

ACKNOWLEDGMENT

Student Handbook, Student Code of Conduct & School/Parent Compact Acknowledgment

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Handbook & Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator. The Student Handbook is published on the school's website: www.crossroadsisd.org or a copy can be picked up in the high school office.

The student and parent should each sign this page in the space provided below, and then return the page to the student's school.

Thank you.

Regina Davis, Principal

We acknowledge that we have received a copy of the Cross Roads ISD Student Code of Conduct for the 2005–2006 school year, School/Parent Compact and understand that the Student Handbook may be accessed on the school website www.crossroadsisd.org or at the high school office. I/we further understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

Print name of student: _____

Signature of student: _____

Print name of parent: _____

Signature of parent: _____

Date: _____

School: _____ Grade level: _____

Please sign this page, remove it, and return it to the student's school. Thank you.

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STUDENT CODE OF CONDUCT

Purpose

The Student Code of Conduct is the district's response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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 a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Cross Roads ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code 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 conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the Student Code of Conduct is adopted by the district's board of trustees it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will prevail.

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.

School District Authority and Jurisdiction

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.

The district has disciplinary authority over a student:

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. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas; and
9. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081.

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.

Lockers and desks are subject to blanket searches or inspections by district administrators.

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.

- Adhere to the requirements of the Student Code of Conduct

Dress Code

The district's dress code is established to teach grooming and hygiene, prevent disruption, minimize safety hazards and teach respect for authority. Student dress reflects the quality of the school and affects students' conduct. Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. Any article of clothing, jewelry, body decoration or hair style extreme enough to create a distraction or disturb the normal routine of the school shall be deemed inappropriate. The district prohibits any clothing or grooming that, in the principal's judgment, may reasonably be expected to cause disruption of or interference with normal school operations.

The following are examples of inappropriate dress at school or school-related activities:

All standard of measurement will be taken while student is standing at normal posture unless otherwise noted.

1. Hats or caps worn in academic buildings.
2. Bandannas worn anywhere.
3. House shoes or shoes designed for beach or bath wear. Shoes must be worn at all times.
4. Obscene language or symbols, provocative pictures, advertising of tobacco or narcotics or alcohol on clothing, jewelry or body parts.
5. Symbols on clothing on jewelry that would distract or cause undue attention.
6. Racially related symbols, emblems, pictures, words, slogans or tattoos.
7. Symbols, words or slogans cut into hair that are obscene, racially related, and provocative or otherwise deemed inappropriate by the campus principal.
8. Clothing with holes or tears.
9. Clothing worn in a manner for which it was not intended; i.e., backwards, inside out, off the shoulder suspenders, etc.
10. Any accessory or clothing article deemed gang related as determined by the school administration.
11. Boys may not wear earrings. Girls may wear earrings in ears only. Nose rings, eyebrow rings, lip rings or earrings worn on other visible parts of the body are prohibited.
12. Dark glasses (unless prescribed by a physician).
13. Tank tops or low cut clothing (neck or underarm).
14. Clothing that exposes bare midriffs when arms are extended to the side or forward; i.e. crop tops.
15. Excessive or distraction makeup/hair color/conspicuous fads.

16. See-through, provocative or excessively tight clothing; i.e. spandex tights, shorts or pants and excessively tight dresses and skirts.
17. Dresses, skirts and all split garments must be no shorter than 2 inches below fingertips. Any exposed leg must be at least 2 inches below fingertips.
18. Shorts must be hemmed or cuffed garments that are designed for outer wear. Shorts are to be no shorter than fingertips.
19. Cutoffs, wind shorts, short shorts, boxer shorts, P.E., athletic or jogging shorts, bicycling shorts are not allowed.
20. Students must wear appropriate undergarments.
21. Boys' pants must be worn in a manner to not expose underwear or skin and to avoid sagging. Girls' pants must be worn no lower than hips and not expose underwear.
22. Boys must be clean shaven. Sideburns must be neatly trimmed and no longer than the bottom of the ear lobes.
23. Hair must be neatly groomed at all times. Boys' hair cannot touch the collar in the back, cannot be longer than the eyebrows in the front and cannot be longer than the middle of the ear on the sides.
24. Shirts that were made to be tucked in should be tucked in.
25. Excessively large clothing may not be worn.
26. Cross Roads ISD discourages the wearing of expensive jewelry and other apparel and is not responsible for lost or stolen items.
27. Teachers/coaches/sponsors may define appropriate dress for school-sponsored trips and extracurricular activities. Students who violate those 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.

Final decisions on the appropriateness of school dress rests with the campus administrator.

If the principal determines that a student's grooming violates the dress code, the students shall be given an opportunity to correct the problem. If not corrected, the student shall be assigned to in-school suspension for the remainder of the day or until the problem is resolved.

General Conduct Violations

The categories of conduct below are prohibited at school and all school-related activities, but the list does not include the most serious offenses. In the subsequent sections on Suspension, DAEP Placement, and Expulsion, severe offenses that require or permit specific consequences are listed. Any offense, however, may be serious enough to result in Removal from the Regular Educational Setting as detailed in that section.

The district prohibits the following:

Disregard for Authority

- Failing to comply with directives given by school personnel (insubordination).
- Leaving school grounds or school-sponsored events without permission.
- Disobeying rules for conduct on school buses.
- Refusing to accept discipline management techniques assigned by a teacher or principal.

Mistreatment of Others

- Using profanity or vulgar language or making obscene gestures.
- Fighting or scuffling. (For assault see DAEP Placement and Expulsion)
- Threatening another student or district employee on or off school property.
- Engaging in bullying, harassment, and making hit lists. (See glossary for all three terms)
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors directed toward another student or a district employee.
- Engaging in inappropriate or indecent exposure of private body parts.
- Hazing. (See glossary)
- Causing an individual to act through the use of or threat of force (coercion).
- Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engaging in inappropriate verbal, physical, or sexual conduct directed toward another student or a district employee.

Property Offenses

- Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)
- Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Stealing from students, staff, or the school.
- 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 see DAEP Placement and Expulsion)

Possession of Prohibited Items

- Possessing or using:

- fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- a “look-alike” weapon;
- an air gun or BB gun;
- ammunition;
- a stun gun;
- a pocketknife;
- mace or pepper spray;
- pornographic material;
- tobacco products;
- matches or a lighter;
- a laser pointer for other than an approved use; or
- any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion)

Possession of Telecommunications Devices

Students may not have or possess cell phones inside school buildings between the hours of 8:00 a.m. and 3:10 p.m. Two exceptions being, students may leave a cell phone at the office, upon arriving at school, for use after school, or as approved by the principal for a legitimate emergency reason. Cell phones may also be kept in the student’s personal vehicle during school hours. Consequences for violation of this rule shall be as follows:

- 1st offense – the phone is collected from the student and sent to the principal’s office. The student is allowed to get the phone at the end of the same school day.
- 2nd offense – the phone is collected from the student and sent to the principal’s office. The student shall receive 1 disciplinary point and the phone will be held until it is collected, in person, by a parent. The principal has the option of any consequences that fall within the guidelines of the discipline management plan.
- 3rd and subsequent offenses – the phone is collected from the student and sent to the principal’s office. The student shall receive 2 disciplinary points, and the phone will be held until it is collected, in person, by a parent. The principal has the option of any consequences that fall within the guidelines of the discipline management plan.

Illegal and Prescription Drugs

- 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)

- Possessing, using, giving, or selling paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
- 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.
- Having or taking prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Computers and the Internet

- Violating computer use policies, rules, or agreements signed by the student and/or agreements signed by the student’s parent.
- Using the Internet or other electronic communications to threaten students or employees or cause disruption to the educational program.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal.
- Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

Safety Transgressions

- Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Making false accusations or perpetrating hoaxes regarding school safety.
- Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throwing objects that can cause bodily injury or property damage.
- Discharging a fire extinguisher without valid cause.

Miscellaneous Offenses

- Violating dress and grooming standards as communicated in the student handbook.
- Cheating or copying the work of another.
- Gambling.
- Falsifying records, passes, or other school-related documents.

- Engaging in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violating other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

Discipline Management Techniques

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline 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.

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

Classification of Offenses and Disciplinary Consequences

Administrators and teachers will treat students impartially and equitably. Discipline will be based on careful assessment of the circumstances of each case. It is the intent of the Board of Trustees and the administrative staff of Cross Roads ISD to abide by state and federal laws and district policy and to enforce rules in a consistent and fair manner.

General Guidelines for Assessing Discipline Penalties

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

1. Discipline shall be administered when necessary to protect students, school employees or property and maintain essential order and discipline.
2. 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. The seriousness of the offense.
 - b. The student's age.
 - c. The frequency of misconduct.
 - d. The student's attitude.
 - e. The potential effect of the misconduct on the school environment.

Level 1 Offenses

Level 1 offenses include those which would not normally involve decisions regarding assignment to an alternative education program or expulsion. The offenses may include, but are not limited to:

Any disruptive conduct including running, sleeping or talking in class

Bringing unauthorized visitors to school

Causing excessive, loud or unnecessary noise

Cheating or copying off of another student's work

Chewing gum

Class cutting

Disturbing class

Dress code violations

Eating or drinking in unauthorized areas without permission

Excessive absenteeism

Failure to follow bus rules

Failure to bring appropriate materials to class

Inappropriate physical contact disruptive to other students or the school environment, including pushing, shoving or scuffling with another student

Littering

Loitering on school property

Minor personal or property damage under twenty dollars

Minor vehicle violations (improper parking, etc.)

Possession of radios, CD players, tape players, video games or televisions during school hours

Possession of personal items without permission (i.e., toys, baseball cards, etc.)

Public display of affection

Refusal to participate in classroom activities

Tardiness - Tardies are cumulative during the semester and will start over each semester.
1st tardy – Free 2nd tardy – Teacher Warning 3rd tardy - Office

Throwing food

Throwing objects (i.e. spitballs, paper or other items)

Truancy

Use of profanity, vulgar language or obscene gestures

Verbal abuse (name calling, ethnic or racial slurs or derogatory statements addressed to others that precipitate disruption of the school program or incite violence)

Violation of classroom or safety rules

Engaging in any other conduct that disrupts the school environment or educational process

Level I Disciplinary Consequences

Administrative/teacher/student conference

Behavior contracts

Cooling off

Classroom “time out”

Corporal punishment

Detention (as per building guidelines)

Grade of zero (for copying/cheating)

In-school suspension

Parent contact

Referral to local law enforcement

Restitution/restoration

Special assignments/duties that emphasize need for following rules/regulations

Student/counselor conference

Teacher/parent conference

Verbal correction/reprimand

Withdrawal of privileges (classroom, cocurricular, bus privilege, extracurricular)

Work detail

Level I disciplinary consequences include but are not limited to the above.

Should the misconduct continue, the principal will use the documentation of Level I offenses to determine whether a student’s record of misconduct is such to justify classifying it as Level II.

Repeated misbehaviors will be cause for assignment to Alternative School. In order to make this determination, Level I offenses will be assigned a value of 1 (one) point. An accumulation of 5 points during the school year will be a mandatory placement in Alternative School for 30 days. An accumulation of 9 points will be a mandatory placement in Alternative School for the remainder of the semester (if more than 30 days). Level I offense points will be added to Level II and Level III offense points. These points will accumulate throughout the school year.

Level II Offenses

Level II offenses include, but are not limited to:

Abusive language

Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities

Cafeteria disturbance

Criminal mischief

Defacing or damaging school property including textbooks, furniture and other equipment.

Exhibiting disrespect or directing profanity, vulgar language or obscene gestures toward any individual

Fighting

Harassment of students or school personnel

Insubordination toward school personnel

Leaving school without permission

Possession of fireworks of any kind including smoke or stink bombs; laser devices; mace or pepper spray; matches or lighter; paging device, mobile telephone or other communication devices; pocketknife; material designed to promote illegal behavior; pornographic material

Possession or use of any tobacco products or associated products

Posting, distributing or possession of unauthorized material

Theft under twenty dollars

Threats toward other students or school personnel or other individuals

Truancy

Vandalism of school property, of other student's property or property belonging to school personnel

Violations of computer use policies

Violations of Texas Motor Vehicle Laws

Persistent offense

The district defines "persistent" to be repeated offenses of the Student Code of Conduct.

Level II Disciplinary Consequences

Administrator/parent/student/counselor conference

Alternative education program (MAP)

Community service

Confiscation of prohibited items

Cooling off period

Corporal punishment

Detention (per campus guidelines)

Exclusion from extracurricular and cocurricular activities

In-school suspension

Loss of driving privileges on the school grounds

Referral to local law enforcement

Restitution/restoration

Suspension

Withdrawal of privileges

Work detail

Level II disciplinary consequences include, but are not limited to, the above.

Repeated misbehaviors will be cause for assignment to Alternative School. In order to make this determination, Level I offenses will be assigned a value of 2 points. An accumulation of 5 points during the school year will be a mandatory placement in Alternative School for 30 days. An accumulation of 9 points will be a mandatory placement in Alternative School for the remainder of the semester (if more than 30 days). Level I offense points will be added to Level II and Level III offense points. These points will accumulate throughout the school year.

Level III Offenses

Assaults on students or school personnel

Bomb threats

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

Extortion, coercion or blackmail of other students or school personnel

False alarms

False reports to a peace officer

Gambling

Hazing

Immoral or indecent conduct toward other students or school personnel

Joining of or solicitation into any gangs, fraternities, sororities or secret societies

Making false threats, hoaxes or accusations regarding school safety

Possession of look-alike drugs or items attempted to be passes of as drugs and contraband, drug paraphernalia, razors, switchblades, box cutters, chains or any other object which could be used in a way that threatens or inflicts bodily injury to another person, "look-alike" weapons, air guns or BB guns.

Any other offense found to be in violation of the law as defined by the Texas Penal Code, Texas Motor Vehicle Laws or Texas Education Code.

Repeated violations of Level I and II offenses

Felony offense, other than those defined in Title 5 of the Penal Code (offense against a person), which the superintendent or designee has a reasonable belief the student has committed (off-campus felonies); and if 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.

Level III Disciplinary Consequences

Alternative education program
 Contact law enforcement agency
 Declaration of incorrigibility
 Disciplinary reassignment
 Expulsion
 In-school suspension
 Removal from extracurricular/cocurricular activities
 Restitution/restoration
 Suspension

Level III disciplinary consequences include, but are not limited to, the above. Level III offenses will be assigned a value of 3 points.

Level IV Offenses

Except as provided by TEC 37.007 (a) (3), the student engages in conduct punishable as a felony, or commits the following on school property, or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property;

1. Engages in conduct that contains the elements of the offense of assault under Section 22.01 (a) (1), Penal Code, (intentionally, knowingly or recklessly causing bodily injury to another; or a terroristic threat under Section 22.07 Penal Code.
2. 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 Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et. seq., in an amount not constituting a felony offense.
 - b. A dangerous drug, as defined by Chapter 483, Health and Safety Code, in an amount not constituting a felony charge.
3. Sells, gives or delivers to another person an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol; or possesses, uses or is under the influence of alcohol if punishment is less than a felony.

4. Engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint under Section 485.031 through 485.035, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.
5. Engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08f, Penal Code.
6. Except as provided by TEC Sec. 37.007, the student engages in conduct that contains the elements of the offense of retaliation under Section 36.06, Penal Code, against any school employee.
7. Conduct defined as a felony offense (off-campus felony) in Title 5 of the Penal Code (offense against a person) if;
 - a. The student receives deferred prosecution (voluntary contract) under Section 53.03 of the Family Code for the offense; or
 - b. A court or jury finds that the student has engaged in delinquent conduct under Section 54.03 of the Family Code; or
 - c. The superintendent or designee has a reasonable belief that the student has engaged in felony conduct addressed in Title 5.

Level IV Disciplinary Consequences

1. Except as provided by TEC Section 37.007 (a) (3), the student shall be removed from class and placed in an alternative education program as provided by TEC Section 37.008.
2. A report will be filed with the local law enforcement agency.
3. A student may be expelled for continued serious or persistent misbehavior that violates the district's Student Code of Conduct while the student is placed in AEP.
4. A student may be expelled for offenses # 2 – 4.

Note: The terms of a placement under TEC Sec. 37.006 must prohibit the student from attending or participating in a school-sponsored or school-related activity.

Level V Offenses

The student, on school property, or while attending a school-sponsored or school-related activity on or off school property:

1. Uses, exhibits or possesses:
 - a. A firearm as defined in Penal Code 46.01 (3)
 - b. An illegal knife as defined in Penal Code 46.01 (6), or by local policy.
 - c. A club as defined in Penal Code 46.01 (1).
 - d. A weapon listed as a prohibited weapon in Penal Code 46.05.
2. Engages in conduct that contains the elements of the offense of:
 - a. Aggravated assault under Section 22.02 Penal Code, sexual assault under Section 22.01 or aggravated sexual assault under Section 22.021 Penal Code;

- b. Arson under Section 28.02 Penal Code.
 - c. Murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal intent, under Section 15.01 Penal Code, to commit murder or capital murder.
 - d. Indecency with a child under Section 21.11 Penal Code.
 - e. Aggravated kidnapping under Section 20.04 Penal Code.
 - f. Alcohol or drug offense that is punishable as a felony.
3. Engages in conduct specified by TEC Sec. 37.006 (a) (2) or (3), if the conduct is punishable as a felony.
 4. Engages in conduct that contains the elements of any offense listed in TEC Sec. 37.007 (a) against any employee in retaliation for or as a result of the employee's employment with a school district, whether on or off school property or at a school-related activity.
 5. Continues to engage in serious or persistent misbehavior that violates the district's Students Code of Conduct while the student is placed in an AEP.
 6. Criminal mischief if punishable as a felony, whether committed on or off school property or at school-related activities.
 7. Sells, gives, or delivers to another person or possesses, uses or is under the influence of:
 - a. Any amount of marijuana or a controlled substance in an amount not constituting a felony offense.
 - b. Any amount of a dangerous drug in an amount not constituting a felony offense.
 8. 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 punishment is less than that of a felony.
 9. Engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint or relating to violate chemicals.

Level V Disciplinary Consequences
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1. A report will be filed with the local law enforcement agency.
2. Expulsion is state mandated for offenses #1 – 4.
3. The student may be expelled for offenses # 5 – 9.

Note: The terms of expulsion prohibit the student from attending or participating in a school-sponsored or school-related activity.

Students with Disabilities

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 (see glossary) 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.

Techniques

The following discipline management techniques may be used—alone or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal (oral or written) correction.
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions as permitted by policy.
- Detention.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment.

- Out-of-school suspension, as specified in the Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Notification

The principal or appropriate administrator 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. Notification will be made within three school days after the administrator becomes aware of the violation.

Appeals

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 the policy may be obtained from the principal's office or the central administration office or through Policy On-Line at the following address: www.crossroadsisd.org.

Consequences will not be deferred pending the outcome of a grievance.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the principal's office as a discipline management technique. The principal may then employ additional techniques.

Formal Removal

A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. A teacher **may** also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

A teacher or administrator **must** 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; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator will inform the student of the misconduct for which he or she is charged and the consequences. The administrator will give the student an opportunity to give his or her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

- Another appropriate classroom
- In-school suspension
- Out-of-school suspension
- DAEP

Returning Student to Classroom

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

Suspension

Misconduct

Students may be suspended for any behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

In deciding whether to order suspension, the district will take into consideration:

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.

Process

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

Before being suspended a student will have an informal conference with the appropriate administrator who shall advise 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.

The number of days of a student's suspension will be determined by the appropriate administrator, but will not exceed three school days.

The appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Disciplinary Alternative Education Program (DAEP) Placement

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

In deciding whether to order placement in a DAEP, the district will take into consideration:

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.

General Misconduct

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

Misconduct Identified in State Law

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

- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- 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, or secret society.
- Any criminal mischief, including a felony.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence

in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The 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 administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Certain Felonies

Unless removal is otherwise required by one of the reasons below, in accordance with Education Code 37.0081, a student **may** be placed in a DAEP after an opportunity for a hearing before the board of trustees or its designee, if:

- The student receives deferred prosecution for conduct defined as a felony offense in Title 5 (see glossary) of the Texas Penal Code, or
- The student has been found by a court to have engaged in delinquent conduct for conduct defined as a felony offense in Title 5 of the Texas Penal Code.

The board or the board's designee must determine that 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.

A student's placement in the DAEP as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur 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.

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.

- Commits an assault (see glossary) under Penal Code 22.01(a)(1).
- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for “under the influence”)
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a student has been convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim or the victim's parents request that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student will be transferred to a DAEP.

Emergencies

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

Process

Removals to a DAEP will be made by the campus principal or another appropriate administrator.

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 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.

Placement Order

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.

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

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

Length of Placement

The duration of a student's placement in a DAEP will be determined by the campus administrator or another appropriate administrator.

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.

Exceeds One Year

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.

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 in a DAEP so that the students are not assigned to the same campus.

Exceeds School Year

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

For placement in a DAEP to extend beyond the end of the school year, the campus administrator or another appropriate administrator must determine that:

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

Exceeds 60 Days

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

Appeals

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address:

www.crossroadsisd.org .

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

Restrictions during Placement

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

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.

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.

Placement Review

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the campus principal 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.

Additional Misconduct

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 appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

The office of the prosecuting attorney will notify the district if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

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

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

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

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

Withdrawal during Process

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

Newly Enrolled Students

A student assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district), at the time he or she enrolls in the district will be placed directly into the district's DAEP.

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. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement

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 assignment to a DAEP.

Expulsion

Discretionary Expulsion: Misconduct That May Result in Expulsion

In deciding whether to order expulsion, the district will take into consideration:

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.

Any Location

- Engaging in the following no matter where it takes place:
 - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
 - Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at School Event

- Committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.
 - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
 - Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
 - Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
 - Engaging in deadly conduct. (See glossary)

Within 300 Feet of School

- Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:
 - Aggravated assault, sexual assault, or aggravated sexual assault.

- Arson.
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Felony drug- or alcohol-related offense.
- Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

Property of Another District

- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in DAEP

- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Federal Law

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

Texas Penal Code

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
 - 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).

- 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.
- A club (see glossary) 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.
- 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)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
 - Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

Emergency

In an emergency, the principal or the principal's designee may order the immediate expulsion of a student for any reason for which expulsion **may** be made on a nonemergency basis.

Process

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.

Until a hearing can be held, the principal may place the student in:

- Another appropriate classroom
- In-school suspension

- Out-of-school suspension
- DAEP

Hearing

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

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

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

The board of trustees delegates to the Superintendent authority to conduct hearings and expel students.

Board Review of Expulsion

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

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

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 hearing.

Expulsion Order

After the due process hearing, if the student is expelled, the board or its designee will deliver to the student and the student's parent a copy of the order expelling the student.

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

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

Length of Expulsion

The length of an expulsion 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.

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

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

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

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

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

Withdrawal during Process

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

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

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

Additional Misconduct

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

Restrictions during Expulsion

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

No district academic credit 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.

Newly Enrolled Students

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

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district 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:

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

Emergency Expulsion

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.

DAEP Placement of Expelled Students

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

Glossary

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

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

Arson is a crime that involves starting a fire or causing 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 starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Assault is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing 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 designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

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

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

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

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

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

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

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

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

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

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

Harassment is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

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

Hit list is 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 and designed or adapted for 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 are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing 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 an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; or any other school property used by the student, including but not limited to a locker or desk.

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

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

Serious 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.

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 is a threat of violence to any person or property with intent to:

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

Title 5 offenses are those that 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. [See FOC(EXHIBIT)]

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

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

Zip gun is 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.