



# STUDENT CODE OF CONDUCT

## 2016-2017

### Purpose of the Student Code of Conduct:

#### Introduction:

The Laredo Independent School District's Board of Trustees has adopted the 2016-2017 Student Code of Conduct in order to "establish and maintain an environment within the district which maximizes safety for all students and employees". ***The Student Code of Conduct is the District's specific response to requirements of Chapter 37 of the Texas Education Code. The law requires the District to define misconduct that may – or must – result in a range of specific disciplinary consequences including removal from a regular campus or classroom, suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from a school.*** This Student Code of Conduct has been adopted by the Board of Trustees and developed with the advice of a district level committee. This Code provides information to educate students and parents regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

Education in this community represents a significant commitment of financial and human resources. The benefits a student derives from this investment depend very much on the student's attitude toward learning and the student's adherence to high standards of behavior.

***The District is proud of the collaboration amongst parents, administrative staff, students and community for the continued cooperation to support the educational mission of LISD.***

All students enrolled at LISD, regardless of age or grade level, shall abide by this Student Code of Conduct.

In case of conflict between the Student Code of Conduct and the Student Handbook, the Student Code of Conduct will prevail. The Student Code of Conduct is adopted by the District's Board of Trustees and has the force of policy.

#### Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district maintains a current list of the persons serving as a campus behavior coordinator in the Student Handbook or on the district's website at [www.laredoisd.org](http://www.laredoisd.org)

### **SECTION I: GENERAL INFORMATION**

#### Jurisdiction:

For discipline purposes, the Laredo Independent School District has jurisdiction over its students:

1. During the regular school day,
2. During lunch, whether on or within 300 feet of the school property,
3. While students are going to and from school on district transportation,
4. Involved in any activity during the school day on school grounds,
5. While the students are in attendance at any school-related activity, regardless of time or location,
6. With additional policies adopted at the campus level relating to participation in a student club, organization, or extra-curricular activity,
7. When retaliation against a school employee occurs or is threatened, either on or off school property,
8. When students commit a felony as provided by Texas Education Code Section 37.006,
9. When criminal mischief is committed on or off school property or at a school-related event, and
10. When students are required to register as a sex offender.

Students shall comply with the Student Code of Conduct at all times while they are under the jurisdiction of the school district.

**Please Note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of state and federal laws in addition to the Student Code of Conduct. To the extent that any conflict exists, state and/or federal law will prevail.**

### **Rights and Responsibilities of Students:**

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. It is the belief of this School Board that the students in this District should and do represent youth of integrity and high character and should be treated accordingly. Each student is to respect the rights and privileges of students, teachers and District staff. Each student is expected to act responsibly, consistent with his/her state of maturity, at all times on District property, at school-sponsored or school related events outside of District property, and while coming to and from school. It is with this as a premise that the following rules of conduct and discipline are established. Students who violate the rights of others or who violate District, campus or classroom rules shall be subject to disciplinary measures to correct misconduct and for discipline purposes.

Every student is to adhere to standards of behavior that will achieve a positive learning environment at school or school-related activities. Standards of behavior expected of students shall include:

1. Demonstrating courtesy and respect,
2. Behaving in a responsible manner; always exercising self-discipline,
3. Attending all classes, regularly and on time,
4. Being prepared for each class with appropriate materials and assignments,
5. Meeting district and campus standards of grooming and dressing,
6. Cooperating with and assisting school staff in maintaining safety, order and discipline,
7. Obeying all campus and classroom rules,
8. Respecting the property of others, including district property and facilities,
9. Respecting the rights and privileges of students, teachers, and other district staff and volunteers, and
10. Adhering to the requirements of the Student Code of Conduct.

### **Responsibilities of Parents:**

The greatest single factor in building a child's intellectual, rights and responsibilities of citizenship is the example that is provided by you in the home. The role that you play in the school as a parent/guardian is crucial in following and supporting the policies and programs of our school. Although this responsibility is shared with school and faculty, parental responsibility remains the first priority. Parent/guardians can assist their children by providing assistance in the following:

1. **Ensure your child attends school well groomed and dressed appropriately,**
2. **Communicate regularly with the school concerning your child's academic progress and conduct,**
3. **Provide for the physical needs of the child,**
4. **Participate in parent-teacher conferences and other activities in which your child is involved,**
5. **Cooperate with and support the teachers and the school administrators in their efforts to achieve and maintain a quality school system,**
6. **Discuss report cards and classroom assignments with your child,**
7. **Provide a work area where your child may study and do homework**
8. **Maintain up-to-date home, work and emergency telephone numbers at the school,**
9. **Encourage your child to study at home,**
10. **Send your child on time on a daily basis and be prompt in picking up after dismissal,**
11. **Teach your child to respect authority, and**
12. **Cooperate with the school in developing intelligent, self-disciplined, mature and responsible individuals.**

The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be listed in the Student Handbook or posted in classrooms, and violations of such rules could constitute violations of the Student Code of Conduct

### **Posting and Distribution of Student Code of Conduct:**

The Student Code of Conduct will be prominently displayed at each school campus. All LISD students shall receive a copy of Student Code of Conduct at the beginning of the school year. The Student Code of Conduct shall also be provided to all teachers, new professional employees, students who are enrolled after the beginning of the school year, any parent, and any other person on request. Once the Student Code of Conduct is made official, any subsequent changes or amendments must be approved by the LISD Board of Trustees. Policy FO (Legal)

Each student, teacher, and parent shall sign a statement annually showing they have received and read the Student Code of Conduct and understand the rules and responsibilities outlined therein.

### **Dress Code:**

In an effort to improve student safety and a nurturing learning environment, the District is enforcing the following standardized dress code for grades Pre-K – 12<sup>th</sup>. The student dress code will help administration to better identify students and provide safety in our schools.

## Elementary Dress Code

Standardized Dress Code	
<b>SHIRTS/TOPS</b>	Solid Red, White, Blue, Green, Gold, Yellow, Maroon
<b>BOTTOMS</b>	Solid Khaki (Tan), Black, Gray or Navy Blue, for Pre-K & K elastic waist pants are allowable. Bottoms-PK elastic preferred.
<b>SHOES</b>	Navy, Brown, Black or dress shoes, Pre K & K tennis shoes with velcro are allowable. Shoes must be laced. PK shoes velcro highly recommended, no laces. <i>Solid-colored tennis shoes in Navy, Brown, Black or White</i>
<b>BELTS</b>	Brown, Black or Navy <i>No decorative holes, rivets or extremely large belt buckles permitted</i> Belts should be an option for Pre-K and Kinder students. It is difficult for most these students to undo their belts causing accidents to occur.

All elementary schools have 7 Top color choices.

## Secondary Dress Code

Standardized Dress Code			
	MARTIN HS & EARLY COLLEGE HS	NIXON HIGH SCHOOL	CIGARROA HIGH SCHOOL
	Christen MS & Memorial MS	Lamar M S	Cigarroa M S
<b>SHIRTS/TOPS</b>	Red, White & Blue (ECHS-Maroon)	Green, Gold & White	Blue, White & Gold
<b>BOTTOMS</b>	Solid Khaki (Tan), Black, Gray or Navy Blue		
<b>SHOES</b>	Navy, Brown, Black or dress shoes ( <i>Solid-colored tennis shoes in Navy, Brown, Black or White</i> )		
<b>BELTS</b>	Brown, Black or Navy Blue ( <i>No decorative holes, rivets or extremely large belt buckles permitted</i> )		

Students attending Vidal M. Treviño Magnet Program will follow the dress code for their home campus.

Students assigned to the District Alternative Education Program (F.S. Lara Academy) will follow a stricter dress code which will be provided at the time of registration at F.S. Lara Academy.

**Shirts/Tops:** Acceptable shirts/tops are polo style shirts (button-down) and pullover shirts with long or short sleeves. All shirts must be of one solid color, have collars and be without logos. Shirts MUST be tucked inside pants/skirts by everyone. T-shirts shall not be worn as tops. Dresses must be in solid color.

Martin High School & Early College High School Christen MS & Memorial MS	Nixon High School Lamar Middle School	Cigarroa High School Cigarroa Middle School
Red, White, Blue, (ECHS-Maroon)	Green, Gold, White	Blue, White, Gold

Each high school has 3 Shirt/Top color choices

**Bottoms:** Acceptable bottoms are pants, slacks, skirts (shorts must be worn under skirts), Capri pants, walking shorts and jumpers. Skirts and jumpers may be pleated or non-pleated. Bottoms that were manufactured to be worn with belts must be worn with belts properly affixed. Jeans are allowed for high school students only not including alternative schools. Jeans/denim must fit and be worn properly. Jeans must be appropriately sized for the student and may not be oversized or undersized. Jeans/denim must be worn at the waist, no sagging. Revealing or tight fitting materials or jeans such as "Jeggings" (leggings that look like Jeans) are not allowed. Jeans are to be free of frays or holes.

**SPIRIT DAY:** School spirit-shirts/College Shirt Day and blue jeans may be worn on designated days with shirts tucked in and belted. Spirit day may occur on a limited basis throughout the year as deemed appropriate by the campus principal.

In addition, students shall be dressed and groomed in a manner that is clean and neat and not cause disruptions and/or safety hazards:

1. Any clothes that are suggestive or indecent or which cause distractions are prohibited including but not limited to; tank tops, muscle shirts, halter-tops, spaghetti straps, exposed backs or midriiffs, miniskirts, shorts (no shorter than one inch above the knee) or see through garments without a "shell" worn under the garment.
2. Indecent/inappropriate patches, writings, or drawings on clothing, purses, bags, backpacks, personal belongings and on the body are prohibited. Clothing with inappropriate advertising or statements that are lewd, offensive,

- vulgar, obscene, or inflammatory (e.g. Alcoholic beverages, sex, tobacco, drugs, gangs, etc.) are also prohibited,
3. Oversized clothing and “bagging” or “sagging” pants are prohibited and shall not be worn to school.
  4. All pants shall be worn at the waist. Tight-fitting pants (e.g. tights, bicycle pants, spandex) are also prohibited.
  5. Extra-long belts are prohibited. Belts must be put through the belt loops on the pants.
  6. No hats or head coverings (i.e. scarves, bandanas) of any kind are to be worn or brought to school unless approved by the school principal for a special occasion or program or by an ARD or a §504 committee.(Ski caps and/or beanies are not allowed).
  7. Unless there is documented medical justification, no sunglasses are to be worn in the building(s).
  8. Heavy, full-length outer-wear such as “dusters and trench coats”, are prohibited from being worn in the building.
  9. Shirts must be tucked in and staff members should be able to see the student’s belt or belt loops.(Male & Female)
  10. Dangling chains are prohibited. This includes chains attached to wallets, footwear, and backpacks.
  11. Visible body piercing jewelry is prohibited, except for ear piercing.
  12. Gang-related attire is prohibited. (This will be designated by individual campuses).
  13. Skate shoes, steel toe or hard plastic toe boots, flip flops and sandals are prohibited.
  14. Use of appropriate sweater(s). No hoodies (protective coverings for face and head) are to be worn inside the facility/ building. Jacket hoodies and sweaters must not contain any vulgar or hidden vulgar language, and/or profane graphics.
  15. Acrylic nails (stones) prohibited at the elementary level.

These rules apply to all LISD campuses and facilities and to any location off-campus where LISD students are receiving classroom instruction (e.g., official class field trips, internships, or other programs hosted at facilities other than LISD).

The District prohibits any clothing or grooming that in the Principal’s judgment may reasonably be expected to cause disruption or interference with normal school operations or that is determined by the school’s principal or designee to be gang-related or, in reasonable probability, would be construed as gang-related. The student and parent/guardian or designee may determine the student’s personal dress and grooming standards provided they comply with the District’s guidelines. Each campus may adopt additional dress code guidelines, which must be consistent with the district’s guidelines, and, which may be stricter than the District’s guidelines. Principals will announce these additional guidelines in school messenger, over the PA, in newsletters, and shall post them prominently throughout the school. If the principal determines that a student’s grooming violates the dress code, the student shall be given an opportunity to correct the problem at school.

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate these standards may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action.

### **Attendance:**

Regular school attendance is essential for the student to make the most of his or her education, to benefit from teacher-led activities, to build each day’s learning on that of the previous day’s, and to grow as an individual. Absences from class may result in serious disruption of a student’s mastery of the instructional objectives; therefore, the student and parent should make every effort to avoid unnecessary absences. Two state laws, one dealing with compulsory attendance, the other with attendance for course credit, are of special interest to students and parents.

### **Absence Slips:**

Upon returning, students who are absent shall bring a doctor’s note or a note signed by the parent. Notes signed by the parent will not automatically constitute an approved absence. It is up to the discretion of the teacher and administrator (for elementary schools) and Attendance Clerk and administrator (for secondary schools) to determine how an absence will be coded. Notes from parents or doctors justifying absences need to be turned in upon the student’s return to class and not several days later. All students will have 3 days from last day of absence to turn in absent slips (excuses must be from a health care professional licensed to practice in the United States).

### **Compulsory Attendance:**

Any child ages 3 – 5 presented to the district for enrollment who meets the eligibility requirements for district programs shall be enrolled at the time they are presented as per district procedures regardless of any known or suspected disability as space permits at the student’s neighborhood campus. Said students will be required to attend school daily and shall be provided with all necessary support services to maintain enrollment successfully.

The state compulsory attendance law requires that a student between the ages of 6 and 18 must attend school and

District-required tutorial sessions unless the student is otherwise legally exempted or excused. A student who voluntarily attends or enrolls after his or her nineteenth (19) birthday is required to attend each school day until the end of the school year.

The District may withdraw a student who is at least 19 years old and is voluntarily enrolled in school when he or she accumulates more than five unexcused absences in a semester. The District may revoke the enrollment of such a student for the remainder of the school year. The student's presence on school property is then unauthorized and may be considered trespassing. The student will be provided Optional Flexible School Day Program opportunities as an intervention before becoming a drop out.

School employees must investigate and report violations of the state compulsory attendance law. A student absent from school without permission from any class, from required special programs, such as accelerated (additional special) instruction assigned by the grade placement committee and basic skills for ninth graders, or from required tutorial will be considered in violation of the law subject to disciplinary action.

A conference with school and/or district staff for the development of an Attendance Improvement Plan which will detail the expectations for student's attendance, methods for improvement as well as possible consequences. A referral to truancy court may be filed if the student:

1. Is absent without excuse from school on ten or more days or parts of days within a six-month period in the same school year and has failed to comply with school/district recommendations on their attendance contract.

### **Attendance for Credit:**

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered may be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit.

#### **§ 25.092. Minimum Attendance for class Credit**

- (a) Except as provided by this section, a student may not be given credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered.
  - (a-1) A student who is in attendance for at least 75 percent, but less than 90 percent of the days a class is offered may be given credit for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class
- (b) The board of trustees of each school district shall appoint one or more attendance committees to hear petitions for class credit by students who are in attendance fewer than the number of days required under Subsection (a) and have not earned class credit under Subsection (a-1). Classroom teachers shall comprise a majority of the membership of the committee. A committee may give class credit to a student because of extenuating circumstances. Each board of trustees shall establish guidelines to determine what constitutes extenuating circumstances and shall adopt policies establishing alternative ways for students to make up work or regain credit lost because of absences. The alternative way must include at least one option that does not require a student to pay a fee authorized under Section 11.158(a)(15). A certified public school employee may not be assigned additional instructional duties as a result of this section outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay.
- (c) A member of an attendance committee is not personally liable for any act or omission arising out of duties as a member of an attendance committee.
- (d) If a student is denied credit for a class by an attendance committee, the student may appeal the decision of the board of trustees. The decision of the board may be appealed by trial de novo to the district court of the county in which the school district's central administrative office is located.
- (e) This section does not affect the provision of Section 25.087(b) regarding a student's excused absence from school to observe religious holy days.
- (f) The availability of the option developed under Subsection (b) must be substantially the same as the availability of the educational program developed under Section 11.158(a) (15).

### **Tardies:**

Arriving late to class is a violation of the Student Code of Conduct and is classified as Class Disruption. Students arriving late to class will be subject to disciplinary action for contributing to class disruption and *may* be assigned to make up missed instructional time at the discretion of the campus administration. Morning tardy bells: Elementary School 7:45 a.m., Middle School 8:05 a.m., High School 8:20 a.m.

Arriving late to class may affect a student's consideration for Perfect Attendance Recognition at the end of the school year and the school's Attendance Incentive Program (at the discretion of the campus administration).

## **Make Up Work:**

A student will be permitted to make up tests and to turn in projects due in any class missed because of an excuse absence. Secondary teachers may assign a late penalty to any project in accordance with time lines approved by the principal and previously communicated to students.

For any class missed, the teacher may assign the student make-up work based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.

A student will be responsible for obtaining and completing the make-up work in a satisfactory manner and within the time specified by the teacher. [See policy EIAB] A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

The grade for make-up work after an excused absence shall not be reduced.

The grade for make-up work after an unexcused absence shall be reduced by 20%.

## **Audits:**

Electronic auditing shall be implemented within all unclassified networks that connect to the Internet or other publicly accessible networks to support the identification, termination and prosecution of unauthorized activity.

## **Bus Behavior:**

Riding the bus is considered a "school-related" and "school-sponsored" activity, where those terms appear in other sections of this Code of Conduct. The campus administrator shall have the authority to discipline a student for any inappropriate conduct that occurs on the school bus in accordance to the level of offense committed as listed in this document. Students with three (3) or more disciplinary bus referrals will have their transportation privileges revoked.

***PLEASE NOTE: Riding the bus is a privilege which may be temporarily suspended or permanently revoked at the discretion of the campus administrator if the conduct in question jeopardizes the safety of any individual or generally interferes with the safe operation of the bus. Prior to a suspension or relocation of bus riding privileges for any student, the campus administrator shall inform the Director of Transportation regarding the proposed length of suspension or revocation. Please call the LISD Transportation Department at 273-1200 to report unsafe drivers with the bus number, date, time, and location of the incident.***

## **Resources Available With the School District:**

### **Questions about Disability-Related Issues:**

The District designates the following individuals to coordinate its efforts to comply with either Title II of the Americans with Disabilities Act of 1999 (ADA) or with Section 504 of the Rehabilitation Act:

For questions concerning Section 504, please contact:

**Patricia V. Cisneros**      **Section 504/RTI/Dyslexia**  
**Address:**                      **904 Juarez, 2<sup>nd</sup> Floor**  
**Telephone:**                    **956-273-1780**

For questions concerning Special Education, please contact:

**Raul Gomez**                    **Special Education**  
**Address:**                      **2502 Galveston St.**  
**Telephone:**                    **956-273-1500**

## **Sexual Harassment Complaints:**

The District has designated the following individual to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 which pertains to sexual discrimination claims:

**Edna Garza, PHR**              **Human Resources Coordinator**  
**Address:**                      **1702 Houston Street**  
**Telephone:**                    **956-273-1022**

## **Substance Abuse:**

In addition to school counselors, the District has Licensed Chemical Dependency Counselors (LCDC) available to provide substance abuse information, prevention, and referrals for students in need of these services.

School	Address	Telephone #
F. S. Lara Academy	2901 Travis	956-273-7900
Cigarroa High School	2600 Zacatecas	956-273-6800
Martin High School	2002 San Bernardo Ave.	956-273-7100
Nixon High School	2000 Plum	956-273-7400

For additional information please contact, Rosina Silva, Director of Guidance & Counseling at 956-273-1263.

### **Health Services:**

School nurses available at the campuses to provide health and wellness information to students, parents, and teachers.

### **Textbooks:**

Each student, or the student's parent or guardian, is responsible for each textbook not returned by the student, regardless of whether their textbook is lost, damaged or stolen. A student who fails to return all textbooks forfeits the right to free textbooks until each textbook previously issued but not returned is paid for by the student, parent or guardian. The District shall allow the student to use textbooks at school during each school day but may not allow the student to take textbooks out of the classroom until each textbook previously issued but not returned is paid for by the student, parent or guardian. The District shall not prevent a student from graduating, participating in a graduation ceremony, or receiving a diploma for failure to return a textbook.

### **Lost, Damaged, or Stolen Personal Items:**

Students are responsible for their own personal belongings while on campus or at a school-related or school-sponsored event. Students should be discouraged from bringing or wearing expensive clothing (i.e. winter coats), sunglasses, backpacks, purses, or jewelry/watches to school. LISD is not responsible for personal items which are lost, damaged, or stolen.

## **SECTION II: INAPPROPRIATE CONDUCT**

In general, discipline will be designed to correct the misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action and the length of the assignment will depend on the professional judgment of teachers and administrators and on the range of discipline management techniques.

Disciplinary actions will be related to, but not limited to,

1. The seriousness of the offense,
2. The student's age and grade level,
3. The frequency of the behavior,
4. The student's attitude,
5. Whether the student was acting in self defense,
6. The effect of the misconduct on the school environment,
7. Intent or lack of intent at the time the student engaged in the conduct, and
8. Requirements of law (e.g. IDEA, 504).

Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

### **Bullying and Harassment Violations:**

Laredo Independent School District prohibits conduct that consists of bullying or harassment. In addition to the penalties and consequences set forth in this Student Code of Conduct and the Texas Family Code, **on the request of** the parents or legal guardian of a student being victimized by such conduct as determined by the Board of Trustees or designee, the victim may receive a transfer to a different classroom at the victim's campus or a different campus within the district at the time the bullying occurs. Verification of bullying must be confirmed prior to the transfer of such student.

**The Board of Trustees or its designee may transfer the student who engaged in bullying to a different classroom at the victim's campus or a different campus within the district at the time the bullying occurs, in consultation with a parent or legal guardian of the student who engaged in bullying. The transfer of a student with a disability who receives special education services and who engaged in bullying may be made only by a duly constituted ARD committee under Education Code 37.004.**

**The determination of the Board of Trustees or its designee is final and may not be appealed. The District is not required to provide transportation to a student who transfers to another campus because of bullying. (Education Code 25.0342)**



**Bullying is engaging in written or verbal expression *through electronic means* or physical conduct. This includes: (1) including a gesture that occurs on school property, at a school-sponsored or school-related-activity, or in a vehicle operated by the district (2) having 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 (3) is sufficiently severe, persistent or pervasive enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student.**

Bullying is when one person uses power in a willful manner with the aim of hurting another individual repeatedly. Bullying is aggression that takes many forms including: physical, verbal and psychological. The district discourages any bullying or hazing on social media (text, phone, Facebook).

1<sup>st</sup> Offense – Warning/bullying contract

2<sup>nd</sup> Offense –In school suspension (ISS)

3<sup>rd</sup> Offense – Change to another campus

4<sup>th</sup> Offense - Consideration and possible placement at the Disciplinary Alternative Education Program (DAEP).

**DATING VIOLENCE:** Dating violence means engaging in conduct with 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.

**HAZING:** Hazing means any intentional act directed against a student, whether on or off the campus, by one person alone or acting with others, that endangers the mental or physical health, or the safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are, or includes other students. The term includes, but is not limited to:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity,
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm, or that adversely affects the mental or physical health or the safety of the student,
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm, or that adversely affects the mental or physical health or the safety of the student,
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student, or discourages the student from entering or remaining registered in a district school, or that may reasonably be expected to cause a student to leave the organization or the school rather than submit to acts described above, or
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

**SEXUAL HARASSMENT:** Sexual harassment of a student by another student or an adult employee includes:

1. Any welcome or unwelcome sexual advances,
2. Requests for sexual favors,
3. Other verbal (oral or written), physical, or visual conduct of a sexual nature,
4. Activities as engaging in sexually oriented conversations for purposes of personal sexual gratification,
5. Telephoning a student at home or elsewhere to solicit inappropriate social relationships,
6. Physical contact that would be reasonably construed as sexual in nature, and
7. Enticing or threatening a student to engage in sexual behavior in exchange for grades or other school-related benefit.

Sexual harassment of a student by another student or adult includes unwanted and unwelcomed verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including request for sexual favors.

### **LEVEL I - Minor Offenses:**

Minor offenses are prohibited at school or school-related activities and may be punishable by In School Suspension, detention, Saturday school, assignment of school duties other than class tasks, withdrawal of extracurricular or honorary privileges, or any other discipline management techniques listed in Section III of the Code, as determined by the campus principal. Minor offenses include:

1. Cheating, or copying the work of another,
2. Leaving school grounds or school-sponsored events without permission,
3. Using an electronic device, such as stereo headsets, electronic games, MP3 players, cell phones, smart phone/watch, and gaming devices (i.e. game boy), or CD players during instructional time. (The school is not

- responsible if these items are stolen.)
4. Possessing any articles not generally considered to be weapons, including school supplies, when the principal, designee, or campus behavior coordinator determines that a danger exists,
  5. Engaging in conduct that constitutes a disruption of classes or lawful assemblies, activities, or transportation,
  6. Participating in gambling or games of chance,
  7. Engaging in any other conduct that disrupts the school environment or educational process but that the principal/designee determines is a minor offense.
  8. The use of skateboards, hover boards, skates, bicycles, or motorized vehicles that may cause property damage and/or endanger self or others are prohibited.

***Students who engage in conduct as described in this section shall be subject to disciplinary action in accordance with State law and local Board policy.***

### **Telecommunication Devices:**

The district prohibits students from displaying, turning on, or using electronic communication devices, (including but not limited to cell phones, tablets, smart devices, digital cameras, and MP3 players), unless approved by the teacher for instructional use, during school hours (first bell to last bell).

Students who violate this policy (FNCE LOCAL) shall be subject to established disciplinary measures. District employees shall confiscate any electronic communication devices (i.e. cell phones, smart devices, tablets, digital cameras, MP3 players) from students found to be displaying, turning on, or using such devices during school hours in a manner which was not approved by the teacher (first bell to last bell).

- 1 ***If the student uses the telecommunication device in a manner which violates the Electronic Communication and Data Management Guidelines (ECDM) for students, the device will be confiscated for 30 days by the principal or administrator. Parents shall be notified within two days that the device was confiscated. The ECDM Guidelines can be found at:***  
<http://www.laredoisd.org/email/pdfs/ECDM2012-2013.pdf>
- 2 ***First offense – 30 days or the parent may pick up the confiscated telecommunication device from the principal’s office for a fee of \$10.00.***
- 3 ***Second offense – 30 days or the parent may pick up the confiscated telecommunication device from the principal’s office for a fee of \$25.00.***
- 4 ***Any subsequent offenses – 30 days or the parent may pick up the confiscated telecommunication device for \$40.00.***

**Cell Phone Notice during State Assessments:** A student may not possess a telecommunication (cell phone) or other electronic devices on his or her person during state assessments. Students must turned in cell phones or other media device to the test administrator before testing. Student needs to be told that if they have a cell phone or other media device while testing, their state assessment may be voided, even if they already submitted the exam. In addition, cell phones may be confiscated during state assessments and student may be subject to disciplinary action.

The District prohibits all students disciplined for "serious misbehavior," as used in Section II, Level II, or more serious conduct that results in the student being placed in the Discipline Alternative Education Program, from possessing a paging device or cellular phone while on school property or while attending a school-sponsored or school-related activity on or off school property.

### **LEVEL II – Serious Offenses:**

The following actions constitute “serious misbehavior” where that term appears in this Code of Conduct. These offenses are prohibited at school or school-related activities and will be punishable by detention, in-school suspension, out of school suspension, Saturday school, assigned duties other than class tasks, withdrawal of extracurricular or honorary privileges, or any other discipline management techniques listed in Section III of this Code. Thus, in most cases, the offenses listed in this section will warrant greater consequences than those listed in the Level I Minor Offenses section. (Example: serious offenses should warrant a greater number of days spent in in-school suspension than minor offenses).

In some cases, the offenses listed in this section may also meet the definition of conduct, which warrants DAEP placement. Additionally, some of the offenses listed in this section (depending on the nature and severity of the incident in question) might be considered so severe that they constitute conduct that “substantially interferes with the orderly operation of the campus” or with the “teacher’s ability to communicate effectively.” If this occurs, the offense in question is elevated to a Level III offense, and the campus administration may consider DAEP placement.

For those students who are already in the Discipline Alternative Education Program (DAEP), the offenses listed in this section may be grounds for discretionary expulsion.

1. Committing extortion, coercing, or blackmailing (obtaining money or another object of value from an unwilling person),
2. Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code, (For felony robbery and theft, refer to DAEP Placement and Expulsion),
3. Engaging in any conduct (unruly, disruptive, disrespectful, abusive, etc.) that school officials might reasonably believe will substantially disrupt the school program or incite violence,
4. Engaging in inappropriate verbal, physical, or sexual conduct directed towards another person including a district student, employee or volunteer (i.e. name-calling, racial or ethnic slurs, or derogatory statements that may disrupt the school environment or incite violence),
5. Failing to comply with directives given by school personnel,
6. Using profanity or vulgar language, or making obscene gestures,
7. Fighting or scuffling, (for assault see DAEP placement or expulsion) committing physical abuse, or threatening physical abuse (i.e. conduct that does not meet the definition of assault in Texas Penal Code Section 22.01 (a)(1),
8. Engaging in bullying, including intimidation by name-calling, using ethnic or racial slurs, or making derogatory statements that could disrupt the school program or incite violence,
9. Participating in hazing,
10. Throwing objects that can cause bodily injury or damage property,
11. Engaging in minor sexual acts (**including, but not limited to, kissing and/or necking**),
12. Possessing or conspiring to possess any explosive or explosive device,
13. Falsifying records, passes, electronic records or other school-related documents,
14. Possessing or distributing of pornographic materials,
15. Making or assisting in making threats, including threats against an individual,
16. Refusing to accept discipline management techniques proposed by a teacher or by administration,
17. Placing a prohibited substance in another person's food, drink, and/or other possessions,
18. Participating in gang-related activities, (as described in the Glossary first offense), Texas Penal Code 71
19. Possessing/exhibiting or using a toy gun, or any other instrument which may be perceived by a third party as a firearm, (e.g. air gun, BB gun, paint ball gun),
20. Possessing or using unloaded firearm accessories or parts, (such as a gun barrel or a gun clip),
21. Possessing ammunition,
22. Possessing or selling look alike drugs or attempt to pass items off as drugs or contraband, (e.g. drug paraphernalia, roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes),
23. Possessing or using fireworks of any kind, smoke, stink bomb, or any other pyrotechnic device,
24. Abusing (Possessing, exhibiting, or using) the student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug on school-property or a school-related event,
25. Discharging a fire extinguisher without valid cause,
26. Calling 911 as a prank, when no real emergency exists,
27. Repeated violations of rules of conduct established by school or classrooms (including repeated dress code violations)
28. Engaging in any other conduct that disrupts the school environment or educational process (example: food fight)
29. Using or possessing laser pointers,
30. Leaving school grounds during the academic day without permission,
31. Leaving, without permission, a school-sponsored event in which the student is a participant,
32. Violating computer use policies, rules, or agreements signed by the student, or the student's parent or guardian,
33. Using the Internet or other electronic communications to threaten district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the program,
34. Videotaping, sending or posting messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment,
35. Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property (such as: bullying, harassment and making hit lists).
36. Possessing published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety, using e-mail or Web sites at school to encourage illegal behavior, or threaten school safety.
37. Possessing or using matches or a lighter,
38. Possessing, smoking or using tobacco products, the use, possession, sale, or distribution of all forms of tobacco products, including but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, spit tobacco, e-cigarettes, "vapes", and herbal tobacco products.
39. Loitering or trespassing on school grounds, (Students should be on campus for an educationally related purpose, such as tutorials or extracurricular activities. Students who are waiting for a ride home shall not be considered to

- be loitering.), and
- 40. Engaging in academic dishonesty such as cheating on a state assessment.
- 41. Engaging in graffiti.

**Discretionary Placement in a Discipline Alternative Education Program (DAEP)  
(Offenses Occurring on Campus or at School-Related Activities):**

Additionally, a student may be placed in a Discipline Alternative Education Program if the student commits the following on campus or within 300 feet of School District property or while attending a school-sponsored or school-related activity on or off campus. If a student has been assigned to DAEP (F.S. Lara or JJAEP) the student must not enter any other LISD campus or LISD school activity during the time that he/she has been assigned to DAEP:

1. Has been documented by the teacher to repeatedly interfere with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn,
2. Engages in behavior that the principal, designee, or campus behavior coordinator determines is so unruly, disruptive or abusive that it seriously interferes with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn,
3. Following a warning, engages in gang activity (as described in the Glossary), including participation as a member or pledging or soliciting another person to become a gang member,
4. Following a warning, engages in a public school fraternity, sorority, or secret society (as described in the Glossary), including participation as member or pledging or soliciting another person to become a member of a public school fraternity, sorority, or secret society,
5. Possessing or selling seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol and inhalants, see DAEP Placement and Expulsion),
6. Engages in conduct constituting vandalism, or otherwise tampering with the property of another and causing substantial inconvenience or pecuniary loss up to and including \$1,499.99 on school property or at a school-related or school-sponsored event,
7. Assembles or disassembles a computer, networks, printers, or other computer equipment except as part of a class assignment or in conjunction with a job responsibility, computer hacking, and or misuse of unauthorized websites.
8. Removes any technology equipment (hardware or software) without written permission of the principal or director,
9. Possessing or exhibiting or using a stunning device, a pellet gun, air powered rifle/pistol or paint ball gun, knives or other sharp object.
10. Engages in inappropriate physical contact against a teacher or school employee,
11. Engages in unruly (i.e., 2 or more fights), persistent disruptive, disrespectful, or abusive conduct (to include dating violence – LISD Board Policy FFH - Local) at any location on campus (i.e., the cafeteria, auditorium, parking lots, or in front of or behind campus) or at a school-related event that substantially interferes with the orderly operation of the campus or school-related event,
12. Engaging or participating in acts of bullying as described in glossary and/or in violation of HB 283 (LISD Board Policy FFI – Local),
13. Abusing of the student’s own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person’s prescription drug on school property or at a school related event, (See glossary for reference on Abuse),
14. Being under the influence of prescription or over the counter drugs that cause impairment of the physical or mental faculties, (See glossary for Under the Influence),
15. Having or taking prescription drugs or over the counter drugs at school other than as provided by district policy, or
16. Possessing or being under the influence of designer drugs, synthetic marijuana, synthetic cannabinoids (such as “K2” and “Spice”), stimulants (such as “bath salts”), or analogs of any drug in any form, regardless of whether currently scheduled or classified as an illegal drug under state or federal law and regardless of whether the substance is legally sold or marketed as “herbal incense,” “bath salts” or “not for human consumption.”
17. Making false accusations or perpetuating hoaxes regarding school safety.
18. Use, exhibits, or possesses an illegal knife, as defined by Section 46.01 (6), Penal Code, or by local policy, such as 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,

**Persistent Misbehavior Offenses:**

The term "persistent misbehavior" appears in other portions of this Code of Conduct and is defined as:

1. Two or more documented serious offenses, or
2. Five or more documented minor offenses, or
3. Serious offenses and minor offenses that the principal, designee, or campus behavior coordinator deems to interfere with the District's ability to provide an education to other students.

Additionally, a student may be placed in a Discipline Alternative Education Program if:

1. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process,
2. The student engages in any activity on the way to or from school that would ordinarily be grounds for Discipline Alternative Education Program placement if the activity had occurred on campus, or
3. The student is truant or absent without permission for any portion of the instructional day and the student engages in an activity while off campus that would ordinarily be grounds for Discipline Alternative Program placement or expulsion.

### **LEVEL III – Offenses That May Require Discipline Alternative Education Program (DAEP):**

The following actions constitute offenses that shall or may result in placement at the Discipline Alternative Education Program located at F. S. Lara Academy. Level III offenses are considered to be more serious than the Level II Serious Offenses listed in this Code. The terms of a placement under this section shall prohibit the student from attending or participating in school-sponsored or school-related activities, including, but not limited to, extracurricular activities. A principal is not prohibited from suspending a student immediately prior to the student's placement in the DAEP.

### **Removal to a Discipline Alternative Education Program (DAEP)**

#### **Conference:**

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

At the conference, the appropriate administrator will provide due process and inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

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

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

### **Mandatory Placement in a Discipline Alternative Education Program**

#### **Offenses Occurring on Campus or at School-Related Activities:**

A student must be placed in a Discipline Alternative Education Program if the student commits the following on or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct that contains elements of assault (Class A Only), as defined by Texas Penal Code Section 22.01,
2. Engages in conduct that contains elements of terroristic threat under Penal Code 22.07 and/or false alarm 42.06,
3. Sells, gives or delivers to another person, or possesses, uses or is under the influence of:
  - a. Marijuana or a controlled substance as defined by Ch. 481 Health & Safety Code,
  - b. A dangerous drug as defined by Ch. 483 Health & Safety Code,
4. Sells, gives or delivers to another person an alcoholic beverage as defined in Sec. 1.04 Alcohol & Beverage Code; commits a serious act or offense while under the influence of alcohol; or possesses, uses or is under the influence of alcohol, or Palcohol
5. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034 of the Health and Safety Code,
6. Engages in conduct that contains the elements of the offense of public lewdness under Sec. 21.07 Penal Code or indecent exposure under Sec. 21.08 Penal Code,
7. Engages in conduct that is punishable as a felony,
8. Retaliates against a school employee, when not combined with another offense, either on or off school property,
9. Engages in conduct constituting consensual sexual intercourse on campus or at a school-related or school-sponsored activity,
10. Is found in possession of a knife with a blade length up to and including 5 ½ inches (LISD).
11. Criminal mischief – graffiti
12. Make or assist in making threats against a teacher or school district employee.
13. Possessing or using fireworks or any kind of smoke, stink bomb, or any other pyrotechnic device.

**Placement Order:** Not later than the second business day after the date a hearing is held under Section 37.009, Education Code, the board of trustees for a school district or the board's designee shall deliver a copy of the order placing a student in a DAEP under Section 37.006, Education Code, or expelling a student under Section 37.007, Education Code, and any information required under Section 5204, Family Code, to the authorized officer of the Juvenile Court in the county in which the student resides.

### **Offenses Occurring Off Campus/Not at School-Related Activities:**

Additionally, regardless of the date on which the student's conduct occurred, the location at which the conduct occurred; whether the conduct occurred while the student was enrolled in the district; or whether the student has successfully completed any court disposition requirements imposed in connection with the conduct, the board of trustees or the board's designee may elect to place a student into the district's Discipline Alternative Education Program if:

1. The student has received deferred prosecution under Section 53.03, Family Code, for conduct defined as a felony offense in Title 5, Penal Code,
2. A court or jury finds that the student has engaged in delinquent conduct under Section 54.03, Family Code for conduct defined as a felony offense under Title 5 of the Texas Penal Code, or
3. The Board or the Board's designee determines that the student's presence in the regular classroom threatens the safety of other students or teachers; will be detrimental to the educational process; or is not in the best interest of the district's students.

A principal or other appropriate administrator may, but is not required to, remove a student to a Discipline Alternative Education Program for off campus conduct for which removal is required if the principal or other appropriate administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

A decision by the board of trustees or the board's designee is final and may not be appealed. A student placed into the Disciplinary Alternative Education Program after a determination that the student's presence in the regular classroom threatens the safety of other students or teachers; will be detrimental to the educational process; or is not in the best interest of the district's students may be placed for any period considered necessary by the board or the board's designee. Periodic reviews of placement at intervals not to exceed 120 days will still occur.

### **LEVEL IV – Offenses That May Require Expulsions:**

The following offenses will result in expulsion. These offenses are considered to be more serious than the serious offenses listed in this Code. A campus principal is not prohibited from suspending a student or placing a student in in-school suspension pending a complete investigation of the conduct, which forms the basis for the expulsion.

### **Removal to a Juvenile Justice Alternative Education Program (JJAEP)**

#### **Conference:**

When a student is removed from class for a JJAEP offense,

1. The appropriate administrator will schedule a conference within three school days with the Student Hearings Officer, student's parent, the student, and the teacher,
2. The appropriate administrator will inform the Student Hearings Officer, orally or in writing, of the reasons for the removal and will give the student and parents an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal,
3. The District may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

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

### **Offenses Requiring Expulsion: (On Campus or School-Related) Mandatory Expulsions:**

A student must be expelled for any of the following offenses if committed on school property or while attending a school sponsored or school-related activity on or off school property:

1. Firearm violation, as defined by federal law,  
*Firearm under federal law includes:*
  - a. *Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive*
  - b. *The frame or receiver of any such weapon.*
  - c. *Any firearm muffler or firearm weapon*
  - d. *Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade*
2. Use, exhibition, or possession of the following, under the Texas Penal Code,
  - a. A firearm as defined by Section 46.01 (3) Penal Code,
  - b. A club, as defined by Section 46.01(1), Penal Code, or,

- c. Prohibited weapon, as defined by Section 46.05, Penal Code, such as an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; a switchblade knife; knuckles; armor piercing ammunition; a chemical dispensing device; or a sip gun,
- 3. Behavior containing the elements of the following under the Texas Penal Code:
  - a. Aggravated assault, sexual assault, aggravated sexual assault or continued sexual abuse of a child under Sec. 21.02 Penal Code,
  - b. Arson,
  - c. Murder, capital murder or criminal attempt to commit murder,
  - d. Indecency with a child,
  - e. Aggravated kidnapping,
  - f. Behavior related to an alcohol or drug offense that could be punishable as a felony (e.g., Rohypnol or cocaine),
  - g. Aggravated robbery,
  - h. Manslaughter,
  - i. Criminally negligent homicide.
- 4. Engaging in conduct containing the elements of a felony assault against any employee or volunteer of the school district.

*A student may not be expelled solely on the basis of use, exhibition, or possession of a firearm at an approved target range facility while participating in or preparing for a school-sponsored competition when sponsored or supported by Parks and Wildlife Department. (However, subsection (k) does not authorize a student to bring a firearm on school property under any condition). See 37.007 (k)*

A student shall also be expelled for engaging in conduct that constitutes retaliation against a school employee or volunteer when combined with one of the above-listed offenses regardless of where the conduct occurs.

A student who engages in conduct described in this section may be expelled from school by LISD if the student engages in the conduct on school property of another district in the state of Texas or while attending a school-sponsored or school-related activity of a school in another district in the state of Texas.

**Placement Order: Not later than the second business day after the date a hearing is held under Section 37.009, Education Code, the board of trustees for a school district or the board's designee shall deliver a copy of the order placing a student in a DAEP under Section 37.006, Education Code, or expelling a student under Section 37.007, Education Code, and any information required under Section 5204, Family Code, to the authorized officer of the Juvenile Court in the county in which the student resides.**

### **Offenses Which May Result in Expulsion: Discretionary Expulsions:**

- 1. A student may be expelled if the student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code, or terroristic threat under Texas Penal Code Section 22.07. (This offense is a mandatory DAEP placement or a discretionary expulsion).
- 2. A student may be expelled if a student commits the following while on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - a. Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of:
    - i. Marijuana or a controlled substance defined by 481 Health and Safety Code,
    - ii. A dangerous drug as defined by 483 Health and Safety Code, or
    - iii. An alcoholic beverage or Alcohol as defined by Section 1.04 Alcoholic Beverage Code, or
  - b. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code,
  - c. The student, while placed in a Discipline Alternative Education Program for disciplinary reasons, continues to engage in serious or persistent misbehavior that violates this Student Code of Conduct,
  - d. The student assaults an employee or volunteer and the assault results in a bodily injury as defined under Section 22.01 or Section 22.053 of the Penal Code,
  - e. Engages in conduct that contains the elements of the offense of deadly conduct under Section 22.05, Penal Code, including recklessly engaging in conduct that places another in imminent danger of serious bodily injury or knowingly discharging a firearm at, or in the direction of, one or more individuals or a habitation, building or vehicle,
  - f. Except in the case of retaliation against a school employee or volunteer, possesses a firearm, as defined by 18 U.S.C. Section 921, while within 300 feet of school property, as a measured from any point on the school's real property boundary line,
  - g. Except in the case of retaliation against a school employee or volunteer, commits a mandatory expellable offense, while within 300 feet of school property, as measured from any point on the school's real property

boundary line,

3. A student who engages in conduct containing the elements of aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder or capital murder of aggravated robbery against another student may be expelled regardless of whether the conduct occurred on or off of school property or while attending a school sponsored or school related activity on or off of school property.
4. Engaging in conduct containing the elements of simple assault, against any employee or volunteer of the school district.

### **Offenses Which May Result in Expulsion (Conduct Unrelated to School):**

The following offenses may result in expulsion regardless of when or where they occur:

1. Engaging in conduct that constitutes criminal mischief, if such conduct is punishable as a felony,
2. Engaging in conduct containing the elements of simple assault, against any employee or volunteer in retaliation for or as a result of the person's employment or association with the school district.

## **SECTION III: CONSEQUENCES OF INAPPROPRIATE BEHAVIOR**

### **General Guidelines for Assessing Discipline Penalties:**

When imposing discipline, district personnel shall adhere to the following general guidelines:

1. Consideration will be given to self-defense as a factor in a decision to order suspension, removal to a disciplinary alternative education program, or expulsion,
2. Discipline shall be administered when necessary to protect students, school employees, or properly maintain essential order and discipline, and to teach students proper conduct,
3. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
  - a. Seriousness of the offense,
  - b. Student's age,
  - c. Grade level,
  - d. Disciplinary history,
  - e. Intent or lack of intent,
  - f. Potential effect of the misconduct on the school environment,
  - g. Statutory requirements,
  - h. Student's disabling condition, if any.

Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses. Generally, academic sanctions shall not be used as discipline.

However when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher may be imposed.

Policy FO (LOCAL)

### **Discipline Management Techniques**

Discipline management techniques are always available when assessing penalties for violations of the Code of Conduct, regardless of the offense, except as otherwise required by law. Discipline management techniques may include:

1. Seating changes in the classroom,
2. Counseling by teacher, counselors, special services, or administrative personnel,
3. Parent-teacher conferences,
4. Cooling-off or time-out,
5. Behavioral contracts,
6. Participation in peer conflict resolution proceedings,
7. Assigned school duties other than class tasks,
8. Verbal correction,
9. Withdrawal of privileges, including, but not limited to, participation in extracurricular activities or eligibility for seeking or holding honorary positions,
10. Withdrawal of all paging device/cellular phone privileges on school property or while attending a school-sponsored or school-related activity on or off school property,
11. Sending the student to the office or other assigned areas,
12. Detention [Policy FO (LOCAL)],
13. In-school suspension,
14. School-defined and imposed probation,
15. Rewards/Demerits/Incentives,



16. Confiscation of items that disrupt the educational process,
17. Grade reductions as permitted by Board Policies,
18. Removal to a Discipline Alternative Education Program (DAEP),
19. Withdrawing or restricting bus privileges

**Transportation privileges may be taken away from a student with disabilities only if transportation is not determined to be necessary as a related service or modification by the ARD or Section 504 Committee. A change in transportation services for a student with a disability for whom transportation is a related service requires ARD Committee action; a change in transportation services for Section 504 students requires Section 504 committee action.**

20. Boot Camp
21. Parent Shadow
22. Expulsion.

### **Physical Restraint:**

Any district employee may, within the scope of the employee's duties, use and apply physical restraint to a student that the employee reasonably believes is necessary in order to: [TEC 37.0021]

1. Protect a person, including the person using physical restraint, from physical injury,
2. Obtain possession of a weapon or other dangerous object,
3. Prevent a student from fleeing,
4. Protect property from serious damage,
5. Remove from a specific location a student refusing a lawful command of a school employee, including from a classroom or other school property, in order to restore order or impose disciplinary measures,
6. Restrain an irrational student.

### **Placement and/or Expulsion for Certain Serious Offenses:**

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

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

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

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:

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

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee will recommend whether the student should return to the regular classroom or remain in the placement. After a special finding, the board of trustees or its designee must follow the committee's recommendation.

### **Discipline and Students with Disabilities:**

A student with disabilities may be ordered to an appropriate interim alternative education setting, another setting, or suspension for not more than 10 school days (to the extent such alternatives would be applied to students without disabilities). School personnel may consider any unique circumstance on a case-by-case basis when determining whether to order a change in placement for a student with a disability.

Within 10 school days of a consideration to change the placement, the ARD committee must determine whether the behavior of the student is a manifestation of the student's disability. When making a manifestation determination, the ARD committee shall review all the relevant information in the student's file, including the student's IEP, any teacher observation, and any relevant information provided by the parents.

The placement review of a student with a disability who receives special education services must be made by the ARD

committee.

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

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

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

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

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

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

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

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

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

The student is subject to the placement until:

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

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

**Please note: Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration as appropriate and in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office. Consequences will not be deferred pending the outcome of a grievance.**

### **Detention:**

For infractions of the Code of Conduct or other policies and regulations, teachers may detain students after school hours. Before assigning students to detention, the teacher shall inform the student of the conduct that allegedly constitutes the violation, and the student shall be given an opportunity to explain his or her version of the incident.

When detention is used, written notice shall first be given to the student's parent or legal guardian to inform the parent of the reason for the detention and permit arrangements for the necessary transportation of the student. Except in the case of a student who is 18 or older, the detention shall not begin until the parent has been notified. The student's parent or guardian, if the student is a minor, may be required to provide transportation when the student has been assigned to

detention. Policy FO (LOCAL)

### **LEVEL I – Teacher Directed Discipline:**

The classroom teacher shall successfully manage most student misbehaviors. **There must be immediate and consistent teacher interventions for any behavior, which impedes the orderly operation of the classroom.** Dress Code violations must be dealt with immediately. A Student Discipline Action Form must be completed when sending student to administrator. Administrators or designee may request copies of student violations from teachers for review.

#### **Teacher Removals:**

1. A teacher may send a student to the Principal's office to maintain effective discipline in the classroom. The Principal shall respond by employing appropriate discipline management techniques consistent with this Student Code of Conduct adopted under Education Code, Section 37.001.
2. A teacher may remove from class a student:
  - a. Who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn, or
  - b. Whose behavior the teacher determines is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn,
3. If a teacher removes a student from class under subsection (b), the principal may place the student into another appropriate classroom, in in-school suspension, or in a discipline alternative education program as provided by Section 37.008. The principal may not return the student to that teacher's class without the teacher's consent unless the Committee established under Section 37.003 determines that such placement is the best or only alternative available. **The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities.**
4. A teacher shall remove from class and send to the principal for placement in a discipline alternative education program or for expulsion, as appropriate, a student who engages in conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's consent unless the Committee established under Section 37.003 determines that such placement is the best or only alternative available. [TEC 37.002]

### **LEVEL II – Administrator Directed Discipline:**

Some infractions or frequent infractions will result in a referral to an administrator. The disciplinary actions will depend on the offense, previous infractions, and the seriousness of the misbehavior. Included are those acts that interfere with the orderly educational process in the classroom and/or the school. A teacher and/or staff member who observes a serious offense violation of the Student Code of Conduct must complete a Student Discipline Action Form.

Each Special Education and Section 504 student is expected to follow the Student Code of Conduct unless specified differently in an Individual Education Plan (IEP)/Behavior Intervention Plan (BIP) and/or Individual Accommodation Plan (IAP)/BIP as appropriate and shall address the student's specialized needs on discipline, including which of the discipline management techniques can appropriately be used with the student.

Senate Bill 1196, enacted by the 77<sup>th</sup> Texas Legislature, establishes requirements for students enrolled in special education programs related to the use of confinement, restraint, seclusion, and time-out.

#### **Credit during Disciplinary Process:**

Students shall receive full credit for assignments completed in a Discipline Alternative Education Program, including in-school suspension.

Students suspended from school are entitled to make up assignments or tests, regardless of the reason for the suspension. Teachers are to inform students of the time allotted for completion of the work. Students are responsible for obtaining the assignments and completing the work within the time allotted, and students are allowed to make up both class work and homework.

Students who are placed in the District's in-school suspension or disciplinary alternative education program will be offered an opportunity to complete coursework before the beginning of the next school year. Available methods to complete coursework included, but are not limited to, correspondence courses, distance learning, or summer school. Students with disabilities will receive educational services during expulsion as determined by the Admission, Review, and Dismissal (ARD) or §504 Committee.

## **Suspensions:**

Students may be suspended from school for a period not to exceed three school days for engaging in Serious Offenses. Additionally, students may be suspended pending DAEP placement or expulsion. [TEC 37.005] A principal or other appropriate administrator may suspend a student prior to (but not in lieu of) placement in a Discipline Alternative Education Program or prior to (but not in lieu of) expulsion, where a student's conduct requires such placement or expulsion.

Before suspending a student, the principal, designee, or campus behavior coordinator shall follow the student's IEP/IAP and/or BIP, if in existence, and consider reasonable alternatives, including appropriate discipline management techniques. After the third time a student has been suspended, the student may appeal the suspension to the Superintendent or the Superintendent's designee, who shall have the opportunity to speak to the individuals involved in the incident, which forms the basis for the suspension. Any decision by the Superintendent or Superintendent's designee is final and may not be appealed.

## **In-School Suspensions:**

Students may be placed in in-school suspension for engaging in any Minor Offenses or Serious Offenses. Additionally, students may be placed in in-school suspension, pending DAEP placement or expulsion.

## **Off-Campus or Out of School Suspensions:**

Students may not be suspended at home for Level I (Minor) Offenses. For Level II and above offenses, students may be suspended for a maximum of 3 school days at a time.

The student who is suspended is not allowed on the home campus or any other school campus or at any school related activity, including but limited to, in-town or out of town, District games or events, during the period of suspension. If a student violates the prohibition on District property, the student can be charged with illegal trespass, a Class C misdemeanor. [TEC 37.005]

Students receiving Special Education services may be subject to In-School and/or Off-Campus short term suspensions for up to 10 school days (maximum of 3 school days at a time) without ARD committee action. Before the 10<sup>th</sup> day of removal, an ARD committee shall convene to determine services to be provided such that the student can progress in the general education curriculum and on his/her IEP goals and objectives. The ARD committee shall also determine if the pattern of removals (length of each removal, total time removed, and proximity of removals to each other) constitutes a long-term change of placement and, if so, shall conduct a manifestation determination review, (MDR); review and modify, if necessary any existing Behavior Improvement Plan (BIP), conduct a Functional Behavioral Assessment (FBA) and develop a BIP if none exist. For each subsequent suspension, the ARD committee shall again convene, review the pattern of removals, determine if removals constitute a long-term change of placement, conduct a manifestation determination review (MDR) and FBA if needed and review the existing BIP.

## **Notification to Parents:**

The principal or Campus Behavior Coordinator will notify a student's parent by phone or in writing of any violation that may result in a suspension, placement in a DAEP or expulsion. The notification will be made within three (3) school days after the administrator becomes aware of the violation.

## **Review/Appeal:**

Questions or complaints from parents regarding disciplinary measures should be addressed to the teacher or campus administration as appropriate, and in accordance with FNG (LOCAL). (See Student Handbook for appeals). Appeals are not required to delay a consequence while a parent pursues a Review/Appeal.

**Review Proceedings:** Regardless of the duration of the student's placement, the student or the student's parent or guardian is entitled to participate in a proceeding before the District's Hearing Officer. A student's parent or guardian, who wishes to review the removal of the student to a disciplinary alternative education program, may do so by requesting a review proceedings hearing to the Hearing Officer. The request to review the student's placement at the district disciplinary alternative education program (F. S. Lara Academy) must be made in writing and received by the Hearings Officer within five (5) work days from the date of the Due Process Conference. Prior to the review proceedings hearing being scheduled, the student must be enrolled and attending a Disciplinary Alternative Education Program (F. S. Lara Academy) or enrolled and attending another educational institution. Disciplinary consequences will not be deferred pending the outcome of a review proceeding. The decision of the hearing officer is final and may not be appealed. The Hearing Officer is the only person who shall make a tape recording of the Review Hearing Proceedings.

**Appeals:** Regardless of the duration of the student's expulsion, the student or the student's parent or guardian is entitled to participate in a proceeding before the LISD Board of Trustees. A student's parent or guardian who wishes to appeal the removal of the student to the Juvenile Justice Alternative Education Program (JJAEP), may do so by requesting an appeal hearing to the LISD Board of Trustees through the Hearing Officer. The request to appeal the student's expulsion to Webb County's Juvenile Justice Alternative Education Program (JJAEP) must be made in writing and received by the Hearings Officer within five (5) work days from the date of the Due Process Conference. Prior to the appeal hearing being scheduled, the student must be enrolled and attending the Juvenile Justice Alternative Education Program (JJAEP) or enrolled and attending another educational institution. Disciplinary consequences will not be deferred pending the outcome of an appeal. The decision of the Board of Trustees is final and may not be appealed.

### **Campus Placement Review Committee [37.003]:**

Each campus will establish a three-member committee composed of two teachers chosen by the faculty and one member chosen by the principal. In addition, there will be one alternative member chosen by the faculty. The purpose of this committee is to determine placement of a student when a teacher refuses the return of a student to the teacher's class and to make recommendations to the district regarding re-admission of expelled students.

### **Student Discipline Action Form:**

A teacher with knowledge that a student has violated the Student Code of Conduct shall file with the school principal or the other appropriate administrator a written report, referred to as the **Student Discipline Action Form**, not to exceed one page, documenting the violation. The Principal or other appropriate administrator shall, not later than 24 hours after receipt of a report from a teacher, send a copy of the discipline referral to the student's parents or guardians.

### **Conference and Review Procedures for Students Removed from Class:**

1. Not later than the third class day after the day in which the student is moved from the class by the teacher under Section 37.002 (b) or (d), or by the principal or other appropriate administrator under Section 37.001(a) (2), Section 37.006, the principal or other appropriate administrator shall schedule a conference among the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student.
2. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular classroom pending the conference.
3. Following the conference, and whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal shall order the placement of the student as provided by Sections 37.002 or 37.006, as applicable, for a period consistent with the Student Code of Conduct. [TEC 37.009] "If the period of the placement is inconsistent with the guidelines included in the student code of conduct regarding how the length of placement will be determined, the order will give notice of this inconsistency."
4. Students with disabilities may not be removed in violation of specific IEP/IAP provisions or for more than ten days without ARD/504 Committee approval.
5. The principal may not return the student to the classroom of the teacher who removed the student without the teacher's consent unless the Placement Review Committee determines that such placement is the best or only alternative available.

### **Review Committee (DAEP & JJAEP):**

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding the board or its designee must follow the committee's recommendation.

### **A. Discipline Alternative Education Programs:**

The District shall provide for the continuing education of students placed in a Discipline Alternative Education Program, which may include:

1. Transfer to a different campus,
2. Transfer to a school-community guidance center,
3. Transfer to a community-based alternative school,
4. Transfer to an off-campus Discipline Alternative Education Programs.

The terms of a placement under this section shall prohibit the student from attending or participating in school-sponsored

or school-related activities, including, but not limited to, extracurricular activities. [TEC 37.008]

Elementary students assigned to a Discipline Alternative Education Program must be separated from secondary students assigned to a Discipline Alternative Education Program. Students younger than six years of age shall only be placed in a disciplinary alternative education program in the event that the student brings a firearm, as defined by 18 U.S.C. §921, to school. If during the term of a placement in a disciplinary alternative education program a student engages in additional conduct for which placement in a disciplinary alternative education program or expulsion is required or permitted, additional proceedings may be conducted regarding that conduct and the principal or the designee board, as appropriate, may enter an additional order as a result of those proceedings.

### **Transfer or Withdrawal from a Discipline Alternative Education Program:**

If a student transfers into LISD from another district or school in which the student was placed in a discipline alternative education program, LISD shall continue the discipline alternative education program placement under the terms of the order provided by the sending district or school.

Students who transfer out of LISD to another public or private institution, including students who withdraw from LISD for the purpose of home schooling, and students who do not attend the discipline alternative education program for the duration of the placement for any reason (other than reasons which constitute an “excused absence” under LISD policy), shall be required, upon return to LISD, to complete the number of days missed in the discipline alternative education program before being allowed to return to the regular campus.

If the principal or board of the district in which the student was formerly enrolled fails to enter an order after the student withdraws, LISD may complete the proceedings and enter an order. Any period of the placement that has been served by the student on enrollment in another district that honors the order will be credited toward their placement.

### **Placement of Students with Disabilities:**

1. A student with disabilities may be ordered to an appropriate interim alternative education setting, another setting, or suspension for not more than 10 school days (to the extent such alternatives would be applied to students without disabilities).
2. Within 10 school days of any decision to change the placement, the ARD committee must determine whether the behavior of the student is a manifestation of the student’s disability.

A student with a disability being served in Special Education or Section 504 may be placed in a DAEP for engaging in conduct that would warrant such action for a student without such disabilities only if the ARD Committee determines the misconduct is not directly and substantially related to the student’s disabling condition or the direct result of inappropriate placement or services unless the behavior involves drugs, weapons or serious bodily injury. [TEC 37.004]

The ARD Committee shall determine the appropriate alternative placement and instructional and related services to be provided during the time of placement. The student’s IEP shall include goals and objectives designed to assist in returning the student to school, permit progress on the general curriculum and IEP goals, and address the target behavior resulting in DAEP placement.

If the ARD Committee determines that the student’s disruptive behavior is directly and substantially related to the disabling condition or the direct result of inappropriate placement, the student shall not be placed in a DAEP (except when the violation involves drugs, weapons or serious bodily injury). If the disruptive behavior on the part of the student indicates the behavior occurred as a direct result of an inappropriate placement, the ARD Committee shall review the placement and recommend alternatives. If the ARD Committee determines that the behavior was directly and substantially related to the disabling condition, it shall review any existing BIPs and modify if necessary or if a BIP is not currently in existence, the ARD committee shall conduct a functional behavioral assessment and develop a BIP to address the behavior that resulted in the change of placement consideration.

A student with a disability who receives Special Education or Section 504 services may not be placed in Discipline Alternative Education Programs solely for educational purposes if the student has not also committed one of the offenses warranting placement in the Discipline Alternative Education Program.

A student who is disabled according to Section 504 shall not be placed in a DAEP unless the District first determines that the misbehavior is not a manifestation of the student’s disabling condition (except when the violation involves drugs, weapons or serious bodily injury).

That determination may be made by the same group of people who make placement decisions. The group must have available evaluation data that is recent enough to afford an understanding of the student's current behavior. The §504 Committee should consider whether the student's behavior warrants new evaluation data. The §504 Committee may adjourn to obtain the new data. At a minimum, the §504 Committee shall include persons knowledgeable about the student and the meaning of the evaluation data.

**Emergency Placement in Discipline Alternative Education Program:**

The principal or the principal's designee may order the immediate placement of a student in the Discipline Alternative Education Program if the principal or the principal's designee reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

At the time of the emergency placement, the student shall be given oral notice of the reason for the action. The reason must be a reason for which placement in a disciplinary alternative education program may be made on a non-emergency basis. Within a reasonable time after the emergency placement, but not later than the 10th day after the date of the placement, the student shall be accorded the appropriate due process. If the student subject to the emergency placement is a student with disabilities who receives §504 or Special Education services, the term of the student's emergency placement is subject to the requirements of the Individuals with Disabilities Education Act (IDEA)/Section 504 and their accompanying regulations. [TEC 37.019]

**Duration of Placement in Discipline Alternative Education Program:**

The duration of a student's placement will be determined on a case-by-case basis. DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements. The maximum period of DAEP placement shall be one calendar year except as provided below.

Placement in a DAEP may exceed one year when a review by the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended placement is in the best interest of the student.
  - Students must be **in attendance** at F.S. Lara Academy for the total number of days placed before they will be returned to the home campus. If F.S. Lara is full to capacity, a determination will be made on a case by case basis before returning students to their home campus.
  - **Review Hearings:** District Hearing Officer will hold review hearings to ensure due process.
  - To promote good behavior, F.S. Lara Academy administrators will have the ability to add days for students who do not follow rules and guidelines while assigned to DAEP.

**High Schools**

	<u>First Offense</u>	<u>Subsequent Offense(s)</u>
All Mandatory Offenses	45 days	90 days
All Discretionary Offenses	22 days	45 days

**Middle Schools**

	<u>First Offense</u>	<u>Subsequent Offense(s)</u>
All Mandatory Offenses	30 days	45 days
All Discretionary Offenses	15 days	30 days

**Elementary Schools**

	<u>First Offense</u>	<u>Subsequent Offense(s)</u>
All Mandatory Offenses	15 days	30 days
All Discretionary Offenses	7 days	15 days

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

Regardless of the duration of the student's placement (actual days present), the student or the student's parent or guardian is entitled to participate in a proceeding before the District's Hearing Officer. Any decision of the District's Hearing Officer is final and may not be appealed. If the period of the placement is inconsistent with the guidelines included in the student code of conduct regarding how the length of the placement will be determined, the order must give notice to the inconsistency.

**Review of Student Status in Discipline Alternative Education Program (for Students Placed in a Discipline Alternative Education Program for 120 Days or More):**

A student placed in a DAEP shall be provided a review of the student’s status, including a review of the student’s academic status, by the Board’s designee at intervals not to exceed 120 days. In the case of a high school student, the Board’s designee, with the student’s parent or guardian, shall review the student’s progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student.

**Graduating Seniors in Discipline Alternative Education Programs:**

When a student is placed in the DAEP during the 12<sup>th</sup> grade, LISD shall allow that student to participate in graduation ceremonies, provided that all prerequisites for graduation are met and provided that the student has successfully completed all of the days that the student was assigned to the DAEP. If the student in question has unexcused absences or has not completed his/her days in the DAEP for any other reason, such as withdrawal or transfer to another school district, the student may not be allowed to participate in graduation ceremonies.

**B. Expulsion: Duration of Expulsion**

The duration of a student’s expulsion will be determined on a case-by-case basis. Expulsions will be correlated to the seriousness of the offense, the student’s age and grade level, the frequency of misconduct and statutory requirements. The maximum period of expulsion days shall be one calendar year except as provided below.

The length of expulsion will be made in accordance with the guidelines set forth by the Laredo Independent School District. Expulsion to a Juvenile Justice Alternative Education Program (JJAEP) may exceed one year when a review by 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.
  - a. Students must be **in attendance** at the Juvenile Justice Alternative Education Program (JJAEP) for the total number of days placed before they will be returned to the home campus.
  - b. **Appeal Hearings:** The L.I.S.D. Board of Trustees will hold appeal hearings when requested by parents.
  - c. The only way a student can return to their home campus before completion of assigned days to JJAEP will be if charges are dropped by the County Attorney’s or District Attorney’s office.

	<b>All Schools</b>
	<u>First &amp; Subsequent Offenses</u>
All Mandatory Offenses	90 – 180 days
All Discretionary Offenses	45 – 90 days

**Expulsion of Students under Ten Years of Age:**

Students younger than ten who commit expellable offenses shall be provided a disciplinary alternative education program under the terms set forth under TEC 37.008 that:

1. Is provided in a setting other than a student’s regular classroom,
2. Is located on or off a regular school campus.
3. Provides for the students who are assigned to the disciplinary alternative education program to be separated from students who are not assigned to the program.

**Expulsion of Students Under Six Years of Age:**

Students under age six shall not be expelled or placed in a Discipline Alternative Education setting with the exception of a student under the age of six years old who brings a firearm, as defined by 18 U.S.C. §921, to school. In such a case, the student will be expelled under the terms set forth under TEC §37.007 (e) and shall be provided educational services in a disciplinary alternative education program.

**Firearm Violations:**

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the Superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis. The District shall provide educational services to an expelled student in an Alternative Education Program if the student is younger than ten years of age on the date of expulsion. The District may provide services to an expelled student who is older than ten years of age in a Discipline Alternative Education Program.



### **Activity Restrictions for Expelled Students:**

Students who are expelled shall not participate in school-sponsored or school-related activities during the period of expulsion. If, during the term of an expulsion order, a student engages in additional conduct for which placement in a disciplinary alternative education program or expulsion is required or permitted, additional proceedings may be conducted regarding that conduct and the principal or board, as appropriate, may enter an additional order as a result of those proceedings.

### **Expelled Transfer Students:**

If an expelled student from another district or school enrolls in LISD, the governing body of the district or school taking the disciplinary action shall provide LISD or the school in which the student enrolls, at the same time other student records are provided a copy of the expulsion order. Any period of the expulsion that has been served by the student on enrollment in another district that honors LISD's expulsion order will be credited toward the expulsion. If the principal or board of the district in which the student was formerly enrolled fails to enter an order after the student withdraws, LISD may complete the proceedings and enter an order.

LISD may continue the expulsion order of a school district in another state if the out-of-state district provides LISD a copy of the expulsion order and the grounds for the expulsion are also grounds for expulsion in LISD. If the period of expulsion by the out-of-state district exceeds one year, and LISD continues the expulsion, LISD will reduce the period of expulsion so that the aggregate period does not exceed one year unless, after a review, LISD determines that:

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

### **Emergency Expulsions:**

A principal or the principal's designee may order the immediate expulsion of a student if the principal or the principal's designee reasonably believes that action is necessary to protect persons or property from imminent harm.

At the time of the emergency expulsion, the student shall be given oral notice of the reason for that action. The reason must be a reason for which expulsion may be made on a non-emergency basis. Within a reasonable time after the emergency expulsion, but not later than the 10<sup>th</sup> day after the date of the expulsion, the student shall be accorded the appropriate due process.

If the student subject to the emergency expulsion is a student with disabilities who receives Special Education services or §504, the term of the emergency expulsion is subject to the requirements of the Individuals with Disabilities Education Act (IDEA)/Section 504 and their accompanying regulations.

### **Expulsion of Special Education Students:**

A student with a disability being served in Special Education or Section 504 may be expelled for engaging in conduct that would warrant such action for a student without such disabilities only if the ARD Committee determines the misconduct is not directly and substantially related to the student's disabling condition or the direct result of inappropriate placement unless the behavior involves drugs, weapons or serious bodily injury.

### **Representation during the Expulsion Hearing (All Students):**

At an expulsion hearing, the student may be represented by the student's parent or guardian or another adult who can provide guidance to the student. The student and student's representative shall be notified in writing of the date, time, and place of the expulsion hearing at least 72 hours prior to the hearing.

The hearing shall be held within seven school days from the date of the offense. The date of the hearing may be deferred beyond the seven days only by the mutual consent of the student's parent or guardian and the District's representative.

If the student has been removed under the emergency expulsion provision prior to assignment to home-based instruction pending the expulsion hearing, the District shall obtain the parent's written agreement if the student will be excluded from the school setting for more than ten consecutive school days before the hearing is conducted. If the parent's agreement cannot be obtained, the District shall return the student to school for more than ten consecutive days without an opportunity for a due process hearing.

### **Due Process:**

Before a student is expelled, the Board or its designee shall provide the student an opportunity for a hearing at which the student is afforded due process, which shall include the following:

1. Prior notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation,
2. Right to a full and fair hearing before the Board or its designee,

3. Right to an adult representative or legal counsel,
4. Opportunity to testify and present evidence and witnesses in his or her defense,
5. Opportunity to examine the evidence presented by the school administration and question the administration's witnesses.

If the school district makes a good faith effort to inform the student and the student's parents or guardian of the time and place of the hearing, the District may hold the hearing, regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

The notice shall be in writing and shall advise of the nature of the evidence to be used against the student. The decision shall be based exclusively on evidence presented at the hearing. The final decision shall be communicated promptly to the student and parent.

A student who wishes to appeal the decision made at the hearing may do so by appealing to the Superintendent or the Superintendent's designee.

The decision of the Superintendent or Superintendent's designee may be appealed to the Board. If an appeal to the Board is initiated, a tape recording or transcript of the preceding shall be made for the Board's review. [TEC 37.009]

### **Placement in a Juvenile Justice Alternative Education Program (JJAEP):**

Students who are expelled are referred for enrollment in the Webb County Juvenile Justice Alternative Education Program. For more information, please contact the District Hearing Officer at (956) 273-4135.

## **SECTION IV: SEARCHES, QUESTIONING OF STUDENTS AND POLICE INTERVENTION**

### **Searches: Use of Metal Detectors:**

The district will employ the use of walk-through and hand-held metal detectors in an effort to promote a safe environment for all students. Particular classrooms of students may be randomly selected to pass through the walk-through metal detectors. Any evidence of a student's possession of a weapon obtained through the use of metal detectors may be used in disciplinary proceedings against the student. Students who fail to cooperate with school personnel performing their duties in the use of metal detectors may be subject to disciplinary action in accordance with the Student Code of Conduct.

In accordance with policy FNF (LOCAL), the District hereby notifies parents and students that:

1. Lockers may be sniffed by trained dogs at any time,
2. Classrooms and other common areas may be sniffed by trained dogs at any time when students are not present,
3. If contraband of any kind is found, the possessing student shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct.

Please refer to policy FNF (LOCAL) for additional details of the District's use of trained dogs.

School officials may search a student's outer clothing, pockets, or property by establishing reasonable suspicion or securing the student's voluntary consent.

Areas, such as lockers, which are owned by the District and jointly controlled by the District and student, may be searched, and school administrators may routinely conduct blanket locker searches. Students shall not place, keep or maintain any article or material in school-owned lockers that is forbidden by District policy or that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function.

Students are responsible for any and all prohibited items found in their possession, in their lockers, or in vehicles parked on school property, and shall be subject to appropriate school disciplinary action in accordance with this Student Code of Conduct and/or prosecution.

### **Random Drug Searches/Drug Detection Dogs:**

In order to ensure a drug-free learning environment, the District may conduct random drug searches of the school facilities. During these random drug searches, lockers, hallways, classrooms, ground vehicles, etc. are subject to drug checks by trained dogs at any time.

If a dog alerts to a locker, a vehicle, or any item in a classroom, or a common area, this areas may be searched by school officials. Trained dogs' sniffing of cars does not constitute a search under the Fourth Amendment. The alert of a trained

dog to a locker or car provides reasonable cause for a search of the locker or car.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is a reasonable cause to believe it contains articles or materials prohibited by the district.

Such visits to schools shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on school property. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials. Searches of vehicles shall be conducted as described above. [See FNF (Local) FNF (Legal)]

### **Questioning of Students:**

When a representative of the Department of Family and Protective Services or another lawful authority desires to question or interview a student as part of a child abuse investigation, the principal shall cooperate fully with the official's requests regarding the conditions of the interview or questioning. Policy GRA (Local)

When law enforcement officers or other lawful authorities desire to question or interview a student at school for any purpose other than a child abuse investigation, the following guidelines shall apply:

The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school,

1. The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents shall not be notified,
2. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence. GRA (Local)

Students are expected to cooperate with administrative staff in the investigation of disciplinary cases and to volunteer information within the students' knowledge relating to violations of the Student Code of Conduct. Administrators, teachers, and other professional personnel have the right to question students regarding their conduct or the conduct of others. Students may be requested to submit a written statement describing the knowledge of an incident.

### **Questioning of Students or Taking Students into Custody:**

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity. To the best of his or her ability, the principal shall verify the official's authority to take custody of the student {see GRA Local}, and then shall deliver over the student.

The principal shall immediately notify the Superintendent and ordinarily shall notify the parents or other person having lawful control of the student. If the officer or other authorized person rises what the principal considers to be a valid objection to notifying the parents at that time, the principal shall not notify the parents. Policy GRA (Local)

Law enforcement officers or other lawful authorities have the authority to question or interview a student at school. Law enforcement officers also have the authority to arrest or take a student into custody at school. (Board Polices FNF (LEGAL) and FNF (LOCAL)).

### **Police Department:**

LISD has its own police force. The officers work closely with the Laredo Police Department, Webb County Constable's Office and the Webb County Sheriff's Office to assist at all LISD campuses and school-related functions. They will investigate acts of vandalism, burglary, disruption, or any act that would be considered a violation of the law or harmful to LISD schools, staff or students.

The LISD police officers are commissioned by the state of Texas and have authority to arrest violators of the law, both on and off campuses. They may also issue citations for violations of the Penal Code. When a student is arrested or receives a citation, that student may be required to appear in court and may receive other consequences imposed by the legal system as a result of these events.

Any person wishing to contact the LISD Police Department during the day may call 956-273-1440.

### **Fight Back Against Crime in Your School.**

Students can report illegal activities to LISD Campus Crime Stoppers at **744-0083**. All reports are anonymous.

## **Alert!**

If you "find" or "see" a **weapon or drug** --- **DO NOT PICK "IT" UP!**

**You should make a report immediately to a teacher, administrator, security guard or police officer!** A student that makes a report on drugs or weapons to district staff will not be prosecuted under the Student Code of Conduct.

### **Laredo I.S.D. Campus Crime Stoppers 744-0083**

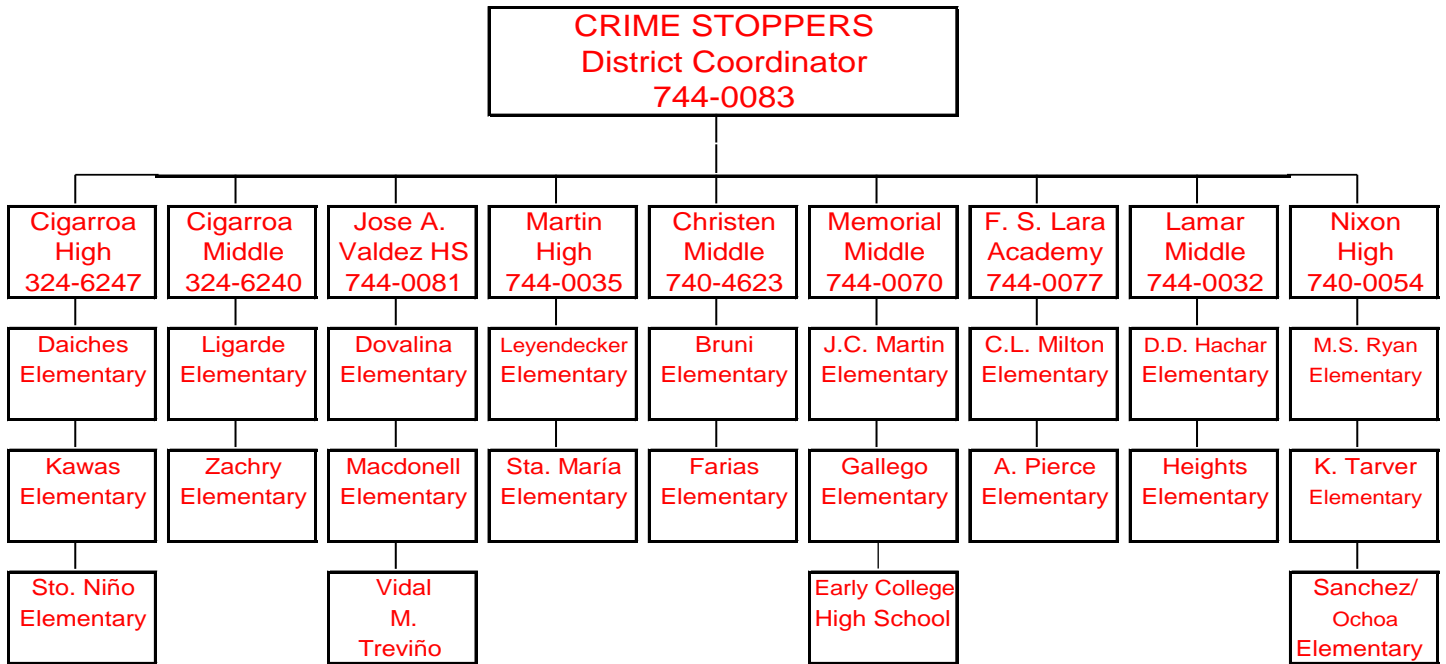
#### **Chief of Police, District Coordinator**

Our mission is to provide students with the opportunity to give information **anonymously**, by phone, text message or website about crimes on or near school grounds, in order to help administrators and law enforcement agencies provide a safer learning environment. An adult club sponsor at each high school and middle school may also take anonymous tips from assigned elementary school (see chart below).

The program pays rewards of **up to \$200.00** for tips that **prevent** planned crimes or tips that **solve** crimes. A student board of directors makes reward flyers, radio and television Public Service Announcements, helps raise funds, and decides a reward amount for each tip at the school where the offense occurred.

#### **Procedures:**

1. A student reports a tip by calling or texting to the school Crime Stoppers Hotline phone number or website.
2. The Tipster is given a code word and number and instructed to call back within five days.
3. The adult club sponsor or coordinator takes all tip information relating to a crime to the LISD Police Department or another appropriate law enforcement agency and then to the school administrators. Tip information dealing with school policies and rules goes directly to the school administrators.
4. After the investigation, the sponsor picks up a report from the administrator or the police and prepares a Campus Offense Report which is presented to the student board of directors who vote on the amount of the reward to be paid to the tipster.
5. A reward check is prepared by the District coordinator who delivers the checks to the specified bank drive through lanes.
6. When the tipster calls the adult club sponsor back and gives the correct code word and number assigned, the sponsor tells the tipster to which bank to go for the reward and after what day it will be there.
7. The tipster does not have to provide identification or sign the reward check. The tipster just gives his/her code word and number at the drive through bank lane in order to get his/her reward money.



## **SECTION V: TECHNOLOGY INFORMATION**

### **Misuse of Computer Equipment, Systems and Networks:**

All district policies and procedures for acceptable use of computer and networks are intended to make the district's equipment, applications/programs and the system network more efficient, accessible and reliable for all users. They are also intended to minimize the burden of administering the networks, so that more time can be spent enhancing services. Any occurrences of misuse of computers and/or networks are referred to the student's school administration.

All technology equipment shall be used under the supervision of the site administrator for school-district-related projects as assigned. **Use of the computer to access telecommunications resources is a privilege and not a right.** Violations of the policies and procedures of Laredo Independent School District concerning the use of computers and networks will result in disciplinary action in the same manner as other Code of Conduct violations. Student use of computers and networks and any personal technology device brought to school for educational purposes is conditional based upon a completed and signed Parent Permission/Student Agreement for Acceptable Use form.

**Electronic transmissions and other use of the LISD system by students shall not be considered confidential and may be monitored at any time by designated district staff to ensure the use of the system for appropriate educational purposes only.**

**Students will be held accountable for their actions and will lose computer privileges if they inappropriately use district computer equipment, systems, or networks. This accountability will also apply to any personal technology device brought to school for educational purposes.**

#### **The following actions and activities are considered inappropriate use:**

1. **Anonymous Activity** - You may not impersonate other individuals in electronic communication.
2. **Communication Tampering** - It is unethical and may be criminal to attempt to monitor other people's communications without their permission. Users shall not erase, rename, or make unusable anyone else's computer files, programs or other media storage devices.
3. **Copying and Copyright Violation** - For information on which the individual or the district does not hold the copyright, written permission from the copyright holder is required prior to duplication. Academic dishonesty or plagiarism in a student assignment is unethical. Suspected occurrences are referred to the student's school administration.
4. **Harassment** - Electronic system usage or information that is perceived by its recipient as sexual harassment as defined by district policy may be considered a violation. Users shall not deliberately access or create any obscene or

sexually related materials. The display of offensive material in any publicly accessible area is likely to violate district harassment policy. Public display includes publicly accessible computer screens and printers.

5. **Cyber Bullying** - The use of information technology, including e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, and gaming systems to deliberately harass, threaten, or intimidate others is not allowed. Unlike physical bullying, where the victim can walk away, technology now allows for continuous harassment, from any distance, in a variety of ways. Users shall not use any type of technology to harass, threaten or intimidate. If student receives inappropriate emails or messages, do not erase until it has been shown to teacher.
6. **Illegal Activity** - You should not use electronic systems in the course of any illegal activity. Users shall not use a computer for unlawful purposes, such as the illegal copying or installation of software.
7. **Inappropriate Materials or Language** - Users shall not deliberately use the computer to annoy or harass others with language, images, or threats. No profane, abusive or impolite language, should be used to communicate, nor should materials be accessed which are not in line with the rules of school behavior. Should students encounter such materials by accident, they should report it to their teacher immediately.
8. **Privacy Violation**- You should not disclose your password to anyone else, nor should you use someone else's password. You are responsible for all activities done in or from your account. Users shall not share names, login passwords or files for any reason. You should not attempt to circumvent passwords, access codes, information protection schemes, uncover security loopholes or attempt to break authentication procedures or encryption protocols. Users shall not use or try to discover another user's password. Students should notify teachers if they believe their username or password is being used.
9. **Personal Technology Devices** - Students shall not loan their personal technology device to other students and must keep their personal device secure at all times. Students are solely responsible for their own device when brought to school. Personal devices are subject to investigation when deemed necessary as part of an investigation of misuse in accordance to District policy.
10. **Software & Hardware Tampering** – **SOFTWARE:** Users shall not install any software or use any unapproved software on district computers. This includes installing or using software designed to bypass Internet filtering or security software set in place by the District. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software (bug virus, worm, Trojan Horse, or similar name). Users shall not copy, change or transfer any software or documentation provided by LISD teachers or other students without written permission from the campus principal and director of technology. **HARDWARE:** Users shall not assemble or disassemble computers, networks, printers, or other associated equipment except as part of a class assignment or in conjunction with job responsibility. Users shall not remove technology equipment (hardware or software) without written permission of the principal or director of technology.
11. **Wasting Resources** - Users shall not use LISD computers or networks for any non-instructional or non-administrative purpose (i.e. games or activities for personal profit). It is unethical to deliberately perform any act which will impair the operation of any electronic system or deny access by legitimate users to any electronic system.  
This includes using district systems for:
  - a. E-mails that are considered junk mail, mail bombs, or chain letters,
  - b. Solicitation not related to official district's business,
  - c. Commercial gain or placing a third party in a position of commercial advantage,
  - d. Non-district related activities,
  - e. Activities that impede teaching and research,
  - f. Activities that hinder the functioning of the district,
  - g. Actions that violate applicable license or contract,
  - h. Actions that damage community relations or relations with institutions with whom we share responsibility.

## GLOSSARY

**ABUSE:** Abuse over-the-counter drugs. Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy. Abuse the student's own prescription drug, give a prescription drug to another student or possess or be under the influence of another person's prescription drug on school property or at a school-related event.

**ABUSABLE GLUE OR AEROSOL PAINT:** Glue or aerosol paint that is (a) packaged in a container holding a pint or less by volume or less than two pounds by weight; and (b) labeled in accordance with the labeling requirements concerning precautions against inhalation established by the Federal Hazardous Substances Act (15 U.S.C."1261, *et seq.*) and under regulations adopted under that Act.

**AGGRAVATED ASSAULT:** An assault which causes serious bodily injury to another; or an assault during which the person uses or exhibits a deadly weapon.

**ARD:** Admissions, Review, and Dismissal. An ARD Committee serves to make decisions regarding the educational

program of students who qualify for Special Education services.

**ASSAULT:** A person commits an offense if the person intentionally, knowingly, or recklessly causes bodily injury to another (See TEX. PENAL CODE 22.01 (a) (1))

**BIP:** Behavior Intervention Plan (formally known as Behavior Management Plan). A BIP is the section on an Individual Education Plan which documents modifications or adaptations to the School Districts disciplinary rules, which accommodate the unique needs of a student with a disability. A BIP is designed to decrease and/or ultimately eliminate inappropriate behavior that may interfere with the student's or other students' ability to receive an education.

**BOARD POLICIES:** Board Policies are statements adopted by the LISD Board of Education that govern the District. The policies are based on laws and other official authority, such as the U.S. and Texas Constitutions, federal statutes, the Texas Education Code, and other state laws, etc. A copy of the *Policies, Rules, and Regulations of the Laredo Independent School District* is available at every school, in the Public Library, and on the LISD Homepage at [www.laredoisd.org](http://www.laredoisd.org).

**BULLYING:** Means engaging in written or verbal expression, expression through electronic means, or physical conduct, including a gesture that occurs on school property, at a school-sponsored or school-related-activity, or in a vehicle operated by the district (i.e. hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading and ostracism).

**CITATION (TICKET):** Notice of disorderly conduct, tobacco use, or other legal violation that may be issued by school or local law enforcement personnel when a student engages in certain conduct; this is an action separate from any school disciplinary action.

**CONTROLLED SUBSTANCE AND DANGEROUS DRUG:** Controlled substance or dangerous drugs include but are not limited to marijuana, any and all narcotic drugs, hallucinogens, stimulants, depressants amphetamines, barbiturates; or prescription medicines provided to any person other than the person for whom the prescription was written. Policy FNCF (LOCAL)

**CRIMINAL MISCHIEF (VANDALISM):** Without the effective consent of the owner, (a) intentionally or knowingly damaging or destroying the tangible property of the owner; (b) intentionally or knowingly tampering with the tangible property of the owner and causing pecuniary loss or substantial inconvenience to the owner or a third person; or (c) intentionally or knowingly making markings including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner.

**CRIMINAL STREET GANG:** A Criminal Street Gang is defined as 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. Texas Penal Code 71.01

**DEADLY CONDUCT:** Occurs when a person commits an offense by 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.

**DISCIPLINE ALTERNATIVE EDUCATION PROGRAM (DAEP):** An educational program provided by the school district for students who have engaged in serious misconduct, such as assault, drug-or alcohol-related offenses, public lewdness, glue or paint abuses, and unruly, disruptive, or abusive classroom behavior. DAEPs may be located on or off the regular campus. Students in DAEPs are separated from students in the regular program. The DAEP provides supervision and counseling and focuses on English language arts, mathematics, science, history, and self-discipline.

**DISRUPTIVE BEHAVIOR:** Any oral or physical behavior by a student that is deemed by a teacher or other school official to interfere with the delivery of classroom instruction or that infringes upon the peace and tranquility of the campus environment or a school-related activity.

**DRUGS:** substance used as or in medicine; narcotic

**EXPULSION:** An act of the school administration, which forbids a student from attending school for a period in excess of three school days. Expulsions can be for periods as long as a semester or a school year. In serious cases, an expulsion can be longer than one school year. Although an expelled student can apply for readmission, it is not automatic.

**FALSE ALARM OR REPORT:** Knowingly initiating, communicating or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that the person knows to be false or baseless and that would ordinarily cause action by an official or voluntary agency organized to deal with emergencies, place a person in fear of imminent serious bodily injury, or prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or automobile or other mode of transportations. If the offense involves, among other services and entities, a public school, the offense is a felony.

**FELONY OFFENSE:** An offense that is considered grave and that is designated as a felony by law or is punishable by death or confinement in a penitentiary; an offense more serious than a misdemeanor. Under the Penal code, it is a felony offense to coerce, solicit or induce a child to join a gang or to threaten a member of the child's family. (FNCC Legal)

**FIGHT:** Engaging in a struggle, conflict, quarrel, or argument involving physical contact with one or more students or staff members which does not rise to the level of assault as defined in Section 22.01 (a)(1) of the TEXAS PENAL CODE (i.e., which does not result in serious bodily injury).

**FIREARM:** Under Federal law and offense code 90, includes:

1. Any weapon (including a starter gun), which will or is designed to or which 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 silencer.

Any destructive device, such as any explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, or device similar to any of the preceding described devices. It also means any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of more than one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled. Under Texas law, FIREARM generally means 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 converted to that use. FIREARM does not include antique or curio firearms or replicas of antique or curio firearms.

**FUNCTIONAL BEHAVIORAL ASSESSMENT (FBA):** A FBA is conducted to analyze the function a behavior serves so an ARD committee may develop effective BIPs.

**GANG:** An organization composed, in whole or in part, of students, which seeks to perpetuate itself by taking in additional members from the student population on the basis of the decision of the organization's membership as a whole, rather than on the free choice of the individual student.

**GANG ACTIVITIES AND SECRET SOCIETIES:** Students shall not become members or promise to become members of any organization composed wholly or in part of students of public schools below the rank of college or junior college which seeks to perpetuate itself by taking in additional members from the students enrolled in such school on the basis of the decision of its membership, rather than upon the free choice of any student in the school who is qualified under the rules of the school to fill the special aims of the organization. Students shall be warned by the LISD At-Risk Intervention Coordinator and/or School Administrators against such membership and, once warned any student who continues such membership or promise shall be guilty of serious misbehavior and may be recommended for placement in a Disciplinary Alternative Education Program.

More specifically, students are prohibited from engaging in the following activities, at school, at any school-related activity, or on a school bus, which the District considers to be gang-related: Texas Penal Code 71.02, 71.022 and 71.023

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other affiliation in any gang,
2. Committing any act or omission, or using any speech, either verbal or non-verbal (gestures, handshakes, etc.), showing membership or affiliation in a gang,
3. Using any speech, or committing any act or omission in furtherance of interest in any gang or gang activity, including, but not limited to:
  - a. Soliciting others for membership in any gang,
  - b. Requesting any person to pay for protection, or otherwise intimidating or threatening any person,
  - c. Inciting other students to act with physical violence upon any other person,
  - d. Engaging in conduct with others in intimidating, fighting, assaulting, or threatening to assault others, and
  - e. Committing any other illegal acts or other violations of District policies.

*Students who engage in these activities shall be subject to disciplinary action, which may include suspension, or removal to a Disciplinary Alternative Education Program.*

#### **GANG-FREE ZONES**

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any district-owned or leased property or campus playground. **Texas Penal Code 71.028**

**GRAFFITI:** A person commits an offense if, without the effective consent of the owner, the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner with:

1. Aerosol paint,
2. An indelible marker, or
3. An etching or engraving device.

An offense under this section is a state jail felony if:

1. The marking is made on a school, an institution of higher education, a place of worship or human burial, a public monument, or a community center that provides medical, social, or educational programs, and
2. The amount of the pecuniary loss to real property or to tangible personal property is less than \$20,000.

**HARASSMENT:** Means threatening to cause harm or bodily injury to another student, engaging in sexual intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical, emotional, health, or



safety.

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

**IAP:** An Individual Accommodation Plan is developed for each student who receives Section 504 services. The IAP includes statement of the child's present levels of educational performance and required modifications to classroom instruction or evaluation procedures.

**IEP:** An Individual Education Plan is developed for each student who receives Special Education Services. The IEP must include: (1) a statement of the child's present levels of educational performance; (2) a statement of annual goals and short-term instructional objectives; (3) a statement of the specific Special Education and related services to be provided to the child; (4) the projected dates for initiation of services and the anticipated duration of such services; and (5) appropriate objective criteria and evaluation procedures.

**ILLEGAL KNIFE:** (a) a hand instrument designed to cut or stab another by being thrown; (b) a dagger, including, but not limited to, a dirk, stiletto, and poniard; (c) a Bowie knife; (d) a sword; or (e) a spear.

**IN-SCHOOL SUSPENSION (ISS):** An alternative placement on the regular school campus for students officially removed from the regular classroom for disciplinary reasons. The school administration may place a student in ISS for a temporary period in accordance with the Student Code of Conduct.

**JURISDICTION:** The sphere of authority or control; the territorial range over which District authority extends.

**KNIFE:** Any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument.

**LOOK-ALIKE DRUGS:** Possessing or selling look-alike drugs or attempt to pass items off as drugs or contraband.

**MANIFESTATION DETERMINATION REVIEW (MDR):** An MDR is held by an ARD committee to determine if the behavior in question is directly and substantially related to the student's disabling condition.

**MARTIAL ARTS OBJECTS:** Various objects that may be used as weapons, such as shurikan [throwing stars], nunchakus ["nunchucks"], tonfa [wooden weapon], staff, baton [short stick], and bolo [long cord with weights at each end]. Many of these objects are within the definitions of illegal knives or prohibited weapons under the Texas Penal Code and their possession or use may constitute a Level III or IV offense.

**MISDEMEANOR OFFENSE:** An offense so designated by law or punishable by fine, by confinement in jail, or by both fine and confinement in jail; less serious than a felony.

**PARENT:** Throughout this document, the term "parent" refers to a parent, guardian, or other person having lawful control of a minor under court order.

**PERSISTENT MISBEHAVIOR:** (1) Two or more documented major offenses; (2) Five or more documented serious offenses; or (3) Any combination of documented major offenses and serious offenses that the principal, designee, or campus behavior coordinator deems to be an impairment of the ability of either the program or the school to provide an education to other students.

**PLACEMENT REVIEW COMMITTEE:** Each campus will establish a three-member committee composed of two teachers chosen by the faculty and one member chosen by the principal. The purpose of this committee is to determine placement of a student when a teacher refuses the return of a student to the teacher's class and to make recommendations to the district regarding readmission of expelled student.

**POSSESSION:** A student shall be considered to be in possession of any substance or thing prohibited or regulated by this Code of Conduct if the substance or thing is: (1) on the student's person or in the student's personal property, including but not limited to the student's clothing, purse, backpack, book bag, or briefcase; (2) in any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, bicycle, or motorcycle; or (3) in any school property used by the student, including but not limited to a locker or desk.

**PUBLIC SCHOOL FRATERNITY, SORORITY, SECRET SOCIETY, OR GANG:** means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121 (d) of the Education Code are an exception from this definition.

**PRIVILEGE:** Permission or authorization to participate and/or hold membership in school-related or extracurricular activities including, but not limited to, the following: honor and scholarship clubs/societies and activities; school assemblies, graduation exercises, school dances, junior-senior proms class or group trips (other than instructional field trips which are part of the curriculum); theater organizations, plays, presentations/performances, and talent shows, student body government, class organizations, and other similar activities and organizations; and participation in field days, carnivals, or other school-related celebrations.

**PROHIBITED WEAPONS:** A weapon including, but not limited to, an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; butterfly knife; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun.

**PROHIBITION:** A rule, law, order, or decree that forbids something.

**PUBLIC LEWDNESS:** Conduct of a sexual nature that is considered obscene or indecent and which is performed in a

public place or without regard to whether another person who is present may be offended or alarmed by such conduct. (See TEX PENAL CODE 21.07 for the legal definition of public lewdness.)

**REASONABLE BELIEF:** when a determination can be made by the Superintendent or designee using all available information, to believe a student has engaged in a conduct punishable under Title 5, Penal Code or the Code of Conduct, that threatens the safety of students or teachers, or will be detrimental to the educational process.

**REASONABLE SUSPICION:** Becoming aware of facts about a particular student or students, which reasonably suggest a violation of the Student Code of Conduct or other school policies or rules.

**RESTRAINT:** The use of physical force or mechanical device to significantly restrict the free movement of all or a portion of a student's body.

**RETALIATION:** Intentionally or knowingly harming or threatening another by an unlawful act in retaliation for or on account of the service of that person as a public servant (e.g., teacher), witness, informant, or one who has reported the occurrence of a crime.

**SCHOOL DAYS:** Days students are in regular attendance (school days may vary from school to school).

**SELF DEFENSE:** is using force against another when and to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

**SERIOUS BODILY INJURY:** According to Section 615(k)(7)(D), the term "serious bodily injury" has the meaning given it under 18 USC 1365(h)(3). That section of federal law, which is unrelated to education, defines "serious bodily injury" as a "bodily injury" that involves one or more of the following:

1. A substantial risk of death,
2. Extreme physical pain,
3. Protracted and obvious disfigurement,
4. Protracted loss or impairment of the function of a bodily member, organ or mental faculty.

**SUSPENSION:** An act of the school administration taken as a disciplinary action which forbids a student from attending school for one, two, or three school days.

**TERRORISTIC THREAT:** A person commits an offense if he threatens to commit any offense involving violence to any person or property with intent to: (1) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury, or (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; or (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service. School personnel shall take all threats seriously, whether toward a person, group, or school and take disciplinary action. In most cases, threats constitute Level III Offenses and can result in DAEP placement.

**THREATS:** A bomb threat and other threats may be classified as a "false alarm or report," which is a felony offense. Some threats are classified as "terroristic threats".

**TIME OUT:** A behavior technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting that is not locked and from which the exit is not physically blocked by furniture, a closed door held shut from the inside, or another inanimate object.

**Title 5 Offenses:** Title 5 offenses are crimes (not on school property) against the person. The following offenses are considered Title 5 Penal Code Offenses and are mandatory DAEP placements:

1. Murder,
2. Capital murder,
3. Manslaughter,
4. Criminally negligent homicide
5. Felony unlawful restraint,
6. Kidnapping,
7. Aggravated kidnapping,
8. Indecency with a child,
9. Sexual assault,
10. Felony assault,
11. Aggravated assault,
12. Aggravated sexual assault,
13. Injury to a child, elderly individual, or disabled individual,
14. Abandoning or endangering a child,
15. deadly conduct,
16. Terroristic threat,
17. Aiding suicide,
18. Tampering with consumer product,
19. Continuous sexual abuse of a young child or children.

**TRESPASSING:** A person entering or remaining on property or in a building without effective consent and the person had notice that the entry was forbidden or received oral or written notice to depart but failed to do so.

**TRUANCY:** Failure of a student to attend school for all or part of a school day when the student's absence has not been excused by the School District.

**UNDER THE INFLUENCE:** Being under the influence means not having the normal use of one's mental or physical faculties; however, the student need not be legally intoxicated. Impairment of a person's physical and/or mental faculties may be evidenced by a pattern of abnormal or erratic behavior and/or the presence of physical symptoms of drug or alcohol use.

**VANDALISM AND DAMAGE TO SCHOOL PROPERTY:** Students shall not vandalize or otherwise damage or deface any property, including furniture and other equipment, belonging to or used by the District or District schools. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with Texas law, and may be subject to criminal penalties.

**VOLATILE CHEMICALS:** Harmful chemicals such as chloroform, acetone, ketone, methanol, toluene, etc. (See TEX HEALTH & SAFETY CODE 484)

**WEAPON:** Any device, such as a gun, club, or knife, which can be or is used to inflict bodily harm upon a person.

**WEBB COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP):** An alternative school administered by the Webb County Juvenile Justice Board that provides education services to students who are expelled.

**ZIP GUN:** a crude homemade single-shot pistol.

## ADDITIONAL INFORMATION RELATED TO DISCIPLINE ACTION REASON CODES

### PEIMS 425 Record Chart for determining Mandatory and Disciplinary DAEP Placements and Expulsions

**NOTE:** This chart represents the minimum required actions and maximum allowed actions for school districts. It does not apply to charter schools except for code 11 – (Possession or use of Firearms at school or a school related activity), unless a charter school has adopted one of the other mandatory provisions into its student code of conduct.

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
01	Permanent removal by a teacher from class (Teacher has removed the student from classroom and denied the student the right to return. TEC §37.003 has been invoked.) – TEC §37.002(c)	On campus (01)			D	
02	Conduct punishable as a felony-TEC §37.006(a)(2)(A)	On campus (01)	M			
	TEC §37.006(a)(2)(A)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M			
	TEC §37.006(d)	Off Campus, no school related/sponsored activity (04)			D	
	TEC §37.0081	On school property, or at school related/sponsored activity, of another school district (05)			D	
04	Possessed, sold, or used marihuana or other controlled substance-TEC §37.006(a)(2)(C) and 37.007(b)(2)(A) for under the influence	On campus (01)	M			D
	TEC §37.006(a)(2)(C) and 37.007(b)(2)(A)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(2)(C) and 37.007(b)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M			D
05	Possessed, sold, used, or was under the influence of an alcoholic beverage-TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	On campus (01)	M			D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M			D
06	Abuse of a volatile chemical- TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	On campus (01)	M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	School Related/Sponsored Activity Off Campus (03)	M			D

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
07	Public lewdness or indecent exposure-TEC §37.006(a)(2)(F)	On campus (01)	M			
	TEC §37.006(a)(2)(F)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)	M			
08	Retaliation against school employee-TEC §37.006(b) and 37.007(d)	On campus (01)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, within 300 ft. (02)	M			D*
	TEC §37.006(b) and 37.007(d)	School Related/Sponsored Activity Off Campus (03)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, no school related/sponsored activity (04)	M			D*
09	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5, Penal Code-TEC §37.006(c) , TEC §37.007(b)(4), and TEC §37.0081	Off Campus, no school related/sponsored activity (04)	M			D
10	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses not in Title 5, Penal Code-TEC §37.006(d) and TEC §37.007(b)(4)	Off Campus, no school related/sponsored activity (04)			D	D
11	Brought a Firearm to School – TEC 37.007(e) or Unlawful Carrying of a Handgun under Penal Code 46.02 – TEC 37.007(a)(1)	On campus (01)		M		
	TEC §37.007(b)(3)(B)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1) and/or 37.007(e)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
12	Unlawful Carrying of an Illegal Knife under Penal Code 46.02 – TEC 37.007(a)(1) (Illegal knife - blade longer than 5.5 inches)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
13	Unlawful Carrying of a Club under Penal Code 46.02 – TEC 37.007(a)(1)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
14	Conduct Containing the Elements of an Offense Relating to Prohibited Weapons Under Penal Code 46.05 – TEC 37.007(a)(1)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
16	Arson-TEC §37.007(a)(2)(B)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
17	Murder, capital murder, criminal attempt to commit murder, or capital murder-TEC §37.007(a)(2)(C)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(C)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
18	Indecency with a child-TEC §37.007(a)(2)(D)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(D)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property,				D

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
		or at school related/sponsored activity, of another school district (05)				
19	Aggravated kidnapping-TEC §37.007(a)(2)(E)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(E)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
21	Violation of student code of conduct not included under TEC §37.006, 37.007, or 37.002(c)	Not Applicable (00)			D	
22	Criminal mischief (felony violation)- TEC §37.007(f)	Not Applicable (00)				D
23	Emergency Placement/Expulsion-TEC §37.019	Not Applicable (00)			D	D
26	Terroristic threat-TEC §37.006(a)(1) or 37.007(b)(1)	On campus (01)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			D
27	Assault under Penal Code Section 22.01(a)(1) against a school district employee or volunteer- TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	On campus (01)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	Off Campus, within 300 ft. (02)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	School Related/Sponsored Activity Off Campus (03)	M			D
28	Assault under Penal Code Section 22.01(a)(1) against someone other than a school district employee or volunteer-TEC §37.006(a)(2)(B)	On campus (01)	M			
	TEC §37.006(a)(2)(B)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(B)	School Related/Sponsored	M			

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
		Activity Off Campus (03)				
29	Aggravated assault under Penal Code Section 22.02 against a school district employee or volunteer-TEC §37.007(d)	On campus (01)		M		
	TEC §37.007(d)	Off Campus, within 300 ft. (02)		M		
	TEC §37.007(d)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC §37.007(d)	Off Campus, no school related/sponsored activity (04)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)		M		
30	Aggravated assault under Penal Code Section 22.02 against someone other than a school district employee or volunteer-TEC §37.007(a)(2)(A)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
31	Sexual assault under Penal Code Section 22.011 or aggravated sexual assault under 22.021 against a school district employee or volunteer-TEC §37.007(d)	On campus (01)		M		
	TEC §37.007(d)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(d)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
32	Sexual assault under Penal Code Section 22.011 or aggravated sexual assault under 22.021 against someone other than a school district employee or volunteer-TEC §37.007(a)(2)(A)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school				D



Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
		related/sponsored activity, of another school district (05)				
33	Possessed, purchased, used or accepted a cigarette or tobacco product as defined in the Health and Safety Code, Section 3.01, chapter 161.252	Not Applicable (00)			D	
34	School-related gang violence	Not Applicable (00)			D	
35	False Alarm/False Report –TEC §§37.006(a)(1) and 37.007(b)(1)	On campus (01)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			D
36	Felony Controlled Substance Violation-TEC §37.007(a)(3)	On campus (01)		M		
	TEC §37.007(a)(3)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
37	Felony alcohol violation-TEC §37.007(a)(3)	On campus (01)		M		
	TEC §37.007(a)(3)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
41	Fighting/Mutual Combat-Excludes all offenses under Penal Code §22.01	Not Applicable (00)			D	
42	Truancy (failure to attend school)-Parent contributing to truancy-TEC §25.093(a)	Not Applicable (00)				
44	Truancy(failure to attend school)-Student with 10 unexcused absences-TFC §65.003	Not Applicable (00)				
45	Truancy(failure to attend school)-Student failure to enroll in school-TEC §25.085	Not Applicable (00)				

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
46	Aggravated Robbery-TEC §37.007(a)(2)(F), TEC §37.006(C)-(D) (HB 9680)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
47	Manslaughter – TEC §37.007(a)(2)(G)	On campus (01)		M		
		Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(G)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
48	Criminally Negligent Homicide – TEC §37.007(a)(2)(H)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(H)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
49	Engages In Deadly Conduct – TEC §37.007(b)(2)(D)	On campus (01)			D	D
	TEC §37.007(b)(2)(D)	Off Campus, within 300 ft. (02)			D	D
	TEC §37.007(b)(2)(D)	School Related/Sponsored Activity Off Campus (03)			D	D
55	Student Is Required To Register As A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Under	Not Applicable (00)	M			D

Disciplinary Action Reason Codes (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	Court Supervision - TEC §37.304. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007					
56	Student Is Required To Register As A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Not Under Court Supervision - TEC §37.305. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007	Not Applicable (00)			D	
57	Continuous Sexual Abuse Of Young Child Or Children Under Penal Code §21.02 Occurring on school property or while attending a school-sponsored or school-related activity on or off school property – TEC §37.007(a)(2)(l)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(l)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
58	Breach of Computer Security – TEC §37.007(b)(5)	On campus (01)				D
	TEC §37.007(b)(5)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(b)(5)	School Related/Sponsored Activity Off Campus (03)				D
	TEC §37.007(b)(5)	Off Campus, no school related/sponsored activity (04)				D
	TEC §37.007(b)(5)	On school property, or at school related/sponsored activity, of another school district (05)				D
59	Serious Misbehavior, as defined by TEC §37.007(c), while expelled to/placed in a Disciplinary Alternative Education Program (DAEP)	On campus (01)				D