

BRIDGEPORT ISD
CÓDIGO DE CONDUCTA ESTUDIANTIL
2018 - 2019

RECONOCIMIENTO

Código de Conducta Estudiantil y Manual del Estudiante Distribución Electrónica

Estimado Estudiante y Padre:

Como lo exige la ley estatal, la junta directiva ha adoptado oficialmente el Código de Conducta Estudiantil con el fin de promover un orden y seguridad. Ambiente de aprendizaje para cada alumno.

Le recomendamos que lea esta publicación detenidamente y que la discuta con su familia. Si tiene alguna pregunta sobre la conducta requerida y las consecuencias de la mala conducta, le recomendamos que pida una explicación al maestro del estudiante o al administrador de la escuela correspondiente.

El estudiante y sus padres deben firmar esta página en el espacio provisto a continuación y luego devolver la página a la escuela del estudiante.

Gracias.

Sr. Brandon Peavey - Superintendente de BISD

Reconocemos que se nos ha ofrecido la opción de recibir una copia impresa del Código de Conducta Estudiantil [y el Manual del Estudiante] de Bridgeport ISD para el año escolar 2018–2019 o para acceder electrónicamente a ellos en el sitio web del distrito en www.bridgeportisd.net. Entendemos que los estudiantes serán responsables de su comportamiento y estarán sujetos a las consecuencias disciplinarias que se detallan en el Código.

Hemos elegido:

- Recibir una copia impresa del Código de conducta del estudiante y el Manual del estudiante.
- Aceptar la responsabilidad de acceder al Código de conducta del estudiante y al Manual del estudiante en el sitio web del distrito.

Imprima el nombre del estudiante:

Firma del estudiante:

Escriba el nombre del padre:

Firma del padre:

Fecha:

Escuela:

Nivel de grado:

Firme esta página, elimínela y devuélvala a la escuela del estudiante. Gracias.

RECONOCIMIENTO

Código de conducta

Distribución en papel

estudiantil Estimado estudiante y padre:

Como lo exige la ley estatal, el consejo de administración ha adoptado oficialmente el Código de conducta estudiantil a fin de promover un ambiente de aprendizaje seguro y ordenado para todos los estudiantes.

Le recomendamos que lea esta publicación detenidamente y que la discuta con su familia. Si tiene alguna pregunta sobre la conducta requerida y las consecuencias de la mala conducta, le recomendamos que pida una explicación al maestro del estudiante o al administrador de la escuela correspondiente.

El estudiante y sus padres deben firmar esta página en el espacio provisto a continuación y luego devolver la página a la escuela del estudiante.

Gracias.

Sr. Brandon Peavey - Superintendente de BISD

Reconocemos que hemos recibido una copia del Código de Conducta Estudiantil de Bridgeport ISD para el año escolar 2018–2019 y entendemos que los estudiantes serán responsables de su comportamiento y estarán sujetos a las consecuencias disciplinarias descritas en el código.

Imprima el nombre del estudiante:

Firma del estudiante:

Escriba el nombre del padre:

Firma del padre:

Fecha:

Escuela:

Nivel de grado:

Firme esta página, elimínela y devuélvala a la escuela del estudiante. Gracias.

Índice

CÓDIGO DE CONDUCTA DEL ESTUDIANTE	1
Propósito	1
Autoridad y jurisdicción del Distrito Escolar	2
Crímenes que informan	2
Transferencias revocadas	2
Participación en actividades de graduación	3
Estándares para la conducta del estudiante	4
Infracciones de conducta general	5
Desprecio a la autoridad	5
Maltrato a los demás	5
Infracciones a la propiedad	6
Poseción de prohibido Ítems	6
Poseción de dispositivos de telecomunicaciones u otros dispositivos electrónicos	6
Medicamentos ilegales, recetados y de venta libre	7
Uso indebido de los recursos tecnológicos e Internet	7
Seguridad Transgresiones	8
Infracciones varias	8
Técnicas de administración de disciplina	9
Estudiantes con discapacidades	9
Técnicas	9
Notificación	9
Apelaciones	10
Retiro del autobús escolar	11
Retiro del ambiente educativo regular	12
Referencias de rutina	12
Remoción formal	12
Regreso del alumno al aula	12
Suspensión fuera de la escuela	13
Mala conducta	13
Proceso	13
Programa disciplinario de educación alternativa (DAEP) Colocación	14

Colocación discrecional: mala conducta que puede Resultado en la colocación de DAEP	14
Mala conducta identificada en la ley estatal	14
Colocación obligatoria: Mala conducta que requiere la colocación de un DAEP	15
Asalto sexual y asignaciones en el campus	16
Emergencias	16
Proceso	16
Conferencia	16
Orden de colocación	17
Aviso sobre los cursos	17
Duración de la colocación	17
Supera un año	17
Supera el año escolar	18
Supera 60 días	18
Apelaciones	18
Restricciones durante la colocación	18
Revisión de la colocación	19
Conducta indebida adicional	19
Notificación de procedimientos penales	19
Retirada durante el proceso	20
Estudiantes recién inscritos	20de
Procedimiento emergencia	de21
colocación Colocación y / o expulsión por ciertos delitos	22
Delincuentes sexuales registrados	22
Comité de revisión	22
Estudiante recién inscrito	22
Apelación	22
Ciertos delitos graves	22
Audiencia y constataciones requeridas	23
Duración de la colocación	23
Estudiantes recién matriculados	24
Expulsión Expulsión	25
discrecional: Mala conducta que puede dar lugar a la expulsión	25
Cualquier lugar	25

En la escuela, dentro de los 300 pies, o en un evento escolar	25
Dentro de los 300 pies de la escuela	26
propiedad de otro distrito	26,
mientras que en DAEP	26,
obligatorio pulsion: Mala conducta que requiere la expulsión	27 De
acuerdo con la Ley Federal	27
De conformidad con el Código Penal de Texas	27
Menor de 10 años	28
Emergencia	28
Proceso	28
Audiencia	29
Junta de Expulsión	29
Orden de expulsión	29
Duración de la expulsión	30
Retiro durante el proceso	30
Conducta indebida adicional	30
Restricciones durante la expulsión	30
Estudiantes recién inscritos	30
Procedimientos de expulsión de emergencia	31
Colocación en el DAEP de estudiantes expulsados	31
Glosario	32
Índice	37

CÓDIGO DE CONDUCTA DEL ESTUDIANTE

Propósito

El Código de conducta del estudiante es la respuesta del distrito a los requisitos del Capítulo 37 del Código de Educación de Texas.

El Código proporciona métodos y opciones para administrar a los estudiantes en el aula y en los terrenos escolares, disciplinar a los estudiantes y prevenir e intervenir en los problemas de disciplina de los estudiantes.

La ley requiere que el distrito defina una conducta indebida que puede (o debe) dar lugar a una serie de consecuencias disciplinarias específicas, incluida la expulsión de un aula o campus regular, la suspensión fuera de la escuela, la colocación en un programa de educación disciplinaria alternativa (DAEP), la colocación en un programa de educación alternativa de justicia juvenil (JJAEP), o expulsión de la escuela.

Este Código de Conducta Estudiantil ha sido adoptado por la Junta de Fideicomisarios de Bridgeport ISD y desarrollado con el consejo del comité del distrito. Este Código brinda información a los padres y estudiantes sobre los estándares de conducta, las consecuencias de la mala conducta y los procedimientos para administrar la disciplina. Permanecerá vigente durante la escuela de verano y en todos los eventos relacionados con la escuela y actividades fuera del año escolar hasta que una versión actualizada adoptada por la junta se haga efectiva para el próximo año escolar.

De acuerdo con la ley estatal, el Código se publicará en cada escuela o estará disponible para su revisión en la oficina del director de la escuela. Además, el Código estará disponible en la oficina del coordinador de comportamiento del campus y se publicará en el sitio web del distrito. Los padres serán notificados de cualquier violación de conducta que pueda resultar en que un estudiante sea suspendido, colocado en un DAEP o JJAEP, sea expulsado o puesto en custodia por un oficial de la ley bajo el Capítulo 37 del Código de Educación.

Debido a que el Consejo de Administración del distrito adopta el Código de conducta estudiantil, tiene la fuerza de la política; por lo tanto, en caso de conflicto entre el Código y el manual del estudiante, el Código prevalecerá.

Tenga en cuenta: La disciplina de los estudiantes con discapacidades que son elegibles para recibir servicios conforme a la ley federal (Ley de Educación para Personas con Discapacidades y la Sección 504 de la Ley de Rehabilitación de 1973) está sujeta a las disposiciones de esas leyes.

Coordinador de comportamiento del campus

Como lo exige la ley, una persona en cada campus debe ser designada para servir como coordinadora de comportamiento del campus. La persona designada puede ser el director del campus o cualquier otro administrador del campus seleccionado por el director. El coordinador de comportamiento del campus es el principal responsable de mantener la disciplina de los

estudiantes. El distrito mantiene una lista actualizada de las personas que sirven como coordinador de comportamiento del campus en el manual del estudiante o en el sitio web del distrito en (*enubicación línea de la copia digital del manual del estudiante*).

Autoridad del distrito escolar y jurisdicción

Las reglas de la escuela y la autoridad del distrito para administrar la disciplina se aplican siempre que el interés del distrito esté involucrado, dentro o fuera de los terrenos de la escuela, junto con clases independientes y actividades patrocinadas por la escuela.

El distrito tiene autoridad disciplinaria sobre un estudiante:

1. durante el día escolar regular y mientras el estudiante va y viene de la escuela o una actividad patrocinada por la escuela o relacionada con la escuela en el transporte del distrito;
2. Durante los periodos de almuerzo en los que un estudiante puede salir del campus;
3. Mientras el estudiante asiste a cualquier actividad relacionada con la escuela, independientemente de la hora o el lugar;
4. Para cualquier mala conducta relacionada con la escuela, independientemente de la hora o el lugar;
5. Cuando se produzca una represalia contra un empleado de la escuela, un miembro de la junta directiva o un voluntario, independientemente de la hora o el lugar;
6. Cuando un estudiante participa en el ciberacoso, según lo dispuesto por Education Cod 37.0832;
7. Cuando se cometen actos delictivos dentro o fuera de la propiedad escolar o en un evento relacionado con la escuela;
8. Para ciertos delitos cometidos dentro de los 300 pies de la propiedad escolar, medidos desde cualquier punto en el límite de la propiedad real de la escuela;
9. Por ciertas infracciones cometidas en la propiedad de la escuela o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela de otro distrito en Texas;
10. Cuando el estudiante comete un delito grave, según lo dispuesto en el Código de Educación 37.006 o 37.0081; y
11. Cuando se requiere que el estudiante se registre como delincuente sexual.

El distrito tiene derecho a registrar un vehículo conducido a la escuela por un estudiante y estacionado en la propiedad escolar siempre que exista una causa razonable para creer que contiene artículos o materiales prohibidos por el distrito.

El distrito tiene el derecho de registrar el casillero o el escritorio de un estudiante cuando existe una causa razonable para creer que contiene artículos o materiales prohibidos por el distrito.

Denuncia de delitos

El director o coordinador de comportamiento del campus y otros administradores escolares, según corresponda, informarán los delitos como lo exige la ley y llamarán a las autoridades locales cuando un administrador sospeche que se ha cometido un delito en el campus.

El término "padre", definido a lo

largo del Código de conducta y las políticas de disciplina relacionadas, incluye a un padre, tutor legal u otra persona que tenga el control legal del niño.

Participación en actividades de graduación

El distrito tiene el derecho de limitar la participación de un estudiante en actividades de graduación por violar el Código del distrito.

La participación puede incluir un papel de hablar, según lo establecido por la política y los procedimientos del distrito.

Los estudiantes elegibles para dar los comentarios de apertura y cierre en la graduación serán notificados por el director de la escuela. A pesar de cualquier otro requisito de elegibilidad, para ser considerado como un estudiante elegible para dar los comentarios de apertura o cierre, un estudiante no debe haber cometido ninguna falta de conducta en violación del Código del distrito que resulte en una suspensión fuera de la escuela, un DAEP, o expulsión durante el semestre inmediatamente anterior a la graduación.

El valedictorian y el salutatorian también pueden tener roles de habla en la graduación. Ningún estudiante será elegible para desempeñar dicha función de habla si él o ella se involucró en una conducta indebida en violación del Código del distrito que resulte en una suspensión fuera de la escuela, el traslado a un DAEP o la expulsión durante el semestre inmediatamente anterior a la graduación.

Las personas no

autorizadas, de conformidad con el Código de Educación 37.105, un administrador escolar, oficial de recursos escolares (SRO), o un oficial de policía del distrito tengan la facultad de denegar la entrada o expulsar a una persona de la propiedad del distrito si la persona se niega a salir pacíficamente a petición y:

1. La persona plantea un riesgo sustancial de daño a cualquier persona; o
2. La persona se comporta de una manera que es inapropiada para el entorno escolar, y la persona persiste en el comportamiento después de recibir una advertencia verbal de que el comportamiento es inapropiado y puede dar como resultado el rechazo de la entrada o la expulsión.

Las apelaciones relacionadas con la denegación de entrada o expulsión de una propiedad del distrito pueden presentarse de acuerdo con FNG (LOCAL) o GF (LOCAL), según corresponda.

Consulte **DAEP — Restricciones durante la colocación**, para obtener información sobre un estudiante asignado a DAEP al momento de la graduación

Estándares para la conducta del

estudiante Se espera que cada estudiante:

- Demuestre cortesía, incluso cuando otros no lo hacen.
- Comportarse de manera responsable, ejercitando siempre la autodisciplina.
- Asiste a todas las clases, regularmente y a tiempo.
- Prepárese para cada clase; llevar los materiales y las tareas apropiadas a la clase.
- Cumplir con los estándares de aseo y vestimenta del distrito y del campus.
- Obedezca todas las reglas del campus y del aula.
- Respete los derechos y privilegios de los estudiantes, maestros y demás personal y voluntarios del distrito.
- Respetar la propiedad de otros, incluyendo la propiedad y las instalaciones del distrito.
- Coopere con y ayude al personal de la escuela a mantener la seguridad, el orden y la disciplina.
- Cumplir con los requisitos del Código de Conducta Estudiantil.

Violaciones generales de conducta

Las siguientes categorías de conducta están prohibidas en la escuela, en los vehículos que son propiedad u operados por el distrito y en todas las actividades relacionadas con la escuela, pero la lista no incluye los delitos más graves. En las secciones subsiguientes sobre Suspensión fuera de la escuela, Colocación en DAEP, Colocación y / o Expulsión por ciertos delitos, y Expulsión, se enumeran ciertos delitos que requieren o permiten consecuencias específicas. Sin embargo, cualquier ofensa puede ser lo suficientemente grave como para resultar en la eliminación del entorno educativo regular como se detalla en esa sección.

Ignorar la autoridad

Los estudiantes no deben: No

- cumplir con las directivas dadas por el personal de la escuela (insubordinación).
- Salir de la escuela o eventos patrocinados por la escuela sin permiso.
- Desobedecer las reglas de conducta en los vehículos del distrito.
- Se niegan a aceptar técnicas de manejo de disciplina asignadas por un maestro o director.

Maltrato a los demás

Los estudiantes no deben:

- usar lenguaje profano o vulgar o hacer gestos obscenos.
- Pelea o pelea. (Para asalto, consulte Asignación y expulsión de DAEP).
- Amenace a un estudiante, empleado o voluntario del distrito, incluso fuera de la escuela, si la conducta causa una interrupción importante en el entorno educativo.
- Participar en la intimidación, el acoso cibernético, el acoso, o hacer listas de resultados. (Consulte el glosario para conocer los cuatro términos).
- Revele o amenace con liberar material visual íntimo de un menor de edad o de un alumno mayor de 18 años sin el consentimiento del alumno.
- Participar en una conducta que constituya acoso sexual o de género o abuso sexual, ya sea por palabra, gesto o cualquier otra conducta, dirigida hacia otra persona, incluido un estudiante, empleado o voluntario del distrito.
- Participar en conductas que constituyan violencia de pareja. (Consulte el glosario).
- Participe en exposiciones inapropiadas o indecentes de partes privadas del cuerpo.
- Participa en la novatada. (Consulte el glosario).
- Causa que una persona actúe mediante el uso o la amenaza de fuerza (coerción).
- Cometer extorsión o chantaje (obtener dinero o un objeto de valor de una persona no dispuesta).

- Participar en conductas verbales, físicas o sexuales inapropiadas dirigidas hacia otra persona, incluido un estudiante, empleado o voluntario del distrito.
- Grabe la voz o la imagen de otra persona sin el consentimiento previo de las personas que se están grabando o de cualquier manera que interrumpa el entorno educativo o invada la privacidad de los demás.

Delitos contra la propiedad

Los estudiantes no deben:

- Dañar o destrozar la propiedad de otros. (Para información sobre delitos criminales graves, consulte Asignación o Expulsión de DAEP).
- Desvuelva o dañe la propiedad de la escuela, incluidos los libros de texto, la tecnología y los recursos electrónicos, los armarios, los muebles y otros equipos, con graffiti o por otros medios.
- Robar a los estudiantes, al personal oa la escuela.
- Cometer o ayudar en un robo o robo, incluso si no constituye un delito grave de acuerdo con el Código Penal de Texas. (Para robos graves, robos con agravantes y robo, consulte Asignación y expulsión de DAEP).

Posesión de artículos prohibidos Los

estudiantes no deben poseer ni usar:

- Fuegos artificiales de ningún tipo, bombas de humo o hedor, ni ningún otro dispositivo pirotécnico;
- Una maquinilla de afeitar, un cortador de cajas, una cadena o cualquier otro objeto utilizado de manera que amenace o inflija lesiones corporales a otra persona;
- Un arma "parecida" que está destinada a ser utilizada como un arma o que podría ser percibida razonablemente como un arma;
- Una pistola de aire o BB;
- Munición;
- Un cuchillo de ubicación restringida;
- Un instrumento de mano diseñado para cortar o apuñalar a otro al ser lanzado;
- Un arma de fuego;
- Una pistola de aturdimiento
- Una navaja o cualquier otro cuchillo pequeño;
- Maza o spray de pimienta;
- Material pornográfico;

- Productos de tabaco, incluidos los cigarrillos; cigarrillos electrónicos; y cualquier componente, pieza o accesorio para un dispositivo de cigarrillo electrónico;
- Cerillas o un encendedor;
- Un puntero láser para otro uso que no sea aprobado; o
- Cualquier artículo que generalmente no se considera como armas, incluidos los útiles escolares, cuando el director o su designado determina que existe un peligro. Posesión de dispositivos de telecomunicaciones u otros dispositivos electrónicos

Para armas y armas de fuego, consulte Colocación y expulsión de DAEP. En la mayoría de los casos, la posesión de estos artículos se castiga con la expulsión obligatoria en virtud de las leyes federales o estatales.

Los estudiantes no deben:

- Utilizar un dispositivo de telecomunicaciones, incluido un teléfono celular u otro dispositivo electrónico que infrinja las reglas del distrito y del campus.

Drogas ilegales, recetadas y de

Los estudiantes no deben:

- venta libre Poseer, usar, dar o vender alcohol o una droga ilegal. (También vea la Colocación y Expulsión de DAEP para las consecuencias obligatorias y permisivas de acuerdo con la ley estatal).
- Poseer o vender semillas o piezas de marihuana en menos de una cantidad utilizable.
- Poseer, usar, dar o vender parafernalia relacionada con cualquier sustancia prohibida. (Consulte el glosario para “parafernalia”).
- Poseer, usar, abusar o vender medicamentos similares o intentar pasar artículos como medicamentos o contrabando.
- Abusar del medicamento recetado del estudiante, entregar un medicamento recetado a otro estudiante o poseer o estar bajo la influencia del medicamento recetado de otra persona en la propiedad de la escuela o en un evento relacionado con la escuela. (Consulte el glosario para “abuso”).
- Abuso de medicamentos de venta libre. (Consulte el glosario para “abuso”). Estar bajo la influencia de medicamentos recetados o de venta libre que causan un deterioro de las facultades físicas o mentales. (Consulte el glosario para “bajo la influencia”).
- Tener o tomar medicamentos recetados o medicamentos de venta libre en la escuela que no sean los proporcionados por la política del distrito.

Uso indebido de los recursos tecnológicos y de Internet

Los estudiantes no deben:

- Infringir las políticas, reglas o acuerdos firmados por el estudiante o los padres del estudiante con respecto al uso de los recursos tecnológicos.
- Intente acceder o eludir contraseñas u otra información relacionada con la seguridad del distrito, los estudiantes o los empleados, o cargar o crear virus informáticos, incluso fuera de la propiedad escolar, si la conducta causa una interrupción importante en el entorno educativo.
- Intente alterar, destruir o deshabilitar los recursos tecnológicos del distrito, incluidos, entre otros, las computadoras y el equipo relacionado, los datos del distrito, los datos de terceros u otras redes conectadas al sistema del distrito, incluida la propiedad fuera de la escuela si la conducta provoca una interrupción sustancial de El entorno educativo.
- Use la Internet u otras comunicaciones electrónicas para amenazar a los estudiantes, empleados, miembros de la junta o voluntarios del distrito, incluida la propiedad fuera de la escuela si la conducta causa una interrupción importante en el entorno educativo o infringe los derechos de otro estudiante en la escuela.
- Enviar, publicar, entregar o poseer mensajes electrónicos que sean abusivos, obscenos, orientados sexualmente, amenazantes, acosadores, perjudiciales para la reputación de otros o ilegales, incluido el ciberacoso y el "sexting", ya sea dentro o fuera de la propiedad escolar, si la conducta provoca un interrupción sustancial del entorno educativo o infrinja los derechos de otro estudiante en la escuela.
- Utilice Internet u otra comunicación electrónica para participar o alentar conductas ilegales o amenazar la seguridad escolar, incluida la propiedad fuera de la escuela si la conducta causa una interrupción importante en el entorno educativo o infringe los derechos de otro estudiante en la escuela.

Transgresiones de seguridad

Los estudiantes no deben:

- Poseer material publicado o electrónico que esté diseñado para promover o alentar conductas ilegales o que puedan amenazar la seguridad escolar.
- Participar en intercambios verbales (orales o escritos) que amenazan la seguridad de otro estudiante, un empleado de la escuela o la propiedad escolar.
- Hacer acusaciones falsas o cometer engaños con respecto a la seguridad escolar.
- Participar en cualquier conducta que los funcionarios escolares razonablemente creen que interrumpirá sustancialmente el programa escolar o incitará a la violencia.
- Tire objetos que puedan causar lesiones corporales o daños a la propiedad.
- Descargue un extintor de incendios sin causa válida.

Infracciones Misceláneas

Los estudiantes no deben:

- Violar los estándares de vestimenta y aseo personal tal como se indica en el manual del estudiante.
- Hacer trampa o copiar el trabajo de otro.
- Jugar.
- Falsificar registros, pases u otros documentos relacionados con la escuela.
- Participar en acciones o demostraciones que interrumpan sustancialmente o interfieren materialmente con las actividades escolares.
- Viola repetidamente otras normas de conducta comunicadas en el campus o en el aula.

El distrito puede imponer reglas de la escuela o del aula además de las que se encuentran en el Código. Estas reglas pueden publicarse en las aulas o entregarse al estudiante y pueden o no constituir violaciones del Código.

Técnicas de administración de la disciplina La

disciplina se diseñará para mejorar la conducta y para alentar a los estudiantes a cumplir con sus responsabilidades como miembros de la comunidad escolar. La acción disciplinaria se basará en el juicio profesional de los maestros y administradores y en una gama de técnicas de manejo de disciplina, incluidas las prácticas de disciplina restaurativa. La disciplina se correlacionará con la gravedad de la ofensa, la edad y el nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante, el efecto de la mala conducta en el entorno escolar y los requisitos legales.

Debido a estos factores, la disciplina por una infracción en particular, incluida la conducta indebida en un vehículo del distrito que es propiedad u operado por el distrito, a menos que la ley especifique lo contrario, puede tener en cuenta diversas técnicas y respuestas.

Estudiantes con discapacidades

La disciplina de los estudiantes con discapacidades está sujeta a las leyes estatales y federales aplicables, además del Código de conducta del estudiante. En la medida en que exista algún conflicto, prevalecerá la ley estatal y / o federal.

De acuerdo con el Código de Educación, un estudiante que recibe servicios de educación especial no puede ser disciplinado por una conducta que cumpla con la definición de acoso escolar, ciberacoso, acoso o hacer listas de resultados (vea el glosario) hasta que se haya realizado una reunión del comité ARD para revisar la conducta .

Al decidir si ordenar la suspensión, la colocación en un DAEP o la expulsión, independientemente de si la acción es obligatoria o discrecional, el distrito tendrá en cuenta una discapacidad que perjudica sustancialmente la capacidad del estudiante para apreciar la ilicitud de la conducta del estudiante.

Técnicas

Las siguientes técnicas de manejo de la disciplina se pueden usar, solas, en combinación o como parte de intervenciones progresivas, para el comportamiento prohibido por el Código de Conducta del Estudiante o por las reglas del aula o del aula:

- corrección verbal, oral o escrita.
- Tiempo de enfriamiento o "tiempo fuera".
- Cambios en los asientos dentro del salón de clases o vehículos que son propiedad u operados por el distrito.
- Confiscación temporal de artículos que perturban el proceso educativo.
- Recompensas o deméritos.
- Contratos de comportamiento.
- Asesoramiento por parte de maestros, consejeros escolares o personal administrativo.
- Conferencias de padres y profesores.

- Coaching de comportamiento.
- Clases de manejo de la ira.
- Mediación (víctima-agresor).
- Círculos del aula.
- Conferencias de grupos familiares.
- Reducciones de grado por trampas, plagio y según lo permitido por la política.
- Detención, incluso fuera del horario escolar regular.
- Enviar al estudiante a la oficina u otra área asignada, o a la suspensión dentro de la escuela.
- Asignación de tareas escolares tales como limpiar o recoger la basura.
- Retiro de privilegios, como participación en actividades extracurriculares, elegibilidad para buscar y mantener cargos honorarios, o membresía en clubes y organizaciones patrocinadas por la escuela.
- Las sanciones se identifican en los estándares de conducta extracurriculares de las organizaciones estudiantiles individuales.
- Restricción o revocación de los privilegios de transporte del distrito.
- Escuela probada y probada administrada por la escuela.
- Castigo corporal, a menos que el padre o tutor del estudiante haya proporcionado una declaración firmada que prohíba su uso.
- Suspensión fuera de la escuela, como se especifica en la sección Suspensión fuera de la escuela de este Código.
- Colocación en un DAEP, como se especifica en la sección DAEP de este Código.
- Colocación y / o expulsión en un entorno educativo alternativo, según se especifica en la sección Colocación y / o Expulsión por ciertos delitos de este Código.
- Expulsión, como se especifica en la sección de Expulsión de este Código.
- Referencia a una agencia externa o autoridad legal para un proceso penal además de las medidas disciplinarias impuestas por el distrito.
- Otras estrategias y consecuencias según lo determinado por los funcionarios escolares.

Notificación

El coordinador de comportamiento de la escuela notificará de inmediato a los padres del estudiante por teléfono o por escrito a una persona sobre cualquier violación que pueda resultar en una suspensión dentro o fuera de la escuela, la colocación en un DAEP, la colocación en un JJAEP o la expulsión. El coordinador de comportamiento de la escuela también deberá notificar a los padres de un estudiante si el estudiante es detenido por un oficial de la ley bajo las disposiciones disciplinarias del Código de Educación. Se hará un esfuerzo de buena fe el día en que se tomó la acción para proporcionar al estudiante la notificación por escrito a los padres del estudiante de la acción disciplinaria. Si no se ha

contactado al padre por teléfono o en persona antes de las 5:00 pm del primer día hábil posterior al día en que se tomó la medida disciplinaria, el coordinador de comportamiento de la escuela enviará una notificación por escrito por correo de los EE. UU. Si el coordinador de comportamiento de la escuela no puede notificar al padre, el director o la persona designada deberán notificarlo.

Antes de que el director o administrador apropiado asigne a un estudiante menor de 18 años a detención fuera del horario escolar regular, se le enviará un aviso al padre del estudiante para infórmele sobre el motivo de la detención y autorice los arreglos para el transporte necesario.

Apelaciones Las

preguntas de los padres sobre las medidas disciplinarias deben dirigirse al maestro o a la administración del campus, o al coordinador de conducta del campus, según corresponda. Las apelaciones o quejas relacionadas con el uso de técnicas de manejo de disciplina específicas deben abordarse de acuerdo con la política FNG (LOCAL). Se puede obtener una copia de la política en la oficina del director o la oficina de administración central o a través de la Política en línea en la siguiente dirección: www.bridgeportisd.net.

Las consecuencias no se aplazarán hasta que finalice el resultado de una queja.

Retiro del autobús escolar

Un conductor de autobús puede referir a un estudiante a la oficina del director o a la oficina del coordinador de comportamiento de la escuela para mantener una disciplina efectiva en el autobús. El director o el coordinador de conducta de la escuela deben emplear técnicas adicionales de manejo de disciplina, según corresponda, que pueden incluir restringir o revocar los privilegios de viajar en el autobús del estudiante.

Dado que la responsabilidad del distrito de transportar a los estudiantes en vehículos del distrito es hacerlo de la manera más segura posible, el operador del vehículo debe concentrarse en la conducción y no debe distraerse su atención por la mala conducta de los estudiantes. Por lo tanto, cuando las técnicas de manejo disciplinario apropiadas no logran mejorar el comportamiento del estudiante o cuando una mala conducta específica justifica la remoción inmediata, el director o el coordinador de comportamiento de la escuela pueden restringir o revocar los privilegios de transporte del estudiante, de acuerdo con la ley.

Retiro del entorno educativo regular

Además de otras técnicas de manejo disciplinario, la mala conducta puede resultar en el retiro del entorno educativo regular en la forma de una referencia de rutina o un retiro formal.

Referencia de

rutina Una referencia de rutina ocurre cuando un maestro envía a un estudiante a la oficina del coordinador de conducta del campus como una técnica de manejo de disciplina. El coordinador de comportamiento del campus deberá emplear técnicas de manejo de disciplina alternativas, incluidas las intervenciones progresivas. Un maestro o administrador puede retirar a un estudiante de la clase por un comportamiento que viole este Código para mantener una disciplina efectiva en el aula.

Retiro formal

Un maestro **puede** también iniciar un retiro formal de la clase si:

1. El maestro docto ha documentado que el comportamiento del estudiante interfiere repetidamente con la capacidad del profesor para enseñar en su clase o con la capacidad de aprendizaje de sus compañeros; o
2. El comportamiento es tan ingobernable, perturbador o abusivo que el maestro no puede enseñar, y los estudiantes en el aula no pueden aprender.

Dentro de los tres días escolares posteriores a la remoción formal, el coordinador de conducta del campus o el administrador apropiado deberá programar una conferencia con los padres del estudiante; el estudiante; el profesor, en caso de expulsión por parte de un profesor; y cualquier otro administrador.

En la conferencia, el coordinador de comportamiento del campus o el administrador apropiado informará al estudiante de la conducta indebida por la que se le imputa y las consecuencias. El alumno deberá tener una oportunidad para dar su versión del incidente.

Cuando un maestro es retirado del salón de clases regular por un maestro y hay una conferencia pendiente, el coordinador de comportamiento del campus u otro administrador Puede colocar al alumno en:

- Otro aula apropiada.
- Suspensión en la escuela.
- Suspensión fuera de la escuela.
- DAEP.

Un maestro o administrador debe retirar a un estudiante de la clase si el estudiante se involucra en una conducta que, según el Código de Educación, requiere o permite que el estudiante sea colocado en un DAEP o sea expulsado. Cuando se elimine por esas razones,

se seguirán los procedimientos en las secciones subsiguientes sobre DAEP o expulsión.

Regreso del alumno al aula de clases

Cuando un maestro ha sido retirado formalmente de la clase por una conducta contra el maestro que contiene los elementos de asalto, asalto agravado, asalto sexual, asalto sexual agravado, asesinato, asesinato capital o intento criminal de cometer asesinato o capital asesinato, el estudiante no puede ser devuelto a la clase del maestro sin el consentimiento del maestro.

Cuando un maestro ha sido retirado formalmente por un maestro por cualquier otra conducta, el alumno puede ser devuelto a la clase del maestro sin el consentimiento del maestro, si el comité de revisión de colocación determina que la clase del maestro es la mejor o la única alternativa disponible.

Suspensión por fuera de la escuela Los

mala conducta

estudiantes pueden ser suspendidos por cualquier comportamiento que figura en el Código como una infracción de conducta general, una infracción de DAEP o una infracción de expulsión.

El distrito no deberá usar la suspensión fuera de la escuela para los estudiantes en el grado 2 o inferior a menos que la conducta cumpla con los requisitos establecidos en la ley.

A student in grade 2 or below shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students in grade 2 or below who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The number of days of a student's suspension shall be determined by the campus behavior coordinator, but shall not exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

3. Self-defense (see glossary),
4. Intent or lack of intent at the time the student engaged in the conduct,

5. The student's disciplinary history, or
6. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and co-curricular activities.

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

Summer programs provided by the district shall serve students assigned to a DAEP separately from those students who are not assigned to the program.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student **may** be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any one of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit sui-cide. ☐
- Inciting violence against a student through group bullying. ☐
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Any criminal mischief, including a felony.

- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see glossary) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may**, but is not required to, place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.

- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary.)
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Placement Order

After the conference, if the student is placed in the DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The duration of a student's placement in a DAEP shall be determined by the campus behavior coordinator.

The duration of a student's placement shall be determined on a case-by-case basis. DAEP placement shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

Exceeds School Year

Students who commit offenses requiring placement in a DAEP at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with FNG(LOCAL).

A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office, or through Policy On Line at the following address: www.bridgeportisd.net.

Appeals shall begin at Level One with the campus principal.

Disciplinary consequences shall not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions during Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program shall continue through graduation, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or
2. The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that

the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal during Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then reenrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district.

A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

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 unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement shall be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP 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:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

Review Committee

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 shall 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.

Newly Enrolled Student

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.

Appeal

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.

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

The district may expel the student and order placement under these circumstances regardless of:

1. The date on which the student's conduct occurred,
2. The location at which the conduct occurred,
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See DAEP Placement)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide
- Inciting violence against a student through group bullying
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See glossary)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See glossary for “under the influence.”)
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Carrying on or about the student's person a handgun, location-restricted knife, or a club, as these terms are defined by state law. (See glossary.)
- Possessing, manufacturing, transporting, repairing, or selling prohibited weapon as defined by state law. (See glossary.)
- Possession of a firearm, as defined by federal law. (See glossary.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the

student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in DAEP

A student **may** be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Section 21.07, Penal Code;
 - b. Indecent exposure under Section 21.08, Penal Code;
 - c. Criminal mischief under Section 28.03, Penal Code;
 - d. Personal hazing under Section 37.152; or
 - e. Harassment under Section 42.07(a)(1), Penal Code, of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student must be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See glossary.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle, or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Texas Penal Code

- Carrying on or about the student's person, as defined by the Texas Penal Code:
 - A handgun, defined by state law as any firearm designed made or adapted to be used with one hand. (See glossary) Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a

- shooting sports sanctioning organization working with the department. (See policy FNCG (LEGAL)).
- A location-restricted knife, as defined by state law. (See glossary.)
- A club, as defined in state law. (See glossary.)
- Possessing, manufacturing, transporting, repairing or selling a prohibited weapon, as defined in state law. (See glossary.)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.

- In-school suspension.
- Out-of-school suspension.
- DAEP.

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the superintendent – Mr. Brandon Peavey authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation.

Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the superintendent secretary shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal during Process

When a student has violated the district's Code in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then reenrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the campus behavior coordinator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions during Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Texas Penal Code 29.03(a) when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older, or
 - b. A disabled person.

Armor-piercing ammunition is defined by Texas Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Texas Penal Code 28.02 as:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - 1) Knowing that it is within the limits of an incorporated city or town,
 - 2) Knowing that it is insured against damage or destruction,
 - 3) Knowing that it is subject to a mortgage or other security interest,
 - 4) Knowing that it is located on property belonging to another,
 - 5) Knowing that it has located within it property belonging to another, or
 - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damages or destroys a building belonging to another, or
 - b. Recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Texas Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly

causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of Computer Security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Texas Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

Bullying is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that

1. Has the effect or will 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;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.
3. Materially and substantially disrupts the educational process or the orderly operations of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school sponsored or school-related activity on or off school property.
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Texas Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Texas Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

Criminal street gang is three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, and Internet website, or any other Internet-based communication tool.

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.

Deadly conduct occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Texas Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False Alarm or Report occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;

2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 USC & 921 (a)) as:

1. 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;
2. The frame of receiver of any such weapon;
3. Any firearm muffler of firearm weapon; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Firearm silencer is defined by Texas Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

Graffiti are markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Texas Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer, 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, as defined in Section 37.001(b)(2) of the Education Code.

Hazing is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

Hit list is defined in Section 37.001(b)(3) of the Education Code as 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.

Improvised explosive device is defined by Texas Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Texas Penal Code 21.08 as an offense that occurs when a person exposes his or her anus or any part of his or her genitals with intent to arouse or gratify

the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Texas Civil Practices and Remedies Code 98B.001 and Texas Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Texas Penal Code 46.01 as a knife with a blade over five and one-half inches.

Knuckles as defined by Texas Penal Code 46.01 are any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Texas Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Possession means 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.

Prohibited weapon under Texas Penal Code 46.05(a) means:

1. The following items unless registered with the US Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to the registration or unless the item is classified as a curio or relic by the US Department of Justice:
 - a. An explosive weapon;
 - b. A machine gun;
 - c. A short-barrel firearm;
2. Knuckles;
3. Armor-piercing ammunition;
4. A chemical dispensing device;
5. A zip gun;
6. A tire deflation device;
7. An improvised explosive device; or;

8. A firearm silencer, unless classified as a curio or relic by the US Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

Public Lewdness is defined by Texas Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are excepted from this definition.

Reasonable belief is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

Self-defense is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Texas Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Section 21.07, Texas Penal Code;
 - b. Indecent exposure under Section 21.08; Texas Penal Code;
 - c. Criminal mischief under Section 28.03, Texas Penal Code;
 - d. Personal hazing under Section 37.152; Education Code or
 - e. Harassment under Section 42.07(a)(1), Texas Penal Code, of a student or district employee.

Serious or persistent misbehavior includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete school work as assigned.
- Insubordination.

- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Texas Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Texas Penal Code 22.07 a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by Section 46.01 of the Texas Penal Code as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Texas Penal Code that typically involve injury to a person and may include:

- Murder; manslaughter, or homicide under Sections 19.02, - .05, Texas Penal Code;
- Kidnapping under Section 20.03, Texas Penal Code;
- Trafficking of persons under Section 20.A.02, Texas Penal Code;
- Smuggling or continuous smuggling of persons under Sections 20.05 - .06, Texas Penal Code;
- Assault under Section 22.01, Texas Penal Code;
- Aggravated assault under Section 22.02, Texas Penal Code;
- Sexual assault under Section 22.011, Texas Penal Code;
- Aggravated sexual assault under Section 22.021, Texas Penal Code;
- Unlawful restraint under Section 22.02, Texas Penal Code;

- Continuous sexual abuse of a young child or children under Section 21.02, Texas Penal Code;
- Bestiality under Section 21.09, Texas Penal Code; Improper relationship between educator and student under Section 21.12, Texas Penal Code;
- Improper relationship between educator and student under Section 21.12, Texas Penal Code;
- Voyeurism under Section 21.17, Texas Penal Code;
- Indecency with a child under Section 21.11, Texas Penal Code;
- Invasive visual recording under Section 21.15, Texas Penal Code;
- Disclosure or promotion of intimate visual material under Section 21.16, Texas Penal Code;
- Sexual coercion under Section 21.18, Texas Penal Code;
- Injury to a child, an elderly person, or a disabled person; of any age under Section 22.04, Texas Penal Code;
- Abandoning or endangering a child under Section 22.041, Texas Penal Code;
- Deadly conduct under Section 22.05, Texas Penal Code;
- Terroristic threat under Section 22.07, Texas Penal Code;
- Aiding a person to commit suicide under Section 22.08, Texas Penal Code; and
- Tampering with a consumer product under Section 22.09, Texas Penal Code. [See FOC(EXHIBIT)]

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the influence” need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by Texas Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

Index

- admission, review, and dismissal (ARD)
 - committee, 9, 22
- appeals process
 - board review of expulsion, 29
 - DAEP appeals, 18, 20
 - discipline management techniques, 10
 - sex offender registry, 22
- attendance, 4
- authority of the district, 2
- board of trustees, 1
- campus rules, 4, 8
- cell phones. *See* electronic devices.
- cheating. *See* prohibited behavior.
- classroom rules, 4, 8
- computers, 7
 - abusive behavior, 8
 - breach of security, 7
 - cyberbullying, 8
 - hacking/cracking, 7
 - illegal activity, 8
 - online impersonation, 8
 - threatening behavior, 8
 - vandalism, 7

See also technology resources.
- confiscation of student property
 - confiscation of property. *See* discipline management techniques.
- corporal punishment. *See* discipline management techniques.
- counseling, 9
- courtesy, 4
- crimes
 - aggravated robbery, 6, 15, 16, 23, 25
 - breach of security, 7, 25
 - criminal mischief, 2, 6, 15, 25
 - criminal proceedings and placement in DAEP, 19
 - felonies, 2, 6, 15, 16, 19, 22, 23, 25, 26, 28
 - reporting, 2
 - Title 5 offenses, 15, 16, 23, 36
 - expulsion and placement, 23
 - hearing and required findings, 23
 - length of placement, 23
 - newly enrolled students, 24
- delinquent conduct, 16, 19, 23, 33
- demonstrations, 8
- detention. *See* discipline management techniques.
- disciplinary alternative education program (DAEP), 14, 22
 - appeals. *See* appeals process.
 - coursework notice, 17
 - discretionary placement, 15
 - elementary school students, 14
 - emergency placement, 16, 21
 - extracurricular activities, 18
 - grade classification, 14
 - graduation, 19
 - length of placement, 17
 - mandatory placement, 15
 - 300 foot rule, 15
 - notice of criminal proceedings, 19
 - placement review, 19
 - pre- and post-assessments, 17
 - process, 16
 - restrictions during placement, 18
 - summer programs, 14
 - transportation, 18, 19
 - under age six, 16
 - under age ten, 16
- discipline management techniques, 9
 - alternative educational setting, 10
 - appeals. *See* appeals process.
 - behavioral contracts, 9
 - bus privileges, 10, 11
 - confiscation of property, 9
 - corporal punishment, 10
 - counseling, 9
 - criminal prosecution, 10
 - DAEP. *See* disciplinary alternative education program (DAEP).
 - demerits, 9
 - detention, 10

- expulsion. *See* expulsion.
- extracurricular organizations, 10
- grade reductions, 10
- in-school suspension, 10
- loss of privileges, 10
- notification, 10
- out-of-school suspension, 10
- probation, 10
- referral. *See* routine referral.
- refusal to accept, 5
- rewards, 9
- school duties, 10
- students with disabilities, 9
- time-out, 9
- dress code, 4, 8
- drugs, 7
 - marijuana, 7
 - over-the-counter, 7
 - paraphernalia, 7
 - prescription, 7
 - under the influence, 7
- electronic devices, 6, 7
- expulsion, 25
 - 300 foot rule, 25
 - additional misconduct, 30
 - and DAEP placement, 31
 - emergency, 28, 31
 - for serious misbehavior committed while
 - in DAEP, 26
 - length, 30
 - mandatory, 27
 - newly enrolled students, 31
 - process, 28
 - restrictions, 30
 - under age six, 28
 - under age ten, 28
 - withdrawal during process, 30
- falsification of records, 8, 35
- formal removal from class, 12
 - returning student to the classroom, 12
- fraternity, 14, 35
- gangs, 14, 15, 33, 35
- gender-based harassment, 5, *See also*
 - prohibited behavior.
- graduation
 - participation, 3
 - participation, 19
- inspections, 2
- jurisdiction of the district, 2
 - 300 foot rule, 2
- juvenile justice alternative education
 - program (JJAEP), 22, 23, 30
- laser pointers, 6
- lunch period, 2
- nonresident student, 2
- parent-teacher conferences, 10
- placement review committee, 12, 22
- plagiarism. *See* prohibited behavior:
 - cheating.
- posting
 - of the Student Code of Conduct, 1
- preparation for class, 4
- prohibited behavior, 8
 - 300 foot rule, 15, 25
 - alcohol, 15, 26
 - assault, 5, 12, 15, 16, 19, 25, 26, 36
 - at another district, 26
 - blackmail, 5
 - bullying, 5
 - cheating, 8
 - coercion, 5
 - cyberbullying, 8
 - dating violence, 5
 - deadly conduct, 26
 - drugs, 15, 25
 - false accusations, 8
 - false alarm, 15, 25
 - fighting, 5
 - fire extinguishers discharged without
 - cause, 8
 - forgery. *See* falsification of records.
 - gambling, 8
 - gender-based harassment, 5
 - graffiti, 6
 - harassment, 5
 - hazing, 5
 - hit lists, 5
 - hoaxes, 8
 - inappropriate conduct, 5
 - inciting violence, 8

- indecent exposure, 5, 16
- insubordination, 5
- leaving school grounds, 5
- misuse of technology resources, 7
- on school buses, 5
- online impersonation, 8
- profanity, 5
- recording without consent, 6
- repeated offenses, 8
- robbery, 6
- sexting, 8
- sexual abuse, 5
- sexual assault, 17
- sexual harassment, 5
- stealing, 6
- terroristic threat, 15, 25, 36
- theft, 6
- threats, 5, 8
- throwing objects, 8
- under the influence, 25
- vandalism, 6
- volatile chemicals, 15, 26
- prohibited items
 - air guns, 6
 - alcohol, 28
 - ammunition, 6
 - clubs, 26, 27
 - drugs, 28
 - firearms, 16, 26, 27
 - fireworks, 6
 - knives, 26, 27
 - lighters, 6
 - mace, 6
 - matches, 6
 - other dangerous items, 6, 26
 - other weapons, 28
 - pepper spray, 6
 - pornography, 6
 - stun guns, 6
 - tire deflation device, 28
 - tobacco, 6
- property, 4
- protests. *See* demonstrations.
- removal from the regular educational setting, 12
- respect, 4
- retaliation, 2, 16, 25, 28
- routine referral, 12
- safety, 4, 8
- searches
 - desks, 2
 - lockers, 2
 - vehicles, 2
- secret society, 14, 35
- self-defense, 13, 14, 25
- self-discipline, 4
- serious misbehavior, 26
- sex offender, 2, 22
 - appeal of placement as a registered sex offender, 22
 - newly enrolled student, 22
- sexual abuse, 5, *See also* prohibited behavior.
- sexual harassment, 5, *See also* prohibited behavior.
- smart phones. *See* electronic devices.
- sorority, 14, 35
- special education, 9
- standards for student conduct, 4
- student handbook
 - conflict with Student Code of Conduct, 1
- students with disabilities, 1, 22
 - discipline management techniques, 9
 - transportation while in DAEP, 18
- suspension
 - in-school. *See* discipline management techniques.
 - out-of-school, 10, 13
- technology resources
 - district policy, 7
 - See also* computers.
- telecommunications devices. *See* electronic devices.
- time-out. *See* discipline management techniques.
- Title 5 offenses. *See* crimes.
- transfers
 - campus assignments, 16
 - revoked, 2
- transportation, 2

discipline management techniques, 10
rules for conduct, 5
while in DAEP, 18, 19