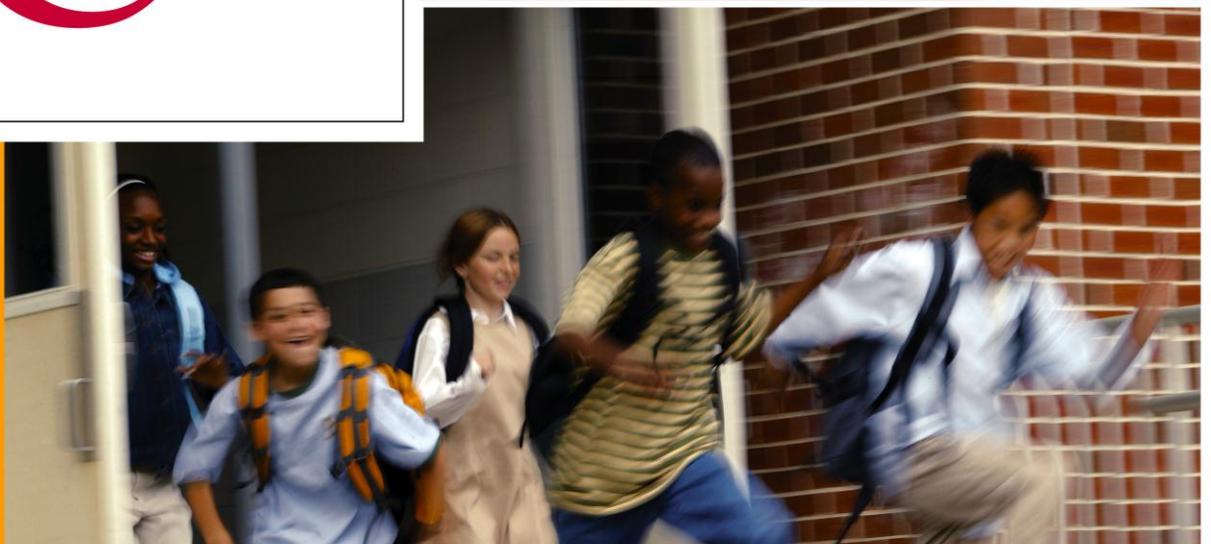




# **STUDENT CODE OF CONDUCT**

Coppell Independent School District

**2012-2013**





**Coppell Independent School District**  
**200 S. Denton Tap Road**  
**Coppell, Texas 75019**

**Board of Trustees**

Anthony Hill, President  
David Apple, Vice President  
Susie Kemp, Secretary  
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**Superintendent**

Dr. Jeff Turner

It is the policy of the Coppell Independent School District not to discriminate on the basis of gender, disability, race, color or national origin in its educational and vocational programs, activities, or employment as required by Title IX, Section 504 and Title VI.

Dear Parents and Guardians,

The Coppell Independent School District is committed to providing each student with a quality educational program. This goal can only be achieved in a cooperative school climate free from disruptions which hinder and interfere with the educational process. The rights of students, teachers, parents, and administrators are to be valued and protected under the federal and state laws. Coppell Independent School District will strive to achieve a working balance between rights and responsibilities which foster a positive school climate where there is mutual respect and an opportunity for students to develop to their fullest potential.

Another commitment Coppell Independent School District has is to do everything in our power to keep students safe by creating a drug free campus environment. We want you to know that we will pursue the strongest penalty possible, under the guidelines of our Student Code of Conduct, for students who choose to bring drugs to school. Students who violate the CISD Student Code of Conduct by selling, giving, delivering to another person, possessing, using, being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol at school, within 300 feet, or at a school event may be expelled. Currently, any student who is expelled for violating this section of the Student Code of Conduct maybe transferred to the Dallas County Juvenile Justice Alternative Education Program. While at first glance this may appear to be a harsh alternative, we are committed to maintaining drug-free schools for our students.

Coppell Independent School District is fortunate to be in a community filled with parents that care about their schools, community and most importantly about their children. As a District we look forward to working with you for the good of your child.

If you have any questions about the policies within the handbook please contact your school administration.

Best wishes for a successful school year,  
Your CISD Board of Trustees and Administrative Staff

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The Coppell Independent School District recognizes the importance of its role in helping learners develop and demonstrate good character qualities every day in order to become successful contributors in the 21st Century. In fact, *character* was referenced during both of the district's strategic planning processes (in 2003 and again in 2009), and has become an integral part of the district's Mission Statement and goals:

*The mission of the Coppell Independent School District, as a committed and proven leader in educational excellence, is to ensure our learners achieve personal success, develop strong moral character, and become dynamic leaders and global citizens with a zeal for service by engaging each individual through innovative learning experiences led by a visionary staff and progressive community.*

With the support of staff and community members who served on the *action team for CHARACTER*, Coppell ISD has hosted and will continue to host information meetings to: raise community awareness about how the district is addressing character education in its schools; present topics of interest related to character; communicate new character initiatives; gather input through online surveys; and report results/findings.

As a district and as a community, Coppell is committed to the development of the whole child. We invite you to join us as we invest in the academic, physical, social and emotional development of all students.

# COPPELL INDEPENDENT SCHOOL DISTRICT

## I. General Overview

- Purpose

The Coppell Independent School District is committed to providing each student with a quality educational program. This goal can only be achieved in a cooperative school climate free from disruptions which hinder and interfere with the educational process. The rights of students, teachers, parents, and administrators are valued and protected under federal and state laws. Coppell Independent School District strives to achieve a working balance between rights and responsibilities which foster a positive school climate where there is mutual respect and an opportunity for students to develop and excel.

The Board of Trustees adopted this Student Code of Conduct in accordance with Chapter 37 of the Texas Education Code to promote a safe, secure, and optimal learning environment for all students. The Student Code of Conduct provides information and direction to students and parents regarding:

- The District-wide discipline management plan,
- A description of standards of behavior, prohibited conduct and consequences of misconduct,
- The disciplinary options and methods for preventing and addressing student misconduct, and
- The process the district will follow when administering disciplinary consequences.

Once the Student Code of Conduct is promulgated and adopted by the Board of Trustees, any change or amendment must be approved by the Board of Trustees. The Student Code of Conduct has the force of Board Policy. In case of a conflict between the Student Code of Conduct and any provisions of the campus student handbook, the Student Code of Conduct shall prevail. In case of conflict between the Student Code of Conduct and state law, state law shall prevail.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code shall be posted on the district's website.

The Glossary at the back of the Code provides easy access to definitions of terms used herein.

- **Anti-Discrimination**

The District does not discriminate against students on the basis of race, gender, sexual orientation, gender identity, gender expression, national origin, disability, religion, color or ethnicity when enforcing the provisions of the Student Code of Conduct.

- **Discipline of Students with Special Needs**

Students eligible for services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are subject to discipline in accordance with those laws. For more information about those specific procedures, please contact the CISD Intervention Services Department.

- **Additional Rules**

Students may be subject to campus, classroom, extracurricular, and/or organization rules in addition to those found in the Student Code of Conduct. Students may face consequences under these additional rules as well as possible disciplinary action under the Student Code of Conduct. Further, to the extent a student engages in misconduct that is not specifically addressed or listed in the Student Code of Conduct, the student may still be disciplined if the misconduct disrupts or interferes with the educational process, learning environment, or school safety.

- **Notice of Disciplinary Action**

Teachers and administrators strive to notify parents/guardians of student conduct concerns as they occur. The campus administrator will contact the parent/guardian by phone or in writing within three school days of becoming aware of misconduct that may result in out-of-school suspension, DAEP placement, or expulsion from school. Failure to send any notice within this time period or as noted elsewhere in the Student Code of Conduct does not preclude imposing a discipline consequence.

- **Discipline Appeals**

Procedures for appealing a decision to place a student in DAEP and procedures for appealing a decision to expel a student are set forth in Section VIII and IX below. Appeals of all other disciplinary matters, including complaints of procedural errors or violations, should be directed to the student's teacher or campus administrator, as described in local District policy FNG, which is available online at <http://www.tasb.org/policy/pol/private/057922>. Timelines for filing appeals stated in the policy and in the SCC will be enforced. ***Disciplinary consequences will not be delayed or deferred pending the outcome of an appeal.***

- **Effect of Student Withdrawal**

Withdrawal from school after a student has been accused of a violation of the Student Code of Conduct will not prevent the District from investigating the alleged violation, and if it is determined that a violation did occur, assessing the appropriate disciplinary consequence and enforcing that consequence should the student re-enroll in the District.

## **II. Scope of the District's Disciplinary Authority**

- **General Authority**

In addition to the disciplinary authority established for certain types of offenses as described within the Student Code of Conduct and Chapter 37 of the Texas Education Code, the District has general disciplinary authority and jurisdiction over a student at the following times:

- As provided in extracurricular or organization handbooks, by-laws, or constitutions,
- At any time during the school day,
- During lunch periods, including those in which a student leaves the campus,
- For any school-related misconduct, regardless of time or location,
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line,
- If the student is a registered sex offender,
- Other off campus conduct as permitted by Chapter 37 of the Texas Education Code,
- While attending any school-sponsored or school-related activity, regardless of time or location,
- While on school property, and
- While traveling to and from school or school activities on District transportation

- **Searches**

Due to student safety, searches are conducted. A student's clothing, personal property, method of transportation, or school property used by the student (such as lockers or desks) may be searched when there is reasonable cause to believe the search will reveal articles or materials prohibited by the District. School officials conduct routine blanket inspections and searches of lockers and desks. In addition, canine drugs/alcohol detection services are used on a routine basis. Students are responsible for ensuring that any personal property, method of transportation, or

school property used by the student does not contain prohibited items. In addition, all electronic equipment brought on campus (such as cell phones, iPods, personal computers, etc.) by students are subject to search in the event school administrators believe reasonable suspicion exists to support the search. Students may be disciplined for possession of prohibited items discovered during a search. For more information about searches, please review the District's local policy FNF.

- **Criminal Conduct**

School administrators will report crimes as required by law and will contact local law enforcement regarding suspected criminal activity committed while under the school's jurisdiction. Certain acts of misconduct may constitute criminal offenses in addition to violations of the Student Code of Conduct. School discipline is independent of criminal charges and/or proceedings. Disciplinary consequences may not be postponed or affected by the pending outcome of any criminal charges and/or proceedings.

- **Gang-Free Zones**

As required by Texas Education Code §37.110, the District provides the following information related to gang-free zones and the consequences of engaging in organized criminal activity within those zones. Chapter 71 of the Texas Penal Code imposes various criminal and civil consequences for certain gang-related and other criminal offenses, including engaging in organized criminal activity in a gang-free zone, which includes areas surrounding school property and school buses. In addition to the criminal punishments that may be imposed for offenses performed on or within a gang-free zone, a criminal street gang or member of a criminal street gang can be held liable to the state or a governmental entity, including a school district for actual damages, civil penalties, court costs, and attorney's fees, with the property of the criminal street gang or member seized in execution on such judgment, as provided by Texas Civil Practice and Remedies Code § 125.070.

### **III. Discipline Considerations & Techniques/Behavior Interventions**

- **Standards for Student Conduct**

Each CISD student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner; always exercising self-discipline.
- Attend all classes, regularly and on time
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards for grooming and dress.
- Obey all campus and classroom rules.

- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be posted in the classroom or given to the student and may also constitute violations of the Student Code of Conduct.

- **Discipline Considerations**

Using their professional judgment, District employees will consider a variety of factors when administering disciplinary consequences and determining the duration of the consequence, including but not limited to:

- a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct, to the extent required by state or federal law,
- intent or lack of intent at the time the student engaged in the conduct,
- legal requirements,
- self-defense, depending upon all of the relevant circumstances, a student who acts in self-defense may still be subjected to an appropriate disciplinary consequence,
- the age and grade level of the student,
- the degree of severity,
- the frequency of the misconduct,
- the potential effect of the misconduct on the school environment,
- the student’s attitude and demeanor, and
- the student’s disciplinary history.

For disciplinary decisions concerning out-of-school suspension, removal to a disciplinary alternative education program, expulsion, or placement in a juvenile justice alternative education program, District employees will also consider intent or lack of intent at the time of the misconduct.

A student who, upon investigation, is found to be subject to bullying will not be disciplined on the basis of using reasonable self-defense in response to the bullying, as determined by the campus administration.

- **Discipline Management Techniques/Behavior Interventions**

Discipline is designed to correct student behavior and encourage students to comply with school rules. The District may use any one or a combination of the following strategies or techniques to manage student behavior, prevent or intervene in discipline problems, or address violations of the Student Code of Conduct or campus or classroom rules:

- Assignment of school-related tasks or duties
- Calming-down time or “time out”
- Campus community service
- Confiscation of disruptive or prohibited items
- Consequences identified in co-curricular or extracurricular codes of conduct, constitutions, or by-laws
- Contracts to modify student behavior
- Counseling by school personnel
- Demerits or withdrawal of rewards or privileges
- Detention, **including outside regular school hours**
- Disciplinary Alternative Education Program (DAEP) as permitted by Chapter 37 of the Education Code and/or the Student Code of Conduct
- Expulsion as permitted by Chapter 37 of the Education Code and/or the Student Code of Conduct
- Grade reductions or penalties for academic dishonesty
- In-class disciplinary action
- In-school suspension
- Letter and/or call to parents
- Loss of academic credit as permitted by policy
- Loss, exclusion, or restriction of privileges, including transportation privileges, participation or membership in co-curricular or extracurricular activities, and seeking or holding honorary positions
- Out-of-school suspension
- Parent Conferences with teacher or administrators
- Reassignment to a different classroom or transfer to a different campus
- Removal from the classroom
- Restitution for damages
- Revocation of student transfer
- Saturday School
- School probation
- Seating changes
- Sending the student to the office or other area
- Verbal or written correction; reprimand
- Other methods and consequences as permitted by policy and determined by school officials

## IV. General Types of Prohibited Conduct

The general types of misconduct that follow provide a description of a broad range of behaviors considered to be student misconduct. The behaviors described should be viewed as representative of the misconduct which most frequently causes disruption of the orderly educational process. The list does not include all types of misconduct. The student who commits an act of misconduct which is not listed will be subject to the discretionary authority of the classroom teacher, and/or administrator.

- **Misconduct Involving Others**

Misconduct identified in the list of prohibited behaviors below will result in the assignment of one or more "Discipline Management Techniques" if the behavior is committed at school, a school-sponsored or school-related activity, or when the District has Disciplinary Authority over the student as described in the Student Code of Conduct.

- Adding any substance, whether harmful or not, without permission to any food beverages belonging to, in the possession of, or meant to be consumed by another student or District employee, official, or volunteer.
- Bullying
- Consensual hugging, touching, or other displays of affection that interfere with, detract, or disrupt the school environment.
- Cyber-Bullying
- Damaging, destroying, or vandalizing property owned by others or the District
- Engaging in conduct that can cause bodily injury or property damage
- Engaging in harassment toward another student or a District employee, official, or volunteer, including harassment motivated by race, , ethnicity, religion, national origin, disability, gender, sexual orientation, gender identity, gender expression or age
- Engaging in physical, sexual, verbal, or emotional abuse as a means to harm, threaten, intimidate, or control another person in a dating relationship
- Engaging in sexual or gender-based harassment
- Fighting, hitting, pushing, scuffling or other physical contact that disrupts the orderly environment
- Forcing an unwilling person to act or not act or obtaining money or another object of value from an unwilling person through duress, threats, force, extortion, coercion, or blackmail
- Hazing
- Horseplay
- Inappropriate physical and or sexual contact

- Inappropriate verbal (oral or written), physical, or sexual contact toward another student or a District employee, official, or volunteer, or school property, including threats made using the Internet or other technology resources at school. Students may be disciplined for threats made outside of school if the threat causes a material or substantial disruption at school.
  - Making false accusations or providing false statements concerning wrongful, unlawful, inappropriate, or illegal conduct alleged to have been committed by another student or District employee, official, or volunteer
  - Marking District property such as textbooks, lockers, furniture, or equipment with graffiti, tagging, or by other means
  - Name-calling, ethnic or racial slurs, or derogatory statements that school employees reasonably believe could substantially disrupt the school environment or incite violence
  - Online impersonation as defined by Texas Penal Code § 33.07(a)
  - Running in the halls, cafeteria, or classrooms
  - Sending, possessing, or posting electronic messages, videos, audio recordings, or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school, including cyber-bullying Making, participating in the making of, transmitting to another via an electronic device, or posting to the Internet a digital, video or audio recording or image of an actual or simulated act that involves a crime or conduct prohibited by the Code of Conduct.
  - Stealing from others, including the District or in possession of stolen property
  - Subjecting a student or District employee, official, or volunteer to physical confinement or restraint
  - Threatening to use or exhibit a firearm
  - Throwing objects that can cause bodily injury or property damage (rocks, sticks, etc.)
  - Using the name, persona, or image of a student, District employee, or volunteer to create a web page or post one or more messages on a website without the other person's consent for purposes of harassing, intimidating, embarrassing, or threatening another
- **Possessing, Using, Giving, Selling, or Buying Prohibited Items, Including the Following:**
    - Alcoholic beverages
    - Ammunition, shells, or bullets

- Articles not generally considered to be weapons when the administrator determines that a danger exists or when used in a way that could threaten school safety
- BB gun, air gun, or stun gun
- CD or DVD players, , electronic games, MP3 players, iPods, stereo headsets, or other electronic equipment or telecommunication devices for other than approved use
- Fake or “look-alike” weapons or ammunition
- Fireworks or any other pyrotechnic device
- Knives with a blade 3” or less
- Laser pointers (unauthorized use)
- “Look-alike” drugs or items attempted to be passed off as drugs, including non-prescription drugs, medications, or herbal or dietary supplements except as permitted by District policy
- Mace, pepper spray or other small chemical dispenser sold commercially for personal protection
- Matches or a lighter
- Material that is sexually-oriented, pornographic, obscene, indecent, or reveals a person’s private body parts
- Material, including published or electronic items, that promotes or encourages illegal behavior or could threaten school safety
- Poisons, caustic acids or other materials that may be toxic to the human body
- Razor blades, box cutters, or chains
- Smoking or tobacco products
- Smoke or stink bombs
- Using any device, technology, or telecommunications device that disrupts the classroom or school environment or using any device that permits recording the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or is taken without the prior consent of the individuals being recorded.  
Using any device, technology or telecommunications device that permits recording the voice or image of another to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video or photos that reveal private parts of the body that are normally covered by clothing (aka sexting)

**NOTE:** Students will not be disciplined for technological misconduct related to possessing prohibited items so long as the student: (1) did not contribute to the creation of the item in any way, (2) possessed it only after receiving the item unsolicited from another, (3) either promptly destroyed the item or reported it to a school employee as soon as possible, and (4) did not provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student’s parent/guardian.

## **BULLYING**

Bullying occurs when a student or group of students engage in written or verbal expression, expression through electronic means, or physical conduct while on school property, at a school sponsored event or school related activity or in a vehicle operated by the district, against another student and the behavior:

- results in harm to the student or the student's property,
- places a student in fear of physical harm or of damage to the student's property, or
- is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment.

Conduct described above is considered bullying if it exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct and it interferes with a student's education or substantially disrupts the operation of a school.

- Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, assault, demands for money, confinement, destruction of property, theft of valued possessions, name-calling, rumor-spreading, and ostracism. In some cases, bullying can occur through electronic methods, called "cyber bullying."
- If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal or another district employee as soon as possible. The administration will investigate any allegations of bullying and will take appropriate disciplinary action if an investigation indicates that bullying has occurred. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.
- Any retaliation against a student who reports an incident of bullying is prohibited.
- See also Board policy FFI (LOCAL)

- **Failure to Follow Rules**

- Academic dishonesty, including cheating, copying the work of another, plagiarism, or unauthorized collaboration with another person in preparing an assignment
- Attempting to or successfully evading, avoiding, or delaying questioning by a District employee
- Attempting to or successfully accessing or circumventing passwords or other security-related information of the District, officials, volunteers, employees, or other students by any means

- Attempting to or successfully altering, destroying, interrupting, or disabling District computer equipment, District data, the data of other users of the District's computer system, or other networks connected to the District's system, including uploading or creating computer viruses, worms, or other harmful material
- Attempting to start or starting a fire on or in any property owned, used, or controlled by a student, District employees, officials, volunteers, or the District, that does not rise to the level of arson or criminal mischief
- Attempting to violate or assisting, encouraging, promoting, or attempting to assist another student in violating the Code of Conduct
- Being disrespectful or using profanity, offensive, abusive, vulgar or obscene language or gestures
- Being insubordinate
- Bus Rider Safety & Discipline Rules violations.
- Classroom disruptions
- Committing or assisting in a robbery, theft, or burglary that is not punishable as a felony and knowingly is in possession of stolen property
- Detention "no-shows"
- Discharging a fire extinguisher, pulling a fire alarm, calling 911, or causing the sprinkler system to activate when there is no smoke, fire, danger, or emergency
- Engaging in misbehavior, actions, or demonstrations that substantially disrupt or materially interfere with school activities or that give school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence
- Failure to bring necessary materials to class
- Failure to comply with directives given by school personnel
- Failure to do assigned work or tasks
- Falsifying, altering, forging, or destroying school records, passes, other school-related documents, or documents presented to District employees
- Gambling
- Leaving the campus or school events without permission
- Littering
- Loitering/Trespassing
- Making or participating in false statements or hoaxes regarding school safety
- Missing school or class without the District's or parent/guardian's permission
- Reckless conduct or violation of safety rules
- Smoking or using tobacco products
- Tampering with fire-protection or security equipment
- Tardies or unexcused absences
- Truancy

- Unauthorized use of skateboards, roller blades, bikes, etc.
- Unauthorized distribution of printed materials/handbills
- Using any device or technology to copy or capture an image or the content of any District materials without permission of a teacher or administrator, including materials from other educational institutions
- Inappropriate exposure of student's private body parts which are ordinarily covered by clothing, including through such acts as mooning, streaking, or flashing
- Violating published campus or classroom rules and/or procedures
- Violating dress code and grooming rules
- Violating rules for conduct on school transportation
- Violating computer use policies, rules or agreements, including Acceptable Use for Technology Resources
- Violating the District's medications policy regarding prescription and over-the-counter drugs

## V. Removal from Classroom by Teacher

- **Ordinary Teacher Removal**

A teacher may send a student to the administrator's office to maintain discipline in the classroom or when the student engages in behavior that violates the Student Code of Conduct. The administrator may use one or more discipline management techniques to address the behavior.

- **Formal Teacher Removal**

A teacher **may** remove a student from class when:

- The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or
- The behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach or with the learning of other students.
- A teacher or administrator must remove a student from class if the student engages in conduct that requires or permits DAEP placement or expulsion under the Texas Education Code.

- **Placement During Removal**

When a teacher utilizes a formal removal of the student from the classroom, the administrator may place the student in: (1) another appropriate classroom, (2) in-school suspension, (3) out-of-school suspension, or (4) DAEP.

- **Procedures for Teacher Removal**

No later than three school days after a teacher has formally removed a student from class, an administrator will schedule a conference with the administrator, the student's parent/guardian, the student, and the teacher. At the conference, the student will be provided with an explanation of the basis for removal and be given an opportunity to respond. After the conference, the administrator will render a discipline decision and inform the student and parent/guardian of the consequences.

- **Return to the Classroom**

If the teacher removed the student from class because the student engaged in assault resulting in bodily injury, aggravated assault, sexual assault against the teacher, the student may not be returned to the teacher's class without the teacher's consent.

In other cases where the teacher initiates a formal removal, the student may only be returned to the teacher's class without the teacher's consent if the Placement Review Committee determines that the teacher's class is the best or only alternative.

## **VI. In-School Suspension (ISS)**

- **Reasons for ISS**

Students may be placed in ISS for any misconduct listed in any category of the Student Code of Conduct.

- **Procedure for ISS**

The student will be informed of the reason for placement in ISS and be given an opportunity to respond before the administrator's decision is final. While in ISS the student will complete assignments from his or her teacher and the administrator will place restrictions on the student's participation in school-sponsored or school-related activities.

## VII. Out-of-School Suspension (OSS)

- **Reasons for OSS**

Students may be suspended from school for any misconduct listed in any category of the Student Code of Conduct.

- **Procedure for OSS**

The student will be informed of the reason for out-of-school suspension and be given an opportunity to respond before the administrator's decision is final. While the student is suspended, the administrator **will** place restrictions on the student's participation in school-sponsored or school-related activities. Students may be suspended for a maximum of three school days per behavior violation. While in out-of-school suspension the student will complete assignments from his or her teachers. There is no limit on the number of times a student may be suspended in a semester or academic school year.

## VIII. Disciplinary Alternative Education Program (DAEP)

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

- **Considerations for DAEP**

- In deciding whether to place a student in DAEP, the District shall take into consideration the following:
  1. Self-defense,
  2. Intent or lack of intent at the time the student engaged in the conduct,
  3. The student's disciplinary history, and
  4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct

- **Reasons for Mandatory DAEP Placement**

**School-Related.** A student must be placed in DAEP for any of the following misconduct if committed while on school property, 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:

- Commits a serious act or offense while under the influence of an alcoholic beverage if the conduct is not punishable by a felony.

- Commits an assault resulting in bodily injury to another.
- Engages in a federal firearm offense if the student is six years of age or younger.
- Engages in an offense relating to abusable volatile chemicals.
- Engages in conduct punishable as a felony.
- Engages in expellable conduct if the student is between six and nine years of age.
- Engages in indecent exposure.
- Engages in public lewdness.
- Possesses or uses a knife with a blade over 3" up to 5 1/2".
- Sells, gives, delivers, possesses, uses or is under the influence of an alcoholic beverage.
- Sells, gives, delivers, possesses, uses or is under the influence of marijuana, a controlled substance, or a dangerous drug in any amount not punishable by a felony.

**Off-Campus.** A student must be placed in DAEP for the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

- The student receives deferred prosecution for a Title 5 felony offense or aggravated robbery.
- A court or jury finds the student engaged in delinquent conduct for a Title 5 felony offense or aggravated robbery.
- The administrator reasonably believes that the student engaged in a Title 5 felony offense or aggravated robbery.

**Regardless of Location.** A student must be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Is a registered sex offender under court supervision, probation, community supervision, or parole.
- Issues a false alarm or report or a terroristic threat involving a public school.
- Retaliates against any school employee.
- Is involved with a public school fraternity, sorority, secret society, or gang, including participating as a member or pledge, or soliciting another person to become a member or pledge.
- Is involved with a criminal street gang or encourages, solicits, recruits, enables, or causes another to become a member of a criminal street gang.
- Engages in criminal mischief if the damage is less than \$1,500 but equal to or greater than \$500.

Students who are: (1) convicted of continuous sexual abuse of a young child or children; or (2) convicted, receive deferred adjudication or deferred prosecution, been found to have engaged in delinquent conduct or conduct in need of supervision, or been placed on probation for either sexual assault or aggravated sexual assault or against another student assigned to the same campus at the time the offense occurred will be placed in DAEP (or JJAEP as appropriate) on the request of the victim's parents if the victim does not wish to transfer, and there is only one campus serving that grade level. Placement in this circumstance may be for any length of time considered necessary.

- **Reasons for Discretionary DAEP Placement**

**School-Related.** A student may be placed in DAEP for any of the following misconduct if committed while on school property, 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:

- Abusing the student's own prescription drug or using it in a way other than prescribed; giving, buying or selling a prescription drug, using, or being under the influence of another person's prescription drug.
- Altering or destroying school records
- Boycotts, walkouts, and protests
- Committing any offense listed in Section IV above, General Types of Prohibited conduct
- Damaging or vandalizing property owned by others
- Defacing or damaging school property, including but not limited to textbooks, lockers, furniture, and other equipment
- Engages in criminal mischief
- Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will disrupt the school program or incite violence
- Engaging in bullying, harassment, or making hit lists
- Engaging in coercion or causing an individual to act through the use or threat of force
- Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship
- Engaging in conduct that constitutes online impersonation as defined by Texas Penal Code § 33.07
- Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture or any other sexual conduct,

including requests for sexual favors directed toward another student, District employee or volunteer

- Engaging in extortion, blackmail, or conduct that obtains money or an object of value from an unwilling person
- Engaging in inappropriate or indecent exposure of a student's private body parts
- Engaging in serious or persistent misbehavior that violates this Student Code of Conduct or communicated campus or classroom standards of behavior
- Engaging in threats (verbal or written), physical, or sexual contact directed toward another student, District employee or volunteer, on or off campus
- Engaging in verbal or written exchanges that threaten the safety of another student, a school employee or volunteer on school property
- Fighting
- Forgery
- Making false accusations or hoaxes regarding school safety
- Offering to sell any amount of marijuana, a controlled substance, a dangerous drug, an abusable volatile chemical, a prescription drug, or an alcoholic beverage.
- Participating in hazing
- Possessing or using a laser pointer for other than an approved use
- Possessing or using an electronic or telecommunication device that either contains or is used to view, transmit, or display obscene or pornographic images or content
- Possessing razors, box cutters, chains or any other object used in a way that threatens or inflicts bodily injury to another person
- Possessing, giving, buying, or selling less than a usable amount of stems, seeds, or other pieces of marijuana
- Possessing, selling or giving to others look-alike weapons
- Possessing, selling, or giving to others look-alike drugs or items attempted to be passed off as drugs or contraband
- Possessing, using or distributing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety
- Possessing, using, selling, buying, or giving paraphernalia related to any prohibited substance, including but not limited to marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage
- Possessing, using, selling, or giving to others air gun, BB gun, or stun gun
- Possessing, using, selling, or giving to others ammunition
- Possessing, using, selling, or giving to others mace or pepper spray

- Possessing, using, selling, or giving to others prescription or nonprescription medications, except as permitted by statute for students with asthmatic conditions
- Possessing, using, selling or giving to others any substance which the student admits or believes to be a prohibited substance, including alcohol, marijuana, a controlled substance or a dangerous drug.
- Recording the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others
- Robbery, theft, larceny, or stealing
- Sending or posting messages that are illegal, abusive, obscene, sexually oriented, threatening, harassing, or damaging to another's reputation
- Using computers, e-mail, Internet web sites or other electronic telecommunication devices at school to encourage illegal behavior, or threaten school safety, the safety of another student, school employee, volunteer or school property
- Violating the computer use policies, rules or agreements

**Off-Campus.** A student may be placed in DAEP for engaging in the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

- If the administrator reasonably believes the student engaged in conduct punishable as a felony (other than aggravated robbery or a Title 5 felony), and the student's continued presence in the regular classroom is a threat to the safety of others or is detrimental to the educational process.
- Off-campus conduct for which DAEP placement is required by state law when the administrator does not learn of the conduct until more than a year passes after the conduct occurred.

**Regardless of Location.** A student may be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- If the student is a registered sex offender who is not under any form of court supervision. A registered sex offender who is not under any form of court supervision will be placed in regular classes if the student is not a threat to the safety of others, is not detrimental to the educational process, and such placement is not contrary to the best interests of the District's students.
- If the student engages in criminal mischief if the damage is less than \$500.

- **Emergency DAEP Placement**

An administrator may order an emergency DAEP placement if the student has been so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, the learning of other students, or the operation of a school-related or a school-sponsored activity. The reason for emergency placement must also be a reason for which DAEP placement could be ordered on a non-emergency basis. At the time of the emergency placement, the student will be told the reason for the action.

No later than the tenth day after the date of emergency DAEP placement, the student will be given a conference as required for regular placement in DAEP; see below.

- **Procedure for DAEP Placement**

**Conference.** No later than three school days after the student is removed from class, the administrator will schedule a conference with the student, the student's parent/guardian, and the campus administrator. The District may conduct the conference and make a discipline decision regardless of whether the student or the student's parent/guardian attends if the District made reasonable attempts to have them attend.

At the conference, the administrator will explain the allegations against the student, inform the student of the basis for the proposed DAEP placement, and give the student an opportunity to explain his or her version of the incident.

If during the term of DAEP placement the student engages in additional misconduct, additional conference may be conducted and additional discipline may be imposed.

**Interim Placement.** Until a placement conference can be held, the student may be placed in another appropriate classroom, in-school suspension, or out-of-school suspension. The student may not be returned to the regular classroom pending placement conference.

**DAEP Placement Order.** If the outcome of the conference is to place the student in DAEP, the administrator will issue a DAEP placement order. If the length of placement differs from the guidelines included in the Student Code of Conduct, the DAEP placement order will give notice of the inconsistency.

A copy of the DAEP placement order will be sent to the student and the student's parent/guardian. For those students placed in DAEP for a reason identified in the Texas Education Code, the District will also send the juvenile court a copy of the

DAEP placement order no later than the second business day after the placement conference. A copy of the DAEP placement order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the DAEP placement order.

**DAEP Appeals.** A student/parent may appeal a decision to place the student in DAEP by filing an appeal with the campus principal within 15 days of receiving the DAEP placement Order. The administrator presiding over the appeal conference will give the student or the student's parent's written notice of the date, time, and location of the appeal conference. At the appeal conference, the administrator will review the record of the initial DAEP conference held at the campus and will also hear a statement from the student/parent and from campus administration. The decision of the administrator at the appeal conference will be based solely on the information presented at the campus level conference and the oral statements made at the appeal conference. The administrator will issue a written decision within a reasonable time after the appeal conference. Note that disciplinary consequences will not be deferred pending the appeal.

- **Length of DAEP Placement**

The length of a student's placement in DAEP will be determined on a case-by-case basis using the criteria set forth in the "Discipline Considerations" section above, including the following: the seriousness of the offense, the potential impact of the conduct on the school environment, the student's age and grade level, the frequency of misbehavior, the student's attitude, and legal requirements.

The length of DAEP placement may not exceed one year unless, after review, the District determines that (1) the student is a safety threat, or (2) extended placement is in the best interest of the student. The statutory limitations on the length of a DAEP placement do not apply to the length of a DAEP placement resulting in 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.

In order for a day to count toward DAEP assignment, the student must be present for the entire day, arrive on time, complete all assignments, follow all rules, and engage in no additional violations of the Student Code of Conduct.

Students placed in DAEP at the end of one school year may be required to complete the assigned term at the beginning of the next school year if the Board or its designee determines that: (1) the student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or to another individual, or (2) the student has engaged in serious or persistent misbehavior, as defined by Texas Education Code 37.007(c).

If the DAEP placement extends beyond 60 days or the end of the next grading period, whichever is sooner, the student or the student's parent/guardian may participate in a proceeding before the Board or Board's designee as provided in policy FNG (LOCAL). **Any decision of the Board is final and may not be appealed.**

#### **Juvenile Justice Alternative Education Place (JJAEP)**

The District has a Memorandum of Understanding with the Dallas County JJAEP which permits assignment of students placed in DAEP to the Dallas County JJAEP. Depending upon the circumstances of the misconduct, the District may assign any student who has engaged in misconduct that results in a DAEP placement order to the Dallas County JJAEP, as permitted by the Memorandum of Understanding with the Dallas County JJAEP. All of the consequences that apply to a student placed in DAEP will also apply to the same extent to a student who is assigned to the Dallas County JJAEP, including but not limited to the prohibition on participation in extracurricular, co-curricular, and graduation activities while placed in JJAEP. When a student withdraws from school before a JJAEP placement order is completed, the District may complete the proceedings and issue a JJAEP placement order. If the student re-enrolls in the District during the same or subsequent school year, the District may enforce the JJAEP placement order at that time, minus any portion of the placement that was served by the student during enrollment in another district.

- **Particular Rules for Sex Offenders**

The general Student Code of Conduct rules for DAEP placement apply to registered sex offenders except as modified in this section.

**Placement.** Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the student will be removed from the regular classroom and be placed as follows:

Registered sex offenders will be placed in a Juvenile Justice Alternative Education Program (JJAEP) in lieu of DAEP if: (1) ordered to attend JJAEP by a court, or (2) if permitted by agreement between the District and the JJAEP.

**Length of Placement.** Registered sex offenders under court supervision will be placed in either DAEP or JJAEP as either ordered by a court or for at least the number of equivalent days to one semester term. Registered sex offenders who are not under any form of court supervision but are determined to be assigned to DAEP or JJAEP must serve at a minimum the number of days equivalent to one semester term.

**Transfers.** If a student enrolls in the district during a mandatory placement as a registered sex offender under court supervision, the District may count any time already spent by the student in a placement or may require an additional number of

equivalent days to one semester term in an alternative placement without conducting a review of the placement.

Registered sex offenders who are not under any court supervision that transfer to the District will be placed in the regular classroom unless it is determined that the student is a threat to the safety of others, is detrimental to the educational process, or it is not in the best interests of the District's Students.

In making a decision regarding the placement of a registered sex offender that transfers into the District, the District will consider the recommendation of the review committee as described in the "Periodic Review for Sex Offenders" section described below.

**Periodic Review for Sex Offenders.** At the end of serving the number of equivalent days to one semester term, 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 review committee will determine by majority vote and recommend to the Board or its designee whether the student should remain in DAEP or be returned to the regular classroom. The Board or its designee will follow the committee's decision to return the student to the regular classroom unless the student's presence in the regular classroom is a threat to the safety of others, is detrimental to the educational process, or is not in the best interest of the District's students. Conversely, the Board or its designee will follow the committee's decision to continue the student's alternative placement unless the student's presence in the regular classroom is not a threat to the safety of others, is not detrimental to the educational process, or is not contrary to the best interests of the District's students.

If the student remains in DAEP or JJAEP, the review committee will re-consider the student's placement before the beginning of the next school year.

**Appeals for Sex Offenders.** DAEP or JJAEP placement for sex offenders may be appealed as described in District policy FNG or FOC. However, the appeal is limited to the factual question of whether the student is required to register as a sex offender under the law. A decision of the District's Board of Trustees is final and may not be appealed.

- **Other DAEP Issues**

**Activities while in DAEP.** Students placed in DAEP for any mandatory or discretionary reasons are not allowed to attend or participate in school-sponsored or school-related extracurricular or co-curricular activities during the DAEP

placement. This restriction applies until the student fulfills the DAEP assignment at this or another school district.

**Impact on Graduation.** For graduating seniors who are in DAEP during the last week of school, the DAEP placement will continue through the last day of instruction and the student will not be allowed to participate in commencement exercises and related graduation/senior activities. The district may also limit a student's participation in graduation activities for violating the Student Code of Conduct. Participation might include a speaking role, as established by district policy and procedures. Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the Student Code of Conduct, resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

**Periodic Review.** The District will review a student's DAEP placement and academic status every 120 calendar days. In the case of a high school student, the student's progress toward graduation will be reviewed and a graduation plan will be established. At the review, the student or the parent/guardian will have an opportunity to present reasons 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.

**Coursework Opportunity.** Students placed in DAEP will have an opportunity to complete coursework required for graduation, at no cost to the student, before the beginning of the next school year through the following methods: summer school and/or online courses

**Effect of Student Withdrawal.** When a student withdraws from school before a DAEP placement order is completed, the District may complete the proceedings and issue a DAEP placement order. If the student re-enrolls in the District during the same or subsequent school year, the District may enforce the DAEP placement order at that time, minus any portion of the placement that was served by the student during enrollment in another district.

If the administrator fails to issue a DAEP placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a DAEP or JJAEP placement order.

**Student Transfers.** Students assigned to DAEP in another Texas district, a Texas open-enrollment charter school, or an out-of-state school district at the time of enrollment into the District will be placed into the District's DAEP to complete the

term of their DAEP placement. In order to continue an out-of-state DAEP placement, the basis of the DAEP placement must also be a reason for DAEP placement in the enrolling district. If the out-of-state DAEP placement period exceeds one year, the District will reduce the period of placement so that the total placement does not exceed one year unless the District determines that the student is a threat to the safety of others or extended placement is in the best interest of the student.

**Criminal Proceedings.** The review and appeal process described below does not apply if the student was placed in DAEP as required by law for conduct occurring on or within 300 feet of school property, at a school-sponsored or school-related activity, or for a false alarm or report of terroristic threat involving a public school.

If the District received notice that prosecution of a student's case was refused and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated or a court or jury found the student not guilty or did not engage in delinquent conduct or conduct indicating a need for supervision and dismissed the student's case with prejudice, the District will review the student's DAEP placement and will schedule a review with the student's parent/guardian no later than the third day after receiving notice. The student will not be returned to the regular classroom before the review. After reviewing the notice and receiving information from the student's parent/guardian, the administrator may only continue the student's DAEP placement if the administration has reason to believe the student's presence in the regular classroom threatens the safety of others.

The administrator's decision may be appealed to the Board. In the event of an appeal, at the next scheduled meeting the Board will: (1) review the notice, (2) hear statements from the student, the student's parent/guardian, and the administrator, and (3) confirm or reverse the decision of the administrator.

If the Board confirms the decision of the administrator, the student and the student's parent/guardian have the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom while the appeal is pending.

## IX. EXPULSION

- **Reasons for Mandatory Expulsion to (JJAEP)**

**School-Related.** A student must be expelled 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:

- Brings to school a firearm, as defined by federal law.

- Commits a serious act or offense while under the influence of an alcoholic beverage if the behavior is punishable as a felony.
- Engages in the conduct that contains the elements of the following misconduct as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault, (3) aggravated sexual assault, (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or children.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage if the behavior is punishable as a felony.
- Uses, exhibits, or possesses the following items, as defined by state law: (1) a firearm, (2) an illegal knife, (3) a club, or (4) a prohibited weapon.

**Firearm Exception.** 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 school property and 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. This exception does not authorize a student to bring a firearm on school property to participate in or prepare for a school-sponsored shooting sports competition or a shooting sports educational activity.

**Regardless of Location.** A student must be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Retaliates against a school employee or volunteer by committing a state-mandated expellable offense.
- Issues a false alarm or report or a terroristic threat involving a public school for the 2nd time in the same school year.

- **Reasons for Discretionary Expulsion to (JJAEP)**

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

- Commits an assault resulting in bodily injury to a school employee or volunteer.
- Engages in an offense relating to abusable volatile chemicals.

- Engages in deadly conduct.
- Engages in documented serious misbehavior while placed in DAEP and while on the program campus despite documented behavioral interventions.
- Sells, gives, delivers, possesses, uses or is under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage, in any amount not punishable by a felony.

**Three Hundred Feet.** Additionally, a student may be expelled for any of the following offenses that occur within 300 feet of school property as measured from any point on the District’s real property boundary line:

- Engages in the following misconduct as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault, (3) aggravated sexual assault, (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or children.
- Possess a firearm, as defined by federal law (see definitions).
- Uses, exhibits, or possesses the following items, as defined by state law: (1) a firearm, (2) an illegal knife, (3) a club, or (4) a prohibited weapon (see definitions).

**Regardless of Location.** A student may be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Commits aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder or capital murder, or aggravated robbery against another student.
- Retaliates against a school employee or volunteer by committing an assault resulting in bodily injury.
- Engages in criminal mischief if the damage is \$1,500 or more.
- Engages in conduct that contains the elements of the offense of false alarm or report or a terroristic threat involving a public school.
- Commits a state-mandated expellable offense on the school property of another Texas school district or while attending a school-sponsored or school-related activity of another Texas school district.
- Engages in breach of computer security by accessing a computer, computer network or computer system owned by or operated on behalf of a school district and knowingly alters, damages, or deletes school district property or information or breaches any other computer, computer network, or computer system.

- Commits a state-mandated expellable offense on the school property of another Texas school district or while attending a school-sponsored or school-related activity of another Texas school district.

**Title 5 Felonies Regardless of Location.** In addition to the expellable conduct listed above, a student may also be expelled and placed in Juvenile Justice Alternative Education Program if the student:

- Is arrested for a Title 5 felony offense or aggravated robbery
- Is charged with engaging in a Title 5 felony offense or aggravated robbery
- Received deferred adjudication or deferred prosecution for a Title 5 felony offense or aggravated robbery
- Is on probation for a Title 5 offense or aggravated robbery
- Was found by a court or jury to have engaged in delinquent conduct for a Title 5 felony offense or aggravated robbery
- Has been referred to a juvenile court for delinquent conduct based on a Title 5 felony offense or aggravated robbery
- Was convicted of a Title 5 felony offense or aggravated robbery

AND the administrator determines the student's presence in the regular classroom threatens the safety of other students or teachers, is detrimental to the educational process, or is not in the best interests of the District's students

In this circumstance, expulsion to an alternative setting may be ordered regardless of: (1) the date on which the conduct occurred, (2) the location at which the conduct occurred, (3) whether the student was enrolled in the District at the time the conduct occurred, or (4) whether the student successfully completed any court disposition requirement regarding the conduct.

A student may be subject to an expulsion under this circumstance until: (1) the student graduates from high school, (2) the charges are dismissed or reduced to a misdemeanor, (3) the student completes the term of the placement, or (4) the District assigns the student to another program. The student will be entitled to the same periodic review afforded to other students in alternate settings. An expulsion order in this case is final and may not be appealed beyond the Board of Trustees.

- **Emergency Expulsion**

An administrator may order the immediate expulsion of a student if the administrator reasonably believes the emergency expulsion is necessary to protect persons or property from imminent harm. The reason for the emergency expulsion must also be a reason for which expulsion could be ordered on a non-emergency basis. At the time of the emergency expulsion, the student will be told the reason

for the action. No later than the tenth day after the date of emergency expulsion, the student will be given a hearing as required for a regular expulsion; see below.

- **Procedure for Expulsion**

**Hearing.** Students alleged to have committed an expellable offense will receive a hearing before the principal or other appropriate administrator within a reasonable time following the alleged misconduct. The student's parent/guardian will be informed of the basis for the proposed expulsion and be invited in writing to attend the hearing. After making an effort to inform the student and parent/guardian of the hearing, the District may hold the hearing regardless of whether the student or the student's parent/guardian attends. At the hearing, the student is entitled to:

- Representation by an adult, including the student's parent/guardian, who can provide guidance to the student and who is not an employee of the District;
- An opportunity to question the District's witnesses; and
- An opportunity to testify and to present evidence and witnesses in the student's defense.

**Interim Placement.** Until an expulsion hearing can be held, the student may be placed in another appropriate classroom, in-school suspension, out-of-school suspension, or DAEP.

**Expulsion Order.** If the outcome of the expulsion hearing is that the student will be expelled, the appropriate administrator will issue an expulsion order and provide a copy to the student and the student's parent/guardian. If the duration of the expulsion differs from the guidelines in the Student Code of Conduct, the expulsion order will give notice of the inconsistency.

The District will send a copy of the expulsion order to the juvenile court no later than the second business day after the expulsion hearing. A copy of the expulsion order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the expulsion order.

- **Length of Expulsion**

In order to avoid undue disruption in the educational process of students expelled to the Dallas County JJAEP, the District shall consider assigning a term of expulsion as follows:

- (a) For mandatory placements, a term of 90 to 180 days; and
- (b) For discretionary placements, a term of 90 to 180 days with a review at 50 days for possible exit at 60 days, contingent upon the student's

academic progress, attendance and adherence to the rules, policies and procedures as defined in the Memorandum of Understanding between the District and Dallas County JJAEP.

The term of expulsion will terminate on the Friday, following the completion of the assigned days, or the conclusion of the next six or nine week grading period, with the mutual agreement of the District and DCJJAEP.

An expulsion will not exceed one calendar 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.

Students expelled at the end of one school year may be required to complete the term of their expulsion at the beginning of the next school year.

- **Other Expulsion Issues**

**Academic Impact.** Students will not receive academic credit for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program (JJAEP) or other District-approved program or as required by IDEA or Section 504.

**Participation in Activities.** Expelled students are prohibited from being on school grounds or attending or participating in school-sponsored or school-related activities while expelled.

**Age Restrictions.** Students under the age of ten that engage in expellable behavior will not be expelled, but will be placed in DAEP. A student under the age of six shall not be placed in a DAEP unless the student commits a federal firearm offense.

**Effect of Student Withdrawal.** If a student withdraws from the District before the expulsion hearing is conducted, the District may proceed with conducting the hearing after sending written notice to the parent/guardian and student. If the student re-enrolls during the same or subsequent school year the District may enforce the expulsion order at that time; students will be credited for any expulsion period that was served by the student while enrolled in another district.

If the administrator does not issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue an expulsion order.

**Additional Misconduct.** Additional proceedings may be conducted and additional discipline may be imposed if the student engages in additional misconduct while the student is already expelled.

**Student Transfers.** The District will continue the expulsion of students expelled from either another Texas school district or from an out-of-state school district for behavior that is also a reason for expulsion in the enrolling district, until the term of expulsion has been served. If the out-of-state expulsion exceeds one year, the District will reduce the period of the expulsion so that the total expulsion does not exceed one year unless the District determines that the student is a threat to the safety of others or extended placement is in the best interest of the student.

**Expulsion Appeals.** An expelled student may appeal the expulsion decision to the Board of Trustees. The student or student's parent/guardian must submit a written appeal to the Superintendent within 10 days after receipt of the expulsion order or decision. The Superintendent will give the student or the student's parent/guardian written notice of the date, time, and location of the meeting at which the Board will review the decision. The Board will 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 and the Board determines that an open meeting will not involve a discussion of any other students. The Board may also hear a statement from the student or parent and from the Board's designee. The Board will base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board will make and communicate its decision orally at the conclusion of the presentation. Consequences will not be deferred pending the outcome of the appeal.

## **ACCEPTABLE USE FOR TECHNOLOGY RESOURCES**

The Coppell Independent School District provides technology resources to its students and staff for educational and administrative purposes. The goal in providing these resources is to promote educational excellence within Coppell ISD by facilitating resource sharing, innovation and communication with the support and supervision of parents, teachers and support staff. The use of these technology resources is a privilege, not a right.

With access to many different technology resources and people from all over the world, there comes the potential availability of material that may not be considered to be of educational value in the context of the school setting. Coppell ISD firmly believes that the value of information, interaction, and research capabilities available (including, but not limited to, email, the Internet, and social media) outweighs the possibility that users may obtain material that is not consistent with the educational goals of the District.

Proper behavior, as it relates to the use of technology resources, is no different than proper behavior in all other aspects of Coppell ISD activities. All users are expected to use all technology resources in a responsible, ethical, and polite manner. This document is intended to clarify those expectations as they apply to technology resource usage and is consistent with District policy.

### **Acceptable Use**

The District's Acceptable Use for Technology Resources Policy is to prevent unauthorized access and other unlawful or improper activities by users online, prevent unauthorized disclosure or access to sensitive or confidential information, ensure appropriate use of its technology resources, and to comply with the Child's Internet Protection Act. As used in this policy, "user" includes anyone using the District's technology resources, including computers, Internet, e-mail, chat rooms, wireless network, and other forms of direct electronic communications or equipment provided by the District. Only current students, employees, officers, volunteers and authorized visitors of the District are permitted to use the District's technology resources and network.

Students who are under 18 must have their parent(s) or guardian(s) authorize student use of the District's technology resources and acknowledge compliance with this policy. Students who are 18 or older, as well as employees and other users, must acknowledge their compliance with this policy, either electronically online or by signing and returning a copy of the acknowledgement form provided below. The absence of a signed acknowledgment does not excuse compliance with this policy. All users must follow this policy and report any misuses of the District's technology resources to a teacher, supervisor, and administrator or appropriate District personnel. By using the District's technology resources, users are held to have agreed to comply with this policy. If a user is uncertain about whether a particular use is acceptable or appropriate, he or she should consult District personnel in advance of any questionable use.

Violation of computer use policies, rules, or agreements may result in the user's access being suspended or having access completely revoked for a time period determined by district administration, as well as additional disciplinary or corrective action.

The use of any technology resource (including, but not limited to, desktop computers, personal/CISD devices, network-delivered services, the Internet, audio-visual equipment, digital content and social media) must support the educational goals of Coppell Independent School District. Use must be authorized by a CISD staff member and must lie within the bounds of CISD curriculum and educational purpose.

CISD computers, personal/CISD devices, the Internet, and all other technology resources should not be used for personal, commercial or financial gain or to otherwise conduct business that is unauthorized.

When placing, removing, or restricting access to specific databases, the Internet and/or any other technology resource, school officials shall apply the same criteria for educational suitability used to evaluate all other educational resources. Please refer to EFA Local (Instructional Resources: Instructional Materials Selection and Adoption) located in the Coppell ISD School Board Policy Manual (<http://www.tasb.org/policy/pol/private/057922/pol.cfm>).

Individual(s) involved in any of the following will be subject to disciplinary or corrective action in accordance with applicable District policy, handbooks, rules and regulations:

- a) Possessing, accessing, transmitting, copying, or creating material that violates the Student Code of Conduct, District policy, student or employee handbooks, or District rules and regulations, including but not limited to content that is inappropriate, illegal, copyrighted, pornographic or obscene, stolen, threatening, discriminatory, harassing, or offensive.
- b) Attempts to bypass or disable the District's Internet filter, security systems or software.
- c) Attempts to access, alter, interfere with, damage, or change network configuration, security, passwords, or individual accounts of another without written permission from the CISD Technology Department.
- d) Any unauthorized attempts to circumvent passwords or obtain access to passwords or other security-related information.
- e) Disclosing any other user's password to others or allowing another individual to use another's system account.
- f) Attempts to upload, create, or transmit computer viruses.
- g) Attempts to access or install unlicensed, inappropriate, or unapproved software or technology.
- h) Attempts to alter, destroy, hack, or disable District computer equipment, personal/CISD devices, District data, the data of others, or other networks connected to the District's system, including while off school property.
- i) Plagiarism or use of District technology resources to engage in academic dishonesty.
- j) Use of District technology resources to create, send or post electronic messages or communications that are abusive, profane, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyber-bullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment.
- k) Unauthorized use of any District technology resource or personal/CISD device for non-educational purposes or outside the bounds of CISD curriculum.
- l) Use of e-mail, the Internet, or social media resources at school to encourage illegal behavior, engage in conduct that violates the Student Code of Conduct, or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment.
- m) Use of District technology resources, including e-mail, the Internet or social media resources to threaten, harass, bully, retaliate, discriminate against, or otherwise engage in illegal or prohibited conduct against other students, employees, or volunteers, including while off school property.

- n) Use of personal e-mail, the Internet, or social media resources, without regard to whether it occurs on school property, to engage in conduct that involves a public school and contains the elements of the offense of terroristic threat or false alarm, or otherwise causes a substantial disruption to the educational environment.
- o) Violating or infringing upon the intellectual property, copyrighted or trademarked rights of another.
- p) Possessing, accessing or transmitting any material which is considered inappropriate or is in violation of any federal or state law is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secrets.

These are examples of inappropriate conduct that would violate this policy. The District reserves the right to take immediate disciplinary or corrective action against a user that engages in conduct that: (i) creates security or safety issues for the District, students, employees, schools, networks, or technology resources, or (ii) is determined to be inappropriate or inconsistent with District policy or law.

### **Individual User Responsibilities**

All users are expected to abide by the generally accepted rules of network etiquette (also known as netiquette). These rules include, but are not restricted to the following:

1. **BE POLITE AND USE APPROPRIATE LANGUAGE:** Remember that you are a representative of your school and District on a non-private system. You may be alone using a technology resource or personal/CISD device, but what you say and do on your computer can be viewed globally. You should not submit, publish or display any defamatory, inaccurate, racially offensive, discriminatory, abusive, obscene, profane, sexually oriented, harassing or threatening materials or messages either public or private.
2. **PRIVACY:** Do not reveal any personal information about yourself or other persons (including, but not limited to, home address, personal phone numbers, photographs, or last name).

Users should have no expectation of privacy regarding their use of District property and technology resources. In general, communications or transmissions made through technology resources should never be considered private or confidential. The District reserves the right to monitor the use of its network and all technology resources as it deems necessary to ensure the safety and integrity of its network, diagnose problems, investigate reports of illegal or impermissible activity and ensure user compliance with state and federal laws and the District's policies. In addition, users should be aware that the District will comply with lawful orders of courts, such as subpoenas and search warrants. The District is also subject to the Texas Public Information Act which may require

disclosure of information transmitted through its technology resources, including e-mail communications.

3. ELECTRONIC MAIL:

- a. All users of any electronic mail either provided by the District or transmitted through the District's technology resources are required to comply with this Acceptable Use Policy.
- b. System users are asked to purge email or outdated files on a regular basis. Employees and volunteers should ensure that any official school records that are maintained in an electronic medium that are subject to state or federal retention requirements are either retained in hard copy or archived prior to being deleted or purged.
- c. Never assume electronic mail is private. Messages relating to or in support of illegal activities must be reported to the authorities and the District will comply with state and federal laws, as well as court orders or subpoenas that will require disclosure.
- d. Be brief and professional: Few people will bother to read a long message or one that is not narrowly tailored to the underlying purpose of the communication. Electronic communications by District employees, volunteers and staff should be consistent with the District's professional standards of conduct.
- e. Include your signature (name, position, affiliation, and Internet address) at the bottom of e-mail messages.
- f. Send only to individuals and/or groups you know.

4. DISRUPTIONS: Do not use the network in any way that would disrupt use of the network by others.

5. OWNERSHIP: Any data or communication placed on District equipment will become the property of CISD. Intellectual property created solely for the purpose of satisfying a course requirement and/or contributing to their student learning is owned by the creator.

6. VANDALISM: Any attempt to alter or destroy data of another user will be subject to disciplinary or corrective action in accordance with District policy.

7. ACCOUNTABILITY: Users are responsible for the proper use of their system accounts, passwords and District-issued technology resources. Users must control unauthorized use of their accounts, passwords and District-issued technology resources. Users should not provide their password to any person, unless authorized or directed by the District. If you permit someone else access to your account, password, or District-issued technology resources, you may be held responsible for any improper, illegal or destructive activity done by that person. Do not give others access to District technology resources unless

they are authorized and authenticated to do so. Users may not extend access to District technology resources to others without permission from the District.

If you believe that your account, password or District-issued technology resource may have been stolen, hacked, or compromised, you must immediately report it to the District's Technology Department.

## **Internet Safety**

The Coppell Independent School District makes the Internet accessible in accordance with our mission to provide information resources and services to ensure that all users have free and open access to ideas and information. In this role, the District provides access to information resources available on the Internet. The District has no control over the information obtained through the Internet and cannot be held responsible for its content or accuracy. It may contain materials which some find offensive or inappropriate. All staff, students and other users access the Internet at their own discretion.

In accordance with the federal Children's Internet Protection Act (CIPA), (Pub. L. 106-554), all desktop computers, laptops and personal/CISD wireless devices, that utilize the CISD network, will be filtered by a centralized filtering appliance. This filtering appliance is set to screen out sites which may reasonably be construed as obscene, as that term is defined in section 1460 of title 18, United States Code; or child pornography, as that term is defined in section 2256 of title 18, United States Code; or harmful to minors as defined in section 1703, Pub. L. 106-544. The District has the ability to monitor the online activities of students and staff through direct observation and/or technological means to ensure that students and staff are following the guidelines and policies set forth by the District. Additionally, as part of the Protecting Children in the 21<sup>st</sup> Century Act that was passed by Congress in 2008 to promote the online safety in schools, CISD is committed to educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

District Board Policy also prohibits harassment, bullying, retaliation, discrimination, and other conduct that creates a hostile working or educational environment for an individual. This prohibition extends to the use of the District's technology resources. If you ever feel that you are being harassed, bullied, retaliated or discriminated against, or otherwise being subjected to illegal or inappropriate conduct through the District's technology resources, you should immediately report it to the District.

As with any other technology resource, restriction of a child's use of the Internet is ultimately the responsibility of the parent/legal guardian, within the confines of the law.

The District assumes no responsibility for damages, direct, or indirect, for the use of the Internet. This includes, but is not limited to, damage to District or personally owned equipment

caused by virus-laden material downloaded from any Internet site. Users are encouraged to purchase and use a virus detection program on their personal devices.

Users should be aware that the Internet is not a secure medium. It is possible for third parties to obtain information regarding an individual user's search activities. Users should be very cautious about providing personal information over the Internet.

## **Definitions**

*Social Media:* the interactive use of online resources including, but not limited to, Facebook, YouTube, Twitter, MySpace, Ning, Google Apps, Skype, chat rooms, wikis, and blogs.

*Children's Internet Protection Act (CIPA):* The Children's Internet Protection Act (CIPA) is a federal law enacted by Congress to address concerns about access to offensive content over the Internet on school and library computers. CIPA imposes certain types of requirements on any school or library that receives funding for Internet access or internal connections from the E-rate program – a program that makes certain communications technology more affordable for eligible schools and libraries. In early 2001, the FCC issued rules implementing CIPA. CIPA requires school districts that receive E-rate reimbursements to write, revise or otherwise update their current board policies to indicate that the district provides for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and in chat rooms, and regarding cyber-bullying awareness and response. This requirement is in addition to existing CIPA requirements.

*Personal Devices:* the use of any technology related device that is not owned by Coppell ISD.

*Digital Content:* products available in digital form. It typically refers to music, information and images that are available for download or distribution on electronic media.

*Hacking:* to re-configure or re-program a system to function in ways not facilitated by the owner, administrator, or designer.

*Copyrighted:* The legal right granted to an author, composer, playwright, publisher, or distributor to exclusive publication, production, sale, or distribution of a literary, musical, dramatic, or artistic work.

*Computer Virus:* a computer program that can copy itself and infect a computer. It is also being used as a catch-all phrase to include all types of malware, adware, and spyware programs that do not have the reproductive ability. Malware includes computer viruses, worms, trojans, most rootkits, spyware, dishonest adware, crimeware, and other malicious and unwanted software, including true viruses. Viruses are sometimes confused with computer worms and Trojan horses, which are technically different. A worm can exploit security vulnerabilities to spread itself automatically to other computers through networks, while a Trojan is a program that appears harmless but hides malicious functions. Worms and Trojans,

like viruses, may harm a computer system's data or performance. Some viruses and other malware have symptoms noticeable to the computer user, but many are surreptitious and go unnoticed.

*Technology Resources:* Any and all mass storage media, online display devices, computers, computer printouts, and all computer-related activities involving any device capable of receiving e-mail, browsing Web sites, receiving, storing, managing or transmitting data including but not limited to mainframes, servers, personal computers, notebook computers, laptops, hand-held computers, personal digital assistant (PDA), pagers, distributed processing systems, telecommunication devices, network environments, telephones, fax machines and printers. Technology resources also includes the procedures, equipment, facilities, software and data that is designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display and transmit information.

### **Parental Restriction on use of Technology Resources**

*Parents who have objections to the Internet or other network-delivered services may assume responsibility for imposing restrictions only on their child(ren). Any parent wishing to restrict his/her child's access to such services must provide the school with this restriction in writing. For details, see the CISD board policy governing the selection and adoption of instructional materials.*

## **BUS RIDER SAFETY & DISCIPLINE RULES**

The Coppell Independent School District has contracted with the Dallas County Schools to provide bus transportation to and from school as a courtesy service for eligible students residing in the District.

CISD and Dallas County Schools expect all riders to follow the safety rules and regulations in order for students to arrive home safely. Please note that the bus is an extension of the classroom. Consequently, all SCOC rules apply to the bus. Transportation (Busing) is a privilege and this privilege may be revoked if any rider chooses not to follow the safety guidelines.

Parents should review these guidelines with their children and call the Transportation Office if there are any questions.

Bus route information can be obtained through the Transportation Office.

### **General Safety Rules**

1. Follow the instructions of the bus driver at all times.
2. Only eligible students are allowed to ride the bus.
3. The driver will pick up and drop off students only at designated stops.

4. Friends, who are not eligible riders, may not ride home with an eligible rider unless permission is granted by the Transportation Department (24 hour notice is required).
5. Parents are responsible to bring their child to school if the child misses the bus.
6. Emergency doors and escape hatches are to be used only with permission from the bus driver.  
Occasionally students will practice evacuation drills at the bus site.
7. Students must be seated, facing the front of the bus, with feet on the floor during the entire trip. The driver will not move the bus until all are seated.
8. Video recordings are made of student activity and used for purposes of safety, including the maintenance of order and discipline on school buses.
9. All CISD and individual campus rules and regulations are in force while riding on the school bus.

### **Bus Schedules**

Buses will run as close as possible to the published schedule. However, the first several weeks of school are a period of adjustment. Routes will not run early, but occasionally run late until revisions are made. Please keep this in mind when arranging personal schedules.

Parents should discuss with their children a plan of action if the morning bus is missed. Students should know if their parents expect them to return home, go to a neighbor, walk to school, etc. (When mechanical or other problems cause a bus to run late, the school will be notified, and the bus will make every stop, regardless of how late it is.)

### **Procedures for Waiting for the Bus**

1. Be at your bus stop five minutes before the scheduled pick up time. Drivers will not wait or honk.
2. Stand on the sidewalk or back from the roadway while waiting for the bus.
3. When the bus approaches, form a line and be prepared to load immediately.
4. Stand clear of the bus until it comes to a complete stop.

### **Loading the Bus**

1. Do not push or shove.
2. Use the handrails and steps.
3. Go to your seat. The bus will not move until students are seated.
4. Students may be seated from the back of the bus to the front of the bus to accommodate full loads.
5. Once the bus door is closed in preparation for departure, no students will be allowed to board.
6. If a student has missed the bus, under NO circumstance, should they ever chase the bus.

### **Conduct on the Bus**

1. Remain seated while the bus is moving.
2. Do not change seats while the bus is moving.
3. A student shall not refuse to sit in an assigned seat or deny another student a place to sit.
4. Each student will be expected to remain seated for the duration of the trip, and remain seated until the bus door opens.
5. Normal conversation is permitted. Loud noises may distract the driver and create an unsafe condition.
6. Scuffling, fighting, and the use of obscene, vulgar, or profane language and gestures are forbidden.
7. Do not throw objects inside or out of the bus.
8. Do not mark, cut, or scratch any part of the bus. Vandalism costs will be paid by the person who is responsible.
9. The emergency door and exit controls should be used by pupils only during supervised drills or actual emergencies.
10. Students shall never attempt to operate the passenger door or other driver controls except in case of extreme emergency.
11. Students shall face forward for the duration of the trip, and shall keep their feet on the floor in front of them and out of the bus aisle.
12. As in school, bullying will not be tolerated.

### **Getting off the Bus**

1. Stay seated until the bus is completely stopped.
2. Use the handrail and take one step at a time when leaving the bus.
3. Wait for your turn to leave the bus: pushing and crowding will only slow exiting and may cause an accident.
4. Stay clear of the bus when the engine is started. Do not chase or hang onto the bus at any time.
5. If any article drops or rolls neat or under the bus, do not go after it. Go to the door of the bus and ask the driver for help.

### **Crossing the Street**

1. All students living on the left side of the roadway shall exit the bus and move to a point 10 to 12 feet in front of the right bumper and wait for the driver to signal you that it is safe to cross.
2. Check in both directions and walk directly across the road.
3. Never cross the road behind the bus.
4. CAUTION! Be alert for the vehicles that do not stop when the bus is loading or unloading students.
5. Cross all the streets at intersections. Obey all traffic signals and signs on your way home.

### **Prohibited Items**

1. Tobacco
2. Live animals or insects
3. Glass containers
4. Alcoholic beverages
5. Weapons, explosive devices, harmful drugs or chemicals
6. Objects that do not fit in the student's lap or on the floor between the knees without extending above chin level
7. Matches or cigarette lighters
8. Food or drinks (during extremely hot weather, the driver may allow you to drink water only)
9. Any other items for which possession is prohibited by the Code of Conduct.

### **Accidents or Emergencies**

1. Follow the driver's instructions.
2. If you must leave the bus, stay in a group.
3. The following procedures will be used for evacuation in an emergency situation:
  - a. The student nearest the door will open the door and hold it open
  - b. Leave the bus in a single file as quickly and quietly as possible
  - c. Evacuation will start with the seat closest to the door
  - d. Once outside the bus, follow the driver's instructions completely

### **Extra-Curricular Trips**

1. Bus rider rules apply to all school-sponsored events.
2. Discipline will be the responsibility of the building principal and the trip sponsor.
3. The bus must be returned clean upon completion of a trip.

## **BUS RIDER DISCIPLINE**

The school bus is an extension of the classroom, and discipline will be administered by the principal with assistance from the bus driver, and the Director of Transportation. All school board policies that apply to student conduct and other student related activities apply to the school bus. The disciplinary steps set out here may be taken in addition to, or in lieu of, the disciplinary actions set forth elsewhere in this Code of Conduct.

Steps and consequences for improper conduct on the school bus include, but are not limited to, the following:

## Minor Infractions:

### Types of offenses:

- Eating or drinking
- Improper loading/unloading
- Out of seat
- Placing arm out of window
- Screaming/loud talking
- Spitting
- Failure to show a bus pass
- Leaving trash or other items on the bus.

### Disciplinary action - May include, but are not limited to, the following:

- Verbal warning: written documentation
- Principal conference
- 3 day suspension from bus
- 3 week suspension from bus
- Suspension of bus privileges for the remainder of the school year. If the violation occurs within the last two weeks of the semester, the suspension will run into the following semester.

## Major Infractions:

### Types of offenses:

- Cursing/inappropriate language
- Destruction of property on bus
- Disrespect to driver/insubordination
- Fighting
- Obscene gestures
- Tampering with bus equipment
- Throwing objects inside bus
- Throwing objects out of windows
- Use of tobacco products
- Use of aerosol spray cans
- Use of matches or lighters
- **UNAUTHORIZED** use of a bus pass. Students are not allowed to let other students use their bus pass.
- Physical attack on driver
- Possession of weapons
- Other offenses as listed in the Student Code of Conduct

### Disciplinary action - May include, but are not limited to, the following:

- Immediate suspensions, and other consequences, from bus for 3 weeks
- Suspension from bus for remainder of school year

- Any other consequences as listed in SCOC.
- Criminal charges may be filed

Violations not specifically listed in the categories above will be handled according to the level of seriousness of comparable offenses, as determined by school officials.

A parent conference may be called at any time by the building administrator, and Director of Transportation should serious misconduct occur. The building administrator and Director of Transportation have the authority to skip steps for serious violations.

## GLOSSARY

(NOTE: Where the source of the definition is shown to be a state law, the definition set forth in the particular statute or code controls.)

**ABUSE:** Improper or excessive use

**ABUSABLE VOLATILE CHEMICALS:** Those substances defined as a chemical, including aerosol paint, as defined in Texas Health and Safety Code § 485.001.

**ALCOHOLIC BEVERAGE:** Those substances including those which contain more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted, as defined in Texas Alcoholic Beverage Code § 1.04.

**ARMOR-PIERCING AMMUNITION:** Handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers and other firearms.

**ARSON:** When a person starts a fire, regardless of whether the fire continues after ignition or causes an explosion with intent to destroy or damage. For student discipline purposes, engaging in conduct containing the elements of Texas Penal Code § 28.02.

**ASSAULT:** For student discipline purposes, intentionally, knowingly, or recklessly causing bodily injury to another.

**BODILY INJURY:** Physical pain, illness, or impairment of a physical condition.

**BULLYING:** When a student or a group of students engages in written or verbal expression, including expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and 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; or 2) is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it: 1) exploits an imbalance of power between the student perpetrator who is engaging in bullying and the student victim through written verbal expression or physical conduct; and 2) interferes with a student's education or substantially disrupts the operation of a school.

**See also Board policy FFI for additional information regarding bullying.**

**CHEMICAL DISPENSING DEVICE:** A device other than a small chemical dispenser sold commercially for personal protection that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on an individual.

**CLUB:** An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.

**CONTROLLED SUBSTANCE:** Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq.

**CRIMINAL STREET GANG:** 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.

**CYBER-BULLYING:** Using any electronic communications device to engage in bullying or intimidation, including, but not limited to, the use of the Internet, interactive and digital technologies or telecommunication devices by a student to support behavior that arises to the level of bullying or harassment of another student, or is otherwise intended to have an effect on a student that adversely affects the safety and well-being of a student while in school.

**DANGEROUS DRUG:** Substances as defined in Chapter 483 of the Texas Health & Safety Code.

**DATING VIOLENCE:** Intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom student has had a dating relationship, as defined by Section 71.0021 of the Texas Family Code.

**DEADLY CONDUCT:** Recklessly engaging in conduct that places another in imminent danger of serious bodily injury or by knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**EXPLOSIVE WEAPON:** Any explosive or incendiary bomb, grenade, rocket, or mine 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. It includes a device designed, made or adapted for delivery or shooting an explosive weapon.

**FALSE ALARM OR REPORT:** Knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that

is known to be 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, publicly accessible place, or mode of conveyance such as an automobile.

**FIGHTING:** Two or more persons engaged in any mutual violent or physically aggressive contact toward each other such as scuffling, pushing, shoving or hitting.

**FIREARM (Federal law):** (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 or receiver of any such weapon; (3) any firearm muffler or firearm weapon; or (4) any destructive device, such as any explosive, incendiary or poison gas, bomb, grenade, missile, rocket, or mine.

**FIREARM (State law):** Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

**FIREARM SILENCER:** Any device designed, made, or adapted to muffle the report of a firearm.

**GANG:** An organization, combination, or association of persons composed wholly or in part of students that: (1) seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, or (2) that engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the District will consult with law enforcement authorities.

**GANG-FREE ZONE:** Any location that falls within the definition of Texas Penal Code §71.028, including any location that is: (1) in, on, or within 1,000 feet of: any real property that is owned, rented, or leased by a school or school board; premises owned, rented, or leased by an institution of higher education; premises of a public or private youth center; or playground; or (2) in, on, or within 300 feet of any: shopping mall; movie theater; premises of a public swimming pool; or premises of a video arcade; or (3) on a school bus.

**GRAFFITI:** Making marks of any kind on the tangible property of another without consent of the owner.

**GENDER-BASED HARRASSMENT:** Includes physical, verbal or non-verbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity.

**HARASSMENT:** Severe, persistent or pervasive behavior that affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile or offensive educational environment. These behaviors could include threatening to cause harm or bodily injury to another, engaging in sexually intimidating conduct, causing physical damage to the property of another, subjecting another to physical confinement or restraint, maliciously taking any action that substantially harms another's physical or emotional health or safety, or other conduct prohibited by District policy, including policy FFH.

**HAZING:** Any act, occurring on or off the campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization. Consent to or acquiescence in the hazing activity does not excuse the student of responsibility for the misconduct.

**HIT LIST:** List of people targeted to be harmed using a firearm, knife, or any other object to be used with intent to cause bodily harm.

**ILLEGAL KNIFE:** A knife with a blade over 5 ½ inches; hand instrument designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword or spear.

**INDECENT EXPOSURE:** Exposure of anus or any part of the genitals with the intent to arouse or gratify the sexual desire of the actor, as defined in Texas Penal Code section 21.08.

**INTENT:** The design, resolve, or determination with which a person acts. Since intent is a state of mind, it is ordinarily proved through inferences drawn from the act and/or circumstances surrounding the act. Intent includes the conscious objective or desire to engage in the conduct or cause the result, an awareness that the conduct is reasonably certain to cause the result, or disregard of a substantial and justifiable risk when there is an awareness that the circumstances exist or the result will occur. The fact that a student may not have been motivated by a desire to violate the SCC does not preclude imposing a disciplinary consequence so long as the student intended to engage in the underlying conduct that violated the SCC.

**KNIFE:** A bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

**KNUCKLES:** Any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

**LEWDNESS:** Indecent or obscene behavior.

**MACHINE GUN:** Any firearm capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

**MANDATORY:** Obligatory or required because of an authority.

**ONLINE IMPERSONATION:** Using the name of another person or persona to create a web page or to post one or more messages on a commercial networking site without obtaining the person's consent and/or with the intent to harm, defraud, intimidate, or threaten any person. Those acts defined in Texas Penal Code section 33.07.

**PARAPHERNALIA:** Any article or device used or intended for use to inject, ingest, inhale or otherwise introduce marijuana, a controlled substance, or a dangerous drug into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes.

**PERSISTENT MISBEHAVIOR:** Three or more violations of the SCOC or repeated occurrences of the same violation.

**POSSESSION:** To have in or on: (1) a student's person or in the student's personal property, such as the student's clothing, purse, or backpack; (2) in any vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) any other school property used by the student, such as a locker or desk; regardless of the student's knowledge or intent to possess the item.

**PROHIBITED WEAPONS:** A prohibited weapon includes the following items: armor-piercing ammunition, chemical dispensing device, explosive weapon, firearm silencer, knuckles, machine gun, short-barrel firearm, switchblade knife, zip gun, or tire deflation device.

**PUBLIC SCHOOL FRATERNITY, SORORITY, SECRET SOCIETY OR GANG:** An organization composed wholly or in part of students that seek to perpetuate it 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 Texas Education Code are accepted from this definition.

**PUBLIC LEWDNESS:** Those acts knowingly engaging in the following acts in a public place: sexual intercourse; deviate sexual intercourse; sexual contact; contact between a person's mouth or genitals and the anus or genitals of an animal or fowl. As defined in Texas Penal Code § 21.07.

**REASONABLE BELIEF:** A determination that misconduct occurred made by the administrator using all available factual and legal information, including information furnished under Article 15.27 of the Code of Criminal Procedure.

**RETALIATION:** Harming or threatening to harm another: (1) on account of their service as a District employee or volunteer, (2) to prevent or delay another's service to the District, or (3) because the person intends to report a crime.

**SELF-DEFENSE:** When the person who is not the aggressor and is without fault in provoking the encounter uses the minimum force required to remove himself or herself from immediate danger or harm. Force used against another must be reasonably believed to be immediately necessary to protect the person. Actions that escalate or continue the encounter will not be considered self-defense. Interactions prior to the encounter will also be considered.

**SERIOUS MISBEHAVIOR:** As defined by Texas Education Code 37.007(c)(1)-(4), 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 Texas Penal Code § 1.07; or (4) conduct that constitutes the offense of: (A) public lewdness under Texas Penal Code § 21.07; (B) indecent exposure under Texas Penal Code § 21.08; (C) criminal mischief under Texas Penal Code § 28.03; (D) personal hazing under Texas Penal Code § 37.152; or (E) harassment under Texas Penal Code § 42.07(a)(1) of a student or district employee.

**SEX OFFENDER:** A generic term for all persons convicted of crimes involving sex, including rape, molestation, sexual harassment and pornography production or distribution. A student required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure for an offense committed on or after September 1, 2007. The term does not include a student who: (1) is no longer required to register as a sex offender under Chapter 62, (2) is exempt from registering as a sex offender under Chapter 62, or (3) received an early termination of the obligation to register as a sex offender under Chapter 62.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's performance or creates an intimidating, hostile, or offensive educational environment; affects a student's ability to participate in or benefit from an educational program or activity;

otherwise adversely affects the students education opportunity or is prohibited by District policy FFH or FNC.

**SHORT-BARREL FIREARM:** 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 if, as altered, has an overall length of less than 26 inches.

**SWITCHBLADE KNIFE:** Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force.

**TELECOMMUNICATIONS DEVICE:** Any type of device that: (1) emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or (2) permits the recording, transmission, and/or receipt of messages, voices, images, or information in any format or media, electronic or otherwise. It does not include an amateur radio under control of someone with an amateur radio license.

**TERRORISTIC THREAT:** Threats to commit any offense involving violence to any person or property with intent to: (1) cause a reaction 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, 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).

**TITLE 5 FELONY OFFENSES:** Offenses against the person that, depending on the circumstances, may include murder; capital murder; manslaughter; criminally negligent homicide; unlawful restraint; kidnapping; aggravated kidnapping; trafficking of persons; unlawful transport; assault; aggravated assault; sexual assault; aggravated sexual assault; improper relationship between educator and student; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; improper photography or visual recording; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment by a person in a correctional facility; and tampering with a consumer product.

**UNDER THE INFLUENCE:** When in the employee's professional judgment, the student does not have the normal use of mental or physical faculties likely

attributable to the student's use of a prohibited substance. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behavior. The student need not be legally intoxicated.

**USE:** With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing in any manner a prohibited substance into the body. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.

**ZIP GUN:** A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.