



Board Action Required

No Action Required

To: Coppell ISD Board of Trustees  
From: Dr. Angie Brooks  
Date: July 19, 2023

cc: Dr. Brad Hunt, Kristen Eichel, Mary Kemper

**Re: District of Innovation Amendment**

As a reminder, CISD has a district of innovation plan per the state requirements:  
TEA link:

<https://tea.texas.gov/texas-schools/district-initiatives/districts-of-innovation>

CISD District Website link (posted plan):

<https://www.coppellisd.com/o/cisd/page/district-of-innovation>

Currently, we are requesting an amendment to our current District of Innovation plan for CISD in the following areas:

***XII. Mandatory DAEP Offenses for E-Cigarette, Marihuana, or Tetrahydrocannabinol***

- A. *Statutory Exemption: Texas Education Code § 37.006(a)(2)(C-1) & (C-2):* A student shall be removed from class and placed in a disciplinary alternative education program if the student commits the following on or within 300 feet of school property... sells, gives, or delivers to another person or possesses or uses or is under the influence of marihuana or an e-cigarette. (CISD Board Policy Ref: FOC (LEGAL))
  
- B. *Challenges for Coppell ISD:* The new law requires the District to place more students in the DAEP setting, which would result in an excess of students being placed in the DAEP for an initial offense. The new law passed in the 88<sup>th</sup> regular session removes the campus' ability to utilize restorative practices for an initial offense rather than exclusionary disciplinary consequences.
  
- C. ***Innovation:*** The District will provide appropriate campus-based discipline for a first offense of selling, giving, using, possessing, being under the influence, or delivering to another person marihuana or an e-cigarette. Any subsequent infractions would result in a mandatory DAEP placement subject to the procedures outlined in Section 37.009 of the Texas Education Code.

***XIII. Placement of Student if DAEP is at Capacity***

- A. *Statutory Exemption: Texas Education Code § 37.009(a-1) & (a-2)*: If a DAEP program is at capacity at the time a CBC is deciding placement for a student who engaged in the specified conduct outlined in the statute then the student shall be placed in in-school suspension and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period. Alternatively, if a student who engaged in the requisite non-violent behavior is placed at DAEP, and a student who engaged in violent conduct requires a position at DAEP, but DAEP is at capacity, the student with non-violent conduct must receive ISS to allow the student with violent conduct to go to DAEP. However, if a position comes available before the expiration of the student who engaged in non-violent conduct's period of placement, then the student will be required to return to the DAEP program (CISD Board Policy REF: FOC (LEGAL)).
- B. *Challenges for Coppell ISD*: Students are continually being assigned to DAEP and being transitioned back to his or her home campus. The process to begin DAEP includes an intake process and the process to return to campus requires a personalized transition plan. The new provisions of Section 37.009 does not take into account the processes required at the beginning and end of a placement at DAEP, and could result in students moving repeatedly during a period of placement, interrupting educational continuity.
- C. **Innovation**: If a student receives a DAEP placement due to the statutorily specified, non-violent conduct listed in Section 37.009(a-1) and DAEP is at capacity, the Student will serve the placement in ISS. However, if a position becomes available at DAEP before the expiration of a student's DAEP period of placement and a student has ten or more school days left in their period of placement, then the student will be sent to complete their placement at DAEP. If a student is removed from DAEP to allow a position for a student who engaged in non-violent conduct to attend DAEP, then a student will serve the remaining period of the DAEP placement in ISS unless there are 30 or more school days left in the placement when a position at DAEP placement becomes available.

Please let me know if you have additional questions about these changes to our plan. Thank you.

Dr. Angie Brooks

**RECOMMENDATION:** The Administration recommends that the Board of Trustees approve the amendment as presented.