



AN EARLY COLLEGE DISTRICT

# BROWNSVILLE

INDEPENDENT SCHOOL DISTRICT



DEPARTMENT OF  
PUPIL SERVICES

708 Palm Blvd.  
Brownsville, Texas 78521  
(956) 544-3966

<http://www.bisd.us/pupilservices/>

## 2020-2021 ADMINISTRATIVE DISCIPLINARY GUIDELINES

BISD does not discriminate on the basis of race, color, national origin, gender, religion, age, disability or genetic information in employment or provision of services, programs or activities.



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**Department of Pupil Services**  
**708 Palm Blvd., Brownsville, Texas 78521**  
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## **Disciplinary Administrative Guidelines for Campuses**

The following administrative guidelines ensure that students are provided with full due process under the law in disciplinary action taken against them by the Brownsville Independent School District.

Each case involving a student is different and therefore must be handled accordingly. Failure to follow these guidelines may result in disciplinary action being overturned at the appeal. These administrative guidelines advocate the implementation of consistent standardized due process procedures.

As required by law (SB 107), a person at each campus must be designated to serve as the Campus Behavior Coordinator. The designated person may be the Principal of the campus or any other campus administrator selected by the Principal. The Campus Behavior Coordinator is primarily responsible for being the point of contact for student discipline. The district maintains a current list of the persons serving as a Campus Behavior Coordinator on the district's website at [www.bisd.us/pupilservices](http://www.bisd.us/pupilservices).



## SECTION I - DUE PROCESS FOR ISS, OSS, REMOVALS AND PLACEMENTS UNDER CHAPTER 37

### DEFINITION OF DUE PROCESS

Due Process is the protection of individual rights providing fundamental fairness and substantial justice. There are two aspects: substantive due process and procedural due process.

Substantive due process is initiated when an infraction draws attention for a possible violation of policy or law. The essence of substantive due process is protection from arbitrary and unreasonable action. The investigative process must be fair and impartial.

Procedural due process is action taken after a referral is made to a Campus Behavior Coordinator or appropriate administrator. It requires that hearings be conducted fairly.

A Campus Behavior Coordinator or appropriate administrator is responsible for assessing that all steps are made available for a fair and equitable resolution.

**Step 1:** Notice

**Step 2:** Presentation of Facts

**Step 3:** Violation Corresponds to Policy

### STEP 1 – NOTICE:

- A. Find in the Student Code of Conduct the conduct that the student is charged with and be prepared to demonstrate that the behavior is prohibited.
- B. Research the documentation that shows a dated agenda or outline indicating the sections of the Student Code of Conduct that were presented to students on campus Examples: assemblies; morning intercom announcements; school or local newspaper advertisements, etc.)
- C. Current school year receipt of signed Student Code of Conduct signed by student and parent (required for discipline packet).
- D. Attendance records that indicate the student was present when assemblies were held or announcements made referencing the Student Code of Conduct.

**STEP 2 – PRESENTATION OF FACTS:** Campus Behavior Coordinator or appropriate administrator gathers information regarding the incident.

- A. Student's own statement
- B. Individual staff members' statements
- C. Teacher's statements
- D. Other students' statements if:
  1. Parents' permission is secured
  2. Other student's names are deleted from statement
- E. You can use other student's statements by following through with the investigation and indicating what you investigated and learned without naming your sources
- F. You can use (d) above effectively only as corroborating evidence when you have a teacher's, security guard's/ officers, principals, assistant principal's or police officer's testimony.
- G. Make sure that the campus administration makes every effort to investigate the incident especially in cases where the student accused of an infraction names other students as either involved or as witnesses to the incident.



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Interview other students so that you can honestly say that you investigated and questioned the students that you determined could or could not corroborate the student's story. Do not put yourself in a position to say that your initial investigation was sufficient and that you did not need to question the students identified by the respondent.

**STEP 3 – VIOLATION CORRESPONDS TO POLICY:** Be prepared to show policy that clearly defines the appropriate consequence for the infraction.

- A. Copy of the policy
- B. Copy of the Education Code
- C. Copy of Chapter 37
- D. Copy of Student Code of Conduct



**SECTION II – Removal/Placement Procedures to the Brownsville Academic Center (BAC) - 30 or 45 Day Removals/Placements hearings to BAC held at the campus.**

**CAMPUS HEARING**

The **Principal, Campus Behavior Coordinator (CBC), or Appropriate Administrator** assigned to the student incident, shall schedule and hold a campus discipline hearing within (7) school days from the date of the infraction for possible removal to a Disciplinary Alternative Education Program.

*EXCEPTION:* For cases on bullying, the **Principal, CBC, or Appropriate Administrator** assigned to the student incident shall schedule and hold a campus hearing within 3 school days after completing the investigation. The investigation should be completed within 10 school days from the date of report. Written notice shall be given to parents that a hearing will be held to determine short or long term removal. Present at this meeting shall be the **Campus Hearing Officer, the Appropriate Administrator** assigned to the student incident who will present documentary evidence, the parent or guardian, an adult who can provide guidance to the student and is not an employee of the district (if so desired by the student/parent or guardian), and the student.

Based on the evidence presented, the Campus Hearing Officer will make a decision as to the outcome of the hearing, whether or not each requested person is in attendance after valid attempts to require the person's attendance. One of the following is a possible decision:

1. Student is sent back to the classroom with teacher's consent; if teacher refuses then case can be referred to the Placement Review Committee; or
2. Student is assigned to In-School-Suspension (ISS); or
3. Student is assigned Out-of-School (OSS) which cannot exceed three school days per incident; or
4. Student is assigned to another classroom; or
5. Student is removed to the Brownsville Academic Center (BAC) for 30 or 45 school days.

If the decision is short (30 days) or long-term removal/placement (45 days), then the campus' hearing officer shall write up the Order for Removal to a Disciplinary Alternative Education Program and notify the parent or guardian orally and in written form. Campus Hearing Officer shall ensure that sufficient evidence [well documented-specific enough so that there will be no doubt as to what actually happened, i.e., police report, discipline referral reports, Student Code of Conduct Acknowledgement form duly executed, witnesses' testimony in written form, etc.] is included in a packet that is kept in the Campus Hearing Officer's office. All paper work must be completed at the time student is sent to the campus DAEP or the Brownsville Academic Center (BAC). If the evidence does not warrant short or long-term removal/placement, then other alternatives must be explored as identified above.

If the parent/adult students appeal the removal, the student can be assigned to In-School Suspension pending the appeal hearing. Students removed to a DAEP must meet the removal exit requirements before they can return to a BISSD campus. Students pending a DAEP removal may not withdraw from a BISSD campus and enroll in another BISSD campus until the student meets removal exit requirements.

<b>30 Day BAC Exit Requirements</b>	<b>45 Day BAC Exit Requirements</b>
1. Practice Boys Town Respect Model	1. Graduation from Boys Town Respect Model
2. Two successfully completed counseling sessions, and	2. Four successfully completed counseling sessions, and
3. Recommendation of readiness to reenter home campus school setting from BAC administration, teachers, and staff	3. Recommendation of readiness to reenter home campus school setting from BAC administration and staff

BAC entry forms must be completed by **Campus Behavior Coordinator or Appropriate Administrator** assigned to the student incident and a copy of the removal packet must be submitted to the DAEP administrator.

Failure to comply with the required paper work will delay entrance into the DAEP.



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## **Decision Appealed to Superintendent's Designee on Removal or Placement**

A short and long term removal/placement to a DAEP is appealable to the District's Hearing Officer. To appeal, parents must submit written notice within **two school days** of receipt of Order for Removal. The letter of appeal is submitted to the Administrator for the Department of Pupil Services on a form provided by the Department of Pupil Services. The Administrator of Pupil Services has two days from receipt of written notice from parent to respond by notifying parent as to date, place, and time of the appeal hearing.

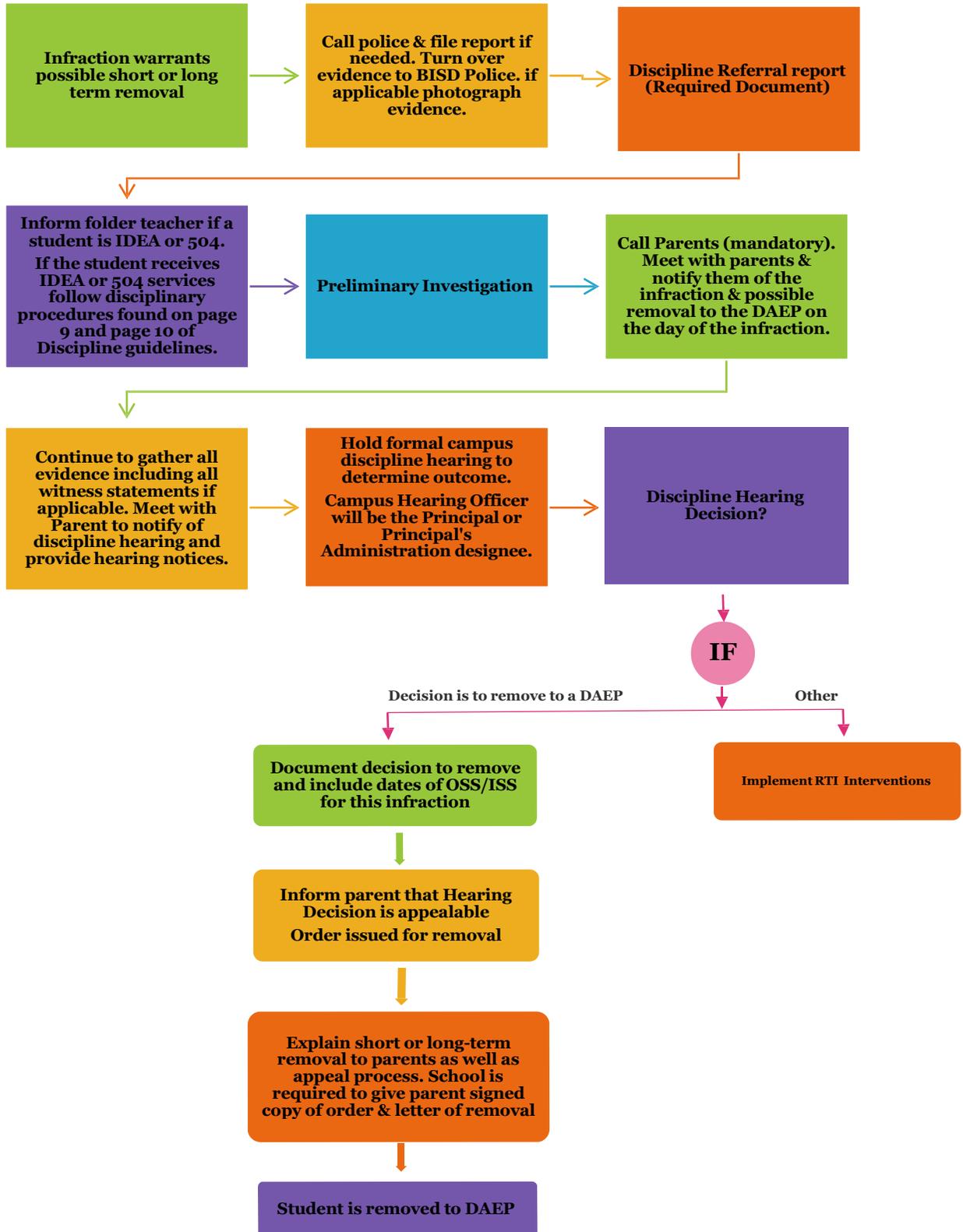
Conducting the hearing shall be the Superintendent's Designee, District Hearing Officer. Present at the hearing shall be the Superintendent's Designee, the **Principal, Campus Hearing Officer or Appropriate Administrator**, assigned to the student incident, who is petitioning for the student removal to DAEP and who shall present evidence and/or testimony, parents of student, an adult who can provide guidance to the student and is not an employee of the district (if so desired by the student/parent or guardian) and the student.

The District Hearing Appeal before the District Hearing Officer shall be conducted as follows: (a) the hearing shall be private and (b) the parent and student will be allowed to present their case and the campus administration will be allowed to respond. The presiding District Appeal Hearing Officer may extend time limits for extenuating circumstances.

If evidence warrants short or long term removal/placement then written notice shall be given to the parent or guardian and student notifying them of the decision by the Superintendent's Designee. The decision to remove the student to a Disciplinary Alternative Education Program on an appeal is final. However, the parent has the right to follow through with judicial proceedings.

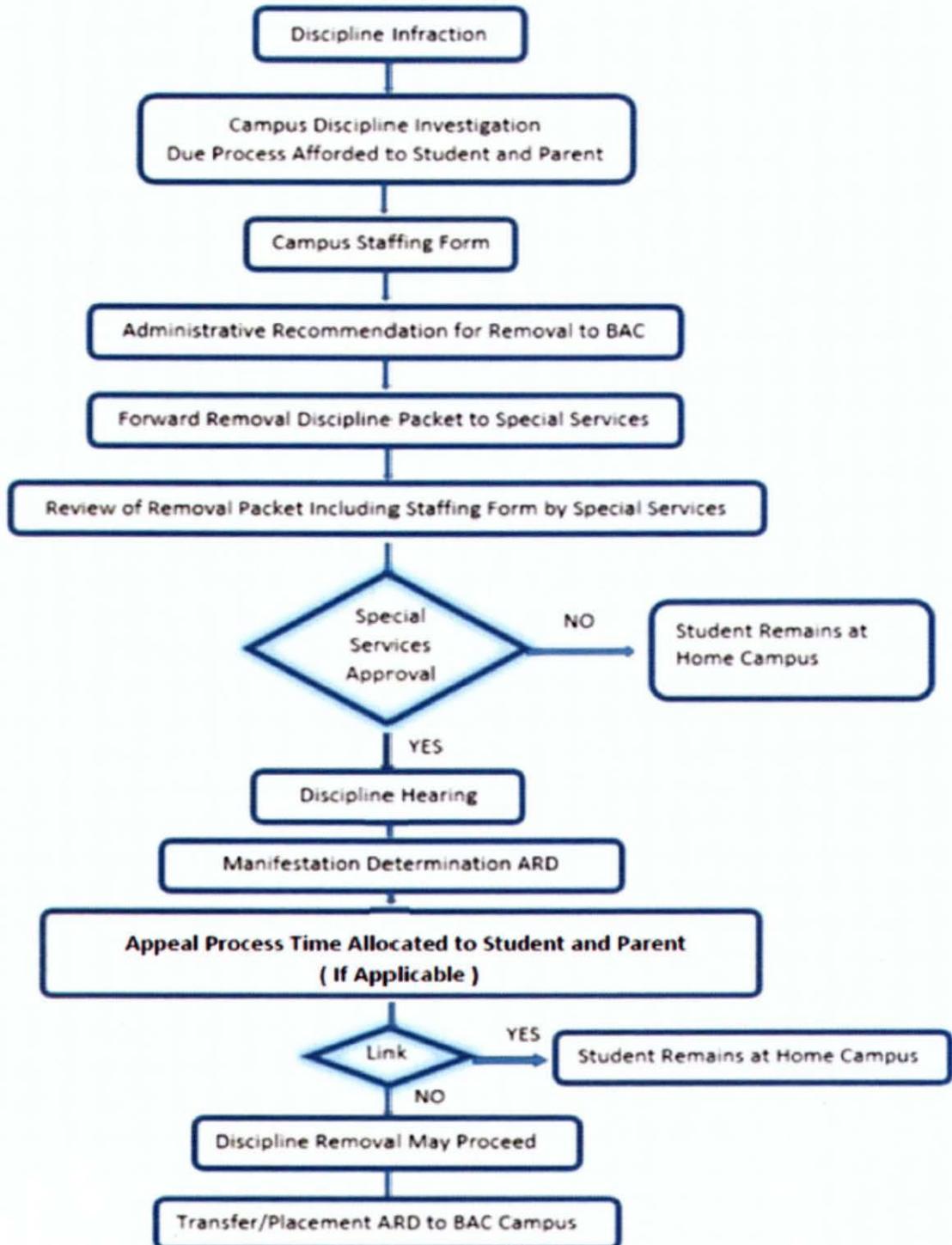


### DAEP Removal Procedures Flowchart





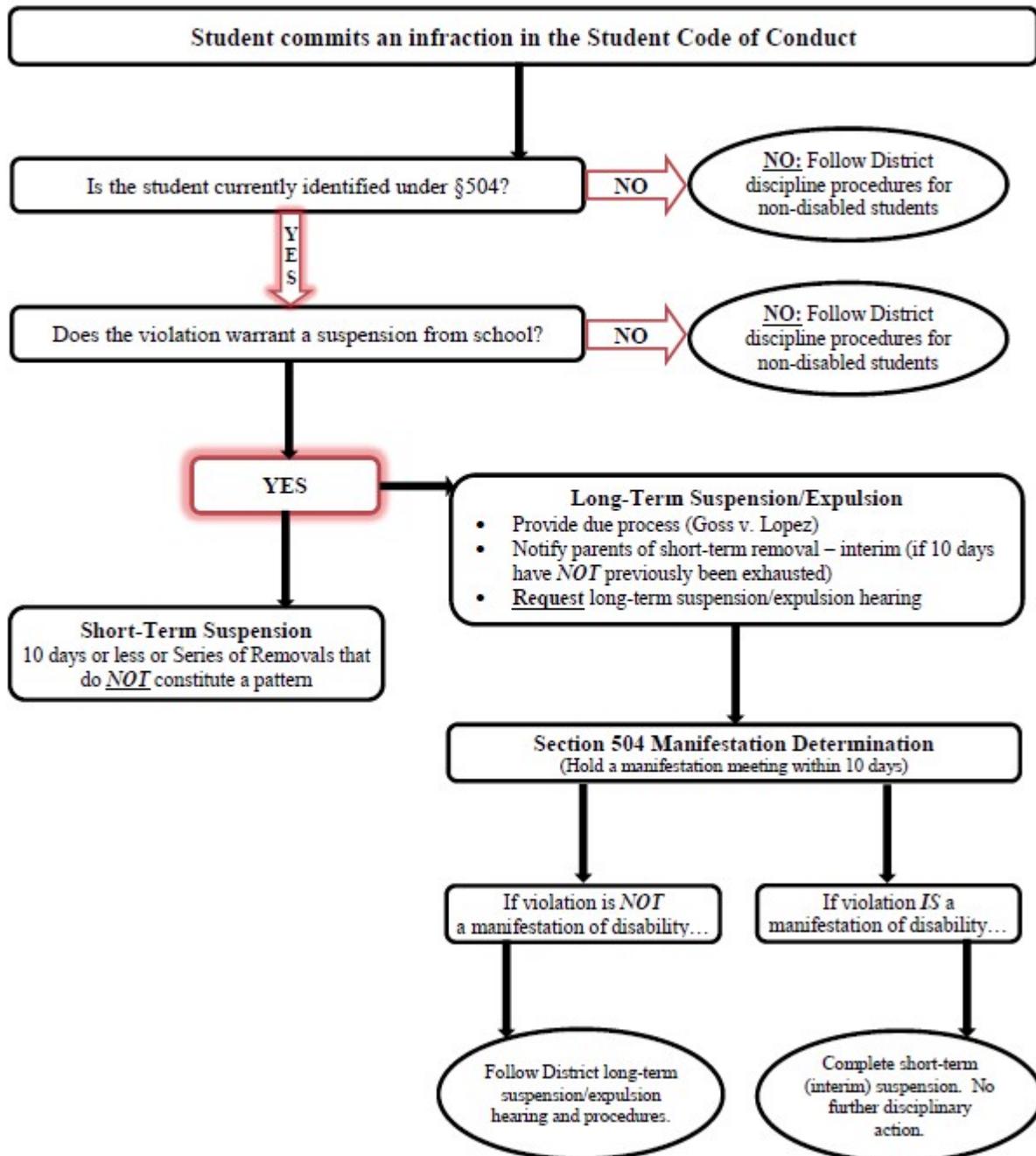
*Discipline Removal Procedural Flowchart*  
**Students receiving Special Education Services**



*Flowchart Provided by BISD Special Services Department*



**DISCIPLINE AND THE SECTION 504  
 VIOLATION OF THE STUDENT CODE OF CONDUCT - FLOWCHART**



Flowchart Provided by BISD 504/Dyslexia Department



## **Checklist for Possible 30 Day or 45 Day Removal/Placement to BAC**

- Call Police and file report if needed. Retain evidence and turn over to Police or District Security. If applicable, photograph evidence.
- Campus Behavior Coordinator or **Appropriate Administrator, assigned to student incident**, fills out Discipline Referral Form describing the incident. Have student write his/her version and sign it. Make sure that student has checked off yes/no statements. If student refuses to sign off have someone on campus witness this and sign off on the form.
- Determine if student is I.D.E.A. or 504. Inform appropriate IDEA or 504 campus personnel if applicable. Discipline Removal Procedures for students receiving **Special Education or 504 Services** are found on page 9 and page 10 of the Administrative Disciplinary Guidelines.
- Call and meet with parents the same day if possible or within 24 hours. Share information about the incident. Conduct preliminary investigation. If there are witnesses, secure names and written version of incident.
- Complete the investigation. Determine hearing date within 7 days of infraction or request approval for an extension if necessary from the Brownsville Academic Center Administrator. (Extension Request form found on the BAC website)
- Meet with parents to inform of discipline hearing and provide discipline hearing notice forms.
- Hold campus hearing within 7 days of the infraction to present evidence. Determine if there is sufficient evidence to warrant a short or long term removal or other consequence.
- Determine consequence. If the consequence is not removal to a DAEP, then administer the proper consequence.
- If the consequence warrants short or long term removal to DAEP, issue an Order for Removal and fill out appropriate paperwork required by Brownsville Academic Center. Explain to the parent that your decision is appealable within 2 days to the District's Hearing Officer whose decision is final and not appealable except through judicial proceedings.

### **Note:**

- **Appropriate Administrator** refers to the administrator who is assigned to the student incident.
- Be sure to use the word suspension only if you are actually suspending the student.
- Out of school suspension is limited to three days per incident.
- Sending a child home to get the parent to come to school for a conference is a suspension.
- After decision to remove a student to BAC, review BAC procedures with the parent. Inform parents that they must accompany their son/daughter to the Brownsville Academic Center at 8:30 a.m. on the first day for intake orientation. No transportation to BAC will be provided.
- While at BAC the student continues to be enrolled at their home campus. Student will be dropped but will not be withdrawn from the home campus.



## 30 Day or 45 Day BAC Removal Packet Organization

All Removal packets require a cover page, divided by tabs, and titled accordingly with the following documents (sample BAC Packet Checklist on the following page). If applicable, the designated Special Services Department Administrator must review packet at least 3 days prior the discipline hearing.

<b>Tab 1</b>	<p><b>DUE PROCESS</b>          Extension Letter (If Applicable)          Notice of Hearing          Notice of Representation by an Adult at the Hearing          Notice of Hearing Procedures          Confirmation of Notice          Verification of Non-Protection under IDEA or Section 504 Form          Consideration Form</p>
<b>Tab 2</b>	<p><b>VIOLATION OF SCC</b>          Student Code of Conduct Acknowledgement Form <i>—must be current school year &amp; Signed by parent/guardian</i>          Discipline Referral          Campus Behavior Coordinator or appropriate administrator’s Statement (Time, Place, Facts)          Witness (es) Statement(s) (When Applicable)          Police Report (Required for mandatory removals and Placements)          Nurse’s Report (Required for under the influence, assault and fights)          *For Bullying Offenses: See Review 360</p>
<b>Tab 3</b>	<p><b>STUDENT SERVICES</b>          IDEA Documentation:              Staffing Checklist              FBA/BIP (current)              Manifestation Checklist              Placement ARD Signature Page              Summary ARD/504/LPAC/RTI Assessment Decision          504 Documentation:              Individual Accommodation Plan F-9              Functional Behavior Assessment F-12              Positive Behavior Support Plan F-13          LEP Documentation:              Bilingual/ESL LPAC Assessment Form              ELL Intervention Plan              Student Demographics – Programs BIL/ESL</p>
<b>Tab 4</b>	<p><b>RTI – Required for 2<sup>nd</sup> Discretionary Removal in the same school year</b>          Intervention Reports          RTI-1 Screening          RTI-2 Health Information          RTI-10 Positive Behavior Support Plan Referral Checklist          RTI-11 Classroom Behavior Observation Data          RTI-13 Positive Behavior Support Plan</p>
<b>Tab 5</b>	<p><b>BAC Entry Forms</b>          Removal letter/Order of Removal          Student Registration Information          Entry Form          Health Form          Parent Letter          Completed Physical Examination</p>
<b>Tab 6</b>	<p><b>STUDENT INFORMATION</b>  <b>Schedule</b>          Report Card (all six week periods must be complete)          Summary Assessment Form for Alternative Centers          STARS Progress Reports (High School or BLA)          BLA Administrator Approval to Return (BLA Only)</p>

**Campus Discipline Hearings and Appeals for Removals should only contain information in Tab #1 and Tab #2.**

**EXCEPTION: Tab #3 added to original Administrator packet for SPED Verification prior to the campus hearing.**

**Tab #3 through Tab #6 will be added only in the packet sent to BAC (and the campus original for record purposes) and not to be included in any packets during the campus hearing or appeal hearing.**

If the hearing cannot be held within 7 school days of the incident, an extension request must be submitted to BAC administration for removals/placements at or before the 7th day.

- \* For bullying, the investigation should be completed within 10 District business days from the initial bullying report date. A hearing for bullying must be conducted within 3 days after investigation is completed.



**Brownsville Independent School District**  
**Department of Pupil Services**  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966



**Brownsville Academic Center**

3308 Robindale · Brownsville, TX · 78526  
 (956) 504-6305 · Fax (956) 831-0959

**Department of Pupil Services**

708 Palm Blvd., Brownsville, Texas 78521  
 (956) 544-3966, Fax (956) 548-8174

## Hearing Extension Request Form

- 30 Day Discretionary Removal (Send Request to BAC)     45 Day Mandatory Removal (Send Request to BAC)
- 45 Day Placement (Send Request to BAC)     180 Day Placement (Send Request to Pupil Services Dept.)

This form must be submitted and approved by the Hearing Officer. Submit the request to the BAC Principal ([hhernandez@bisd.us](mailto:hhernandez@bisd.us)) or Pupil Services Department Administrator ([rampark@bisd.us](mailto:rampark@bisd.us)) accordingly at or before the 7<sup>th</sup> school day of the incident. All approved requests will expire within 7 school days of approval date. For cases involving extenuating circumstances, documentation needs to be provided on the extension request date.

Student Name:		ID Number:		Grade Level:	
Date of Infraction:		Home Campus:		Request day:	
Requested Date for Hearing:		Total Days from Infraction to Hearing:		days	

Reason for Extension:
-----------------------

Home Campus Hearing Officer (Printed Name)    Electronic Signature    Date

REQUIRED: Form must be emailed accordingly using the "Electronic Signature" employee's email.

**Extension Request Outcome**

Extension Request:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
Reason for Denial:			

BAC Removals-Placements / Hector Hernandez, BAC Principal    Date

JJAEP Placements / Randy Park, Pupil Services Hearing Officer    Date

Support Documents Attached	(Examples: home visit forms, phone logs, parent letter)
1.	
2.	
3.	



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 708 Palm Blvd., Brownsville, Texas 78521  
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EXHIBIT: \_\_\_\_\_

**Notice of Short and/or Long Term Removal Hearing  
 to the Brownsville Academic Center**

Student: \_\_\_\_\_

Parent(s) or Guardian(s): \_\_\_\_\_

Address: \_\_\_\_\_

City/Zip Code: \_\_\_\_\_

NOTICE is hereby given that the designee of the Superintendent of the Brownsville Independent School District will hold and conduct a formal campus hearing located at:

"INSERT CAMPUS NAME AND ADDRESS "

On "INSERT DATE" beginning at "TIME AM/PM" for the purpose of a hearing, considering and acting upon the following petition:

Removal to the Brownsville Academic Center (BAC) for a total of "CHOOSE # DAYS " 30 school days due to the following offense: (Specify Infraction)

"INSERT SCC VIOLATION/POLICE CHARGE AND SCC PAGE REFERENCE"

\_\_\_\_\_

NOTICE: The District may hold the hearing regardless of whether the student, student's parent or guardian, or another adult representing the student attends, provided that the school has made a good-faith effort to inform the student and student's parent or guardian of the time and place of the hearing. 37.09(f)

\_\_\_\_\_  
 Notice of Hearing Received by

\_\_\_\_\_  
 Date





**Brownsville Independent School District**  
**Department of Pupil Services**  
708 Palm Blvd., Brownsville, Texas 78521  
Office (956) 544-3966



EXHIBIT: \_\_\_\_\_

### **Procedures for Short and/or Long Term Removals**

The Petitioner (campus administration) will make a short opening statement, and may present the facts by oral testimony or written evidence, including affidavits, if desired, or by both.

When the Petitioner has closed, the Respondents (Student and/or parent/guardian) will be allowed to make a short opening statement and may present the facts by oral testimony, written evidence, including affidavits if desired, or by both.

When the Respondents have closed, the Petitioner will be allowed to present a short rebuttal.

Written statements for the petitioner and/or respondent may be presented during this time.

Any Respondent who desires to be heard, but who cannot be present on the date set, may for good cause shown to the satisfaction of the Campus Hearing Officer or his/her designee, have the hearing postponed to a day of mutual convenience: but only one such postponement shall be allowed.

Any Respondent who does not appear or request a postponement will be deemed to have defaulted, but as to any such Respondent, the Petitioner will be required to make out a prima facie case.

If the hearing is not completed after a reasonable time, the Campus Hearing Officer may adjourn to a certain day and continue the hearing as to the uncompleted part.

At the close of the hearing, the Campus Hearing Officer may then make his/her decision or may take the matter under advisement and adjourn the meeting to a certain day at which a decision will be made.

A true copy of the decision will be given to the parent(s)/guardian in person, but where both parents are named, service on one shall be deemed notice to the other also, and the person making the service shall attach his affidavit, stating the facts of service to the original.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date



EXHIBIT: \_\_\_\_\_

### Confirmation of Notice

A true copy of the following documents were delivered:

- Notice of Hearing
- Notice of Representation by an Adult at the Hearing
- Hearing Procedures for Short or Long Term Removal

Student: \_\_\_\_\_  
 Parent/Guardian: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Zip Code: \_\_\_\_\_

In person, on the date of "INSERT DATE" \_\_\_\_\_

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

**To be verified by the Hearing Officer during the Disciplinary Hearing.**

I declare that "INSERT ADMINISTRATORS NAME" did give the parent(s)/guardian(s)  
 of "INSERT STUDENT NAME" the three above documents.

\_\_\_\_\_  
 School Principal/Hearing Officer

\_\_\_\_\_  
 Date



EXHIBIT: \_\_\_\_\_

### Verification of Non-Protection under IDEA or Section 504

Campus: \_\_\_\_\_ Date: \_\_\_\_\_

After reviewing school and district records, this is to verify that \_\_\_\_\_  
is currently not: "INSERT STUDENT NAME"

(Campus Behavior Coordinator/appropriate administrator verifies by checking areas that do not apply to this student)

- Eligible for I.D.E.A. services                       Eligible for 504 services
- Receiving services as outlined in I.D.E.A.                       Receiving services as outlined in Section 504
- Referred for evaluation (I.D.E.A.)                       Referred for Evaluation (Section 504)

If a student is eligible for I.D.E.A. or Section 504, conduct a Manifestation Determination. A student that is not receiving any I.D.E.A. and/or 504 services is not protected under I.D.E.A. and/or Section 504.

\_\_\_\_\_  
Signature of Campus Behavior Coordinator  
or appropriate administrator

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date



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**Department of Pupil Services**  
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## Consideration Form

**Out of School Suspension**

**Removal**

Student:

I.D. Number:

Campus:

Grade:

Offense:

Date of Offense:

In deciding whether to order suspension or removal to a Disciplinary Alternative Education Program, from the District campus **will** take into consideration the following factors:

1. Self-Defense (Personal) :
  
2. Intent or lack of intent at the time the student engaged in the conduct:
  
3. Student's Disciplinary History:
  
4. Does the student have a disability that substantially impairs his/her capacity to appreciate the wrongfulness of his/her conduct :
  
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care, or
  
6. A student's status as homeless

A thorough investigation was conducted and it indicates that was involved in

The factors above did not interfere with the conduct.

**-or-**

A thorough investigation was conducted and it indicates that was involved in

However, he/she

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

\_\_\_\_\_  
 Date

*BISD does not discriminate on basis of race, color, national origin, sex, religion, age or disability or genetic information in employment or provisions of services, programs or activities.*



**Brownsville Independent School District**  
**Department of Pupil Services**  
 708 Palm Blvd, Office #121, Brownsville, TX 78521  
 Office (956) 544-3966



**DISCIPLINE HEARING DECISION**

**Discipline Hearing Date:**

**Discipline Hearing Location:**

**Parent/Guardian:**

**Student:**

**Address:**

**ID:**

**City,State, ZC:**

**School /Grade:**

**Infraction:**

Dear: Parent(s)/Guardian(s)

After reviewing the facts of the removal hearing held, this letter is to hereby inform you that:

**REMOVAL.** Notice is hereby given that the Superintendent’s Designee of the Brownsville Independent School District is delivering an **Order for the Removal** to the Brownsville Academic Center beginning on \_\_\_\_\_ for \_\_\_\_\_

Students removed to the Brownsville Academic Center must meet the removal exit requirements successfully before they can return to a BISD campus. The exit requirements for the 45 day program are: (1) meet and maintain school’s discipline standards and practice in applying Boys Town Respect Model; (2) complete four (4) successful counseling sessions, and (3) recommendation of readiness to reenter home campus school setting from administration and teachers and drill sergeants.

At said hearing, it was determined that the student did engage in a serious infraction, which violated school board policy. During this removal period, it is your responsibility to supervise your child. The student is prohibited from being on school grounds or attending school-sponsored or school-related extracurricular activities during the period of removal.

Please report to BAC Administration at 8:30 a.m. to the Brownsville Academic Center located at 3308 Robindale (956)504-6305.

**MODIFIED.** After reviewing the facts from the Discipline Hearing, this is to inform you that the disciplinary action recommended by the administration is hereby denied. The student is remanded back to their home campus and is assigned the following:

If you wish to appeal this administrative decision, you may do so within two (2) school days after the receipt of this letter. Your appeal must be submitted in writing to the Department of Pupil Services located at 708 Palm Blvd.

If you have any questions regarding this matter, contact the campus hearing officer at (956) \_\_\_\_\_.

\_\_\_\_\_  
 - Campus Hearing Officer

cc: \_\_\_\_\_  
 - Area Assistant Superintendent  
 - Principal,  
 Mr. Hector Hernandez - Principal, Brownsville Academic Center

*\*For students in Special Education, the DAEP order will not be enforced until such time as the ARD committee can meet to determine if there is a manifestation determination.*



Brownsville Independent School District  
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### ORDER OF STUDENT REMOVAL

STUDENT: \_\_\_\_\_

STUDENT ID: \_\_\_\_\_

CAMPUS: \_\_\_\_\_

PARENTS/GUARDIAN: \_\_\_\_\_

ADDRESS/CITY/ZC: \_\_\_\_\_

NOTICE is hereby given that the Superintendent's Designee of the Brownsville Independent School District is delivering an Order of Removal for **"INSERT STUDENT NAME"** to the Brownsville Academic Center for **45 school days (Mandatory Removal)** beginning on **"INSERT DATE (Ex: Monday, January 12, 2016)"** for **"INSERT SCC VIOLATION/INFRACTION"**

\_\_\_\_\_  
 Principal/Campus Hearing Officer Signature

Order of Removal Received by:

\_\_\_\_\_  
 Parent/Guardian Signature

\_\_\_\_\_  
 Date

If you wish to appeal this administrative decision, you may do so within two (2) school days after the receipt of this letter. Your appeal must be submitted in writing to the Department of Pupil Services at 708 Palm Blvd.

*\*For students in Special Education, the DAEP order will not be enforced until such time as the ARD committee can meet to determine if there is a manifestation determination.*



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 Office (956) 544-3966



EXHIBIT: \_\_\_\_\_

**Aviso de Audiencia de Corto o Largo Remocion**

Estudiante: \_\_\_\_\_

Padres/Tutores Legal: \_\_\_\_\_

Dirección: \_\_\_\_\_

Cuidad/Codigo Postal: \_\_\_\_\_

Se da aviso que el designado del Superintendente del Distrito Escolar de Brownsville conducirá y tendrá una audiencia ubicada en:

"INSERT CAMPUS NAME AND ADDRESS"

el "INSERT DATE" \_\_\_\_\_ empezando al la(s) "INSERT TIME AM/PM" \_\_\_\_\_ con el propósito de escuchar, considerer y actuar sobre la siguiente petición:

Remoción del medio educativo regular por un total de 45  días escolares debido a la siguiente ofensa:

"INSERT SCC VIOLATION/POLICE CHARGE AND SCC PAGE REFERENCE"

AVISO: El Distrito puede conducir la audiencia aunque el estudiant, los padres del estudiante, el guardián legal o algún otro adulto representando al estudiante estén presentes o no, siempre y cuando la escuela haya hecho un esfuerzo en buena fe de informar al estudiante, los padres del estudiante o tutores legal la hora y lugar de la audiencia. 37.09(f)

\_\_\_\_\_  
 Este aviso fue recibida por

\_\_\_\_\_  
 Fecha



**Brownsville Independent School District**  
**Department of Pupil Services**  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966



EXHIBIT: \_\_\_\_\_

**Aviso de Representación por un Adulto en la Audiencia**

Tienen el derecho de ser asistido en una audiencia de remoción por otro adulto que no sea el padre/tutores legal. Ese adulto podrá aconsejar al estudiante pero no debe ser empleado del distrito escolar. (i.e. Un familiar, amigo, abogado, etc.)

Padres, Tutores Legal o Personas Responsables de "INSERT STUDENT NAME"  
 he recibido, leído y cuidadosamente revisado esta declaración y entiendo su pertinencia.

\_\_\_\_\_  
 Firma de Padres/Tutores Legales

\_\_\_\_\_  
 Fecha

\_\_\_\_\_  
 Coordinador de la Conducta de la escuela  
 o administrador apropiado

Se le entrego una copia de este aviso al padre/tutores legal/persona responsable el "INSERT DATE".

\_\_\_\_\_  
 Administrador de Escuela

\_\_\_\_\_  
 Fecha



**Brownsville Independent School District**  
**Department of Pupil Services**  
708 Palm Blvd., Brownsville, Texas 78521  
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**EXHIBIT:** \_\_\_\_\_

## **Procedimiento de Audiencia de Colocación**

El Solicitante será permitido hacer un corto informe de apertura, y puede presentar datos por testimonio verbal ó evidencia por escrito, incluyendo declaración, si desea, ó las dos.

Cuando el Solicitante haya terminado, los Demandados serán permitidos hacer un corto informe de apertura y presentar los datos por testimonio verbal, evidencia escrita, incluyendo declaraciones, si desea, ó las dos. Presentación de testigos es opcional.

Cuando el Demandado haya terminado, el Solicitante será permitido presentar una corta impugnación.

Los testigos de los Solicitantes se presentarán para declarar en persona o por escrito. El Solicitante y Demandado serán permitidos hacer preguntas directas a los otros testigos presentes cuando presenten los hechos a favor de, ó en contra de la petición.

Los acontecimientos serán grabados y los demandados pueden hacer arreglos para obtener una copia, a su propio costo ó pueden hacer su propia grabación de los acontecimientos.

Cualquier Demandado que desee ser escuchado, pero no puede estar presente en la fecha indicada puede pedir que la audiencia se aplace. Pero debe tener una buena razón y esta razón debe de ser a la satisfacción de él oficial que dirige la audiencia, y también debe ser en un día que sea de común acuerdo y este aplazamiento se permitirá solamente una vez.

Si la audiencia no ha sido completada después de un tiempo razonable, el oficial que dirige la audiencia puede aplazar la sesión para un día seguro y continuar la audiencia desde la parte incompleta.

Al final de la audiencia, el oficial que dirige la audiencia puede hacer su decisión o puede llevar el caso bajo asesoramiento o aplazar la sesión a un día seguro en el cual hará su decisión.

Una copia verdadera de la decisión será dada a los padres/guardián legal, pero cuando los dos padres son nombrados, el servicio a uno será considerado aviso al otro también.

\_\_\_\_\_  
Padres/Tutores Legales

\_\_\_\_\_  
Fecha



EXHIBIT: \_\_\_\_\_

### Aviso de Confirmación

Una copia verdadera de los siguientes documentos fue entregada:

- Aviso de la Audiencia
- Aviso de Representación por un Adulto en la Audiencia
- Procedimientos de Audiencia de Corto o Largo Remoción

Estudiante: \_\_\_\_\_

Padres/Tutores Legal: \_\_\_\_\_

Dirección: \_\_\_\_\_

Cuidad/Codigo Postal: \_\_\_\_\_

En persona en la fecha: "INSERT DATE" \_\_\_\_\_

\_\_\_\_\_  
Firma del Coordinador de la Conducta de la escuela  
o administrador apropiado

(Para ser verificada por el oficial de la audiencia durante la audiencia disciplinarian)

Yo declare que "INSERT ADMINISTRATORS NAME" le entrego a los padres de "INSERT STUDENT NAME" los tres documentos indicados en esta forma.

\_\_\_\_\_  
Firma de Oficial de Audiencias



EXHIBIT: \_\_\_\_\_

### Verificación de No-Tener Protección Bajo IDEA o Sección 504

Escuela: \_\_\_\_\_ Fecha: \_\_\_\_\_

Después de revisar los archivos de la escuela y el distrito, esto verifica que **"INSERT STUDENT NAME"** actualmente no:

(Administrador de la escuela verifica con colocar marca de verificación en áreas que no se aplican a este estudiante)

- Es elegible para servicios de IDEA
- Elegible para servicios de 504
- Recibe servicios de IDEA
- Recibe servicios de Sección 504
- Referido para una evaluación (IDEA)
- Referido para una evaluación (Sección 504)

A si es que, él/ella no es protegido (a) bajo IDEA y la Sección 504. Si es elegible para IEA o Sección 504, tenga una Determinación de Manifestación.

\_\_\_\_\_  
Firma del Coordinador de la Conducta de la escuela  
o administrador apropiado

\_\_\_\_\_  
Titulo

\_\_\_\_\_  
Imprimir Nombre

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Firma del Administrador que Investigo

\_\_\_\_\_  
Fecha



## Forma de Consideración

### Suspensión Fuera de la Escuela

### Remoción

Estudiante:

Número del Estudiante:

Escuela:

Nivel:

Ofensa:

Fecha de Ofensa:

En decidir si debe ordenar suspension, Programa Disciplinario Alternativo o remocion, el Distrito tomara en consideración lo siguiente:

1. Defensa Propia (Personal):
2. Con intención o no, el tiempo que el estudiante participo en la conducta:
3. Historia disciplinarian del estudiante:
4. ¿el estudiante tiene una discapacidad que afecta considerablemente a su capacidad para reconocer el error de su conducta
5. La situación del estudiante encustodía del Departamento de Servicios para la Familia y de Protección (acogimiento familiar), o
6. La situación del estudiante como persona sin hogar:

Una investigación cuidadosa fue conducida y indica que fue involucrado en  
 Los factores arriba no interfirieron con la conducta.

-0-

Una investigación cuidadosa fue conducida y indica que fue involucrado en  
 Sin embargo, él/ella

\_\_\_\_\_  
 Firma del Administrador que Investigo

\_\_\_\_\_  
 Fecha



DECISIÓN DE AUDIENCIA DISCIPLINARIA

Fecha de Audiencia Disciplinaria: \_\_\_\_\_ Localización de Audiencia Disciplinaria: \_\_\_\_\_  
 Padre(s)/Tutor(es): \_\_\_\_\_ Estudiante: \_\_\_\_\_  
 Dirección: \_\_\_\_\_ ID del Estudiante: \_\_\_\_\_  
 Cd, Estado ,CP: \_\_\_\_\_ Escuela/ Grado: \_\_\_\_\_  
 Infracción: \_\_\_\_\_

Estimado: Padre(s)/Tutor(es)

Después de revisar los declaraciones hechos en la audiencia, esta carta es para informarle que:

**REMOCIÓN.** Se avisa que el Designado del Superintendente del Distrito Escolar Independiente de Brownsville emite una Orden de Remoción de Estudiante al Centro Académico de Brownsville y ordena la remoción empezando "INSERT DATE" por "INSERT SCC VIOLATION/INFRACTION"

Los estudiantes que han sido removidos al Centro Académico de Brownsville deben de satisfacer los requerimientos de remoción antes de que regresen a la escuela de BISD. Los requerimientos de salida para el programa de 4 días son: (1) cumplir y mantener las normas de disciplina de la escuela y poner por practica el "Boys Town Respect Model"; (2) completar cuatro (4) sesiones de consejo con éxito y (3) obtener una recomendación de parte de la administración y maestros que diga que está preparado para reingresar al ambiente de su escuela de origen.

Fue determinado en dicha audiencia que si participo en una infracción seria que viola la póliza de la Mesa Directiva. Durante el periodo de remoción, es la responsabilidad de usted de supervisar a su hijo/a. Se le prohíbe de estar en propiedades escolar o asistir actividades fuera del plan de estudios patrocinados o relacionados con la escuela durante el periodo de remoción.

Favor de reportar con el Director de la escuela Centro Académico de Brownsville, Felipe Reyes a las 8:30 a.m. al Centro Académico de Brownsville, localizado en 3308 Robindale, (956)504-6305 en la fecha especificada.

**MODIFICADA.** Despues de revisar los declaraciones hechos en la audiencia disciplinaria, esta carta es para informarle que la acción disciplinaria recomendada por la administración con respecto a el estudiante es negada. El estudiant, "INSERT ALTERNATE DISCIPLINE FOR EXAMPLE ISS OR STUDENT RETURNS TO CLASS ON "DATE" "

Si desea apelar esta decisión administrativa puede hacerlo dentro de dos (2) días escolares después de recibir esta carta. Su apelación debe de ser sometida por escrito al Departamento de Servicios para Alumnos en 708 Palm Blvd.

Si tiene alguna pregunta con respecto a esta audiencia , puede llamar el oficial de la audencia al (956) "INSERT CAMPUS PHONE #"

Respetuosamente,

\_\_\_\_\_  
 - Funcionario de Audencia

xc: \_\_\_\_\_ - Asistente de Superintendente  
 \_\_\_\_\_ - Director de la escuela "INSERT NAME OF CAMPUS"  
 Felipe Reyes – Director del Centro Académico de Brownsville

\*Para los estudiantes en educación especial, la orden DAEP no se aplicarán hasta que el Comité ARD puede reunirse para hacer una determinación de manifestación.



Brownsville Independent School District  
 Department of Pupil Services  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966



## ORDEN DE COLOCACIÓN DEL ESTUDIANTE

Estudiante: \_\_\_\_\_

Número del Estudiante: \_\_\_\_\_

Escuela/Nivel: \_\_\_\_\_

Padres/Tutores Legal: \_\_\_\_\_

Dirección/Cuidad/Codigo Postal: \_\_\_\_\_

Por la presente se da aviso que el designado del Superintendente del Distrito Escolar Independiente de Brownsville está apoyando y ordenando la colocación de "INSERT STUDENT NAME" el "INSERT DATE- EX: 20 de diciembre 2016" al Centro Académico de Brownsville por:

"INSERT SCC VIOLATION/INFRACTION"

\_\_\_\_\_  
 Director/Funcionario de Audiencia

La orden de colocación fue recibida por:

\_\_\_\_\_  
 Padre/Tutor Legal

\_\_\_\_\_  
 Fecha

Si desea apelar esta decisión administrativa puede hacerlo dentro de dos (2) días escolares después de recibir esta carta. Su apelación debe de ser sometida por escrito al Departamento de Servicios para Alumnos en 708 Palm Blvd.

*\*For students in Special Education, the DAEP order will not be enforced until such time as the ARD committee can meet to determine if there is a manifestation determination.*



**SECTION III – PLACEMENT PROCEDURES TO JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP) - 90 Day (prior approval required) or 180 Day Placement hearings held at the Department of Pupil Services**

**CAMPUS CONFERENCE**

Campus Principal, Campus Behavior Coordinator (CBC), or **Appropriate Administrator** assigned to the student incident who will conduct a conference for possible Placement immediately after the infraction. Present at this meeting shall be the Campus Behavior Coordinator or Appropriate Administrator assigned to the student incident and who will present evidence to the parent or guardian, and the student.

Based on the evidence presented, the District Hearing Officer will make a decision. One of the following is a possible decision:

1. Student is assigned In-School-Suspension (ISS); or
2. Student is placed to a Disciplinary Alternative Education Program
  - a. Placed to BAC 45 day program
  - b. Placed to JJAEP 90 or 180 day program. (**90 day program requires prior approval** from the Area Administrator)

If the decision is for placement at a DAEP, the Campus Behavior Coordinator or appropriate administrator in charge of the Placement shall notify parent or guardian. **Principal, CBC, or Appropriate Administrator** assigned to the student incident shall ensure that sufficient evidence [well documented- specific enough so that there will be no doubt as to what actually happened, i.e., police report, discipline referral reports, Student Code of Conduct Acknowledgement form duly executed, witnesses' testimony written form, etc.] is available for inclusion as part of the petition and for presentation to the District's Hearing Officer at the time of the Placement hearing.

**HEARING FOR PLACEMENT BY THE SUPERINTENDENT'S DESIGNEE**

This hearing shall be held at the Office of the Administrator for Department of Pupil Services within (7) school days from the date of the infraction. Conducting the hearing shall be the District's hearing officer (Superintendent's Designee), the principal/designee of the campus petitioning for student Placement who shall present the evidence and/or testimony, parents/guardians of student, an adult who can provide guidance to the student and is not an employee of the district (if so desired) and the student.

If evidence warrants Placement, then the Superintendent's designee shall give written notice to the parent or guardian and student notifying them of the decision. This decision shall be made whether or not each requested person is in attendance after valid attempts to require the person's attendance. The decision to place the student may be appealed to the District Committee. The parent shall be notified that they have three school days after the receipt of written decision to appeal the decision to the District Committee in writing.

If the student/parent appeals the decision, then the student shall report directly to JJAEP while pending the hearing before the District Committee.



**Brownsville Independent School District**  
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Office (956) 544-3966



## **DECISION APPEALED TO THE DISTRICT COMMITTEE**

If the parent/guardian elects to appeal the decision of the Superintendent's Designee to the District Committee, the parent or guardian shall submit in writing to the Administrator of Pupil Services a request for the District Committee to rehear the case. The parent has three school days from receipt of written notice of decision from the Superintendent's designee to notify the District Committee. The District Committee will make and communicate its decision at the conclusion of the presentation.

If the resolution at the District's Committee's level is not to the student's and/or parent's satisfaction, the parent/student may appeal to the Board. The parent has three school days from receipt of written notice of decision from the Superintendent's designee to notify the Board to appeal in writing at the Department of Pupil Services.

## **APPEAL HEARING BEFORE THE BOARD**

The appeal to the Board shall be heard at a time, date and place set by the Board as soon as feasible after the Superintendent's Office receives the notice of appeal.

The hearing before the Board shall be conducted as follows:

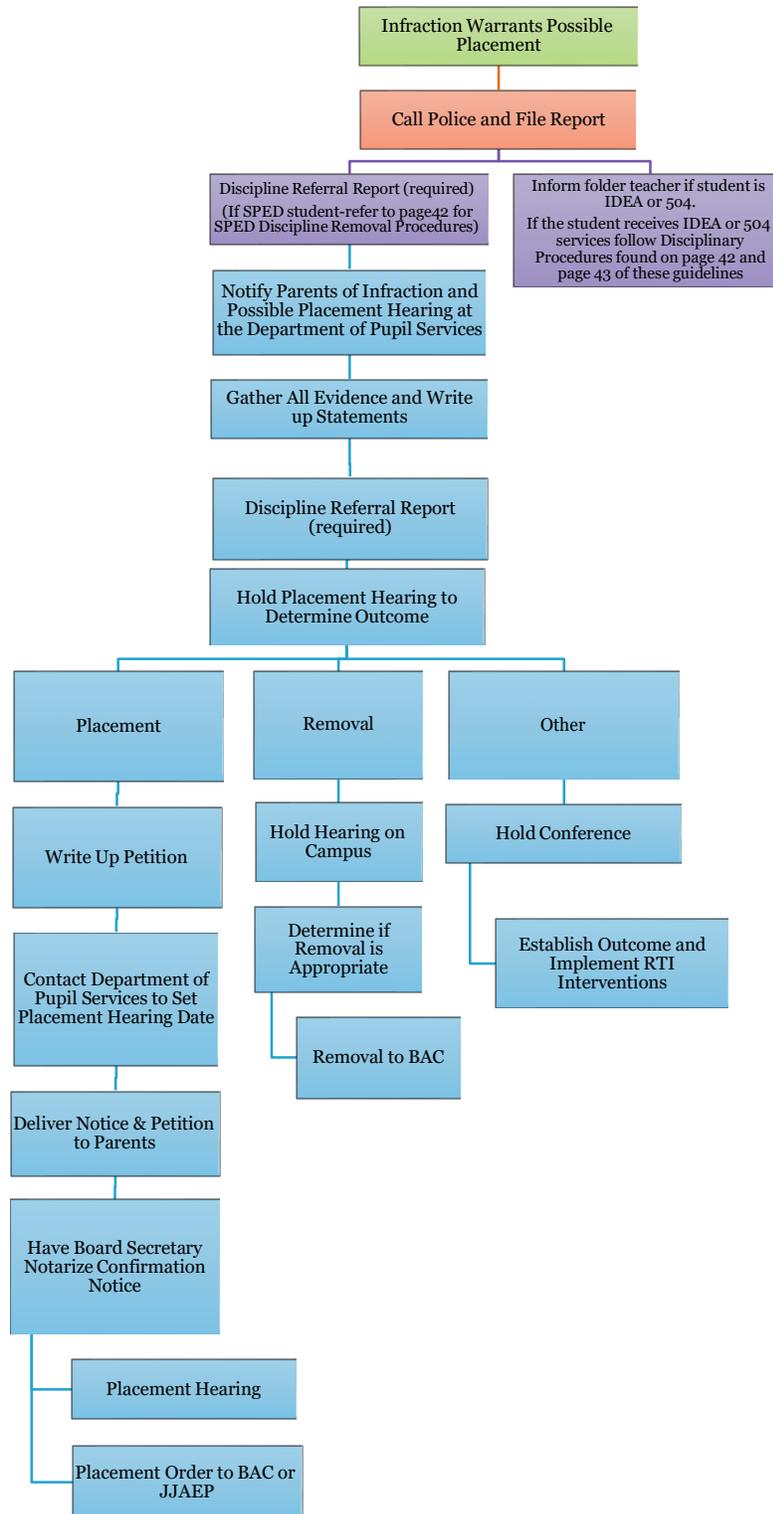
- (a) the hearing shall be open if an open hearing is requested in writing by the parent in accordance with Section 551.082(b) of the Government Code; and
- (b) the parent and student will be allowed ten minutes to present their case and the campus administration will be allowed five minutes to respond.
- (c) The presiding officer may conduct time limits for extenuating circumstances.

The decision of the Board to place a student may be appealed to a State District Court of Cameron County, Texas, for a trial de novo.

The Board decision is final at the district level. However, the parent and student can still appeal through judicial proceedings.

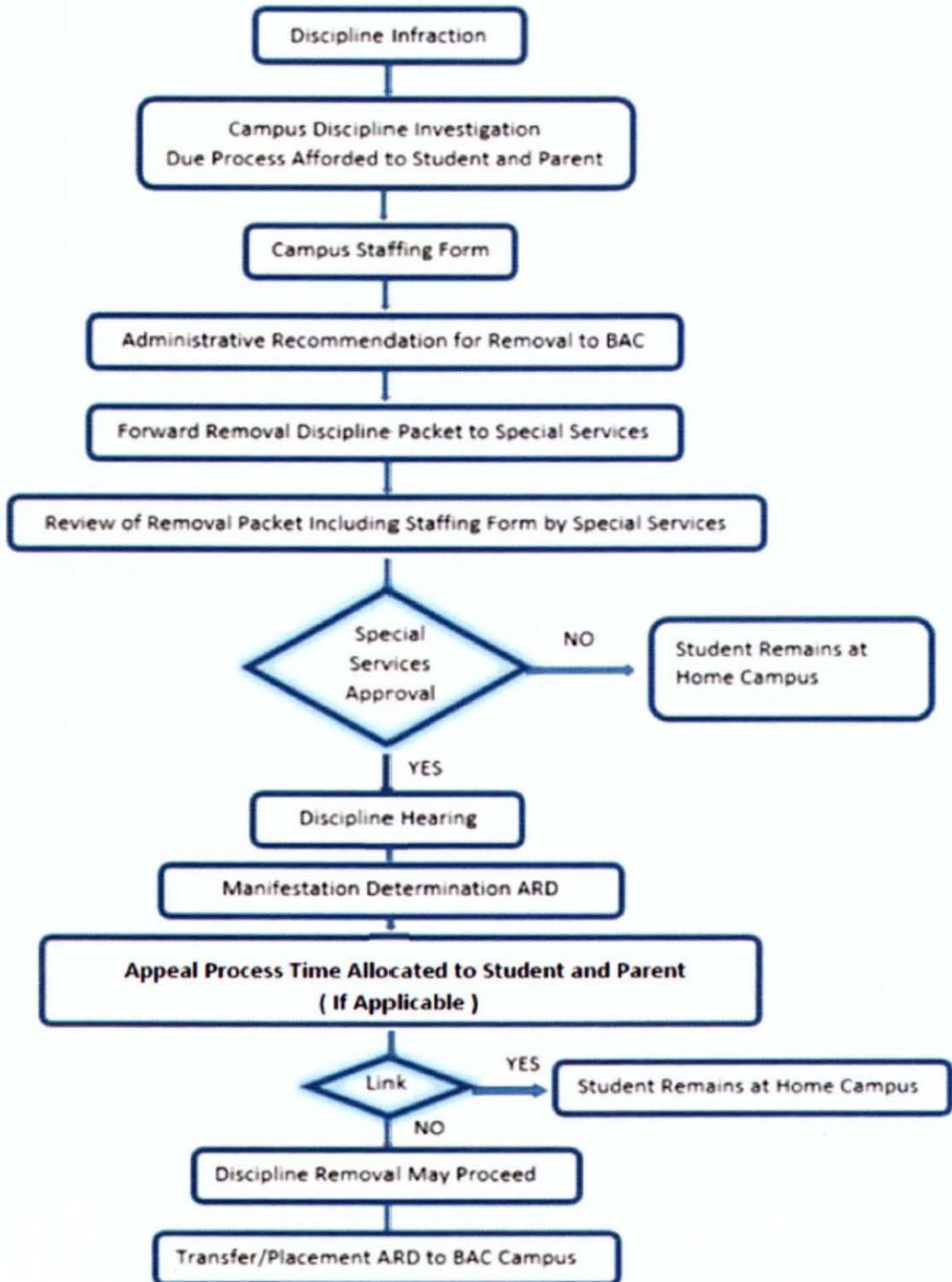


## FLOWCHART FOR POSSIBLE PLACEMENT HEARING





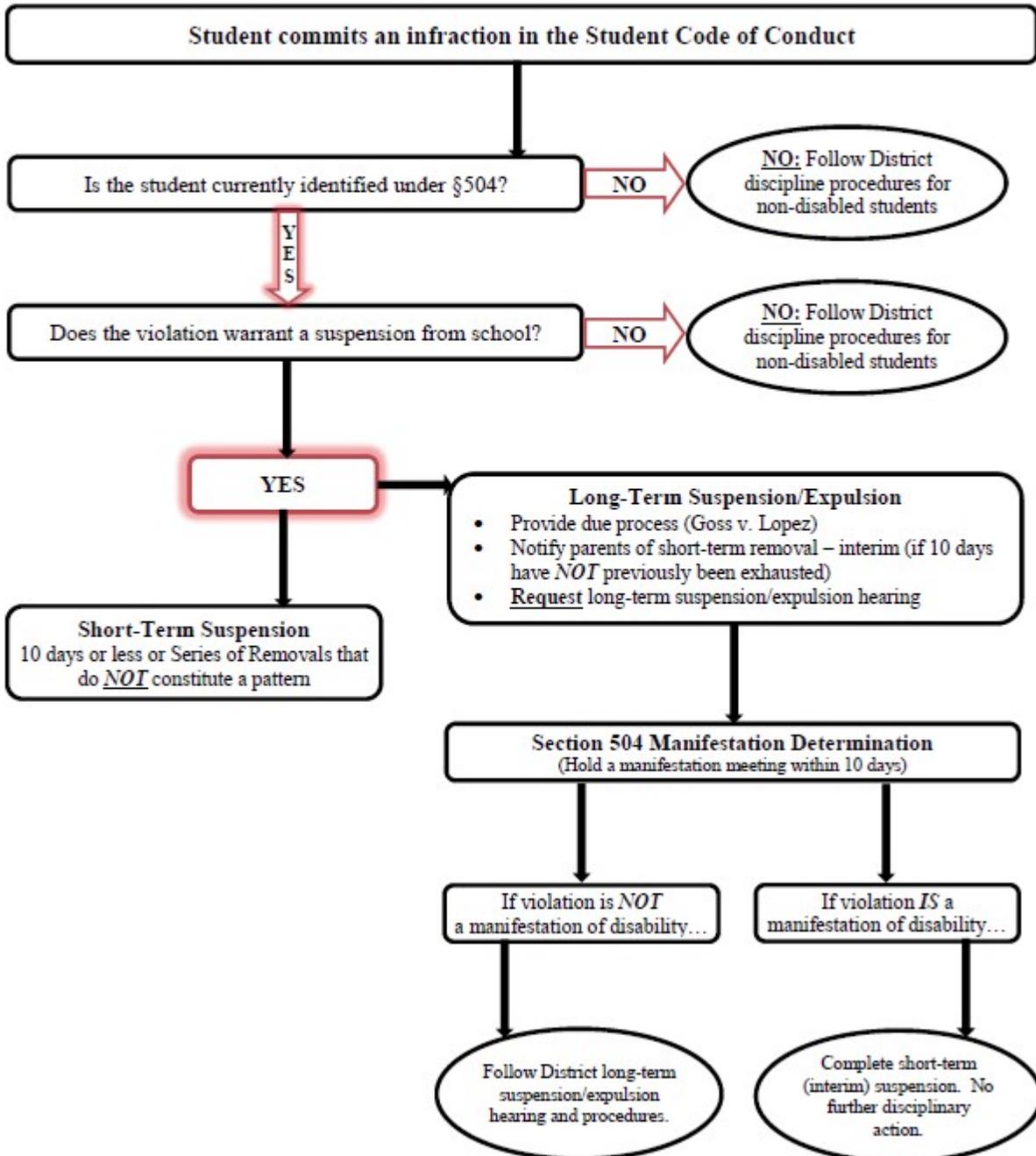
*Discipline Removal Procedural Flowchart*  
**Students receiving Special Education Services**



*Flowchart Provided by BISD Special Services Department*



**DISCIPLINE AND THE SECTION 504  
 VIOLATION OF THE STUDENT CODE OF CONDUCT - FLOWCHART**





## **Checklist For Possible 90 Day or 180 Day Placement to JJAEP**

- Secure sniffer dog report. (If applicable)
- Police report secured by campus administration
- If drug related, get verification of drug by law enforcement. Photograph/copy evidence.
- Turn evidence over to Police or District Security Department.
- Fill out Discipline Referral Form. Have student write his/her own version and sign it. Make sure that student has checked off yes/no statements.
- If there are witnesses get their names and written version of incident. Secure witness(es) statement(s).
- Call and meet with parents the same day if possible or within 24 hours. Share information about the incident.
- Determine if student is I.D.E.A. or 504. Inform appropriate IDEA or 504 campus personnel if applicable. Discipline Removal Procedures for students receiving **Special Education or 504 Services** are found on page 32, 33 and 34 of the Administrative Disciplinary Guidelines.
- Hold campus meeting to present evidence and let parents know of infraction and consequence. Determine if there is sufficient evidence to warrant Placement or other consequence(s).
- If the consequence is not Placement to a Disciplinary AEP then administer the proper consequence.
- If the decision is to recommend Placement, inform the parent. Notify parent that the Superintendent's designee will conduct a hearing as specified on the Notice of Hearing given or delivered to their home.
- Campus Administration shall prepare a Placement packet that includes all of the pertinent documentation regarding the offense. This will be presented to the hearing officer at the time of the Placement hearing.
- Board Secretary will notarize Confirmation of Notice for a placement ( 3 days prior to the hearing date).
- Prepare for oral presentation before Superintendent's Designee.
- On the day of the hearing have all educational documents requested by JJAEP, to ensure no interruption of education services.

### **Note:**

- Be sure to use the word suspension only if you are actually suspending the student.
- Out of school suspension is limited to three days.
- Sending a child home to get the parent to come to school for a conference is a suspension.
- Student will be withdrawn for Placement at JJAEP.



## **JJAEP Placement – 90 Day or 180 Day Packet Organization**

All Placement packets require a cover page, divided by tabs, and titled accordingly with the following documents. Also required is that the Confirmation of Notice form is notarized by the Board Secretary. After gathering all documents in Tab 1 and Tab 2 make an appointment 3 days prior to the hearing with the Board Secretary to have notarized.

### **Tab 1**

#### **DUE PROCESS**

Extension Request (If Applicable)  
Notice of Hearing  
Notice of Representation by an Adult at the Hearing  
Notice of Hearing Procedures  
Confirmation of Notice Form (*Notarized*)  
Petition for Placement Form  
Verification of Non-Protection under IDEA or Section 504 Form  
Consideration Form

### **Tab 2**

#### **VIOLATION OF SCC**

Student Code of Conduct Acknowledgement Form – must be current school year & signed  
Discipline Referral  
Campus Behavior Coordinator or appropriate administrator's Statement (Time, Place, Facts)  
Witness(es) Statement(s) (When Applicable)  
Police Report (*Required*)  
Nurse's Report  
\*Bullying Forms: Found on BISD Main Page under Parent/Student Info towards the bottom

### **Tab 3**

#### **Program Documents**

For JJAEP Placement – include all documents requested by JJAEP in TAB 3 of the Packet checklist form. **Only place these documents in the JJAEP representatives packet**

If a Placement Hearing cannot be held within 7 school days of the incident, a request for an extension must be submitted to Pupil Services Department Administrator for at or before the 7th day.

Send extension request form via email to Randy Park, Pupil Services Administrator to [rampark@bisd.us](mailto:rampark@bisd.us).

\* For bullying, the investigation should be completed within 10 District business days from the initial bullying report date. A hearing for bullying must be conducted within 3 days after investigation is completed.



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**Department of Pupil Services**  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966 / Fax (956) 548-8174



**Brownsville Academic Center**

3308 Robindale · Brownsville, TX · 78526  
 (956) 504-6305 · Fax (956) 831-0959



**Department of Pupil Services**

708 Palm Blvd., Brownsville, Texas 78521  
 (956) 544-3966, Fax (956) 548-8174

## Hearing Extension Request Form

- 30 Day Discretionary Removal (Send Request to BAC)    45 Day Mandatory Removal (Send Request to BAC)  
 45 Day Placement (Send Request to BAC)    180 Day Placement (Send Request to Pupil Services Dept.)

This form must be submitted and approved by the Hearing Officer. Submit the request to the BAC Principal ([hhernandez@bisd.us](mailto:hhernandez@bisd.us)) or Pupil Services Department Administrator ([rampark@bisd.us](mailto:rampark@bisd.us)) accordingly at or before the 7<sup>th</sup> school day of the incident. All approved requests will expire within 7 school days of approval date. For cases involving extenuating circumstances, documentation needs to be provided on the extension request date.

Student Name:		ID Number:		Grade Level:	
Date of Infraction:		Home Campus:		Request day:	
Requested Date for Hearing:				Days from Infraction to Hearing:	days

Reason for Extension:

Home Campus Hearing Officer (Printed Name / Electronic Signature)      Date

REQUIRED: Form must be emailed accordingly using the "Electronic Signature" employee's email.

### Extension Request Outcome

Extension Request:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied		
Reason for Denial:				

BAC Removals-Placements / Hector Hernandez, BAC Principal      Date

JJAEF Placements / Randy Park, Pupil Services Hearing Officer      Date

Support Documents Attached	(Examples: home visit forms, phone logs, parent letter)
1.	
2.	
3.	



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**EXHIBIT:** \_\_\_\_\_

**Notice of Hearing for Placement**

Student: [Redacted]

Parent(s) or Guardian(s): [Redacted]

Address: [Redacted]

City/Zip Code: [Redacted]

NOTICE is hereby given that the designee of the Superintendent of the Brownsville Independent School District will hold and conduct a Placement at the Department of Pupil Services located at 708 Palm Blvd, Brownsville, Texas, on **"INSERT DATE"** beginning at **TIME AM/PM** for the purpose of a hearing, considering and acting upon the following petition:

Placement from the regular school setting for a total of **45** school days due to the following offense:  
 (Specify Infraction)

**"INSERT SCC VIOLATION/POLICE CHARGE AND SCC REFERENCE PAGE #"**  
 [Redacted]

NOTICE: The District may hold the hearing regardless of whether the student, student's parent or guardian, or another adult representing the student attends, provided that the school has made a good-faith effort to inform the student and student's parent or guardian of the time and place of the hearing. 37.09(f)

\_\_\_\_\_  
 Notice of Hearing Received by

\_\_\_\_\_  
 Date



**Brownsville Independent School District**  
**Department of Pupil Services**  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966 / Fax (956) 548-8174



**EXHIBIT:** \_\_\_\_\_

**Notice of Representation by an Adult at the Hearing**

You have the right to be assisted at a Disciplinary Alternative Education Program removal hearing by another adult, other than the parent/guardian, who can provide guidance to the student and who is not an employee of the school district (i.e., relative, friend, lawyer, etc.).

**Parents, Guardian or Persons Responsible for** "INSERT STUDENT NAME"

I have received, read and carefully reviewed the statement and understand its relevance.

\_\_\_\_\_  
 Parent/Guardian Signature

\_\_\_\_\_  
 Date

A copy of this notice was given to the parent/guardian/persons responsible on "INSERT DATE"

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

\_\_\_\_\_  
 Date



**Brownsville Independent School District**  
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**EXHIBIT:** \_\_\_\_\_

## **Procedures for Short and/or Long Term Removals**

The Petitioner (campus administration) will make a short opening statement, and may present the facts by oral testimony or written evidence, including affidavits, if desired, or by both.

When the Petitioner has closed, the Respondents (Student and/or parent/guardian) will be allowed to make a short opening statement and may present the facts by oral testimony, written evidence, including affidavits if desired, or by both.

When the Respondents have closed, the Petitioner will be allowed to present a short rebuttal.

Written statements for the petitioner and/or respondent may be presented during this time.

Any Respondent who desires to be heard, but who cannot be present on the date set, may for good cause shown to the satisfaction of the Campus Hearing Officer or his/her designee, have the hearing postponed to a day of mutual convenience: but only one such postponement shall be allowed.

Any Respondent who does not appear or request a postponement will be deemed to have defaulted, but as to any such Respondent, the Petitioner will be required to make out a prima facie case.

If the hearing is not completed after a reasonable time, the Campus Hearing Officer may adjourn to a certain day and continue the hearing as to the uncompleted part.

At the close of the hearing, the Campus Hearing Officer may then make his/her decision or may take the matter under advisement and adjourn the meeting to a certain day at which a decision will be made.

A true copy of the decision will be given to the parent(s)/guardian in person but where both parents are named, service on one shall be deemed notice to the other also, and the person making the service shall attach his affidavit, stating the facts of service to the original.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date



**Brownsville Independent School District**  
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**EXHIBIT:** \_\_\_\_\_

**Confirmation of Notice**

**THE STATE OF TEXAS**  
**COUNTY OF CAMERON**

**BEFORE** me, the undersigned Notary Public in and for the County of Cameron, on this day personally appeared "*INSERT ADMINISTRATOR NAME*" who having been by me first duly sworn upon his/her oath says:

A true copy of the following documents were delivered:

- Notice of Hearing
- Notice of Representation by an Adult at the Hearing
- Hearing Procedures for Short or Long Term Removal

Student: \_\_\_\_\_  
 Parent/Guardian: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Zip Code: \_\_\_\_\_

In person, on "*INSERT DATE - EX: Monday, December 1, 2016*"

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

**SUBSCRIBED** and sworn to before me, by the said \_\_\_\_\_ on this \_\_\_\_\_ day  
 of 20\_\_\_\_ to certify which, witness my hand and seal of office.

\_\_\_\_\_  
 A Notary Public in and for  
 Cameron County, Texas



EXHIBIT: \_\_\_\_\_

### Petition for Placement

**Petitioner**

Now comes, "INSERT ADMINISTRATOR NAME" from "INSERT CAMPUS NAME" Hereinafter sometimes called Petitioner, complaining of the following named student "INSERT STUDENT NAME". Hereinafter sometimes called Respondent. The legal guardian representing such student is "INSERT PARENT/GUARDIAN NAME", and with reference to such student, would respectfully show the Board's Designee the following:

**I**

Petitioner is "INSERT ADMIN. NAME" of "INSERT CAMPUS NAME" and the named Respondent is a student duly enrolled in such school for the current scholastic year.

**II**

During the current scholastic year the Respondent, "INSERT STUDENT NAME" has been involved in the following incident:

	Offense	Date	Discipline Technique(s)
1.	"INSERT CURRENT SCC VIOLATION ETC....."		
2.	"INSERT OTHER SCC VIOLATIONS ETC....."		
3.			

**III**

Petitioner has reason to believe and does believe that the Respondent did behave in the manner enumerated in section II of this document.

**IV**

Petitioner would further show the Superintendent's Designee that the statutes and policies provide for the Placement of an offending student, from "INSERT CAMPUS NAME" to Juvenile Justice alternative Education Program (JJAEP) from "INSERT START DATE" (NEXT SCHOOL DAY AFTER HEARING) to "INSERT END DATE" (ONE YR. AFTER START DAY ONE DAY PRIOR TO START DAY) for a total of 90 school days during the school year.

Petitioner would show that besides himself, there were other witnesses to all or parts of the above described events, among them being:

Witnesses': \_\_\_\_\_

Petitioner affirms that the Respondent will be notified to appear for a hearing at a time and place stated; that the guardian for the Respondent was likewise notified; that upon hearing hereof, the Superintendent's Designee finds the Respondent guilty of the behavior enumerated in section II of this document. Respondent's guardian shall have the right to present witnesses and documentary evidence at the hearing to rebut the charges and a right to be assisted at the hearing by another adult who is not an employee of the district.

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator      Printed Name      Date



Brownsville Independent School District  
 Department of Pupil Services  
 708 Palm Blvd., Brownsville, Texas 78521  
 Office (956) 544-3966 / Fax (956) 548-8174



EXHIBIT: \_\_\_\_\_

**Verification of Non-Protection under IDEA or Section 504**

Campus: \_\_\_\_\_ Date: \_\_\_\_\_

After reviewing school and district records, this is to verify that \_\_\_\_\_ "INSERT STUDENT NAME" is currently not:

(Campus Behavior Coordinator/appropriate administrator verifies by checking areas that do not apply to this student)

- Eligible for I.D.E.A. services
- Eligible for 504 services
- Receiving services as outlined in I.D.E.A.
- Receiving services as outlined in Section 504
- Referred for evaluation (I.D.E.A.)
- Referred for Evaluation (Section 504)

If a student is eligible for I.D.E.A. or Section 504, conduct a Manifestation Determination. A student that is not receiving any I.D.E.A. and/or 504 services is not protected under I.D.E.A. and/or Section 504.

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Date



EXHIBIT: \_\_\_\_\_

### Consideration Form

Out of School Suspension

Removal

Placement

Student: \_\_\_\_\_ I.D. Number: \_\_\_\_\_

Campus: \_\_\_\_\_ Grade: \_\_\_\_\_

Offense: \_\_\_\_\_ Date of Offense: \_\_\_\_\_

In deciding whether to order suspension, placement in a Disciplinary Alternative Education Program, or Placement the District will take into consideration the following factors:

1. Self-Defense (Personal): \_\_\_\_\_  
 \_\_\_\_\_

2. Intent or lack of intent at the time the student engaged in the conduct:  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Student's Disciplinary History:  
 \_\_\_\_\_  
 \_\_\_\_\_

4. If applicable, does the student have a disability that substantially impairs his/her capacity to appreciate the wrongfulness of his/her conduct: *"IF 504 STUDENT, MD HELD PRIOR AND CAN ANSWER #4. IF SPED, PENDING OUTCOME OF MD TO ANSWER #4 BRIEFLY EXPLAIN"*

A thorough investigation was conducted and it indicates that *"INSERT STUDENT NAME"* was involved in *"INSERT INFRACTION/SCC VIOLATION"*. The factors above did not interfere with the conduct.

-or-

A thorough investigation was conducted and it indicates that *"INSERT STUDENT NAME"* was involved in *"INSERT INFRACTION/SCC VIOLATION"* *"INSERT ANY FACTORS THAT INTERFERED WITH CONDUCT"*. However, he/she

\_\_\_\_\_  
 Signature of Campus Behavior Coordinator  
 or appropriate administrator

\_\_\_\_\_  
 Date



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EXHIBIT: \_\_\_\_\_

### Aviso de Audiencia de Colocación

Estudiante: \_\_\_\_\_

Padres/Tutores Legal: \_\_\_\_\_

Dirección: \_\_\_\_\_

Cuidad/Codigo Postal: \_\_\_\_\_

Se da aviso que el designado del Superintendente del Distrito Escolar de Brownsville conducirá y tendrá una audiencia ubicada en:

Department of Pupil Services, 708 calle Palm Blvd., Brownsville, Texas 78521

el "INSERT DATE EX: 12 DE ABRIL 2016" empezando al la(s) "INSERT DATE" con el propósito de escuchar, considerar y actuar sobre la siguiente petición:

Remoción del medio educativo regular por un total de 90 días escolares debido a la siguiente ofensa:

"INSERT SCC VIOLATION/POLICE CHARGE"

\_\_\_\_\_

\_\_\_\_\_

AVISO: El Distrito puede conducir la audiencia aunque el estudiant, los padres del estudiante, el guardián legal o algún otro adulto representando al estudiante estén presentes o no, siempre y cuando la escuela haya hecho un esfuerzo en buena fe de informar al estudiante, los padres del estudiante o tutores legal la hora y lugar de la audiencia. 37.09(f)

\_\_\_\_\_  
 Este aviso fue recibida por

\_\_\_\_\_  
 Fecha



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**EXHIBIT:** \_\_\_\_\_

**Aviso de Representación por un Adulto en la Audiencia**

Tienen el derecho de ser asistido en una audiencia de remoción por otro adulto que no sea el padre/tutores legal. Ese adulto podrá aconsejar al estudiante pero no debe ser empleado del distrito escolar. (i.e. Un familiar, amigo, abogado, etc.)

Padres, Tutores Legal o Personas Responsables de "INSERT STUDENT NAME"  
 he recibido, leído y cuidadosamente revisado esta declaración y entiendo su pertinencia.

\_\_\_\_\_  
 Firma de Padres/Tutores Legales

\_\_\_\_\_  
 Fecha

\_\_\_\_\_  
 Coordinador de la Conducta de la escuela  
 o administrador apropiado

Se le entrego una copia de este aviso al padre/tutores legal/persona responsable el "INSERT DATE".

\_\_\_\_\_  
 Administrador de Escuela

\_\_\_\_\_  
 Fecha



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**EXHIBIT:** \_\_\_\_\_

## **Procedimiento de Audiencia de Colocación**

El Solicitante será permitido hacer un corto informe de apertura, y puede presentar datos por testimonio verbal ó evidencia por escrito, incluyendo declaración, si desea, ó las dos.

Cuando el Solicitante haya terminado, los Demandados serán permitidos hacer un corto informe de apertura y presentar los datos por testimonio verbal, evidencia escrita, incluyendo declaraciones, si desea, ó las dos. Presentación de testigos es opcional.

Cuando el Demandado haya terminado, el Solicitante será permitido presentar una corta impugnación.

Los testigos de los Solicitantes se presentarán para declarar en persona o por escrito. El Solicitante y Demandado serán permitidos hacer preguntas directas a los otros testigos presentes cuando presenten los hechos a favor de, ó en contra de la petición.

Los acontecimientos serán grabados y los demandados pueden hacer arreglos para obtener una copia, a su propio costo ó pueden hacer su propia grabación de los acontecimientos.

Cualquier Demandado que desee ser escuchado, pero no puede estar presente en la fecha indicada puede pedir que la audiencia se aplace. Pero debe tener una buena razón y esta razón debe de ser a la satisfacción de él oficial que dirige la audiencia, y también debe ser en un día que sea de común acuerdo y este aplazamiento se permitirá solamente una vez.

Si la audiencia no ha sido completada después de un tiempo razonable, el oficial que dirige la audiencia puede aplazar la sesión para un día seguro y continuar la audiencia desde la parte incompleta.

Al final de la audiencia, el oficial que dirige la audiencia puede hacer su decisión o puede llevar el caso bajo asesoramiento o aplazar la sesión a un día seguro en el cual hará su decisión.

Una copia verdadera de la decisión será dada a los padres/guardián legal, pero cuando los dos padres son nombrados, el servicio a uno será considerado aviso al otro también.

\_\_\_\_\_  
Padres/Tutores Legales

\_\_\_\_\_  
Fecha



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EXHIBIT: \_\_\_\_\_

**Aviso de Confirmación**

ESTADO DE TEXAS  
 CONDADO DE CAMERON

Ante mí, el Notario Público suscrito en y para él Condado de Cameron, en este día compareció  
 [INSERT ADMINISTRATOR NAME] que bajo juramento dice:

Una copia verdadera de los siguientes documentos fue entregada:

- Aviso de la Audiencia
- Aviso de Representación por un Adulto en la Audiencia
- Procedimientos de Audiencia de Colocación

Estudiante: \_\_\_\_\_

Padres/Tutores Legal: \_\_\_\_\_

Dirección: \_\_\_\_\_

Cuidad/Codigo Postal: \_\_\_\_\_

En persona el [INSERT DATE EX: LUNES, 2 DE ENERO 2016]

\_\_\_\_\_  
 Firma del Coordinador de la conducta  
 o administrador apropiado

Suscrita y jurada ante mí por el dicho \_\_\_\_\_ en \_\_\_\_\_  
 cual certifico y testo por mi mano y sello de oficio.

\_\_\_\_\_  
 Notario Público en y para él  
 Condado de Cameron, Texas



EXHIBIT: \_\_\_\_\_

## PETICIÓN DE COLOCACIÓN

### SOLICITANTE

Ahora viene, "INSERT ADMINISTRATOR NAME" de "INSERT CAMPUS NAME" más adelante llamado el Solicitante, quejándose del siguiente estudiante nombrado, "INSERT STUDENT NAME" más adelante llamado el Demandado, y su padre/guardian legal quien es "INSERT PARENT NAME", presenta al designado de la mesa directiva lo siguiente:

#### I

El solicitante es "INSERT ADMIN. NAME" de la escuela "INSERT CAMPUS NAME" y dicho demandado es estudiante en esta escuela por el año escolar actual.

#### II

Durante el año escolar actual el demandado, "INSERT STUDENT NAME" ha estado envuelto en los siguientes incidentes que posiblemente sean relacionados con la ofensa reciente.

	Violación	Fecha	Tecnica(s) De Disciplina
1.	"INSERT CURRENT SCC VIOLATION ,ETC"		
2.	"INSERT OTHER SCC VIOLATIONS, ETC..."		
3.			

#### III

El solicitante tiene motivos para creer y cree y pore so afirma que el demandado se comport en la manera enumerada en la sección II de este documento.

#### IV

El solicitante además demuestra al designado del Superintendente que el estatuto y normas estipulan la colocación de dicho estudiante de "INSERT START DATE (NEXT SCHOOL DAY AFTER HEARING)" hasta "INSERT END DATE (ONE PR. AFTER START DAY ONE DAY PRIOR TO START DAY)" al Programa de Educación Alternativa de Justicia Juvenil por 180 días escolar durante el año escolar.

El solicitante demuestra que aparte de él, hubo otros testigos de todo o parte de los incidentes descritos anteriormente, entre ellos:

Testigos: \_\_\_\_\_

El solicitante ruega que el demandado sea notificado a aparecer a una audiencia a la hora y lugar indicado que el padre/guardian legal del demandado también sea totificado. Que ante la audiencia, el designado del Superintendente encuentre al emandado culpable del comportamiento enumerado en la sección ii de este documento. El padre/guardian legal del emandado tendrá

\_\_\_\_\_  
 Firma del Coordinador de la conducta  
 o administrador apropiado

\_\_\_\_\_  
 Titulo del Administrador

\_\_\_\_\_  
 Fecha



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EXHIBIT: \_\_\_\_\_

### Verificación de No-Tener Protección Bajo IDEA o Sección 504

Escuela: \_\_\_\_\_ Fecha: \_\_\_\_\_

Después de revisar los archivos de la escuela y el distrito, esto verifica que **"INSERT STUDENT NAME"** actualmente no:

(Administrador de la escuela verifica con colocar marca de verificación en áreas que no se aplican a este estudiante)

- |  |   |
|--|---|
| <input type="checkbox"/> Es elegible para servicios de IDEA  | <input type="checkbox"/> Elegible para servicios de 504             |
| <input type="checkbox"/> Recibe servicios de IDEA            | <input type="checkbox"/> Recibe servicios de Sección 504            |
| <input type="checkbox"/> Referido para una evaluación (IDEA) | <input type="checkbox"/> Referido para una evaluación (Sección 504) |

A si es que, él/ella no es protegido (a) bajo IDEA y la Sección 504. Si es elegible para IEA o Sección 504, tenga una Determinación de Manifestación.

\_\_\_\_\_  
 Firma del Coordinador de la Conducta de la escuela  
 o administrador apropiado

\_\_\_\_\_  
 Título

\_\_\_\_\_  
 Imprimir Nombre

\_\_\_\_\_  
 Fecha



EXHIBIT: \_\_\_\_\_

### Forma de Consideración

Suspensión Fuera de la Escuela

Remoción

Colocación

Estudiante: \_\_\_\_\_ Número del Estudiante: \_\_\_\_\_

Escuela: \_\_\_\_\_ Nivel: \_\_\_\_\_

Ofensa: \_\_\_\_\_ Fecha de Ofensa: \_\_\_\_\_

En decidir si debe ordenar suspension, Programa Disciplinario Alternativo o colocación, el Distrito tomara en consideración lo siguiente:

1. Defensa Propia (Personal): \_\_\_\_\_
2. Con intención o no, el tiempo que el estudiante participo en la conducta: \_\_\_\_\_
3. Historia disciplinarian del estudiante: \_\_\_\_\_
4. En su caso, ¿el estudiante tiene una discapacidad que afecta considerablemente a su capacidad para reconocer el error de su conducta: *"IF 504 STUDENT, MD HELD PRIOR TO HEARING AND CAN ANSWER #4."*  
*"IF SPED, PENDING OUTCOME OF MD TO ANSWER #4 BRIEFLY EXPLAIN."*

Una investigación cuidadosa fue conducida y indica que *"INSERT STUDENT NAME"* fue involucrado en *"INSERT INFRACTION/SCC VIOLATION"*. Los factores arriba no interfirieron con la conducta.

-0-

Una investigación cuidadosa fue conducida y indica que *"INSERT STUDENT NAME"* fue involucrado en *"INSERT INFRACTION/SCC VIOLATION"*. Sin embargo, él/ella *"INSERT ANY FACTORS THAT INTERFERED WITH CONDUCT"*

\_\_\_\_\_  
 Firma del Administrador que Investigo

\_\_\_\_\_  
 Fecha



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**ADDITIONAL FORMS / INFORMATION**

**Hearing Guides (English & Spanish Version) .....53-56**  
**BAC Packet Checklist.....57**  
**JJAEP Packet Checklist.....58**



## **Hearing Guide for Short and/or Long Term Removals**

1. This hearing will come to order. Today is [Click here to enter text.](#) We are at [Click here to enter text.](#) located at [Click here to enter text.](#) We are meeting to consider whether to remove or otherwise discipline [Click here to enter text.](#) My name is [Click here to enter text.](#), Hearing Officer and Superintendent's designee for [Click here to enter text.](#)
2. Present at this hearing today are \_\_\_\_\_ (everyone in the meeting orally presents themselves for the record).
3. Campus Behavior Coordinator or appropriate administrator's designee has provided a removal packet to the hearing officer, as well as the parent.
4. The allegation brought forth by [Click here to enter text.](#) is [Click here to enter text.](#)
5. The purpose of this hearing is to consider the facts regarding this case and to consider the recommendation by campus administration to remove student [Click here to enter text.](#) for [Click here to enter text.](#)
6. If you have any comments or questions, you will be given time to express your concerns at a later time during this hearing.
7. In the packet you have the Notice of Hearing (show document to parent). Is this your signature? Do you understand why you are here?
8. On the Representation Form, your signature indicates you are aware that you can be represented by an adult who is not a BISD employee. Is this your signature?
9. On the Procedures form, your signature indicates you were given a copy of the procedures that will be followed at this hearing. Is this your signature?
10. On the Confirmation form, the Campus Behavior Coordinator or appropriate administrator's signature verifies you were given the three notices that were just reviewed.
11. The Verification form for IDEA/504 students is also enclosed. (Campus Behavior Coordinator or appropriate administrator states if student is currently serviced by either IDEA or 504 programs).
12. A copy of the Acknowledgement form signed by the student and/or parent acknowledges that the (state the current school year) SCC was issued to [Click here to enter text.](#) on [Click here to enter text.](#) This document lists removable offenses and their consequences. (Verify parent signature and date signed also).
13. The Discipline form is part of the due process where the student is informed of the infraction and given the opportunity to write their version. Campus Behavior Coordinator or appropriate administrator reads student's statement



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14. The Campus Behavior Coordinator or appropriate administrator's Statement (read by campus behavior or appropriate administrator) describes the incident and investigation. Include date, time and sequence of events. For bullying offenses, refer to the investigative report, the findings and notice form.
15. The Campus Behavior Coordinator or appropriate administrator's Removal/Placement Form – Discuss intent, self-defense, disciplinary history and (if applicable) if the student has a disability that substantially impairs his/her capacity to appreciate the wrongfulness of his/her conduct (State date of manifestation determination meeting and the committee decision.
16. Witness Statements (if applicable)
17. A copy of the police report was obtained from BISD Police. (state the Police report number and charge – if applicable)
18. Enclosed also is a copy of the Nurse's report which indicates student vitals on that day.
19. Opportunity given to the Campus Behavior Coordinator or appropriate administrator to discuss the infraction, as per their written statement. (Provide details of a thorough investigation). If applicable to the infraction, discuss prior history discipline referrals at this point.
20. Parent/Student – Do you have any comments or questions in relation to the infraction and/or proposed consequence? (allow Student to state his version and then allow the parent and/or adult attending the hearing with them)
21. **HEARING OFFICER DECISION.** After a brief break, hearing officer returns with a decision: choose either A or B below based on your decision:
  - A. **Decision for Removal**– Based on the evidence presented, the campus administration has demonstrated that [Click here to enter text.](#) did engage in a serious infraction [Click here to enter text.](#) which violated school board policy. Therefore, [Click here to enter text.](#) is removed from [Click here to enter text.](#) to the Brownsville Academic Center (BAC) for [Click here to enter text.](#), beginning [Click here to enter text.](#). If you wish to appeal this administrative decision, you may appeal within two (2) school days upon receipt of removal order. The appeal must be submitted in writing to the Department of Pupil Services located at 708 Palm Bld. A form will be provided to write your appeal on at Department of Pupil Services. The District's Hearing Officer decision is final and non-appealable except through judicial proceedings.
    - a. (**Inform parent if applicable**) For students in Special Education, the DAEP order will not be enforced until such time as the ARD committee can meet to determine if there is a manifestation determination. For students in 504, the manifestation determination should have been held prior to the discipline hearing.
  - B. **Decision to Remain on Campus**– Based on the information presented, the decision is for [Click here to enter text.](#) remain at the campus based on the following [Click here to enter text.](#) (state reason student is remaining on campus and if returning to regular school setting or an alternative discipline on campus such as ISS, Team Suspension, etc. )



## **Guia de Audencia para Remoción de Corto o Largo Plazo**

1. Esta audiencia empezará. Hoy es [Click here to enter text.](#) . Estamos en la escuela [Click here to enter text.](#) situada en [Click here to enter text.](#). Estamos reunidos para considerar si removemos o utilizamos otro tipo de disciplina para [Click here to enter text.](#).  
  
Mi nombre es [Click here to enter text.](#) oficial de audiencias y representante del superintendente, para la escuela [Click here to enter text.](#).
2. Presentes están (padre, estudiante, administrador de escuela o otras personas).
3. El administrador de la escuela ha proporcionado un paquete de remoción al oficial de la audiencia así como al padre.
4. La alegación traída adelante por la escuela de [Click here to enter text.](#) es [Click here to enter text.](#).
5. El propósito de esta audiencia es considerar los hechos con respecto a este caso y considerar la recomendación por la administración de [Click here to enter text.](#) de remover a [Click here to enter text.](#) por [Click here to enter text.](#) (violación).
6. Si usted tiene comentarios o preguntas, después se le dará tiempo para expresar sus preocupaciones.
7. En el paquete usted tiene el aviso de la audiencia. ¿Es esta su firma y usted entiende porqué está aquí?
8. Su firma en la forma de representación indica que usted está enterado que puede ser representado por un adulto que no sea empleado de BISD. Es esta su firma?
9. La otra página indica que le dieron una copia de los procedimientos que serán seguidos en esta audiencia. Es esta su firma?
10. La página de confirmación verifica que le dieron los tres documentos.
11. En el paquete también encuentra una forma para los estudiantes del SPED/ 504
12. Después tenemos una copia de la aceptación de Código de Conducta firmada por el estudiante (y/o el padre) que reconoce que fue recibido el [Click here to enter text.](#) que publica las ofensas y consecuencias.
13. La forma de la disciplina es parte del proceso donde se le informa de la infracción y se le da una oportunidad a su hijo/a de escribir su versión. Voy a leer los comentarios de su hijo/a.
14. Declaraciones de los Administradores (explique el incidente y la investigación) incluya fecha, horario y secuencia de eventos. Para ofensas de bullying, referirse al reporte de investigación, los resultados y forma de notificación.
15. Declaraciones Adicional del Administrador - Discuten intento, defensa propia, historia de disciplina y incapacidad.
16. Declaraciones del Testigo.



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17. Después tenemos una copia del reporte del departamento de policía de BISD.
18. También tiene una copia del informe de la enfermera que indica vitales del estudiante en ese día.
19. Administrador discute la infracción y incluya detalles de la investigación.
20. Padre/Estudiante-usted tiene algún comentario o pregunta en lo referente a la infracción y/o a la consecuencia propuesta?
  - A. De acuerdo con la evidencia presentada, la administración de la escuela [Click here to enter text.](#) ha demostrado que el estudiante [Click here to enter text.](#) se involucró en una infracción seria ([Click here to enter text.](#)) que violó la póliza del tablero de la escuela. Por lo tanto, remuevo a [Click here to enter text.](#) de [Click here to enter text.](#) a Brownsville Academic Center por [Choose an item.](#) días empezando el [Click here to enter text.](#)  
  
Si usted desea apelar esta decisión administrativa, puede hacerlo dentro de dos (2) días escolares cuando reciba la carta de la remoción con el departamento de Servicios para Alumnos ubicado en 708 Palm Blvd.
  - B. De acuerdo con la información presentada, aparece ser evidencia escasa o no hubo suficiente que [Click here to enter text.](#) era involucrado en una infracción seria [Click here to enter text.](#) que violó la póliza del tablero de la escuela  
Por lo tanto seguirá [Click here to enter text.](#) en la escuela [Click here to enter text.](#)
21. Para los estudiantes en educación especial, la orden DAEP no se aplicarán hasta que el Comité ARD puede reunirse para determinar si hay una determinación de manifestación.

El incumplimiento de la documentación adecuada en los formatos prescritos y presentados como descritos anteriormente puede acarrear al oficial de audiencia de remandar al estudiante a la configuración de escuela regular.

El oficial de audiencia de la escuela deberá informar a los padres que su decisión es apelable a los oficiales de audiencia del distrito dos días escolares, después de haber recibido la orden para la remoción.

Su apelación debe presentarse por escrito al Departamento de Servicios para Alumnos ubicado en 708 Palm Blvd. La decisión del oficial de audiencia del distrito es definitivo e inapelable excepto a través de procedimientos judiciales.

Toda la documentación debe ser presentada a los oficiales de audiencia del distrito antes del proceso de apelación.



## Brownsville Academic Center



Application Packet Checklist for  30-day  45-day Removal  45-day Placement

Name:	ID#:	DOB:	Grade:
Campus:	Infraction:	<input type="checkbox"/> 1 <sup>st</sup> Infraction	<input type="checkbox"/> 2 <sup>nd</sup> /Subsequent Infraction(s)
Campus Personnel Completing File:			

All removal packets require a cover page, divided by tabs, and titled accordingly with the following documents.

TAB 1: Due Process	
1.	Form requesting an extension (If the hearing exceeds 7 days)
2.	Notice of Hearing
3.	Notice of Representation
4.	Hearing Procedures
5.	Confirmation of Notice (Required to use notarized version for 45 Day Placement)
6.	Petition for Placement Form (N/A for Removals)
7.	Verification of Non-Protection under IDEA/504/E-School Demographics
8.	Consideration Form
TAB 2: Violation of SCC (SCC receipt form must be current school year in order to recommend DAEP removal.)	
1.	Student code of conduct receipt form (must be current school year)
2.	Discipline Referral
3.	Administrator's Statement
4.	Witness(es) statement(s)
5.	Police report, if applicable
6.	Nurse's report
TAB 3: Student Services	
IDEA Documentation	
1.	Staffing Checklist
2.	FBA/BIP (current)
3.	IDEA: Manifestation Checklist
4.	IDEA: Placement ARD Signature Page
504 Documentation	
1.	Section 504: Manifestation Determination Evaluation Results
2.	Section 504: Behavior Intervention Plan
3.	Section 504: Student Services Plan
LEP Documentation	
1.	Bilingual / ESL LPAC Assessment Form
2.	ELL Intervention Plan
3.	Student Demographics – Programs BIL/ESL
TAB 4: RTI	
1.	Review 360 Intervention Reports
(Required for 2 <sup>nd</sup> Discretionary Removal in the Same Year)	
1.	RTI-1 Screening
2.	RTI-2 Health Information
3.	RTI-10 Positive Behavior Support Plan Referral Checklist
4.	RTI – 11 Classroom Behavior Observation Data
5.	RTI – 13 Positive Behavior Support Plan
TAB 5: BAC Entry Forms	
1.	Removal letter / Order of removal (only 1 of 2)
2.	Student Registration Information Form
3.	Entry Form
4.	Health Form
5.	Parent Letter
6.	Completed Physical Examination Form
TAB 6: Student Information	
1.	Current Schedule (If Working on STAAR Modules provide course progress-#4 below)
2.	Report Card ( all six weeks periods must be complete)
3.	Summary Assessment Form for Alternative Centers
4.	STARS Progress Reports (High School or BLA)
5.	BLA Admin Approval to Return (BLA only)

### Preliminary Packet Checklist

**Special Services:  
Tab 3, IDEA 1-2 only**

Date Received: \_\_\_\_\_

Approved  Not Approved

\_\_\_\_\_  
Administrator (signature)

Remarks: \_\_\_\_\_

\_\_\_\_\_

**Brownsville Academic Center:  
Tab 1-6**

Date Received: \_\_\_\_\_

Approved  Not Approved

\_\_\_\_\_  
Principal (signature)

Student may report to BAC on:  
\_\_\_\_/\_\_\_\_/\_\_\_\_

Returned for corrections

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## DEPARTMENT OF PUPIL SERVICES



Packet Checklist for:  90-day Placement (pre-approval required)  180-day Placement

Name:	DOB:	Grade:
Campus:		BISD STUDENT ID# & TX. PEIMS ID:
Infraction:		

All placement packets require a cover page, divided by tabs, and titled accordingly with the following documents.

TAB 1: Due Process	
1.	Form requesting an extension (if the hearing exceeds 7 days)
2.	Notice of Hearing
3.	Notice of Representation
4.	Hearing Procedures
5.	Confirmation of Notice (Notarized)
6.	Petition for Placement Form
7.	Verification of Non-Protection under IDEA/504
8.	Consideration Form
TAB 2: Violation of SCC	
1.	Student code of conduct receipt form (must be current school year)
2.	Discipline Referral
3.	Administrator's Statement
4.	Witness(es) statement(s)
5.	Police report (Required)
6.	Nurse's report
TAB 3: JJAEP Program Document Request (Include Tab 3 documents in JJAEP Representatives Hearing Packet only)	
1.	Absence Report
2.	Withdrawal Grades
3.	Transcript
4.	Course Credit Checklist(include completed credits and pending)
5.	Achievement Test Scores
6.	Immunization Record
7.	Discipline Records
8.	Special Programs Identification (If yes provide documents below accordingly)
Current Documentation for Special Programs Student Services (If applicable)	
<input type="checkbox"/> SPED	ARD Minutes, Schedule of Services, IEP and Modifications sheet
<input type="checkbox"/> BILINGUAL/ESL	Home Language Survey, Language Test date/score, LPAC review form, RPTE Scores, Observation Protocol Indicators, Parent Permission/Waiver
<input type="checkbox"/> 504 DYSLEXIA/MEDICAL	504 Review Sheet and Modification sheet
<input type="checkbox"/> GT	Identification Entry data
<input type="checkbox"/> AT-RISK	Criteria Indicator Testing (I-13T)

**Department of Pupil Services**  
**Prior Approval for Placement Hearings**  
**Tabs 1-3**

Date Received: \_\_\_\_\_ Complete

\_\_\_\_\_

Pupil Services Department (Signature)