superintendents was conducted to gather and analyze data on program characteristics of on- and off-campus DAEPs (McCreight, 1999). Of 1,042 surveys distributed to Texas superintendents, 407 (39%) were returned, including 101 reporting on-campus programs, 291 reporting off-campus programs, and 15 reporting no alternative programs. Aggregation and analysis of survey responses yielded findings describing on-campus and off-campus programs separately and the programs combined.

Survey questions were developed after a review of research and practice literature on alternative programs for at-risk students around the nation. Best practices derived from the literature review were clustered into nine categories: program characteristics, curriculum and instruction, teachers and staff, teacher and staff training, discipline, transitional component, parent involvement, community services, and counseling. Practices identified in the literature included the following, by category.

*Program characteristics.* Successful programs are developed collaboratively by teachers and staff of both the alternative program and regular program. Programs have a clear mission; create efficient, structured environments focused on student success; and base instructional plans on the results of student assessment. Programs help students build the capacity to meet high expectations by using a variety of instructional strategies that respond to individual student needs (e.g., hands-on



learning). Successful programs also maintain a maximum of 15 students per teacher and ensure students with disabilities have access to appropriate staff and resources.

*Curriculum and instruction.* Curriculum is focused on providing students functional academic, social, and daily living skills; includes job preparation; is relevant to students' economic and social experiences; and is delivered flexibly through a variety of innovative, nontraditional methods. Instruction is self-paced, individualized, challenging, and appealing to student interests. A major goal of curriculum and instruction is to provide students with successful experiences that improve behavior, self-esteem, and attitudes.

*Teachers and staff.* Teachers and staff are skilled and take responsibility for student success. They work collaboratively with each other to maximize each student's achievement and increase success. Teachers and staff are caring, dedicated, and optimistic. They believe in educating the "whole child," taking on multiple roles in addition to teacher, including mentor, nurturer, and counselor.

*Teacher and staff training.* Teachers and staff are trained in conflict resolution, discipline management, and anger management. They learn how to work with students from diverse backgrounds.

*Discipline.* The disciplinary system is based on a clear, strict, and fair discipline code that serves to develop student coping skills, self-control, and problem-solving abilities. The system includes positive and negative consequences for student behavior.

*Transitional component.* Activities and procedures are in place to facilitate student transitions between alternative and regular programs. Follow-up activities and procedures track students returning to home campuses.

*Parent involvement.* The program promotes parent involvement in their students' education, provides parent workshops on various topics related to improving family life, and encourages parents to volunteer in the program.

*Community services.* The program helps students gain access to a range of services and training opportunities outside the schools, including:

health and human services; services through the juvenile justice system; and employment, career, and vocational training.

*Counseling.* The program helps students and their families gain access to counseling services through community and state programs. Students are provided peer and adult mentoring opportunities.

Eight best practices were reported as being implemented in local DAEP programs by at least 60 percent of survey respondents:

- ◆ use of one-on-one instruction with the teacher (reported by 76.5% of superintendents);
- ◆ parent involvement in the entrance or exit conference for the program (76.5%);
- ◆ goal of success in the mainstream program after return to the home campus (73.2%);
- ◆ goal of no return trip to the alternative program (67.9%);
- ◆ establishment of individual student goals for program planning (66.8%);
- ◆ staff development for teachers in conflict resolution (64.5%);
- ◆ goal of improved academic achievement (61.5%); and
- ◆ provision of academic program at each student's functional reading level (60.2%).

### ***AIM Study***

In 2001, a summary of successful program practices in Texas DAEPs was developed to provide assistance to DAEP educators and to educators in regular schools who work with discipline, student management plans, and DAEPs (AIM, 2001). Prior to developing the summary, AIM researchers collected information in a TEA-commissioned study as background for the first DAEP Annual Evaluation Report in 2001. The multiyear effort was conducted with assistance from TEA staff and a DAEP advisory committee to the commissioner of education. Data and information were collected from a range of sources, including: on-site visits to 10 DAEP programs in nine Texas districts; statewide surveys of educators with DAEP responsibilities; reviews of

published state and national studies; and comments and suggestions from staff in the former TEA Division of Safe Schools.

Based on available data, AIM researchers identified an array of program characteristics as "best practices" in successful Texas DAEPs. The 2001 summary discussed best practices by category, as follows.

### **Academic performance and instructional arrangements**

- ◆ Have high academic expectations for all students.
- ◆ Use instructional technology effectively, with a balance of computer-assisted and teacher-directed instruction.
- ◆ Keep classes small in size to facilitate connections and one-on-one interactions between teachers and students.
- ◆ Provide access to adequate numbers of up-to-date textbooks and teacher editions for all grades and courses necessary, as well as materials for both on-grade-level and off-grade-level instruction.
- ◆ Develop individualized instructional plans and assessments using information exchanged between sending schools and DAEPs.
- ◆ Provide adequate special education services.
- ◆ Develop curricula with assistance from teachers in the regularly assigned classrooms.
- ◆ Use varied instructional approaches that can accommodate different learning styles, including teacher-directed, self-paced, hands-on, and group-based instruction.
- ◆ Use weekly grading practices; in particular, it is important to send oral and written progress reports to parents and to teachers in the regular schools.

### **School staff and staff development**

- ◆ Hire experienced, certified teachers.
- ◆ Provide adequate teacher training in: varied instructional approaches to meet the academic needs of individual students; diversity, conflict resolution, and social skills development; and

school safety, counseling, and behavior management techniques.

### **Discipline, behavior management, and school safety**

- ◆ Ensure coherence between district discipline policies and practices and those in DAEPs.
- ◆ Implement a system of reduced privileges and rewards, often tracked on point sheets and progress charts, to reinforce strict DAEP rules and behavior management plans.
- ◆ Offer incentives to encourage student behavioral progress, such as the possibility of a shortened stay in the DAEP.
- ◆ Always use appropriate special education discipline and instructional practices, including placement of students in appropriate classroom settings and coordination with admission, review, and dismissal committees for provision of services.
- ◆ Foster a caring environment with committed, respectful teachers and staff who help students make behavioral progress.
- ◆ Ensure safety and security using practices ranging from consistent enforcement of rules to use of technology and procedures, such as metal detectors, student uniform policy, constant student supervision, and police officer presence.

### **Counseling and support services**

- ◆ Maintain a small student-to-counselor ratio, and emphasize proactive counseling activities and availability to parents who need counseling assistance with their children.
- ◆ Include counselor assessments when admitting students.
- ◆ Develop strong relationships with social service agencies, including school psychologists, social workers, and nurses, and communicate with parents about services.
- ◆ Require behavior modification and life skills classes, often guided by curricula designed to address self-esteem, positive social skills, daily living skills, and job preparation.
- ◆ Provide drug and alcohol abuse counseling.

## Transitions

- ◆ Emphasize the importance of objective, specific discipline referrals from sending schools that communicate effectively with DAEP teachers.
- ◆ Use admission procedures that help orient newly entering students and their parents to expectations in the DAEP program.
- ◆ Develop individual student plans and written contracts between students, parents, and the program that formalize expectations.
- ◆ Use exit procedures that have DAEP teachers, counselors, and social workers follow-up on students returning to regular school settings.
- ◆ Provide transition counseling and other services in regular schools to assist students as they adjust to the emotional and social effects of reentering the schools.
- ◆ Maintain ongoing communication with regular schools about issues important to meeting student needs.

AIM identified three other DAEP practices that reinforce the goal of behavioral change for students. First, engaging students in community service helps them connect with their communities and with other people who need assistance. Second, facilitating parent participation at the DAEP program site builds parenting skills and, potentially, strengthens relationships between DAEP students and their parents. Third, providing opportunities for learning about internships, jobs, and continuing education prepares students for the future after returning to sending schools and, later, after high school graduation.

## Moore and King Study

In the mid-1980s, the Tennessee General Assembly required the establishment of at least one alternative school per school district for suspended and expelled students in Grades 7-12 (Moore & King, 2005). In 2000, the General Assembly required that the State Board of Education (SBOE) develop a curriculum for alternative schools. In response, the SBOE developed a comprehensive framework of recommended alternative school program standards for districts to use in developing successful local alternative school programs.

The alternative school program standards were developed with task force recommendations and statewide review. Basic principles guiding the standards were drawn from research literature on teaching at-risk students. The standards document identifies specific program practices associated with each standard (Tennessee SBOE, 2000).

*Standard 1.0.* The alternative school program will establish collaborative partnerships in a system of shared responsibility for program support and for service delivery to enrolled students.

*Standard 2.0.* The alternative school program will integrate life skills development within the curriculum.

*Standard 3.0.* The alternative school will have an effective system of positive student management.

*Standard 4.0.* The alternative school will utilize innovative teaching strategies.

*Standard 5.0.* The alternative school will have curriculum developed in response to needs of the student population.

*Standard 6.0.* The alternative school program will provide appropriate assessment and support services.

*Standard 7.0.* The alternative school program will provide an environment that is conducive to learning.

*Standard 8.0.* The alternative school program will be implemented by effective, qualified staff.

*Standard 9.0.* The alternative school will have an effective transition process for students entering and exiting the program.

In 2004, the Tennessee General Assembly called for a study of the state system of alternative schools for suspended and expelled students. The study included a statewide survey of district superintendents and alternative school directors, interviews, and site visits to individual schools (Moore & King, 2005). Of 136 surveys distributed to superintendents, 106 (77.9%) were returned. Of 152 surveys distributed to school directors, 107 (70.4%) were returned. Practices that supported the SBOE standards included the following.

- ◆ Over 50 percent of school directors reported using tangible, material incentives to reward

positive behavior. Another 25 percent of directors offered early program exit, and approximately 25 percent rewarded students with "level promotion," which is accompanied by increased privileges in the student behavior "level system" (Standard 3.0).

- ◆ School directors reported using a range of sanctions for misconduct. Over 35 percent used out-of-school suspension, nearly 25 percent extended time assigned to the alternative school, and nearly 20 percent used level demotion. About 25 percent referred students to the school system disciplinary hearing authority, and about 20 percent referred students to the court system (Standard 3.0).
- ◆ Over 90 percent of school directors reported that grading standards were consistent with those of sending schools or that student work was graded by teachers in sending schools (Standard 5.0).
- ◆ Nearly 90 percent of school directors reported that core curricula were well-aligned with the regular school program (Standard 5.0).
- ◆ Three-quarters of school directors reported the alternative school met the recommended student-teacher ratio of 12:1 (Standard 7.0).
- ◆ Over 90 percent of school directors reported that all teachers working in the program were certified (Standard 8.0).
- ◆ Approximately two-thirds of school directors reported having at least one certified special education teacher assigned to the program (Standard 8.0).
- ◆ Just over 84 percent of school directors reported receiving both academic and behavioral information on students from sending schools (Standard 9.0).
- ◆ Over 70 percent of school directors reported implementing student transition processes that involved sharing of student information when students returned to sending schools. About 40 percent reported sharing academic but not comprehensive behavioral information (Standard 9.0).
- ◆ Eighty percent of school directors reported that development of long-range plans for

students involved participation of alternative school staff. Sixty-three percent reported it involved participation of regular school staff, and 51 percent reported it involved parent participation (Standard 9.0).

Survey data allowed researchers to identify some unmet needs in the Tennessee system of alternative schools for suspended and expelled students. Most program practice needs were associated with the capacity of alternative programs to provide necessary student instruction.

- ◆ Students needed ongoing, long-term counseling, psychological, and support services. Forty percent of school directors reported their programs did not regularly provide such services (Standard 1.0).
- ◆ Programs needed more qualified teachers in certain content areas. School directors reported teachers often taught multiple grade-levels and subjects, some of which they were not certified to teach (Standard 8.0).
- ◆ Programs had difficulty providing lab sciences, foreign languages, vocational classes, electives, and advanced courses for students enrolled in such classes in the regular school (Standard 8.0).
- ◆ Teachers in alternative schools and those in regular schools needed common training to "promote well-aligned, professional efforts for instructing at-risk students" (Moore & King, 2005, p.34) (Standard 8.0).
- ◆ Programs needed to develop more comprehensive transition processes that include transition staff coordinators, collection of data on student outcomes, ongoing communication between alternative and regular schools, and more partnerships and collaborations with community agencies (Standard 9.0).

### ***Coleman Study***

A case study of a Texas disciplinary alternative education program (DAEP) was conducted in 2001 to identify the effects of DAEP attendance on students with long-term, multiple referrals (Coleman, 2002). The study site was a suburban school district with a student population of approximately 32,000. Data were collected primarily

by interview to discern the perceptions and experiences of students and teachers in the DAEP. Interviews were conducted with 20 students and 20 staff members at the DAEP, as well as 5 staff members at the sending school with the highest number of students enrolled in the DAEP. Staff members included principals, teachers, and counselors. Additional information was gathered through observations at the school site, a review of school documents, such as grade books and campus handbooks, and data from the district and TEA.

Coleman identified three general types of students assigned to the DAEP. Type A students preferred the regular campus and were likely to be one-time DAEP referrals. Type B students preferred the DAEP setting to the regular campus, often were more successful at the DAEP, and were likely to receive multiple DAEP referrals. Type C students did not want to be at the regular campus or the DAEP; were unlikely to be successful in either setting; and tended to be returned to the DAEP, expelled, or sent to the County Juvenile Justice Alternative Education Program.

Teachers associated the following practices with positive changes in academic, personal, and social behaviors of Type B students while attending the DAEP. Practices are grouped in eight program areas, as identified by Coleman.

#### **Communication between teachers and students**

- ◆ Promote open channels of communication with students.
- ◆ Tolerate certain student behaviors often considered unacceptable or offensive in regular school settings (e.g., profanity).
- ◆ Be receptive to discussing issues typically prohibited in regular school settings (e.g., drug use, premarital sex, crime, and suicide).
- ◆ Build rapport and trust with students.

#### **Educational focus**

- ◆ Deliver the same basic curriculum as in sending schools but with much hands-on assistance to students and extra support for those not on grade-level.

- ◆ Include opportunities for students to practice new concepts immediately after the concepts are taught.
- ◆ Help students find value in education, feel comfortable with the educational system, build confidence in personal academic abilities, and take pride in accomplishments.
- ◆ Contact parents when students show promise or do outstanding work to encourage positive conversation about education between parents and children.
- ◆ Ensure students do class work by increasing consequences for poor performance beyond grades (e.g., by denying points toward discharge from the program).

#### **Faculty teamwork and roles**

- ◆ Discuss individual students' behaviors and different approaches to helping them "get on the road" toward success.
- ◆ Enable teachers to take on unique roles that fill particular program needs (e.g., the strict disciplinarian).
- ◆ Express mutual respect for colleagues' abilities and performance.

#### **Security measures**

- ◆ Ensure safety by using, for example, rules about disallowed items, metal detectors, and pocket searches.
- ◆ Impose restrictions (e.g., dress code, single-file line formation).

#### **Pupil-teacher ratio**

- ◆ Maintain a low pupil-teacher ratio (about 10:1 at the case study site).
- ◆ Create a small school environment (15 teachers at the case study site).

#### **Transition into the DAEP**

- ◆ Orient students to program expectations through strict socialization (e.g., by employing a graduated system of classrooms that allow students to adjust progressively to less restrictive environments).

## **Social skills development**

- ◆ Provide a class with the explicit purpose of encouraging students to think about social effects of personal behavior (e.g., engage students in group discussion and analysis of the behaviors that led to their DAEP placements).

## **Structure and rules**

- ◆ Establish written rules of discipline.
- ◆ Use a system to monitor individual student behavior (e.g., point system).
- ◆ Levy consequences for absences and rule infractions (e.g., extended DAEP assignment).
- ◆ Ensure rules are enforced consistently and respectfully everywhere.
- ◆ Neutralize potentially disruptive social issues among students (e.g., clothing choices).

## **Summary**

The four studies described in this report identified general principles and specific program strategies said to be successful in disciplinary alternative education settings. Best practices were found in a number of areas, including discipline management, curricula, instructional strategies, teachers and staff, professional development, counseling and support services, and student transitions. Although many of the practices would be viewed as best practices in any type of educational program, some receive particular emphasis in DAEPs. Others clearly address specific needs of students assigned to DAEPs.

Despite the use of different research approaches, the studies described several DAEP best

practices in similar ways. For example, discipline management systems in DAEPs are designed to monitor and, ideally, change student behavior. Behavior management plans often reinforce rules through structured reward and sanction procedures. Students are rewarded through such methods as material incentives, promotion within student behavior "point" systems, and reduced length of assignments to DAEPs. Students are sanctioned through lost privileges and extended DAEP assignments.

The studies also found that individualized instruction is strongly emphasized in DAEPs. Teachers establish individual student goals and instructional plans and use one-on-one instruction and other instructional approaches that accommodate different learning styles.

All four studies addressed an experience unique to DAEP students: the transition between the sending school and the DAEP. Successful facilitation of this transition is said to be crucial to the success of many students who are temporarily removed from their home schools and later return. A formal transition process orients newly entering students and their parents to DAEP structures, procedures, and expectations. When students enter the program, teachers and staff in some DAEPs develop individualized behavioral and academic plans. When students exit the DAEP, their academic and behavioral information is shared with sending schools. To foster the successful return of students to mainstream education programs, students often receive counseling to help them cope with the emotional and social effects of reentering their home schools. Further, a comprehensive approach to student transition is said to include follow-up services by teachers, counselors, and social workers.

## References

- Academic Information Management, Inc. (2001). *A guide to successful practices: What works for disciplinary alternative education programs? Identifying patterns of success in Texas DAEP schools*. Austin, TX: Author.
- Aron, L.Y. (2006). *An overview of alternative education*. Washington, DC: The Urban Institute.
- Coleman, D.A. (2002). *The affect [sic] of high school disciplinary alternative education programs on students with long-term multiple referrals*. Unpublished dissertation.
- Education Commission of the States. (2007). *Recent state policies/activities: Alternative education*. Denver, CO: Author. Retrieved March 21, 2007, from <http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=Alternative+Education>
- Institute for the Study of Students at Risk. (2001). *Current status of alternative education programs in Maine: Impact upon policies and practices for students with disabilities and students considered to be "at risk."* Final report, 2000-2001 project. Orono, Maine: University of Maine.
- Joint Select Committee to Review the Central Education Agency. (1994). *Final report of the Joint Select Committee to Review the Central Education Agency*. Austin, TX: Texas Legislative Council.
- Kleiner, B., Porch, R., & Farris, E. (2002). *Public alternative schools and programs for students at risk of education failure: 2000-01*. (NCES 2002-004). U.S. Department of Education. Washington, DC: National Center for Educational Statistics.
- Lange, C.M., & Sletten, S.J. (2002). *Alternative education: A brief history and research synthesis*. Alexandria, VA: National Association of State Directors of Special Education.
- McCreight, C. (1999). *Best practices for disciplinary alternative education programs in Texas*. Laredo, TX: Texas A&M International University.
- Moore, R., & King, J. (2005). *Tennessee's alternative schools*. Nashville, TN: Office of Education Accountability.
- Raywid, M.A. (1994). Alternative schools: The state of the art. *Educational Leadership*, 52(1), pp. 26-31.
- Ruzzi, B.B., & Kraemer, J. (2006). *Academic programs in alternative education: An overview*. Washington, DC: National Center on Education and the Economy.
- Tennessee State Board of Education. (2000, revised). *Alternative school program standards*. Retrieved March 22, 2007, from <http://www.state.tn.us/sbe/alternativeschool.htm>
- Texas Education Agency. (2006). *2006 comprehensive annual report on Texas public schools* (Document No. GE07 601 04). Austin, TX: Author.
- Texas Education Code. (2005). *Texas school law bulletin*. St. Paul, MN: Thomson/West.
- Zweig, J.M. (2003). *Vulnerable youth: Identifying their need for alternative educational settings*. Washington, DC: The Urban Institute.





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