



**DISCIPLINE MANAGEMENT PLAN
AND
STUDENT CODE OF CONDUCT
2011-2012**

*The mission of Paris Independent School District is
to provide a quality education to a diverse
student population, enabling each to achieve full
potential and become a productive, responsible citizen.*

FOREWORD

The mission of Paris Independent School District is to provide a quality education to a diverse student population, enabling each to achieve full potential and become a productive, responsible citizen.

Paris ISD believes that our school should be safe and orderly, that no one will interfere with the educational process, and that each person is responsible for his/her actions.

The Paris ISD *Discipline Management Plan and Student Code of Conduct* is a handbook containing rules, policies and regulations on the rights and responsibilities of students, the student code of conduct and student discipline. This handbook was originally developed by the 21-member Paris ISD District-wide Academic Excellence Committee (DWAC), eight representatives from our community---two students, two parents, four community/business persons, and with input from the police department, juvenile probation office, and from members of the community at two public forums. The handbook is reviewed on an annual basis, with revisions approved by DWAC and the PISD Board of Trustees.

The handbook will be distributed to all students, parents, teachers, and administrators, as well as any person on request. Each year, parents and students must acknowledge receipt of this discipline handbook by signing the acknowledgement letter and returning the letter to the school.

This *Discipline Management Plan and Student Code of Conduct*, adopted by the Board of Trustees, and current statute will govern student discipline. This handbook does not define all types and aspects of student behavior. The Board of Trustees and its designee may establish written policies, rules and regulations of general application governing student conduct in all schools. Each campus principal may establish rules in addition to, but consistent with, those established by the Board and its designee.

Your comments and suggestions are welcomed and encouraged.



Paul Trull
Superintendent



Mark Hudson
Deputy Superintendent

GLOSSARY

Admission, Review, and Dismissal (ARD) Committee---A committee which decides the educational program and where it will take place for students referred or currently receiving special education services. The committee is made up of the campus administrator, the parent, and a representative of special education or general education.

Alternative School Review Committee---A student may be referred to the alternative school whose previous behaviors have posed a threat to others, who have demonstrated a tendency toward violent acts, or whose past actions would lead District officials to believe that there is reasonable expectation that the student may pose a danger to himself or to others.

The committee will be composed of a teacher, counselor, campus administrator, a central office administrator, and the alternative school principal. Other individuals such as a teacher, assistant principal, or juvenile justice official may be asked to participate as nonvoting committee members. The principal, the superintendent or designee, may refer a student to the Alternative School Review Committee.

Alternative School---An off-campus setting for students who commit a major disciplinary infraction listed in *TEC §37.006*, commit persistent misbehavior, or engage in conduct punishable as a felony identified in Title 5 of the *Penal Code*, or a non-Title 5 felony when the superintendent determines that the presence of the student in the regular classroom is a threat to safety or will be detrimental to the educational process. (See p. 3 Paris Alternative School for Success, DAEP.)

Attendance Review Committee (ARC)---A committee which hears appeals from students who are denied credit for failure to buy back time for any absence beyond 90% attendance. A student who has more than 9 absences in any course per semester must attend Saturday School or make an appeal to the ARC. When an appeal is made, the ARC looks at each absence and determines if the student is to:

- receive credit, or
- buy back time in order to receive credit.

Categories of Offenses ---Offenses are grouped into four classifications:

Level I---Violation of Classroom/School Rules (minor) (See p. 24.)

Level II---Violation of the *Student Code of Conduct* (major) which may require consequences up to ISS. Repeated Level II offenses will be classified as persistent misbehavior, will result in more severe disciplinary action, and is subject to being elevated to Level III. (See p. 25.)

Level III---Violation of *Student Code of Conduct* (serious) which requires placement in the alternative school (See pp. 25-29.)

Level IV---Violation of *Student Code of Conduct* (very serious) which requires expulsion (See pp. 29-31.)

Cyberbullying---The use of any electronic communication device to engage in bullying or intimidation.

Disciplinary Alternative Education Placement (DAEP)---Alternative setting for behavior management provided in a setting other than the regular classroom which can be on or off campus. Students assigned to DAEP are separated from the other students, prohibited from attending school related or extracurricular activities, including prom and graduation, or from entering a campus without permission from the principal. For seniors assigned to DAEP who are eligible to graduate, the placement in the program will continue through graduation, and the student will not be allowed to participate in the graduation ceremony and related graduation activities.

Discipline Management Plan (DMP)---A written plan that includes rules, procedures and expectations related to student conduct and specifies consequences for violating the **Student Code of Conduct**.

Discipline Management Technique---Any action listed on page 13 of the **DMP**. A technique is intended to promote appropriate behavior and discourage misbehavior. A campus may choose which techniques are appropriate for its students.

Expulsion---A period of time, up to one (1) year, when a student will not earn credit or attend school or any school activity, on or off school property. Students between six and ten years of age who commit an expellable offense must be placed in a disciplinary Alternative Program.

Firearm---Under federal law, firearm includes:

- Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
- The frame or receiver of any such weapon.
- Any firearm muffler or firearm weapon.
- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Individual Education Plan (IEP)---A plan which states how services to a Special Education student will be provided, when and where provided, and who will provide the services. The IEP is developed by the ARD Committee and is based on a student's current skills, abilities and educational need.

In School Suspension (ISS)---A supervised isolated setting on-campus for students in grades K-12 who commit a Level II disciplinary infraction(s).

Parent ---A parent, guardian, or person standing in parental relation.

Paris Alternative School for Success (PASS) ---The Paris ISD Alternative School is located in the Travis building at 3270 Graham Street.

Disciplinary Alternative Education Program (DAEP)---A program for students with a persistent or serious behavior problem. A DAEP program is available for grades 1-4, 5-6, and 7-12. Students under six cannot be placed in a Disciplinary Alternative Education Program. A DAEP student may not attend any school activity, including prom and graduation.

Persistent Misbehavior---Repeated violations of school rules or **Student Code of Conduct** are considered persistent misbehavior. Repeated Level I infractions will be elevated to Level II, and repeated Level II infractions will be elevated to Level III.

Placement Review Committee (PRC)---A committee that determines the placement of a student after a teacher-removal, if the teacher refuses to re-admit the student to the class from which the student was removed. The committee is composed of 2 teachers and the principal. (See p. 32.)

Possession---To have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any other school property used by the student, including but not limited to a locker or desk.

School Property---Any property owned by the school district or over which the school district or its personnel exert lawful authority.

Student Code of Conduct---The document which establishes standards for student conduct and includes the following:

- (1) Specify discipline management techniques
- (2) Specify the circumstances under which a student may be removed from a classroom, campus, or alternative education program
- (3) Specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to an alternative education program; and,
- (4) Outline conditions under which a student may be suspended or expelled.

Suspension---A period of time, up to 3 days, that a student may not attend school or any school activity.

Teacher Removal---A teacher will remove from class any student who interferes with the ability of the student's classmates to learn, with the ability of the teacher to communicate effectively with the class or with the ability of the teacher to maintain effective classroom discipline. (See PRC, page 3.)

Texas Education Code (TEC)---A bulletin that contains current state education laws and other statutes pertinent to the operation of the public schools of Texas.

General Authority to Impose Discipline

The Texas Legislature has delegated the authority to manage independent school districts and discipline students to the Board of Trustees and its employees. The school has the authority to administer discipline whenever the interest of the school is involved, on or off school property, in conjunction with or independent of classes and school-sponsored activities.

PARIS INDEPENDENT SCHOOL DISTRICT

DISCIPLINE MANAGEMENT PLAN AND STUDENT CODE OF CONDUCT

RIGHTS AND RESPONSIBILITIES OF THE SCHOOL COMMUNITY

Each member of the school community **must** fulfill certain responsibilities if a positive learning environment is to be achieved. A cooperative relationship among students, parents, and educators requires that:

Students Have The Right And Responsibility To:

1. Attend all classes on time.
2. Contact the principal if a tenth absence is incurred.
3. Be prepared for each class with appropriate materials and assignments.
4. Be appropriately dressed and groomed at school and school activities.
5. Show respect for others, even when others do not.
6. Exhibit responsible behavior that does not interfere with the teacher's communication with students or with the ability of other students to learn.
7. Pay required fees and fines.
8. Refrain from violations of the ***Student Code Of Conduct***.
9. Seek changes in school policies and regulations in a responsible manner, through appropriate channels.
10. Cooperate with staff in investigation of disciplinary cases and volunteer information within the student's knowledge relating to an offense.
11. Adhere to teacher guidelines and directions.

Parents Have The Right And Responsibility To:

1. Establish a strong partnership between the home and school that thrives on communication.
2. Communicate and cooperate with the teacher if your child is having difficulty following school rules or directions of the teacher.
3. Review the ***Discipline Management Plan and Student Code of Conduct*** with your child prior to signing and returning to the school the written statement that you understand and consent to the responsibilities outlined in it.
4. Encourage your child to put a high priority on education and to commit to making the most of the educational opportunities provided by the school.
5. Become familiar with the academic program offered in the District and feel free to ask the principal any questions, including concerns about placement, assignment, or early graduation.
6. Attend Board meetings to learn more about ongoing operations of the District.

7. Exercise your right to review teaching materials, textbooks, and other aids and to examine tests that have been administered to your child.
8. Be aware of your right to temporarily remove your child from an instructional activity that conflicts with your religious or moral beliefs. Such a removal cannot be for the purpose of avoiding a test and may not prevent the student from attending for an entire semester. Further, such removal does not exempt the student from satisfying grade level or graduation requirements as determined by the school and by the Texas Education Agency.
9. Review your child's school records, monitor your child's progress, and contact teachers as needed. Take advantage of all opportunities to stay informed regarding your child's activities.
10. Become a school volunteer. For further information, call your child's school.
11. Participate in campus parent organizations.
12. Stay informed on school activities and issues. District and campus publications, PTO meetings, and open house, provide good opportunities for learning more about the school.
13. Ensure your child attends school regularly and on time.
14. Contact the principal if a tenth absence is incurred or if notice is given to clarify an absence(s).
15. Assure your child does not violate the dress code whether at school **or** at school related activities.
16. Bring to the attention of school authorities any learning problem or condition your child may have.
17. Maintain correct up-to-date home and emergency telephone numbers and home addresses on school records.
18. Be sure your child attends school tutorials when having academic difficulty.
19. Exercise appropriate parental control. Under the *Family Code*, a student's parent is legally liable for (a) property damage caused by the negligent conduct of the student, (b) the willful or malicious conduct of a student, and (c) compliance with the compulsory attendance law.
20. Encourage responsible behavior that does not interfere with the teacher's communication with students or with the ability of other students to learn.

Administrators Have The Right And The Responsibility To:

1. Respond to discipline problems referred to them by teachers.
2. Promote effective discipline of all students.
3. Encourage parent communication with the school, including participation in parent-teacher conferences.
4. Provide assistance to students in learning self-discipline.
5. Assume responsibility for evaluation of the *Discipline Management Plan*.
6. Serve as appropriate role models for the students.
7. Notify the parent of a violation of the *Student Code Of Conduct*.
8. Inform each teacher when a student has engaged in an expellable offense or when a student has been arrested or detained under Chapter 52 of the *Texas Family Code*.
9. Promote responsible behavior that ensures teacher communication with students and the ability of students to learn.

Teachers Have The Right And Responsibility To:

1. Use discipline management techniques listed in the *Discipline Management Plan*, page 13.
2. Ensure good student discipline by being in regular attendance and on time.

3. Be prepared to perform teaching duties with appropriate preparation, assignments, and resource materials.
4. Comply with District and school policies, rules, regulations, and directives.
5. Maintain an orderly classroom atmosphere conducive to learning.
6. Meet the standards of teaching performance established by the District/Campus.
7. Establish rapport and an effective working relationship with parents, students, and other staff members.
8. Teach students to develop and practice self-discipline.
9. Provide a written report to the principal of any violation of the **Student Code of Conduct**.
10. Remove from class a student whose behavior seriously interferes with the teacher's ability to teach or with the ability of the student's classmates to learn.
11. Encourage good work habits for students that will lead to success in meeting personal goals.
12. Serve as appropriate role models for students.
13. Expect responsible behavior that promotes teacher communication with students and the ability of students to learn.
14. Remove a student from the classroom who engages in conduct described under **Texas Education Code §37.006 and 37.007**.

RULES AND REGULATIONS

The Board of Trustees or its designee has the responsibility to develop policies, rules and regulations to help each student conduct himself/herself in a proper manner as a good citizen of the school community.

ATTENDANCE

Compulsory Attendance

In Texas, a child between the ages of 6 (on or before September 1) and 18, or a child that has enrolled in Prekindergarten, Head Start, or Kindergarten, is required to attend school every day. School employees will investigate and report violations of the state compulsory attendance law to the proper authorities. A student who is 18 years or older and is enrolled in a public school is required to attend school every day. If the student has more than five unexcused absences in one semester, the student may be dropped from school for the remainder of the year.

Truancy

The **Texas Education Code, Sec. 25.085** states, "...a child is required to attend school each school day."

Truancy is defined by the **Texas Education Code, Sec. 25.094** as:

"...fails to attend school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period..."

If a student fails to attend school every day, the parent may be convicted for failure to comply with truancy laws of the State of Texas and a court order may be issued that includes one of the following:

1. parent fined \$10 - \$200
2. parent attends class with the student
3. student attends an alcohol and drug abuse program
4. student attends a preparatory class for a GED

5. student and/or parent complete community service
6. student's driver's license suspended
7. student participates in a tutorial program.

Each day the child remains out of school constitutes a separate offense. To avoid any misunderstanding, parents should communicate with the school and furnish evidence of the reason for an absence in a timely manner.

Minimum Attendance

A student is required to attend at least 90% of the days scheduled for a course in order to receive credit. 90% attendance is:

No more than 9 absences for the semester.

Notification Requirement – Absences

When a student must be absent from school, upon returning to school, the student must bring a note signed by the parent that describes the absence. A note signed by a student will not be accepted, even with parent permission, unless the student is 18 or older or has been declared by a court to be an emancipated minor. A student will be permitted a reasonable time as determined by the school to bring the note. It is the student's responsibility to adhere to school guidelines. Failure to bring a note will result in an unexcused absence.

Buy Back of School Time

A student in attendance less than 90% will be denied credit unless the student buys back time as determined by the Attendance Review Committee (ARC). To "buy back" school time in order to receive credit for a course(s), a student must attend Saturday School (8:00 a.m. to 1:00 p.m.) or detention. Any class missed above 9 times per semester must be bought back or credit will be denied. To eliminate misunderstandings, contact your principal anytime your child is absent 9 or more days per semester.

Excused Absence

If proper documentation is given to the school, a student will be **EXCUSED AND COUNTED PRESENT** (without requirement to buy back time) for a temporary absence due to:

1. Medical/dental appointments or treatment by health care professional, if the student on the same day of the appointment or treatment:
begins classes or
returns to school.

The school must be provided with proper documentation from the health professional's office.

2. Observation of religious holy day(s), including travel.

A student will be permitted a reasonable time to make up work missed. It is the student's responsibility to check with the teacher and to adhere to teacher guidelines.

Extenuating Circumstances

For the purpose of reviewing absences, as well as avoiding truancy charges, extenuating circumstances will include:

1. Student illness, illness or death in the immediate family.
2. Participant in court proceeding involving child abuse or neglect, documented by probation officer or caseworker.
3. Documented participation in substance abuse rehabilitation program.
4. A cause acceptable to the principal/designee.

Make-up Assignments

A student will be permitted a reasonable time as determined by the teacher to make up work missed. It is the student's responsibility to check with the teacher and to adhere to teacher guidelines. Failure to complete the assignment in the allotted time will result in a grade of zero.

Extracurricular Activities

A student absent from school will not be permitted to participate in an activity on that day or evening, unless permission is granted by the principal for extenuating circumstances.

Unexcused Absence

An unexcused absence is an absence due to "skipping" school. A student skipping school will be subject to disciplinary action, a zero grade for any missed assignment, and truancy charges as well. An unexcused absence is one not determined as excused or due to an extenuating circumstance. A student with any absence over 9, except those **EXCUSED** or given the okay by the ARC, must buy back time in order to receive credit.

Attendance Review Committee (ARC)

If a student accumulates more than 9 absences per semester and feels that an absence(s) needs consideration due to extenuating circumstances, the student must appeal to the ARC. To appeal, the student should contact the principal/designee and follow campus guidelines. The ARC will then look at each absence and determine if the student must buy back time missed in order to receive credit. The ARC is composed of the student's teacher(s), a counselor and principal.

Tardiness

Persistent tardiness will result in disciplinary action. Each 4 unexcused tardies in a class during a semester will also result in the student being charged with an unexcused absence, which may result in buy back of time.

Tutorials

A student absent without a valid reason from required tutorials will be considered truant and subject to disciplinary action.

DRESS CODE

The District's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. A student should be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to self or others. Students are expected to promote good citizenry in their attire and grooming standards. Students shall keep their hair, beards and mustaches neatly groomed.

The District prohibits any clothing or grooming that, in the principal's judgment, may reasonably be expected to cause disruption of or interference with normal school operations. The student and parent may determine the student's personal dress and grooming standards, provided they comply with the District's dress code.

Students **are not** permitted to wear:

1. Clothing which is extremely revealing of the body:
 - (a) Midriffs
 - (b) Strapless or backless
 - (c) Tank tops
 - (d) Pants/jeans where skin can be seen through a frayed area, tear, or hole
 - (e) Shorts and mini-skirts
 - [1] Girls' skirts or dresses are appropriate if they are no higher than 3 inches above the kneecap, including any slits in the hem.
 - [2] Girls' and boys' shorts are appropriate if they are not more than 5 inches above the kneecap.
 - IF IN DOUBT, DO NOT WEAR IT.**
 - (f) Drill team and cheerleader uniforms are appropriate during pep rallies and games but not in classrooms and hallways.
 - (g) Bike shorts, gym shorts, and leggings/tights are not permitted unless worn under school-appropriate clothing.
2. Displays on the body (tattoos-permanent or temporary) or displays on clothing that have writing or pictures depicting or advocating:
 - (a) Obscene/suggestive gestures or language
 - (b) Drugs, alcohol, or tobacco
 - (c) Violence
 - (d) Gang activities
3. Caps, hats, sweat bands, and skull caps during regular school hours and at indoor nonathletic school events (i.e. concerts, banquets, etc.). At school athletic events, headwear may be worn as long as it cannot be extended below the ears.
4. Sunshades in the building (unless prescribed by a doctor)
5. House slippers or footwear that is noisy
6. Earrings (males)
7. Body-piercing objects (exception: females' ears)
8. Bandannas, wash cloths, or rags at school or school activities
9. Pants that are sagging
10. Wallet chains, belts of chains, or spiked jewelry
11. Trench coats or dusters

A school-appropriate shirt must be worn under all outer wear.

Girls' tops must fall at least one inch below the waist whether standing or sitting. Boys' shirts that fall below the bottom of the buttocks must be tucked in.

If a belt is worn, it must be worn through the belt loops and be buckled at all times. Belts must be of appropriate length and may not be wider than the belt loops. Belts may not have metal studs, brads, or other adornments that could be perceived as a hazard.

Students assigned to the PASS campus are required to adhere to stricter standards of dress and grooming.

A student assigned to attend the discipline alternative school (PASS) shall wear:

1. a long sleeve gray shirt tucked into the pants at all times,
2. khaki pants, tan color only, that are the student's correct size, with a belt (plain black or brown). No designs or decorations are allowed on the shirt, pants, or belt,
3. black or white (main color) shoes, black or white shoelaces (no colors)

PASS grooming standards:

Students must have their hair cut above the collar or in a ponytail at all times. The hair must be cut above the eyebrows and hair color must be the original color the student had when enrolling at PASS.

Mustaches, beards or goatees and sideburns must be neatly trimmed and students must have a neat appearance.

If the principal determines that a student's dress or grooming violates the dress code, the student may be given an opportunity to correct the problem at school. If not corrected, the student will be assigned to ISS for the remainder of the day or until the problem is corrected. Repeated offenses may result in more serious disciplinary action.

The principal, in cooperation with the sponsor or coach, may regulate the dress and grooming of students who participate in an extracurricular activity.

The above standards are meant to promote community values and enhance a safe orderly environment, and shall not infringe on any individual's religious beliefs or protected free speech.

Optional Standard Dress Code for Grades K-4

Students in Grades K-4 may opt to participate in the Standard Dress Code. The Standard Dress Code is a polo-style shirt (white, red, royal blue, navy blue, or gray) with khaki, black, or navy shorts or slacks. Girls may also add jumpers or skirts. Students are also asked to wear tennis shoes or other closed-toed shoes. All other requirements (length, sagging, etc.) from the Paris ISD Dress Code will apply.

PRESCRIPTION AND NON-PRESCRIPTION DRUGS

A student who must take prescription medicine during the day must bring the medicine to the office/nurse upon arrival at school.

An employee of the District may administer medication to a student, provided:

1. The school has received a written request from the parent along with
2. The prescription medication in the original container, properly labeled.

Authorized District employees may administer non-prescription medications provided by the parent under the same guidelines as for prescription medications.

A student who has written authorization from his or her parent and physician or other licensed health care provider, and who meets all other requirements, may be permitted, at the student's discretion, to use prescribed asthma medication at school or school-related events. The student and parents should see the school nurse or principal if the student has been prescribed asthma medication for use during the school day.

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the school nurse or principal for information.

DISCIPLINARY PROCEDURES

The District's rules of conduct and discipline are established to achieve and maintain order in the school. A student who violates the rights of others, District or school rules will be subject to disciplinary measures designed to discourage the misconduct.

It is the intent of the Board and the administrative staff to abide by State law and District policy and to enforce rules in a consistent and fair manner. Discipline will be based on a careful assessment of the circumstances of each case.

CAMPUS DISCIPLINARIAN

The discipline person(s) on each campus will be the principal or designee. Duties will include the authority to:

1. Assess and implement the campus discipline management plan.
2. Remove a student from campus for emergency reasons.
3. Remove a student to alternative education programs.
4. Suspend a student for not more than 3 school days for an offense for which the student may be placed in a DAEP.
5. Recommend a student for expulsion.

The Board of Trustees has appointed a hearing officer who is authorized to expel a student. In case of emergency, a principal may expel according to **TEC §37.019**.

JURISDICTION

The District has authority over a student during the regular school day and while going to and from school on District transportation. This jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity, regardless of time or location, and any school-related misconduct, regardless of time or location. A student shall be removed to the alternative school if the student engages in conduct occurring off campus if punishable as a felony identified in Title 5 of the **Penal Code** (offenses against the person). A student **shall** be placed in PASS when the superintendent or designee has a reasonable belief that the student has engaged in conduct away from school which is defined as a felony, other than those set out in Title 5 of the **Penal Code**, and determines that the continued presence of the student in the regular classroom threatens the safety of others or will be detrimental to the educational process. A student shall be placed in the alternative school if the student commits an offense listed in **TEC §37.006**, or engages in conduct punishable as a felony (see pp. 25-27) within 300 feet of school property or a school sponsored or school related activity, on or off school property:

ASSESSMENT OF DISCIPLINE

Students will be treated fairly and equitably. The principal or designee will consider the circumstances of each disciplinary situation. Factors to consider will include:

1. The seriousness of the offense
2. The student's age
3. The frequency of misconduct
4. The student's attitude
5. The potential effect of the misconduct on the school environment.

DISCIPLINE RELATED TO ACADEMICS

Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher may be imposed, i.e., zero grade.

DISCIPLINE MANAGEMENT TECHNIQUES

In assessing discipline, administrators will consider:

1. The seriousness of the offense.
2. The student's age.
3. The student's attitude.
4. The potential effect of the misconduct on the school environment.
5. Whether the student was defending himself or herself.
6. The student's intent or lack of intent at the time the student engaged in the conduct.
7. The student's disciplinary history.
8. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, but only as required by federal law and regulations related to discipline of students with disabilities.

When assessing penalties or consequences for violations of the **Student Code Of Conduct**, school rules and expectations, discipline management techniques may include any of the following:

1. Counseling
2. Parent-teacher conferences
3. Mentoring
4. Cooling-off, time-out, or redirection
5. Behavior contracts
6. Conflict resolution/peer mediation
7. Assigned school duties other than class tasks
8. Verbal correction
9. Withdrawal of privileges, including participation in extracurricular activities and honorary positions
10. Sending the student to the office or other assigned area
11. Detention
12. Corporal punishment
13. School-defined and -imposed probation
14. Rewards and incentives for positive behavior
15. Demerits
16. Referral to outside agency or authority
17. Confiscation of items that disrupt the educational process
18. Grade adjustments for unexcused (skipping) absences
19. Removal to an alternative education program
20. Shadow (parent attends school with child).
21. Revoke the transfer of a transfer student for violating the **Student Code of Conduct**

The school administration has the discretion to determine which techniques are reasonable and appropriate for the campus and to the situation.

For a student with a disability, the student's IEP will address the student's specialized needs on discipline, including which of the discipline management techniques can appropriately be used with the student.

Parent-Teacher Conferences

The school requests that a student or parent who has a concern confer:

1. first with the appropriate teacher,
2. then counselor or principal.

A parent who wishes to confer with a teacher may call the office for an appointment or request that the teacher call the parent during a conference period or at a mutually convenient time.

Students and parents may expect teachers to request a conference if the student:

1. is not maintaining passing grades
2. is not achieving the expected level of performance
3. presents a problem to the teacher, or
4. is having difficulty or in any other case the teacher considers necessary.

No Pass/No Play---Extracurricular Activities

A student participating in University Interscholastic League (UIL) will be suspended from participation after a grading period in which he/she received a grade lower than 70 in any academic class (other than an identified honors or advanced class with principal exemption). **This suspension continues for three weeks.** Grades will be reviewed at the end of each three-week period. At the end of three weeks, the suspension will be removed if all of the student's grades are equal to or greater than 70. By UIL rules the student becomes eligible for participation 7 days after the suspension is removed.

Student clubs and performing groups such as the band, choir, drill team and athletic teams may establish codes of conduct--and consequences for misbehavior---that are stricter than those for students in general. **If a violation is also a violation of school rules, the consequences specified by the school will apply in addition to any consequences specified by the student club or performing group.**

A student is limited to twelve (12) extracurricular absences during the school year. No more than ten (10) extracurricular absences from a class are permitted within the same semester. Extracurricular absences for post-district events are permitted and are not counted as part of the twelve (12) absence limitation.

LEAVING A SCHOOL EVENT: A student who leaves a school event will not be permitted to re-enter the event without school permission.

Detention

Students may be assigned detention outside of school hours on one or more days if the student violates school rules or classroom expectations. Detention outside school hours will not begin until one day after notification is given, unless mutually agreed upon, specifying the reason for the detention and after arrangements for transportation can be made. Except in the case of students who are 18 or older, the detention will not begin until the parent(s) has been notified. The school **shall not** be required to provide transportation for students who have been assigned detention.

Corporal Punishment

Corporal punishment is permitted in order to preserve an effective educational environment, free from disruption. Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age, and physical, mental, and emotional condition of the student, type of instrument, and the amount of force to be used shall be considered before administering corporal punishment.

Corporal punishment is limited to paddling the student and is governed by the following guidelines:

1. Administered only after less stringent measures have been attempted.
2. The student is told the reason.
3. Administered only by the principal, assistant principal, or teacher.
4. Instrument to be used will be approved by the principal.
5. Administered in the presence of one other District professional employee and out of view of other students.
6. A record will be maintained of each incident.
7. The student's parent or guardian may provide a statement prohibiting its use. The statement must be provided on an annual basis.

Coaches and physical education teachers may use reasonable physical exercises or activities as a measure to enforce class or team rules in their classes and activities, and these exercises or activities are not considered to be "corporal punishment."

REPORTING VIOLATIONS TO PARENTS--TEC §37.001 (6)

Parents will be notified of Code of Conduct violations that can result in suspension, removal to DAEP, or expulsion in a reasonable amount of time by telephone or in writing. Campus administrators may, but are not required to, notify parents of incidents by telephone on the day of the incident.

CLASSROOM RULES/SCHOOL RULES

Each teacher has developed classroom rules and each campus has developed school rules. Violations of classroom and school rules are considered Level I Minor Offenses (see page 24). Students are expected to comply with these standards. Violations of classroom rules/school rules will not be considered violations of the Student Code of Conduct that require a teacher's written report. However, persistent violations of classroom rules and/or school rules will be considered a violation of the Student Code of Conduct, will result in further disciplinary action, will require a teacher's written report, and will require the principal to send a copy of the written report to the parent.

SCHOOL BUS RULES

Students are subject to the Student Code of Conduct when they are on school transportation. Any student who violates that code or the established rules of conduct while on school transportation may be denied transportation services and will be referred to the campus for disciplinary action. Video cameras are positioned on buses to record student behavior.

The following rules will apply to student conduct on school transportation:

1. Observe the same conduct on the bus as in the classroom.
2. Follow the driver's directions at all times.
3. Do not stand when the bus is in motion.
4. Keep books, band instrument cases, feet, and other objects out of the aisle.
5. Do not deface the bus and/or its equipment.
6. Do not put head, hands, arms, or legs out of the window or hold any object out of the window or throw objects within or out of the bus.
7. Do not smoke, use, or possess any form of tobacco.

8. Upon leaving the bus, wait for the driver's signal before crossing in front of the bus.

When a student violates the rules of conduct on school transportation, one or more of the following may occur:

1. A conference held with the principal, the student, the driver, and the parent.
2. The principal suspends the student's bus-riding privileges. If so, the parents will be notified as soon as possible.
3. The driver will call for law enforcement and administrative assistance in case of serious misconduct. The principal and parents will be notified of the situation as soon as possible. The student will not be allowed to ride the bus until a conference involving all persons listed above has been held and the matter resolved. **TEC §37.126** states in part a person **commits an offense** if the person intentionally disrupts or interferes with transportation of children to or from school or a school-related activity.

Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student's IEP or other individually designed program.

PROHIBITED ACTIVITIES

A student who violates classroom rules, school rules, and/or the **Student Code of Conduct** will be subject to disciplinary action. Police will be called for violations of law. A student who engages in conduct punishable as a felony defined in Title 5 of **Penal Code**, or any felony on or within 300 feet of school property or a school related activity, or a felony determined by the superintendent that the student's presence in the regular classroom will be a detriment to safety or the educational process, will be assigned to the alternative school.

Students at school or school-related activities are prohibited from:

1. Cheating or copying the work of another.
2. Throwing objects that may cause bodily injury, damage property or create a disruption.
3. Leaving school grounds or school-sponsored events without permission.
4. Directing profanity, vulgar language, or obscene gestures toward someone.
5. Insubordination, such as disobeying directives from school personnel or school policies, rules, and regulations.
6. Being disrespectful toward a teacher or other adult.
7. Possessing matches or a lighter.
8. Committing arson.
9. Stealing.
10. Damaging or vandalizing property owned by the District, other students, or District employees.
11. Disobeying conduct rules on school buses/bus stops.
12. Fighting, committing physical abuse, threatening physical abuse, inciting violence, or using fighting words/actions.
13. Committing extortion, coercion, or blackmail; that is, seeking or obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
14. Name-calling, ethnic, religious, or racial slurs, or derogatory statements that school officials have reasonable cause to believe will substantially disrupt the school program or incite violence. Negative references to one's race or religion.
15. Engaging in inappropriate physical or sexual conduct.
16. Assaulting a teacher or other individual.
17. Selling, giving, or delivering to another person, possessing, using, or being under the influence of: marijuana or a controlled substance; a dangerous drug; abusable glue, aerosol paint, or other volatile chemical; or an alcoholic beverage. Such conduct is wrong and harmful.

18. Possessing drug paraphernalia or any substances represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol.
19. Possessing any weapon prohibited by law or by school policy.
20. Bringing a firearm to school. Federal and state law requires expulsion for this conduct.
21. Possessing or using tobacco products.
22. Hazing.
23. Use of a paging device or cellular telephone during regular school hours. These devices must be turned off and kept out of sight during regular school hours. Using any device that permits recording the voice or image of another in any way that either disrupts the educational environment, invades the privacy of others, or is made without the prior consent of the individual(s) being recorded.
24. Behaving in any way that disrupts the school environment or educational process.
25. Violating the Dress Code.
26. Engaging in any conduct punishable as a felony, regardless of time or place.
27. Membership or participation in a gang, secret society, fraternity, or sorority.
28. Engaging in unruly, disruptive, or abusive behavior that seriously interferes with the teacher's communication with students or with the ability of students to learn.
29. Making a terroristic threat.
30. Flashing gang signs.
31. Possessing drawings or writings which refer to gangs or violence.
32. Accessing computer sites or computer network/system without permission.
33. Possessing sexually oriented material or accessing sexually oriented sites.
34. Posting messages or accessing materials that are abusive, threatening, harassing, damaging to another's reputation, or illegal.
35. Giving a password or other confidential information about a computer system to someone without permission.
36. Forgery of electronic messages.
37. Knowingly bringing prohibited materials, including any software, into the electronic system.
38. Possessing or using a laser pointer.
39. Violating extracurricular standards of behavior.
40. Engaging in bullying, harassment, and making hit lists.
41. Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.

Assault---Penal Code §22.01(a)

A student is prohibited from assaulting anyone on school property or at a school-related event. An assault, **Penal Code §22.01(a)**, is:

1. Intentionally, knowingly, or recklessly causing bodily injury to another person.
2. Intentionally or knowingly threatening another with imminent bodily injury.
3. Intentionally or knowingly causing physical contact with another when the student knows or should reasonably believe that the other will regard the contact as offensive or provocative.

Aggravated Assault---Penal Code §22.02

Aggravated assault is defined as:

1. Causing serious bodily injury to another.
2. Using or exhibiting a deadly weapon during the commission of the assault.

Bullying

Written or oral expression or physical conduct that is determined:

1. To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

Computer Misuse and Misuse of Technology Resources and the Internet

District resources have been invested in computer technology to broaden instruction and to prepare students for an increasingly computerized society. Use of these resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and parents will be asked to sign a user agreement regarding appropriate use of these resources; violations of this agreement may prompt termination of privileges and other disciplinary action.

Students shall not:

1. Use the system for any illegal purpose.
2. Borrow someone's account without permission.
3. Download or use copyrighted information without permission from the copyright holder.
4. Download or install any software without principal's permission.
5. Waste school resources through improper use of the computer system.
6. Participate in chat rooms unless under strict teacher supervision.
7. Access for non-instructional use during instructional periods.
8. Access, install, download or use non-educational games.
9. Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
10. Attempt to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
11. Use the Internet or other electronic communications to threaten district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
12. Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting", either on or off school property, if the conduct causes a substantial disruption to the educational environment.
13. Use e-mail or Web sites to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment.

Computer misuse is a Level II violation unless the student's intent is to obtain a benefit or defraud or harm another, in which event the misuse, **Penal Code §33.02**, is a Level III offense. Accessing the district's computers, computer system or computer network and knowingly altering, damaging, or deleting district property or information is a Level IV offense.

Continuous Sexual Abuse of a Young Child or Children, Penal Code §21.02

A person commits an offense if:

- (1) during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims; and
- (2) at the time of the commission of each of the acts of sexual abuse, the actor is 17 years of age or older and the victim is a child younger than 14 years of age.

For purposes of this definition, “act of sexual abuse” means any of the following:

- (1) aggravated kidnapping, if with the intent to violate or abuse the victim sexually;
- (2) indecency with a child in a manner other than by touching, including touching through clothing, the breast of a child;
- (3) sexual assault;
- (4) aggravated sexual assault;
- (5) burglary punishable as a felony if with the intent to commit an offense listed in items (1) – (4);
- (6) sexual performance of a child.

Certain affirmative defenses may apply.

Dating Relationship, Family Code §71.0021 (b)-(c)

“Dating relationship” means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of the relationship will be determined based on consideration of (1) the length of the relationship, (2) the nature of the relationship, and (3) the frequency and type of interaction between the persons involved in the relationship. A casual acquaintance or ordinary fraternization in a school or social context does not constitute a “dating relationship.”

Dating Violence, Education Code §37.0831 (b)

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by *Section 71.0021* of the Family Code.

Drug/Alcohol Use

Use of illicit drugs is wrong and harmful. Unlawful possession of drugs, drug paraphernalia or alcohol is wrong. No student shall possess drug paraphernalia or possess, use, transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related activity, function, or event:

1. Any controlled substance or dangerous drug as defined by state and federal law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs, and other over-the-counter stimulants and sedatives.

“Use” may mean a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance recently enough that it is detectable by the student’s physical appearance, actions, breath, or speech.

“Under the influence” means a student’s faculties are noticeably impaired, but the student need not be legally intoxicated.

The transmittal, sale, attempted sale, or use of what is represented to be a look-alike or act-alike of any of the above-listed substances is also prohibited under this rule.

Disruptive Activities---TEC §37.123

A person commits an offense if, at school or a school-related activity:

1. The person intentionally engages in disruptive activity; or,
2. Reasonable fear exists that force of violence is likely to occur.

Disruption Of Classes---TEC §37.124

A person commits an offense if the person intentionally disrupts the conduct of classes or other school activities by:

1. Emitting noise that hinders instruction or the activity.
2. Preventing or attempting to prevent a student from attending class or other school activity.
3. Enticing or attempting to entice a student away from a class or other school activity that the student is required to attend.
4. Entering a class without the consent of a school official and through misconduct or use of loud or profane language.

Disruption---TEC §37.125

A person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally exhibits, uses, or threatens to exhibit or use a firearm:

- (1) in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a public school; or
- (2) on a school bus being used to transport children to and from school-sponsored activities of a public school.

Disruption Of Lawful Assembly

No student or group of students acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any school in the District.

A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of or reasonable fear that force or violence is likely to occur.

Fighting

Fighting is prohibited at school and school related activities. Fighting occurs when blows are exchanged. In the event of an altercation, an investigation will be conducted:

- did either attempt to avoid the fight or seek adult assistance?
- did a participant go to the other?
- did either use fighting words?
- was a disruption the result?

Prior misconduct as well as the effect on the school environment will be taken into consideration. Students who cause a disruption may receive a ticket as determined by law enforcement. A student who uses fighting words or goes to the other person is considered the aggressor and is subject to more serious consequences. A student may defend against an aggressor. A student who seeks help from a school employee and/or attempts to avoid the fight may receive lesser, or no, punishment. A student who incites a fight, whether or not an actual participant, is subject to disciplinary action the same as the participants of the fight. The decision of the principal or principal's designee is final.

Graffiti

Penal Code § 28.08(a) states: A person commits an offense if, without the effective consent of the owner, the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings on the tangible property of the owner with (1) aerosol paint; (2) an indelible marker; or (3) an etching or engraving device.

Harassment

Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

Harassment of Public Servant

Penal Code § 22.11(a) (2) states in part: A person commits an offense if, with the intent to assault, harass, or alarm, the person causes another person the actor knows to be a public servant to contact the blood, feces, or other bodily fluid of the actor, any other person, or an animal while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of the public servant's official power or performance of an official duty.

Hazing

A violation of **TEC** §37.151 occurs when a person who is in the process of qualifying for or maintaining membership or holding office in an organization is subjected to any:

1. physical activity;
2. consumption of food or liquid;
3. mental and/or physical intimidation.

Hazing is prohibited. Hazing is any intentional, knowing, or reckless act done by a student, whether individually or in concert with others, to another student for the purpose of subjecting such student to humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame, or disgrace.

Hit List

A list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Non-School Publications

During the school day, the District's classrooms are provided for the purpose of delivering instruction to students. Classrooms shall not be used for distribution of any materials over which the school does not exercise control. Hallways are provided for the purpose of facilitating the movement of students and not for distribution of materials over which the school does not exercise control. Principal permission is required to distribute non-school materials. Duplication of non-school publications on school copy machines is prohibited.

Persistent Misbehavior

“Persistent misbehavior” consists of two or more separate violations of the Student Code of Conduct in general or repeated violations of the same offense.

Retaliation

Conduct involving retaliation against a student or an employee, even though it occurs off school grounds and not at any school-related activity, is subject to District jurisdiction. **Penal Code §36.06** states in part:

“A person commits an offense if he intentionally or knowingly harms or threatens to harm another by an unlawful act in retaliation for or on account of the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime.”

Secret Societies and Gang Activities

A student shall not become a member of an organization composed of students of a public school that seeks to perpetuate itself by taking in additional members from the students enrolled based on the decision of its membership, rather than upon the free choice of the student and compliance with school rules.

TEC §37.121 states in part a person commits an offense if the person is:

A member of or pledges to become a member of a gang, public school fraternity, sorority, or secret society.

.....an organization composed wholly or in part of students in public schools that seeks its membership on the basis of the decision of its membership rather than the free choice of a student who qualifies by rules of the school to fill special aims of the organization.

Any student who violates this provision shall be recommended for placement in the Disciplinary Alternative Education Program.

Sexual Harassment

A student will not engage in unwanted or unwelcome verbal or physical conduct of a sexual nature directed toward another student or adult. This prohibition applies whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors. All students are expected to treat other students and District employees with courtesy and respect; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop. A substantiated complaint against a student **will** result in appropriate disciplinary action, according to the nature of the offense.

The District will notify the parents of all students involved in sexual harassment by student(s) when the allegations are not minor and will notify parents of all incidents of sexual harassment or sexual abuse by an employee. The District encourages parental and student support in its efforts to address and prevent sexual harassment and sexual abuse in the public schools. To the greatest extent possible, complaints will be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation.

Students and/or parents are encouraged to discuss their questions or concerns about the expectations in this area with the teacher, the counselor, the principal, or designee, or Mark Hudson, District Title IX coordinator for students.

A complaint alleging sexual harassment by another student or sexual harassment or sexual abuse by a staff member may be presented by a student and/or parent in a conference with the principal or designee. The first conference will be scheduled and held as soon as possible within 5 days of the request. The principal will coordinate an appropriate investigation, which ordinarily will be completed within 10 days. The student or parent will be informed if extenuating circumstances delay completion of the investigation. If the student or parent is not satisfied after the principal's investigation, the student or parent may appeal to the District's Title IX Coordinator or designee.

Terroristic Threat

Penal Code §22.07 states in part a person commits an offense if he threatens to commit any offense involving violence to any person or property with intent to:

- (1) *Place any person in fear of imminent serious bodily injury; or,*
- (2) *Prevent or interrupt the occupation or use of a building or room; vehicle, or other public place.*

Vandalism And Damage To School Property

A student shall not vandalize, damage, or deface any property belonging to or used by the District. Parents of a student guilty of damaging school property will be liable for damages in accordance with law. The student may be subject to criminal penalties. A student is responsible for the care and return of state-owned textbooks and will be charged for replacement of lost or damaged textbooks.

Weapons

Prohibited:

A student **shall not** go onto the school premises or to a school-related activity with a prohibited weapon [**§46.05**], firearm [**§46.01(3)**], illegal knife [**§46.01(6)**], club [**§46.01, Penal Code**], or any other weapon or object used in a way that threatens to inflict bodily injury.

Penal Code §46.01 states in part:

- (1) *Club means an instrument that is specially made or adapted for the purpose of inflicting bodily injury, and includes but is not limited to a blackjack, nightstick, mace or tomahawk.*
- (2) *Illegal knife means a knife with a blade over 5-1/2 inches, a hand instrument designed to cut or stab by being thrown, or a dagger.*

Penal Code §46.05 states in part:

A prohibited weapon is an explosive weapon, a gun or firearm, a silencer, a switchblade knife, knuckles, armor-piercing ammunition, or a chemical dispensing device, a zip gun, or a tire deflation device.

Definitions

- (1) Knuckles--any instrument that consists of finger rings or guards made of a hard substance and designed, made, or adapted for the purpose of inflicting bodily injury by striking a person with a fist enclosed in the knuckles.

- (2) An explosive weapon is any explosive adapted for the purpose of inflicting bodily harm, property damage, or for the purpose of causing such a loud sound as to cause undue public alarm or terror.
- (3) A switchblade knife is any knife that has a blade that folds, closes, or retracts into the handle and opens automatically by pressure applied to a button or device located in the handle, or opens by the force of gravity or by centrifugal force.

Other Weapons:

Other weapons not allowed on campus or at school-related activities include, but are not limited to a knife or pocketknife, fireworks, razor, chain, box cutter, carpet cutter, or any object used in a way as to threaten bodily injury.

CATEGORIES OF OFFENSES

Offenses are grouped into four classifications---Level I, Level II, Level III, and Level IV. It is impossible to list all offenses. The listing below is intended to provide limited examples.

Minor Offenses--Level I (Classroom/School Rules)

Minor offenses include but are not limited to:

1. Being out of seat without permission.
2. Talking without permission.
3. Not keeping hands and feet to self.
4. Throwing objects.
5. Copying/cheating.
6. Being tardy.
7. Disturbing the class.
8. Verbal conflict.

Repeated minor offenses, which otherwise would have been resolved by the teacher, are known as persistent misbehavior. Persistent misbehavior of Level I offenses is subject to being elevated to a Level II violation.

STUDENT CODE OF CONDUCT

A student may be removed from class and placed in a DAEP for reasons approved by the Board and specified in the Student Code of Conduct. A student may also be removed from class and placed in a DAEP if the principal determines:

1. That the student's physical presence in the regular classroom program or at the home campus presents a danger of physical harm to another individual(s); or,
2. That a student has engaged in misbehavior that violates the District's previously communicated standards of the Student Code of Conduct.
3. That a student has engaged in persistent misbehavior.

Police may be called for a major disruption or disorderly conduct. A ticket may be issued and if convicted, a student is subject to a fine not to exceed \$200 [Penal Code Section 4.33(1)].

In a decision to order suspension, removal to a DAEP, or expulsion, consideration will be given to:

- self-defense;**
- intent or lack of intent at the time the student engaged in the conduct;**
- a student's disciplinary history;**
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.**

Major Offenses---Level II (Student Code of Conduct)

Major offenses include but are not limited to:

1. Sexual contact or conduct.
2. Extortion, coercion, blackmail.
3. Falsifying information.
4. Fighting (blows are exchanged). (See pp. 20-21.)
5. Insubordination (refusal to cooperate).
6. Misbehavior on the bus. (See pp. 15-16.)
7. Leaving class or campus without permission.
8. Paging device/cellular telephone turned on or visible during regular school hours.
9. Profanity.
10. Skipping class.
11. Weapon (possession, and not prohibited by *Penal Code*).
12. Disruption (major)
13. Using or possessing tobacco (*TEC §38.006*).
14. An offense relating to drug paraphernalia under *481.125, Health and Safety Code*.
15. Computer misuse.

A Level II offense may require consequences up to and including ISS or suspension. Repeated offenses will result in more severe disciplinary action. Repeated violations are known as persistent misbehavior. Persistent misbehavior of Level II offenses is subject to being elevated to a Level III violation.

Removal to a DAEP or suspension will prohibit students from attending or participating in extracurricular or school-related activities, including prom and graduation, or from entering a school campus without permission from the principal.

Serious Offenses---Level III (Student Code of Conduct)

A Level III offense requires an alternative school placement that must separate the student from the regular school program, as specified by *TEC §37.008*. Before the student is placed in alternative school according to *TEC §37.006*, the principal or designee will conduct an informal hearing at which the student is:

1. Notified of the reason for placement;
2. Provided evidence supporting the placement;
3. Provided an opportunity to explain his or her side of the story.

Removal to a DAEP will prohibit the student from attending or participating in extracurricular or school-related activities, including prom and graduation, or from entering a school campus without permission from the principal. For seniors assigned to DAEP who are eligible to graduate, the placement in the program will continue through graduation, and the student will not be allowed to participate in the graduation ceremony and related graduation activities.

Mandatory Removal---TEC §37.006

Title 5 Felonies:

A student **shall** be removed to the disciplinary alternative school if the student engages in conduct punishable as a felony identified in Title 5 of the Penal Code (offenses against the person) occurring on or off campus. A student shall be placed in PASS when the superintendent or designee has a reasonable belief that the student has engaged in conduct away from school which is defined as a felony other than those set out in Title 5 of the Penal Code, and determines that the continued presence of the student in the regular classroom threatens the safety of others, will be detrimental to the educational process, or is not in the best interests of the district's students.

Registered Sex Offenders:

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove the student from the regular classroom and determine appropriate placement. If the student is under any form of court supervision, including probation, community supervision, or parole, the placement will be in DAEP for at least one semester. If the student is not under any form of court supervision, the placement may be in DAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:

a.) threatens the safety of other students or teachers, b.) will be detrimental to the educational process, or c.) is not in the best interests of the district's students. At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation. The placement review of a student with a disability who receives special education services must be made by the ARD committee.

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

A student shall be placed in the alternative school if the student commits the following on or within 300 feet of school property, or while attending a school sponsored or school related activity, on or off school property:

1. Assault as defined by Penal Code §22.01(a)(1)
2. A false alarm or report as defined by Penal Code §42.06, or a terroristic threat as defined by Penal Code §22.07
3. Sells, gives, delivers, uses, is under the influence of, or possesses marijuana, a controlled substance, including synthetic compounds, as defined by Chapter 481, Health and Safety Code, or by 21. U.S.C. 801 et seq., a dangerous drug as defined by Chapter 483, Health and Safety Code, or an alcoholic beverage as defined by §1.04 of the Alcoholic Beverage Code.
4. A serious offense under the influence of alcohol
5. An offense relating to abusable glue or aerosol paint under §§485.031 through 485.034, Health and Safety Code, or other volatile chemicals under Chapter 484, Health and Safety Code
6. Public lewdness under Penal Code §21.07
7. Indecent exposure under Penal Code §21.08
8. Retaliation against a school employee under Penal Code §36.06, except, if the student commits a mandatory expellable offense against any employee in retaliation for or as a result of the employee's employment with the school district, the student must be expelled under TEC §37.007(c).

9. Breach of computer security ***Penal Code §33.02***.
10. Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property, using e-mail or websites at school to encourage illegal behavior, or threatening school safety.
11. Bullying, cyberbullying, sexting, harassment, or making hit lists.
12. Aggravated robbery-whether on or off school property; at or not at a school activity or event.
13. Non-felony Criminal Mischief

Permissive Removal---TEC §37.121

A student who is a member of or is pledging, joining, or soliciting others to join a gang, public school fraternity, sorority or secret society will be recommended for alternative school placement.

Removal to the disciplinary alternative school will prohibit the student from attending or participating in extracurricular or school-related activities, including prom and graduation, or from entering a school campus without permission from the principal.

Emergency Placement in DAEP---TEC §37.019

The principal or designee may order a student to be immediately placed in the DAEP if the principal or designee believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with:

- (1) A teacher's ability to communicate effectively with the students in a class; or,
- (2) The ability of the student's classmates to learn; or,
- (3) The operation of school or a school-sponsored activity.

Procedure:

- (1) At the time of the emergency placement, the student will be given oral notice of the reason for the emergency placement.
- (2) Within a reasonable time after the emergency placement, the student will be afforded the due process required for a nonemergency removal.

The principal or designee is not liable for civil damages for an emergency placement.

Procedural Requirements to Remove to DAEP---TEC §37.002, §37.006, Persistent Misbehavior

When a student is removed to DAEP, the principal or designee will notify the student's parents within 24 hours and schedule a hearing within 3 class days. The hearing may include the principal or designee, student, parent, and the teacher who removed the student. Even if all persons are not present, the principal will decide an appropriate placement. The length of a mandatory removal to PASS is not limited by statute, but if the placement extends beyond the end of the next grading period, the student or the student's parents must be given an opportunity to present arguments in behalf of the student. A decision to place a student in PASS beyond the end of the next grading period may not be appealed beyond the Board of Trustees. The principal or designee must set the term for a student's placement in PASS and deliver a copy of the order to the student and the parent. The student's status must be reviewed by a Board designee at intervals of not more than 120 days.

For placement in PASS to extend beyond the end of the school year, the Board or designee must determine that:

- (1) The student's presence in the regular classroom or campus presents a danger of physical harm to students or others; or,
- (2) The student has engaged in serious or persistent misbehavior that violates the District's **Student Code of Conduct**.

Term of Removal to PASS

A student may be permitted to remain in PASS for an additional period of time agreed on by the student, parent, PASS Principal, and the home-campus principal if space is available and all agree the additional period would best serve the student.

Credit During PASS

A student will receive full credit for assignments completed in PASS. A WD (withdrawal) While Passing, or a WD While Failing, if appropriate, may be given in a course when it is impossible to document mastery of course objectives and Texas Essential Knowledge and Skills (TEKS), or when extracurricular/co-curricular guidelines call for dismissal from the program. English language arts, mathematics, science, history, and self-discipline are the only courses that an alternative school is required to teach. PASS will attempt to meet the academic needs of each student.

Suspension---TEC §37.005

A student may be suspended for no more than 3 days at a time if the student engages in conduct for which the student may be removed to a DAEP. A student may be suspended if the principal has determined:

1. That the student's physical presence in the regular classroom or the home campus presents a danger of physical harm to the student or to others; or,
2. That the student has engaged in persistent misbehavior, or in misbehavior that violates the District's previously communicated standards of student conduct.

Before the student is suspended, the principal or other administrator will conduct an informal hearing at which the student is:

1. Notified of the reason for the suspension;
2. Provided the evidence supporting the suspension; and,
3. Provided an opportunity to explain his/her side of the story.

A student will be prohibited from attending or participating in extracurricular activities and school-related activities, including prom and graduation, or from entering a school campus without permission from the principal, during a suspension.

Credit During Suspension

A student suspended out of school from regular classes will receive credit for satisfactorily completing assignments for the period of suspension within a time designated by the teacher.

Placement of Students with Disabilities in DAEP

The IEP of a student with disabilities shall be followed regarding discipline procedures and placements.

A student with disabilities shall not be removed to a DAEP for more than 10 consecutive school days unless the ARD committee has first determined whether the alleged behavior was related to the handicapping condition. If the ARD Committee determines there is a connection, it must also determine what action is appropriate.

Removal for more than 10 consecutive school days requires ARD Committee action, subject to the parents' right to appeal.

A removal to a DAEP in accordance with the student's IEP is not subject to the above procedures. If a student with disabilities is removed from his/her regular program for any reason for a total of 10 days or more in a school year, the ARD Committee shall review the IEP.

Expellable Offenses---Level IV (Student Code of Conduct)

Level IV offenses are considered to be very serious by the State of Texas. First offense requires expulsion. Expulsion of students under age 10 is prohibited except as required by federal law.

Mandatory Expulsion---TEC §37.007

A student **shall** be expelled if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property uses, exhibits, or possesses:

- (1) A firearm as defined in **Penal Code §46.01(3)**
- (2) An illegal knife, as defined in **Penal Code §46.01(6)**
- (3) A club as defined by **Penal Code §46.01(1)**
- (4) A weapon listed as a prohibited weapon under **Penal Code §46.05**, including
 - [a] explosive weapons
 - [b] a gun or firearm
 - [c] a silencer
 - [d] a switchblade knife
 - [e] knuckles
 - [f] armor-piercing ammunition
 - [g] a chemical dispensing device
 - [h] a zip gun
 - [i] a tire deflation device

A student **shall** be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property, engages in conduct containing the elements of:

- (5) Aggravated assault under **Penal Code §22.02**
- (6) Sexual assault under **Penal Code §22.011**
- (7) Aggravated sexual assault under **Penal Code §22.021**
- (8) Arson under **Penal Code §28.02**
- (9) Murder under **Penal Code §19.02**
- (10) Capital murder under **Penal Code §19.03**
- (11) Criminal attempt to commit murder or capital murder under **Penal Code §15.01**
- (12) Indecency with a child under **Penal Code §21.11**
- (13) Aggravated kidnapping under **Penal Code §20.04**
- (14) The offense of selling, giving, delivering, using, or possessing marijuana, a controlled substance, including synthetic compounds, as defined by **Chapter 481, Health and Safety Code**, or by **21 U.S.C. 801 et seq.**, a dangerous drug as defined by **Chapter 483, Health and Safety Code**, an alcoholic beverage as defined by **§1.04** of the **Alcoholic Beverage Code** if the conduct is punishable as a felony.
- (15) A student shall be expelled for elements of assault, **Penal Code §22.01(a)(1)**, against any employee or volunteer, including the person's spouse, in retaliation for or as a result of the employee's employment with the school district, regardless of where or when the act takes place.
- (16) Aggravated robbery under **Penal Code §29.03**.
- (17) Manslaughter under **Penal Code §19.04**.
- (18) Criminally negligent homicide under **Penal Code §19.05**.
- (19) Continuous sexual abuse of a young child or children.
- (20) Criminal mischief, if punishable as a felony.

The offenses of aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal intent to commit murder or capital murder, or aggravated robbery against another student are expellable offenses without regard to where the conduct occurs.

Offenses listed under “Mandatory Expulsion” will result in expulsion if the student engages in that conduct on school property of another district in this state or while attending a school-sponsored or school-related activity of a school in another district in this state.

Permissive Expulsion

A student may be expelled if the student:

- (21) Continues to engage in persistent misbehavior that violates the District’s **Student Code of Conduct** while placed in the alternative school.
- (22) Engages in criminal mischief under **Penal Code §28.03**, if the conduct is punishable as a felony (intentionally or knowingly damaging tangible school property resulting in loss of \$1,500 or more).
- (23) Makes a bomb threat under **Penal Code §42.06**.
- (24) Breach of computer security.

A student expelled under either mandatory or permissive expulsion receives no credit and is prohibited from attending or participating in extracurricular activities, school-related activities including prom and graduation, and from entering school property without permission.

Emergency Expulsion---TEC §37.019

The principal or designee has the right to order the immediate expulsion of a student if the principal or designee reasonably believes that action is necessary to protect persons or property from imminent harm.

Procedure:

- (1) The student will be given oral notice of the reason for the emergency expulsion.
- (2) A due process hearing will be provided within 10 days, unless the parent agrees in writing to an extension of time.

The principal or designee is not liable for civil damages for an emergency expulsion.

A student will be prohibited from attending or participating in extracurricular and school-related activities, including prom and graduation, or entering a school campus without permission, during an emergency expulsion.

Procedural Requirements for Expulsion

Before the student is expelled, the Board will provide for the student a hearing that meets the standards for due process which includes:

- (1) Prior written notice of the hearing
- (2) Proposed sanctions
- (3) Right to a full and fair hearing
- (4) Right to adult or legal representation
- (5) Opportunity to present evidence
- (6) Cross examine witnesses presented by the school

At the hearing the student is entitled to be represented by the parent or another adult who can provide guidance to the student and who is not an employee of the District. After proper notification, if the student, parent or adult representative fails to appear at the hearing, action may be taken in their absence. The parents will receive a copy of the expulsion order. Parents are responsible for supervising their child during the expulsion term. Notice of expulsion will also be made to the county juvenile court within 2 business days after the hearing.

Duration of Expulsion

The length of time for which a student may be expelled is not limited by statute, but generally will not exceed one calendar year. Under federal law, a student who is expelled for a firearm violation **must** be expelled from the student's regular campus for a period of at least one year, subject to any individual modifications made by the superintendent.

Credit During Expulsion

A student who is expelled will not receive credit for work missed during expulsion. A handicapped student will receive educational services during expulsion as determined by the ARD Committee.

TEACHER REMOVAL---TEC §37.002

Informal Discretionary Removal

A teacher may send a student to the principal's office to maintain effective classroom discipline. When a student is sent to the principal's office under this provision, the principal shall employ appropriate discipline management techniques consistent with the campus discipline plan and **Student Code of Conduct**.

Formal Discretionary Removal

A teacher may remove a student from class if the student behaves in a way:

- (1) Documented by the teacher to repeatedly interfere with classroom learning; or,
- (2) The teacher determines to be so unruly, disruptive, or abusive that it 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.

If the behavior is a **Student Code of Conduct** violation, the teacher **must** file a written report with the principal or other appropriate administrator, and a copy of that report will be sent to the parent within 24 hours.

When a teacher removes a student from class under this provision, the principal may: (1)

- Place the student into ISS;
- (2) Place the student into a DAEP;
- (3) Place the student back in the teacher's classroom; or, (4)
Place the student into another teacher's classroom.

The student cannot be returned to that teacher's class without the teacher's consent unless the Placement Review Committee (PRC) determines that placement is the best or only alternative available. The PRC consists of two teachers and one professional staff member. The teacher refusing to re-admit the student will not serve on the committee.

A WD (withdrawal) While Passing, or a WD While Failing, if appropriate, may be given in a course when it is impossible to document mastery of course objectives and Texas Essential Knowledge and Skills (TEKS).

Mandatory Removal

A teacher **shall** remove from the classroom a student who engages in conduct described under **TEC §37.006** (see pages 25-26) and **§37.007** (see pages 29-30). The principal shall either place a student removed under this provision into a DAEP or recommend expulsion, as appropriate. The student cannot be returned to that teacher's classroom without teacher's consent, unless a PRC determines that placement is the best placement or the only alternative available.

Removal under **TEC §37.006** and **37.007** will prohibit the student from attending or participating in extracurricular or school-related activities, including prom and graduation. The student is also prohibited from entering school property without permission.

PHYSICAL RESTRAINT

Any District employee may, within the scope of the employee's duties, use and apply physical restraint to a student if the employee reasonably believes it is necessary in order to:

- (1) Protect a person from physical injury.
- (2) Obtain possession of a weapon or other dangerous object.
- (3) Protect property from serious damage.
- (4) Remove a student refusing a lawful command of a school employee from a specific location in order to restore order or impose disciplinary measures.
- (5) Restrain an irrational student.

SEARCHES

School officials may search a student's outer clothing, pockets, or property by establishing reasonable cause or securing the student's voluntary consent. Areas such as lockers and desks, which are owned by the District and jointly controlled by the District and student, may be searched if reasonable cause exists to believe that contraband is inside. A student shall not place, keep, or maintain any article or material in a car, school-owned locker, desk or room that is forbidden or that would lead school officials to reasonably believe that it would cause a substantial disruption.

School personnel have the right to question a student regarding the student's conduct or the conduct of others.

SNIFF SEARCHES

Paris ISD will utilize specially trained dogs to sniff out concealed contraband, drugs, firearms, ammunition, or alcohol on school property. Visits will be unannounced.

1. Lockers and desks remain under the jurisdiction of the District, even though possessed by students, and are subject to a sniff search at any time. A student is responsible for anything found in the student's locker.
2. Cars parked on school parking lots are subject to a sniff search at any time. A student is responsible for anything found in the student's car.
3. A student will be subject to a search if there is reasonable suspicion to believe that the student possesses an illegal substance or object.
4. Classrooms and other common areas are subject to a sniff search at any time as long as a student is not present.

STUDENTS QUESTIONED/TAKEN INTO CUSTODY

Before a student at school is questioned by a law enforcement officer, arrested or taken into custody, the principal will verify the official's identity and authority.

The principal will immediately notify the Superintendent and ordinarily will notify the parent. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying a parent at that time, the authorized person will make the parent notification at his discretion. The principal will then deliver over the student.

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DAEP PLACEMENT PLAN 2011-2012

GRADES 5-6

CAMPUS:

1. ISS – 15 days (3 removals from ISS requires a DAEP assignment)
2. Suspension(s) – up to 3 days (may be used at Principal discretion – should be used at least one time prior to assignment to DAEP.)
3. Pre-DAEP hearing/conference
4. DAEP assignment
5. Students returning to the home campus will have 10 ISS = 30 day DAEP, return to home campus, 5 day ISS = 45 day placement

DAEP:

1. Placement will be in 15 day increments 15 first visit, 30 second visit, 45 third visit
2. 30 day assignment will apply for the following offenses:
 - a. Violence/weapon
 - b. Possession, delivery, sale, and/or under the influence of drugs and/or alcohol
3. Pre-Expulsion conference
4. Expulsion

GRADES 7-12

CAMPUS:

1. ISS – 15 days (3 removals from ISS require DAEP assignment)
2. Suspension(s) – up to three (3) days (may be used at principal discretion – should be used at least one time prior to assignment to DAEP)
3. Pre-DAEP hearing/conference
4. DAEP assignment
5. Students returning to the home campus from DAEP are on probationary status for the remainder of the school year.

DAEP:

1. 60 day assignment
2. Early Release Program
Students will be entitled to early release upon the completion of 30 satisfactory days of full attendance.
Students will be entitled to early release upon the completion of 45 satisfactory days of full attendance if the DAEP assignment is for the following offenses:
 - a. Violence/weapon
 - b. Possession, delivery, sale, and /or under the influence of drugs and/or alcohol
 - c. Title 5 felony
3. Pre-Expulsion conference
4. Expulsion

EXTENSION OF DAEP ASSIGNMENT

The length of stay at DAEP may be modified by the district due to student's failure to adhere to the student code of conduct and/or infractions of the DAEP rules, policies and procedures. The Alternative Review Committee will make the final determination.

DEFINITION OF “GRADING PERIOD”

If the student’s placement at DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, a student’s parent or guardian is entitled notice of an opportunity to participate in a conference with the Board or Board’s Designee. A grading period for grades 7-12 occurs at the end of the fall or spring semester. A decision made by the Board or Board’s Designee is final and may not be appealed.

EXPULSION

- Is for the remainder of the school year
- Requires DAEP placement for the following semester
- Firearm possession requires one-year expulsion
- Modification by superintendent may be implemented

TEXAS YOUTH COMMISSION

Upon return from TYC and prior to attending the regular campus, a student may be assigned to DAEP for a 30-day reintegration period. The Alternative Review Committee will meet upon principal recommendation to make the decision. See p2 of DMP.

REINTEGRATION

The student, in order to have the best chance for success at the regular campus, will first meet with the principal(s) and counselor to discuss appropriate behavior and how to seek help when things are not going well. Each home campus will have a reintegration plan in place for all returning DAEP students.

DAEP RETURN ASSIGNMENT PLAN

After returning to the regular home campus, a repeat assignment for grades 7-12 to DAEP during the same school year will result in a sixty (60) day assignment without an early release option.