

- SUBJECT:** TEA grants for prevention of youth violence, drug abuse, delinquency
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 5 ayes — Eissler, Hochberg, Mowery, Olivo, Patrick  
0 nays  
4 absent — Zedler, Branch, Delisi, Dutton
- WITNESSES:** For — Adrian Moore, Council on At-Risk Youth; (Registered, *but did not testify*: Amy Beneski, Texas Association of School Administrators; Deborah Fowler, Texas Appleseed; Dwight Harris, TFT; Lonnie Hollingsworth, Texas Classroom Teachers Association; Sandra Jones, Council-at-Risk-Youth (CARY); Kay Lambert, Advocacy, Inc.; Elena Lincoln, Association of Texas Professional Educators; Ken McCraw, Tx Assn of Community Schools; Ruby Ramos, Texans Care for Children; Leslie Schueckler, Texas Association for Alternative Education; Julie Shields, Texas Association of School Boards; Hector E. Rodriguez; Raul Solis; Mary Alice Webster)  
  
Against — None  
  
On — Dottie Carmichael, Texas A&M University
- BACKGROUND:** Under Education Code, sec. 37.008, each school district is required to provide a disciplinary alternative education program (DAEP). These are out-of-classroom placements of students who have committed serious off-campus offenses that are not school-related, those who commit violations of the student code of conduct, and those who commit certain other misdemeanor offenses on campus. Some DAEPs are on regular campuses and some are off campus. Placements in DAEPs are required by Education Code, sec. 37.006 for some students or can be at the discretion of the school district according to the local student code of conduct.
- DIGEST:** HB 3202 would require TEA to award grants to conduct prevention programs focused on youth violence, drug abuse, and delinquency for at-risk youths placed in in-school suspension or disciplinary alternative education programs.

Grants would have to be used to develop a case management system for at-risk students in sixth through 12th grade assigned to DAEPs or in-school suspension programs.

School districts could contract with private providers, another public school, or a regional education service center to implement a grant authorized by the bill. School districts would have to agree to participate in training, technical assistance, and evaluations, as required by TEA.

The programs would have to meet certain qualifications, including:

- targeting students with abusive conduct and behaviors including assault, abuse, aggression, insubordination, bullying, sexual harassment, intimidation, destruction of school property, sale or possession of dangerous drugs, and possession of weapons;
- providing services to students chosen by principals;
- using documented violence, drug abuse, or delinquency prevention programs;
- using a case management system for 12 months; and
- working closely with parents or other adults in charge of students.

TEA would provide a competitive grant application, review, and award process, and could use one or more educational service centers for the grant process and the training and technical assistance. Districts could not use funding from HB 3202 to replace funding for existing programs that supported students in DAEPs or in-school suspension programs.

HB 3202 would apply beginning with the 2007-2008 school year, and would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

HB 3202 could help prevent some youths from moving into delinquency and the criminal justice system by funding prevention programs for those placed in in-school suspension or disciplinary alternative education programs. Youths in suspension or in DAEPs often have problems with delinquency, violence, or drug abuse, and HB 3202 would make programs available to them.

Programs for these youths often are held after school or off-campus, and youths' commitment to them can waiver. HB 3202 would fund programs

in the school setting to help increase the likelihood that they would benefit from them.

Any funds spent to address delinquency, violence, and drug abuse prevention would be money well spent. Research has shown that school disciplinary history is a strong predictor of involvement with the juvenile justice system, and addressing the issues of these students could help divert them from the criminal justice system.

HB 3202 would require that grants be made only if TEA was appropriated new monies for this purpose. The bill would set parameters to ensure that funded programs were proven and targeted to the right students. For example, the bill would require that any funded program use documented prevention programs, target students with specific types of behaviors, and work closely with parents. The use of a 12-month case management system would ensure that students were given consistent, monitored services. Any organization that met these qualifications could apply for the competitive grant process that the bill required.

**OPPONENTS  
SAY:**

The parameters in HB 3202 could be too narrowly drawn and could exclude other, worthy programs.

**NOTES:**

The fiscal note on HB 3202 estimated an annual cost of about \$7 million for the bill by assuming that the rate at which students would be placed in DAEPs would be similar to previous years and that the grants would pay for 12-month case management services to 20 percent of the population of students placed each year in DAEP.

Article 11 of the House-passed version of HB 1 contains a rider that would appropriate to TEA \$6.5 million in fiscal 2008 and \$3.5 million in fiscal 2009 to implement HB 3202 or similar legislation.