

STUDENT CODE OF CONDUCT

THE PURPOSE OF THE STUDENT CODE OF CONDUCT

The Student Code of Conduct that follows is the District's response to the 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 classroom or campus, suspension, placement in or removal from a Disciplinary Alternative Education Program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Mansfield Independent School District Board of Trustees with the advice of its District-level committee. The Student Code of Conduct provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Student Code of Conduct will be posted at each school campus or will be available for review at the office of the campus principal. Parents will be notified of any Student Code of Conduct violation that may result in a student being suspended, removed to a DAEP, or expelled from the District.

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The **Glossary** at the back of the Student Code of Conduct provides easy access to definitions of legal terms.

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.

Please Note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

STANDARDS FOR STUDENT CONDUCT

Behaviors	Consequences
<p>Each student is expected to:</p> <ul style="list-style-type: none"> • Demonstrate courtesy even when others do not. • Behave in a responsible manner, always exercising self-discipline. • Attend all classes, regularly and on time. • Prepare for each class; take appropriate materials and assignments to class. • Meet District and campus standards of grooming and dress. • Obey all campus and classroom rules. • Respect the rights and privileges of other students and of teachers and other District staff. • Respect the property of others, including District property and facilities. • Cooperate with and assist the school staff in maintaining safety, order, and discipline. • Avoid violations of the Student Code of Conduct. <p>Campus and Classroom Rules</p> <p>The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Student Code of Conduct.</p>	<p>A student whose behavior shows disrespect for others, including interference with learning and a safe environment, will be subject to disciplinary action.</p> <p>In general, discipline will be designed to correct misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.</p> <p>The District will take into consideration self-defense as a factor in a decision to order suspension, removal to a DAEP, or expulsion. (See glossary)</p> <p>Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.</p> <p>School District Authority and Jurisdiction</p> <p>School rules and the authority of the District to administer discipline apply whenever the interest of the District is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.</p> <p>The District has disciplinary authority over a student:</p> <ol style="list-style-type: none"> 1. During the regular school day and while the student is going to and from school on District transportation; 2. During lunch periods in which a student is allowed to leave campus; 3. For certain mandatory DAEP and discretionary expulsion offenses, within 300 feet of school property as measured from any point on the school's real property boundary line; 4. While the student is in attendance at any school-related activity, regardless of time or location; 5. For any school-related misconduct, regardless of time or location; 6. For any mandatory expulsion offense committed while on school property or while attending a school-sponsored or school-related

Behaviors	Consequences
	<p>activity of another district in Texas;</p> <ol style="list-style-type: none"> 7. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location; 8. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081; and 9. When criminal mischief is committed on or off school property or at a school-related event. 10. When the student is required to register as a sex offender. <p>Searches</p> <p>The District has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable cause to believe it contains articles or materials prohibited by the District.</p> <p>The District has the right to search a student's locker whenever there is reasonable cause to believe it contains articles or materials prohibited by the District.</p> <p>Reporting Crimes</p> <p>A school administrator will report crimes as required by law. A school administrator who suspects that a crime has been committed on campus will call local law enforcement.</p> <p>Revoking Transfers</p> <p>The District has the right to revoke the transfer of a transfer student for violating the District's Student Code of Conduct.</p> <p>Discretionary Removal</p> <p>General misconduct violations will not necessarily result in the formal removal of the student from class or another placement but may result in a routine referral, formal removal, or the use of one or more discipline management techniques.</p> <p>Formal Removal</p> <p>A teacher or administrator <u>may</u> remove a student from class for a behavior that the District has determined is a violation of the Student Code of Conduct.</p> <p>Formal removal from class <u>may</u> be initiated by a teacher if:</p> <ol style="list-style-type: none"> 1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her

Behaviors	Consequences
	<p>class; or</p> <p>2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.</p> <p>A teacher or administrator <u>must</u> remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent; the student; and the teacher, in the case of removal by a teacher. When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place a student in:</p> <ul style="list-style-type: none"> • Another appropriate classroom. • In-school suspension. • Out-of-school suspension. • A Disciplinary Alternative Education Program. <p>When a student has been formally removed from class by a teacher, the principal may not return the student to the teacher's class without the teacher's consent, unless the placement review committee determines that the teacher's class is the best or only alternative available.</p>

CAMPUS DISCIPLINE MANAGEMENT OFFENSES – LEVEL I

Behaviors	Consequences
<p>The following behaviors are prohibited at all school and school-related activities:</p> <ul style="list-style-type: none"> • Cheating or copying the work of another. • Throwing objects that can cause bodily injury or property damage. • Failing to comply with directives given by school personnel (insubordination). • Leaving school grounds or school-sponsored events without permission. • Unexcused absences or truancy. • Disobeying rules for conduct on school buses. • Directing profanity, vulgar language, or obscene gestures toward another student or District employee. • Fighting or scuffling (non-assault). • Hazing. (See glossary) • Stealing from students, staff, or the school. • Damaging or vandalizing property owned by others. • Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means. (See glossary) • Possessing fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device. • Discharging a fire extinguisher. • Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person. • Possessing a knife with a blade less than 5 ½ inches. • Possessing or selling a “look-alike” weapon. • Possessing an air gun or BB gun. • Possessing ammunition. • Possessing a stun gun. • Possessing mace or pepper spray. • Possessing martial arts objects. 	<p>Campus discipline management offenses identified in the list of prohibited behaviors will result in application of one or more discipline management techniques consistent with law and the Student Code of Conduct.</p> <p>Notification</p> <p>The principal or appropriate administrator will notify a student’s parent by phone or in writing of any violation of the Student Code of Conduct that may result in a suspension, removal to a Disciplinary Alternative Education Program (DAEP), or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.</p> <p>Students with Disabilities</p> <p>The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail. In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. In deciding whether to order suspension, DAEP placement, or expulsion, the District will take into consideration a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct.</p> <p>The following discipline management techniques may be used—alone or in combination—for misbehavior violating the Student Code of Conduct or campus or classroom rules:</p> <ul style="list-style-type: none"> • Verbal correction. • Cooling-off time. • Seating changes within the classroom. • Counseling by teachers, counselors, or administrative personnel. • Parent-teacher conferences. • Temporary confiscation of items that disrupt the educational process. • Grade reductions for cheating or copying. • Demerits.

Behaviors	Consequences
<ul style="list-style-type: none"> • Possessing or using any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. • Gambling. • Making false accusations or hoaxes regarding school safety. • Falsifying records, passes, or other school-related documents. • Committing extortion, coercion (causing an individual to act through the use of or threat of force), or blackmail (obtaining money or another object of value from an unwilling person). • Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities. • Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence. • Refusing to accept discipline management techniques assigned by a teacher or principal. • Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed later in the Student Code of Conduct.) • Engaging in bullying, including intimidation by name-calling, using ethnic or racial slurs, or making derogatory statements; harassment, or making hit lists (see glossary for all three terms). • Engaging in threatening behavior toward another student, District employee or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment. • Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or District employee. (See glossary) • Engaging in inappropriate verbal, physical, or sexual contact directed toward another person, including a student, District employee, or volunteer. • Engaging in conduct that constitutes sexual harassment or sexual abuse, whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors directed toward another person, including a student, District employee, or 	<ul style="list-style-type: none"> • Behavioral contracts. • Detention. • Saturday detention. • Sending the student to the office or other assigned area, or to in-school suspension. • Out-of-school suspension, as specified in the suspension section of this Student Code of Conduct. • Placement in a Disciplinary Alternative Education Program (DAEP), as specified in the DAEP section of this Student Code of Conduct. • Expulsion, as specified in the expulsion section of this Student Code of Conduct. • Assignment of school duties such as scrubbing desks or picking up litter. • Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations. • Techniques or penalties identified in individual student organizations' extracurricular standards of behavior. • Withdrawal or restriction of bus privileges. • School-assessed and school-administered probation. • Formal removal from class by the teacher. • Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District. • Other strategies and consequences as specified by the Student Code of Conduct. <p>Appeals</p> <p>Parental questions or complaints regarding Level I disciplinary measures should be addressed to the teacher, campus administration or the Director of Campus Support. Disciplinary measures other than out-of-school suspension, placement in a DAEP or expulsion may not be appealed beyond the campus level. Consequences will not be deferred pending the outcome of a question or complaint.</p>

Behaviors	Consequences
<p>volunteer.</p> <ul style="list-style-type: none"> • Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship. • Inappropriate or indecent exposure of a student's private body parts. • Recording the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others. • Possessing or using matches or a lighter. • Possessing, smoking, or using tobacco products. • Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband. • Possessing or selling seeds or pieces of marijuana in less than a usable amount. • Possessing, using, giving, or selling paraphernalia related to any prohibited substance. (See glossary) • Abusing 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. • Violating the District's policy on taking prescription drugs and over-the-counter drugs at school. • Using a cellular telephone or other telecommunications device at school during the school day. • Possessing or using a laser pointer for other than an approved use. • Violating the District's Technology Acceptable Use Agreement. • Possessing material that is obscene or pornographic. • Violating extracurricular standards of behavior. • Violating safety rules; engaging in oral or written exchanges that threaten the safety of another student, a school employee, or school property. 	

Behaviors	Consequences
<ul style="list-style-type: none">• Violating dress and grooming standards as communicated in the student handbook.• Repeatedly violating other communicated campus or classroom standards of behavior.	

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING

SUSPENSION

Behaviors	Consequences
<p>Students may be suspended for any behavior listed in the Student Code of Conduct as a campus discipline management offense, disciplinary alternative education placement offense, or expulsion offense.</p> <p>In deciding whether to order suspension, the District will take into consideration:</p> <ol style="list-style-type: none"> 1. Self-defense (see glossary), 2. Intent or lack of intent at the time the student engaged in the conduct, and 3. The student's disciplinary history. 4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct. 	<p>State law allows a student to be suspended for as many as three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.</p> <p>A student who is to be suspended will have an informal conference with the principal or appropriate administrator advising the student of the conduct of which he or she is accused. The student will be given the opportunity to explain his or her version of the incident before the administrator's decision is made.</p> <p>The number of days of a student's suspension will be determined by the principal or other appropriate administrator, but will not exceed three school days.</p> <p>The principal or other appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.</p> <p>A student may be suspended pending the investigation of a Student Code of Conduct violation or pending a DAEP conference or expulsion hearing.</p> <p>Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.</p>

DISCIPLINARY ALTERNATIVE EDUCATION PLACEMENT OFFENSES – LEVEL II

Behaviors	Consequences						
<p>A student <u>must</u> be placed in a Disciplinary Alternative Education Program (DAEP) if the student engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)</p> <p>A student <u>must</u> be placed in a DAEP for any of the following offenses, if the student commits these offenses on school property or within 300 feet of school property as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:</p> <ul style="list-style-type: none"> • Engages in conduct punishable as a felony. • Commits an assault under Penal Code 22.01(a)(1). (See glossary) • Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the expulsion section of this Student Code of Conduct.) (See glossary) • Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the expulsion section in this Student Code of Conduct.) • Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals. • Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. • Engages in expellable conduct, if the student is between six and nine years of age. • Commits a federal firearms violation and is younger than six years of age. • Engages in conduct that contains the elements of the offense of retaliation against any school employee on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.) • Engages in conduct punishable as a felony listed under Title 5 	<p>Removals to a DAEP will be made by the campus principal.</p> <p>Length of Placement</p> <p>The duration of a student’s placement in a DAEP will be determined by the campus principal on a case-by-case basis. The maximum period of DAEP placement is as follows, unless a longer placement is approved by the Director of Campus Support:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>Conduct</u></th> <th style="text-align: center;"><u>Maximum length of time</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1. Any Level II offense</td> <td style="text-align: center;">30 Acceptable School Days</td> </tr> <tr> <td style="text-align: center;">2. Persistent Level I offenses</td> <td style="text-align: center;">30 Acceptable School Days</td> </tr> </tbody> </table> <p>DAEP placement will be correlated to the seriousness of the offense, the student’s age and grade level, the frequency of misbehavior, the student’s attitude, and statutory requirements. In deciding whether to order placement in a DAEP, the District will take into consideration self-defense, intent or lack of intent at the time the student engaged in the conduct, and the student’s disciplinary history.</p> <p>Placement Review</p> <p>A DAEP placement in accordance with Education Code 37.0081 (juvenile justice adjudication) may be for any length of time determined necessary by Director of Campus Support in light of the factors considered before placement. A student placed under this section is entitled to periodic status reviews by the Director at intervals not to exceed 120 days. In the case of a high school student, the student’s progress toward graduation and the student’s graduation plan will also be reviewed. At the review, the student or the student’s parent will be given the opportunity to present arguments for the student’s return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher’s consent.</p> <p>Prohibited Drugs, Alcohol and Chemicals</p> <p>A student who, on or within 300 feet of school property or at a school-related event on or off school property,</p> <ol style="list-style-type: none"> 1. sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs or alcohol or 2. engages in conduct punishable as an offense relating to an abusable volatile chemical <p>will be placed in a DAEP if the conduct is not punishable as a felony.</p>	<u>Conduct</u>	<u>Maximum length of time</u>	1. Any Level II offense	30 Acceptable School Days	2. Persistent Level I offenses	30 Acceptable School Days
<u>Conduct</u>	<u>Maximum length of time</u>						
1. Any Level II offense	30 Acceptable School Days						
2. Persistent Level I offenses	30 Acceptable School Days						

Behaviors	Consequences
<p>(see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:</p> <ol style="list-style-type: none"> 1. The student receives deferred prosecution. (See glossary) 2. A court or jury finds that the student has engaged in delinquent conduct. (See glossary) 3. The Superintendent or designee has a reasonable belief that the student engaged in the conduct. (See glossary) <p>A principal or other appropriate administrator may, but is not required to, place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the principal or other appropriate administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.</p> <p>In accordance with state law, a student may be placed in a DAEP for any one of the following offenses:</p> <ul style="list-style-type: none"> • Engaging in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. • Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary) • Involvement in criminal street gang activity. (See glossary) • Any criminal mischief, including a felony. • A federal firearms violation, for a student six years of age or younger. <p>In addition, the District has determined that the following behaviors may result in a student's placement in a DAEP:</p> <ul style="list-style-type: none"> • Cheating or copying the work of another. • Throwing objects that can cause bodily injury or property damage. • Failing to comply with directives given by school personnel. 	<p>Exceeds One Year</p> <p>Placement in a DAEP may not exceed one year unless a review by the District determines that:</p> <ol style="list-style-type: none"> 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. <p>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.</p> <p>Exceeds School Year</p> <p>Students who commit offenses requiring placement in a DAEP at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.</p> <p>For placement in a DAEP to extend beyond the end of the school year, the Director of Campus Support must determine that:</p> <ol style="list-style-type: none"> 1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or 2. The student has engaged in serious or persistent misbehavior that violates the District's Student Code of Conduct <p>Exceeds 60 Days</p> <p>For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given notice and the opportunity to participate in a proceeding before the Director of Campus Support. Any decision is final and may not be appealed beyond the Director.</p> <p>Students with Disabilities</p> <p>Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.</p> <p>Sexual Assault and Campus Assignments</p> <p>If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the parent or another person with the</p>

Behaviors	Consequences
<ul style="list-style-type: none"> • Leaving school grounds or school-sponsored events without permission. • Disobeying rules for conduct on school buses. • Directing profanity, vulgar language, or obscene gestures toward other students or a District employee. • Fighting. • Hazing. • Stealing from students, staff, or the school. • Damaging or vandalizing property owned by others. • Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means. • Possessing fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device. • Discharging a fire extinguisher. • Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person. • Possessing a knife with a blade less than 5 ½ inches. • Possessing or selling a “look-alike” weapon. • Possessing an air gun or BB gun. • Possessing ammunition. • Possessing a stun gun. • Possessing mace or pepper spray. • Possessing or using any articles not generally considered to be a weapon, including school supplies, when the principal or designee determines that a danger exists. • Gambling. • Making false accusations or hoaxes regarding school safety. • Falsifying records, passes, or other school-related documents. • Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person). • Engaging in disruptive actions or demonstrations that substantially 	<p>authority to act on behalf of the victim requests that the Board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district.</p> <p>Emergencies</p> <p>In an emergency, the principal or the principal's designee <u>may</u> order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a non-emergency basis.</p> <p>Due Process</p> <p>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.</p> <p>Until a conference can be held as a result of a formal teacher removal or administrator removal, the principal may place the student in:</p> <ul style="list-style-type: none"> • Another appropriate classroom. • In-school suspension. • Out-of-school suspension. • A Disciplinary Alternative Education Program. <p>At the conference, the appropriate administrator will inform the student, orally or in writing, 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.</p> <p>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 parent attends the conference. After the conference, if the student is placed in the DAEP, the appropriate administrator will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.</p> <p>Not later than the second business day after the conference, the Director of Campus Support will deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.</p> <p>If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in the Student Code of Conduct, the DAEP placement order will give notice of the inconsistency.</p>

Behaviors	Consequences
<p>disrupt or materially interfere with school activities.</p> <ul style="list-style-type: none"> • Being insubordinate. • Refusing to accept discipline management techniques assigned by a teacher or principal. • Forcing an individual to act through the use of force or threat of force. • Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed elsewhere in the Student Code of Conduct.) • Engaging in bullying, including intimidation by name-calling, using ethnic or racial slurs, or making derogatory statements; harassment, or making hit lists (see glossary for all three terms) • Engaging in threatening behavior toward another student, District employee or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment. . • Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or a District employee. • Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence. • Engaging in inappropriate verbal, physical, or sexual contact directed toward another person, including a student, District employee, or volunteer. • Engaging in conduct that constitutes sexual harassment or sexual abuse, whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors directed toward another person, including a student, District employee, or volunteer. • Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship. • Inappropriate or indecent exposure of a student's private body parts. 	<p>Appeals</p> <p>A parent and student may appeal the principal's decision to place the student in a DAEP. An appeal must be filed with the Director of Campus Support within three working days of the placement decision. The Director will hold a conference during which the parent and student may present information regarding why the decision of the principal should be overruled. The decision of the Director of Campus Support is final and non-appealable. Consequences will not be deferred pending the outcome of an appeal.</p> <p>Restrictions during Placement</p> <p>The District does not permit a student who is placed in a DAEP for any reason determined by the District to participate in any school-sponsored or school-related extracurricular and co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.</p> <p>Transportation</p> <p>A student placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.</p> <p>Graduation</p> <p>For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program will be the last instructional day, and the student will be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.</p> <p>Additional Misconduct</p> <p>If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the principal, or other appropriate administrator, or the Board, in the case of expulsion, may enter an additional disciplinary order as a result of those proceedings.</p> <p>Withdrawal during Process</p> <p>When a student violates the District's Student Code of Conduct in a</p>

Behaviors	Consequences
<ul style="list-style-type: none"> • Recording the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others. • Possessing or using matches or a lighter. • Possessing, smoking, or using tobacco products. • Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband. • Possessing or selling seeds or pieces of marijuana in less than a usable amount. • Possessing, using, giving, or selling paraphernalia related to any prohibited substance. • Abusing 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. • Violating the District's policy on taking prescription drugs and over-the-counter drugs at school. • Using a cellular telephone or other telecommunications device at school during the school day. • Possessing or using a laser pointer for other than an approved use. • Violating the District's Technology Acceptable Use Agreement. • Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property. • Possessing material that is obscene or pornographic. • Violating safety rules; engaging in oral or written exchanges that threaten the safety of another student, a school employee, or school property. • Violating dress and grooming standards as communicated in the student handbook. • Repeatedly violating other communicated campus or classroom standards of behavior. 	<p>way that requires or permits the student to be placed in a DAEP and the student withdraws from the District before a DAEP placement order is completed, the District may complete the proceedings and issue a DAEP placement order. If the student then reenrolls in the District during the same or a subsequent school year, the District may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the principal, or other appropriate administrator, or the Board fails to issue a DAEP placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a DAEP placement order.</p> <p>Newly Enrolled Students</p> <p>The District will decide on a case-by-case basis the placement of a student who enrolls in the District and was assigned to a DAEP in another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district), or an open-enrollment charter school. The District may place the student in the District's DAEP or a regular classroom setting.</p> <p>If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this District, by state law, will reduce the period of the placement so that the total placement does not exceed one year unless, after a review, the District determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.</p> <p>When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for placement in a DAEP. If emergency placement involves a student with disabilities who receives special education services, the term of the student's emergency removal is subject to the requirements of federal law.</p> <p>Notice of Criminal Proceedings</p> <p>The office of the prosecuting attorney will notify the District if a student was placed in a DAEP and:</p> <ol style="list-style-type: none"> 3. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or

Behaviors	Consequences
	<p data-bbox="1137 210 1951 328">4. The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.</p> <p data-bbox="1137 341 1951 520">If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee will review the student's placement in the DAEP and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.</p> <p data-bbox="1137 533 1951 986">After reviewing the notice and receiving information from the student's parent, the Superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers. The student or the student's parent may appeal the Superintendent's decision to the Board. The student may not be returned to the regular classroom pending the appeal. The Board will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the Superintendent or designee, and confirm or reverse the decision of the Superintendent or designee. The Board will make a record of the proceedings. If the Board confirms the decision of the Superintendent or designee, the Board will inform the student and the student's parent of the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.</p> <p data-bbox="1137 1037 1951 1098">This appeal process does NOT apply to other placements of students in a DAEP. That process is set out on page 11.</p>

EXPULSION OFFENSES – LEVEL III

Behaviors	Consequences
<p>Expulsion</p> <p>In deciding whether to order expulsion, the District will take into consideration self-defense (see glossary), intent or lack of intent at the time the student engaged in the conduct, and the student’s disciplinary history</p> <p>Discretionary Expulsion: Misconduct That May Result in Expulsion</p> <p><u>Any Location:</u></p> <p>A student <u>may</u> be expelled if the student engages in the following conduct no matter where the conduct takes place:</p> <ul style="list-style-type: none"> • Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer. • Engaging in criminal mischief, if punishable as a felony. <p>A student <u>may</u> be expelled if the student engages in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:</p> <ul style="list-style-type: none"> • Aggravated assault. • Sexual assault. • Aggravated sexual assault. • Murder. • Capital murder. • Criminal attempt to commit murder or capital murder. • Aggravated robbery. <p>A student <u>may</u> be expelled for engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.</p> <p><u>At School, Within 300 Feet, or at School Event</u></p> <p>A student <u>may</u> be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:</p> <ul style="list-style-type: none"> • Selling, giving, or delivering to another person, or possessing, 	<p>Students With Disabilities</p> <p>Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.</p> <p>Students Under Age Ten</p> <p>When a student under the age of ten engages in behavior that is expellable behavior, the student will not be expelled, but will be placed in a Disciplinary Alternative Education Program (DAEP). Students under age six will not be removed from class or placed in a DAEP unless the student commits a federal firearm offense.</p> <p>Emergency</p> <p>In an emergency, the principal or the principal’s designee <u>may</u> recommend the immediate expulsion of a student for any reason for which expulsion may be made on a non-emergency basis.</p> <p>.</p> <p>Due Process</p> <p>If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time. The student’s parent will be invited in writing to attend the hearing.</p> <p>Until a hearing can be held, the principal may place the student in:</p> <ul style="list-style-type: none"> • Another appropriate classroom. • In-school suspension. • Out-of-school suspension. • A Disciplinary Alternative Education Program. <p>A student facing expulsion or removal to the CJJAEP will be given appropriate due process. The student is entitled to:</p> <ol style="list-style-type: none"> 1. Representation by the student’s parent or another adult who can provide guidance to the student and who is not an employee of the District. 2. An opportunity to testify and to present evidence and witnesses in the student’s defense. 3. An opportunity to question the District’s witnesses. <p>After providing notice to the student and parent of the hearing, the</p>

Behaviors	Consequences
<p>using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.</p> <ul style="list-style-type: none"> • Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony. • Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals. • Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer. • Engaging in deadly conduct. (See glossary) <p><u>Within 300 Feet of School</u></p> <p>A student may be expelled for the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:</p> <ul style="list-style-type: none"> • Committing aggravated assault, sexual assault, or aggravated sexual assault. • Committing arson. • Committing murder, capital murder, or criminal attempt to commit murder or capital murder. • Committing indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery. • Committing continuous sexual abuse of a young child or children. • Committing a felony drug- or alcohol-related offense. • Using, exhibiting, or possessing a firearm (as defined by state law, an illegal knife, a club, or prohibited weapon, or possessing a firearm (as defined by federal law). <p><u>On Property of Another District</u></p> <p>A student may be expelled for any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity at a school in another district in Texas.</p>	<p>District may hold the hearing regardless of whether the student or the student's parent attends.</p> <p>The Board delegates to the Associate Superintendent of Curriculum and Instruction authority to expel students and remove students to the county juvenile justice alternative education program.</p> <p>A student expelled or removed by the Associate Superintendent after the due process hearing may request that the Board review the expulsion/removal decision. The student or parent must submit a written request to the Superintendent within seven days after receipt of the written decision. The Superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the Board will review the decision. Consequences will not be deferred pending the outcome of the hearing.</p> <p>The Board will review the record of the expulsion/removal hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The Board may also hear a statement from the student or parent and from the Associate Superintendent of Curriculum and Instruction.</p> <p>The Board will hear statements made by the parties at the review and will base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board will make and communicate its decision orally at the conclusion of the presentation. Consequences will not be deferred pending the outcome of the review.</p> <p>After the due process hearing, if the student is expelled/removed, the Associate Superintendent will deliver to the student and the student's parent a copy of the order expelling/removing the student.</p> <p>Not later than the second business day after the hearing, the Associate Superintendent for Curriculum and Instruction will deliver to the juvenile court a copy of the order expelling the student and the information required by Section 52.04 of the Family Code.</p> <p>If the length of the expulsion/removal is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion/removal order will give notice of the inconsistency.</p> <p>Length of Expulsion</p> <p>The length of an expulsion or removal will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory</p>

Behaviors	Consequences								
<p><u>While in DAEP</u> A student <u>may</u> be expelled for engaging in serious or persistent misbehavior that violates the District’s Student Code of Conduct, while placed in a DAEP. The District defines “persistent” as two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation. Serious offenses include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Murder. • Vandalism. • Robbery or theft. • Extortion, coercion, or blackmail. • Disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities. • Hazing. • Insubordination. • Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees. • Fighting, committing physical abuse, or threatening physical abuse. • Possession or distribution of obscene or pornographic materials. • Leaving school grounds without permission. • Sexual harassment of a student or District employee. • Possession of or conspiracy to possess any explosive or explosive device. • Falsification of records, passes, or other school-related documents. • Refusal to accept discipline management techniques assigned by the teacher or principal. <p>Mandatory Expulsion: Misconduct That Requires Expulsion A student <u>must</u> be expelled for any of the following offenses that <u>occur on school property or while attending a school-sponsored or school-related activity on or off school property.</u></p>	<p>requirements.</p> <p>The duration of a student’s expulsion or removal to the county juvenile justice alternative education program will be determined on a case-by-case basis. The maximum period of expulsion is as follows unless a longer placement is approved by the Associate Superintendent of Curriculum and Instruction:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>Conduct</u></th> <th style="text-align: center;"><u>Maximum length of time</u></th> </tr> </thead> <tbody> <tr> <td>1. Any Level III offense</td> <td>90 Acceptable School Days</td> </tr> <tr> <td>2. Persistent Level I/II offense</td> <td>90 Acceptable School Days</td> </tr> <tr> <td>3. Firearms offense</td> <td>180 Acceptable School Days</td> </tr> </tbody> </table> <p>An expulsion may not exceed one year unless, after review, the District determines that:</p> <ol style="list-style-type: none"> 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. <p>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, and/or the District may provide educational services to the expelled student in a DAEP. The District must provide educational services in the DAEP if the student is less than ten years of age</p> <p>Students who commit offenses that require expulsion or placement in the CJAEP at the end of one school year may be expelled or placed into the next school year to complete the term of expulsion.</p> <p>Withdrawal During Process</p> <p>When a student has violated the District’s Student Code of Conduct in a way that requires or permits expulsion from the District or placement in the CJAEP and the student withdraws from the District before the expulsion hearing takes place, the District may conduct the hearing after sending written notice to the parent and student. If the student then reenrolls in the District during the same or subsequent school year, the District may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district. If the principal, another appropriate administrator, or the Board fails to issue an expulsion order after the</p>	<u>Conduct</u>	<u>Maximum length of time</u>	1. Any Level III offense	90 Acceptable School Days	2. Persistent Level I/II offense	90 Acceptable School Days	3. Firearms offense	180 Acceptable School Days
<u>Conduct</u>	<u>Maximum length of time</u>								
1. Any Level III offense	90 Acceptable School Days								
2. Persistent Level I/II offense	90 Acceptable School Days								
3. Firearms offense	180 Acceptable School Days								

Behaviors	Consequences
<ul style="list-style-type: none"> • Bringing to school a firearm, as defined by federal law. “Firearm” under federal law includes: <ol style="list-style-type: none"> 1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive. 2. The frame or receiver of any such weapon. 3. Any firearm muffler or firearm weapon. 4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade. • Using, exhibiting, or possessing the following, as defined by the Texas Penal Code: <ol style="list-style-type: none"> 1. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use). 2. An illegal knife, such as a knife with a blade over 5½ 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. 3. A club such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk. (See glossary) 4. A prohibited weapon, 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 zip gun. (See glossary) • Behavior containing elements of the following offenses under the Texas Penal Code: <ol style="list-style-type: none"> 1. Aggravated assault, sexual assault, or aggravated sexual assault. 2. Arson. (See glossary) 3. Murder, capital murder, or criminal attempt to commit murder or capital murder. 4. Indecency with a child. 	<p>student withdraws, the next district in which the student enrolls may complete the proceedings.</p> <p>Additional Misconduct</p> <p>If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the principal, another appropriate administrator, or the Board may issue an additional disciplinary order as a result of those proceedings.</p> <p>Restrictions During Expulsion</p> <p>Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.</p> <p>No District academic credit will be earned for work missed during the period of expulsion (unless the student is enrolled in a Juvenile Justice Alternative Education Program or another District-approved program).</p> <p>Newly Enrolled Students</p> <p>The District will continue the expulsion of any student expelled from another district during the period of the expulsion order.</p> <p>The District will decide on a case-by-case basis the placement of a student who is subject to an expulsion order from an open-enrollment charter school upon enrollment in the District.</p> <p>If a student expelled in another state enrolls in the District, the District may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:</p> <ol style="list-style-type: none"> 1. The out-of-state district provides the District with a copy of the expulsion order, and 2. The offense resulting in the expulsion is also an expellable offense in the District in which the student is enrolling. <p>If a student is expelled by a district in another state for a period that exceeds one year and the District continues the expulsion or places the student in a DAEP, the District will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:</p> <ol style="list-style-type: none"> 1. The student is a threat to the safety of other students or District employees; or

Behaviors	Consequences
<ol style="list-style-type: none"> 5. Aggravated kidnapping. 6. Aggravated robbery. 7. Manslaughter. 8. Criminally negligent homicide. 9. Continuous sexual abuse of a young child or children. 10. Behavior punishable as a felony that involves the selling, giving, or delivering to another person, possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol. 11. Retaliation against a school employee or volunteer combined with one of the above-listed offenses, with the exception of a federal firearm offense, on or off school property or at a school-related activity. 	<ol style="list-style-type: none"> 2. Extended placement is in the best interest of the student. <p>Emergency Expulsion</p> <p>When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion. If emergency expulsion involves a student with disabilities who receives special education services, the term of the student's emergency expulsion is subject to the requirements of federal law.</p> <p>Placement and/or Expulsion for Certain Serious Offenses</p> <p>This section includes two categories of serious offenses for which the Education Code provides unique procedures and specific consequences.</p> <p>Registered Sex Offenders</p> <p>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.</p> <p>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.</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>Review Committee</p> <p>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</p>

Behaviors	Consequences
	<p>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.</p> <p>The placement review of a student with a disability who receives special education services must be made by the ARD committee.</p> <p>Newly Enrolled Student</p> <p>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.</p> <p>Appeal</p> <p>A student or the student's parent may appeal the placement by requesting a conference between the Board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the Board or its designee under this section is final and may not be appealed.</p> <p>Certain Felonies</p> <p>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 (see glossary) of the Texas Penal Code. The student must:</p> <ul style="list-style-type: none"> • 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

Behaviors	Consequences
	<p>in delinquent conduct for conduct defined as a Title 5 felony offense; or</p> <ul style="list-style-type: none"> • Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of a Title 5 felony offense. <p>The district may expel the student and order placement under these circumstances regardless of:</p> <ol style="list-style-type: none"> 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. <p>Hearing and Required Findings</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>Any decision of the Board or the Board's designee under this section is final and may not be appealed.</p> <p>Length of Placement</p> <p>The student is subject to the placement until:</p> <ol style="list-style-type: none"> 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.

Behaviors	Consequences
	<p>Newly Enrolled Students A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.</p>

GLOSSARY

Abuse is improper or excessive use.

Armor-piercing ammunition is handgun ammunition designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers.

Arson occurs when a person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

1. Any vegetation, fence, or structure on open-space land; or
2. Any building, habitation, or vehicle:
 - a. Knowing that it is within the limits of an incorporated city or town;
 - b. Knowing that it is insured against damage or destruction;
 - c. Knowing that it is subject to a mortgage or other security interest;
 - d. Knowing that it is located on property belonging to another;
 - e. Knowing that it has located within it property belonging to another; or
 - f. When the person is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Assault is defined in part by Texas Penal Code 22.01(a)(1). A person commits an assault if the person intentionally, knowingly, or recklessly causes bodily injury to another.

Bullying is written or oral expression or physical conduct that a school district's Board of Trustees or the Board's designee determines:

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

Chemical dispensing device is a device, other than a small chemical dispenser sold commercially for personal protection, designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being.

Club is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, mace, and tomahawk.

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

Dating violence is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

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.

Deferred adjudication may be offered to a student who is 17 or older, as an alternative to seeking a conviction in court.

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

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

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

Explosive weapon is any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a load report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

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

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Graffiti is making marks with aerosol paint or an indelible marker on tangible property of the owner without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Harassment means repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct related to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

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

Hit list is 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.

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

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

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

Paraphernalia is any device that can be used to inhale, ingest, inject, or otherwise introduce a controlled substance into a human body.

Persistent misbehavior is two or more violations of the Code in general or repeated occurrences of the same violation.

Possession means to have on a student's person or in the student's personal property, including but not limited to the student's clothing, purse, or backpack; 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, motorcycle, or bicycle; or any other 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 excepted from this definition.

Reasonable belief determination can be made by the Superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure. Administrators may place a student in a Disciplinary Alternative Education Program (DAEP) if they have reasonable belief that the student has engaged in felony conduct under Title 5. Administrators also may place a student in a DAEP if they have reasonable belief that the student has committed felony conduct that is not a Title 5 offense, if the Superintendent believes the student's continued presence in the regular classroom threatens the safety of other students or teachers, or will be detrimental to the educational process.

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 offenses include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.
- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Sexual harassment is repeated unwelcome and offensive slurs, jokes or other oral, written, graphic or physical conduct of a sexual in nature that creates an intimidating, hostile or offensive educational or work environment.

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

Switchblade is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

Terroristic threat occurs when a person threatens to commit any offense involving violence to any person or property with intent to:

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

Title 5 offenses involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product.

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

Use means that a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech.

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