



MARLIN

Appealing a Student's DAEP Placement

When a student's behavior is considered serious enough to warrant a discretionary or mandatory placement in the Disciplinary Alternative Education Program (DAEP), a hearing will be held to discuss the student's behavior, Marlin ISD board policy, the Student Code of Conduct, and/or Chapter 37 of the Texas Education Code. This campus-level hearing and decision is made by the principal, principal designee, or the campus behavior coordinator, and the parent will be a part of the hearing and immediately notified of the decision.

For a parent who wishes to appeal the student's placement in DAEP, the following steps should be followed:

1. Request a campus-level appeals conference.

The parent should contact the principal within three school days after receiving the initial notification about the DAEP placement. Once the principal receives the parent's request for an appeal, he or she will have five school days to schedule the appeals conference. The length of this conference will be limited to 15 minutes. At this time, both the principal and the parent will have an opportunity to present information regarding the student's placement at DAEP.

Within three school days of the campus-level appeals conference, the principal will decide to either uphold or rescind the student's DAEP placement. In either case, the principal will immediately notify the parent.

2. Request a district-level appeals conference.

All district-level appeals are handled through the Superintendent or Superintendent's Designee. A parent who wishes to appeal the campus's decision about DAEP placement should contact the initial hearing officer, within three school days of the campus-level decision. The initial hearing officer will contact the superintendent to schedule a hearing. When possible, this hearing will take place within three school days of when the decision at the campus-level appeals conference was made.

The district-level appeals conference will include the following steps:

- A district official will preside over the conference.
- The campus principal, principal designee, or initial hearing officer will present information about the conduct or offense that resulted in the recommendation to place the student in DAEP.
- The student will have an opportunity to explain the conduct or the offense from his or her point of view.
- The student may choose to have adult or legal representation at the conference.
- Written statements from witnesses or other parties may be presented; however, no formal rules of evidence will be followed.
- Each party will be allowed to develop or defend the charge and ask the district official to take specific action regarding it.
- The district official will remain impartial and will assist both parties in developing facts and presenting evidence.
- Within two school days of the district-level conference, the district official will make a decision based on credible evidence presented and then notify the parent.

FOC(LEGAL)

FNG(LOCAL)

Student Code of Conduct