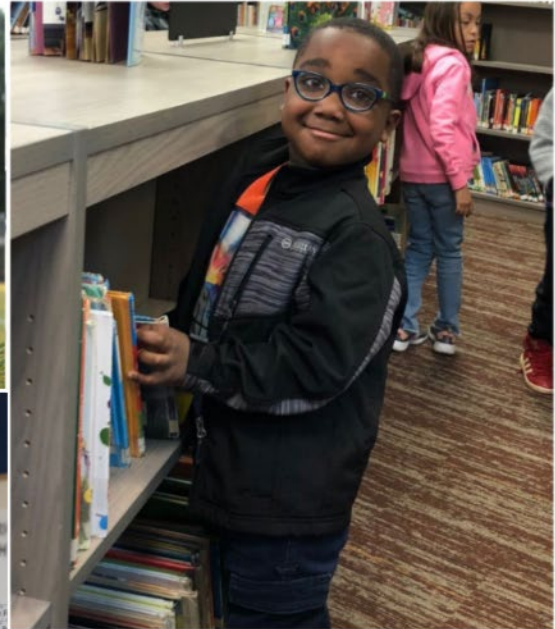


Alto Independent School District

Discipline Management Plan and Student Code of Conduct



2022-2023

If you have difficulty accessing the information in this document because of disability, please contact Holli King at 936-858-7101 or hking@alto.esc7.net.

Student Code of Conduct

Accessibility

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Purpose

The Student Code of Conduct (“Code”), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the *Alto ISD* board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall 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 district's authority 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;
2. While the student is traveling on district transportation;
3. During lunch periods;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at www.alto.esc7.net.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

The principal and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure the security and protection of students, staff, and property, the board employs security personnel, at times. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring 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.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension**, **DAEP Placement**, **Placement and/or Expulsion for Certain Offenses**, and **Expulsion**, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting**.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses**).

○ **Student Fighting – Alto ISD’s “Zero Tolerance” Policy**

- **Purpose & Goals:** Alto ISD’s “Zero Tolerance” policy has been developed in response to increased physical aggression amongst AISD students, specifically at the middle school and high school grade levels. The Zero Tolerance policy is being implemented as a firm, direct approach to deterring fights, restoring order and safety to AISD campuses, and teaching accountability to our student population. The goal of the zero tolerance policy is to deter fighting amongst our student population altogether. This policy incentivizes avoidance or early resolution of disputes/disagreements before physical aggression occurs. Students are expected to disengage from a situation that is verbally aggressive or emotionally charged. Students can always go to any staff member for assistance or support in avoiding a fight, including reporting another student’s verbally aggressive or threatening behavior. Students will not be punished for requesting a “cool off” time to avoid fighting. It is not the purpose or goal of the policy to punish innocent victims of aggression – administrators will carefully review all evidence when considering consequences for fighting; however, the District expects students who are being targeted by another student(s) through verbally or physically aggressive contact to immediately disengage from the student(s) and tell a staff member.
- **Fighting Behaviors:** If any student is involved in “fighting behaviors,” that student will be assigned to the Disciplinary Alternative Education Program (DAEP). The length of the placement will be at administrator discretion. Fighting behaviors include (but are not limited to): shoving, pushing, punching, slapping, hitting with objects, throwing objects at another, kicking, biting, pulling hair/clothing/jewelry, choking/strangling, restraining, and presenting or using any form of weapon (including but not limited to illegal or contraband weapons identified in the Code of Conduct). Student interactions that are verbally threatening, but do not rise to the level of “fighting behaviors” will not trigger the zero tolerance policy. However, disciplinary consequences will still be assessed for students violating the Student Code of Conduct, including students who attempt to engage in fighting through verbal attacks, threats, bullying, hate speech, or taunting.
- There is also a “zero tolerance” policy for students who encourage, promote, or film/record/take photographs of other students fighting. Students who are engaged in fighting in an indirect way will be assigned disciplinary consequences, including but not limited to ISS, OSS, community service, or DAEP. Consequences will be at administrator discretion and will be assessed based upon the extent of the student’s engagement in the fight.
- **Consequences:** Any student engaging in fighting behaviors will be assigned out of school suspension on the day of the fight, lasting for up to three school days. After the assigned period of OSS, the student will be assigned to the DAEP for a length of time determined by the campus administrator. The mitigating factors identified in the SCOC will be considered prior to the implementation of disciplinary consequences. For students with disabilities, a Manifestation Determination Review will occur prior to the formal assignment of DAEP if the placement is recommended to last longer than 10 school days.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses**).
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses**).
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- 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 that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for 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/or Expulsion for Certain Offenses**. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement and Expulsion** for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including cyberbullying and “sexting,” either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate 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 shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on 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.

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. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, 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, regardless of whether the action is mandatory or discretionary, the district shall 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, in combination, or as part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

- Detention, including outside regular school hours.
- Sending the student to the office, another 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 student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension**.
- Placement in a DAEP, as specified in **DAEP**.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses**.
- Expulsion, as specified in **Expulsion**.
- 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.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.

- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by email or Remind 101 of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice via email or Remind 101 of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given via email or Remind 101 to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: www.alto.esc7.net.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

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 campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

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

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other administrator may place the student in:

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

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 shall be followed.

Returning a Student to the Classroom

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

A student who has been formally removed by a teacher for any other conduct 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.

Out-of-School Suspension

Misconduct

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

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

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 shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- A student's status as homeless.

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

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

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

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

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

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

- Self-defense (see **glossary**),
- Intent or lack of intent at the time the student engaged in the conduct,
- The student's disciplinary history,
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

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 of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

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 engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the 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 campus behavior coordinator **may** 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.

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, 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. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion**). (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - 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 **Expulsion**).
 - 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. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion**).

Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the 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

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

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.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
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.

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall 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 a DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on 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.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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

Exceeds School Year

Students who are in a DAEP placement 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 behavior coordinator or the board's designee 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 shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.alto.esc7.net.

Appeals shall begin at Level Two with the superintendent.

The district shall not delay disciplinary consequences 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 shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee 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 shall also be reviewed. At the review, the student or the student's parent shall 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 misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

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 shall 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 shall, 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 shall 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 campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls 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 campus behavior coordinator 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

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year 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 Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

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

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

Newly Enrolled Students

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

Appeal

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

Certain Felonies

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

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee 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 shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

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

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
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.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 16.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- 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:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- 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 a School Event

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

- 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. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering 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 Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for 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. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for 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 a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law 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:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the 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.
 - Continuous sexual abuse of a young child or disabled individual.
 - 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.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

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

Hearing

A student facing expulsion shall 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 witnesses called by the district at the hearing.

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 hearing shall be conducted by the board of trustees and the decision to expel shall be made by the board.

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 shall 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 shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
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.

If the student is expelled, the board or its designee shall 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 superintendent shall 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 shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on 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 shall 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 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's conduct 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 re-enrolls 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 campus behavior coordinator 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 campus behavior coordinator 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 shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall 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 shall 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 Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall 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.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Discipline Management Training

Each principal shall be responsible for providing discipline management inservice training for campus staff. The training must include a review of the District's *Discipline Management Plan and Student Code of Conduct*, as well as, a review of any campus-based discipline strategies or techniques. New administrators must attend a mandatory district-level training. Returning administrators must be provided a refresher training every three years.

Discipline Person

A principal shall promptly notify a student's parent or guardian if a student is placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled, or placed in a juvenile justice alternative education program or is taken into custody by a law enforcement officer. An administrator must comply with this by:

- (1) promptly contacting the parent or guardian by email or Remind 101; and
- (2) making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.

New campus administrators and those campus administrators new to the District must complete intensive training on discipline management procedures prior to the beginning of each school year. All returning campus administrators must attend an update training session to receive information regarding changes to the discipline plan based on new statutes or District procedures. In accordance with District policy, school principals and assistant principals shall be responsible for establishing school rules and procedures that will ensure a safe educational program free from disruption and for enforcing consistently and fairly all discipline policies, procedures and school rules pertaining to discipline and student behavior. [See Board Policy FO (LOCAL).] Contact information is posted on the District web site.

Discipline Records

Campus administrators will maintain discipline records on each student that are separate from the student's permanent record file.

The District will maintain a discipline record for each student.

Discipline records will include the following:

1. Instances of the student being referred to the office for disciplinary reasons.
2. Calls or conferences held with a parent regarding the student's behavior.
3. Assignments to detention and the number of days the student is assigned.
4. Assignments to in-school suspension for each incident and the total number of days the student is assigned.
5. Instances of out-of-school suspension and the number of days the student is suspended.
6. Placements in a disciplinary alternate education program (DAEP) and the length of the placements.
7. Instances of expulsion and the length of the expulsions.

Discipline records remain active for the current year only. At the end of the school year, these records are stored for the period of time specified in the District's records retention schedule before destruction. Students start each year with a clean discipline record except for those assigned disciplinary consequences extending beyond the end of the school year.

Law enforcement records will be maintained in a place separate from a student's academic records, in accordance with federal law.

Development of the Plan

Each year the District's *Discipline Management Plan and Student Code of Conduct* is developed through a cooperative effort of District administrators, teachers, and parents from each instructional level within the school district. A draft of the *Discipline Management Plan and Student Code of Conduct*, initially prepared by District administrative personnel, is also presented to the District's Improvement committee (planning and decision-making committee) for review and comment prior to adoption by the Board. The *Discipline Management Plan and Student Code of Conduct* has the force of policy after it is adopted by the Board of Trustees.

Discipline Management Plan

A "discipline management plan" containing policies and regulations on the rights and responsibilities of students and a "student code of conduct" outlining student disciplinary expectations shall be made available to all students and parents, teachers, and administrators at the beginning of the school year via the District's Website. Hard copies are also available in each school's office for students or other persons to review. Access or hard copies shall also be provided to new professional employees, newly enrolled students, and any parent on request. Changes during the year may be published and distributed during the next semester, but no later than the beginning of the next school year.

Annually, during the registration process, each student and parent shall electronically sign that they have been made aware of the Alto ISD *Discipline Management Plan and Student Code of Conduct* and acknowledge the responsibilities outlined therein. Each parent and student should also be familiar with policies and procedures outlined in campus student handbooks/ folders and campus discipline procedures.

Discipline Management Techniques

Discipline management techniques used when students violate the *Discipline Management Plan and Student Code of Conduct* shall include, but not be limited to the following:

1. Restitution of damages/Restoring to order;
2. Temporary removal from class;
3. Parent-teacher conferences;
4. Confiscation of items;
5. Behavioral contracts;
6. Detention, including Saturday detention;
7. Withdrawal of privileges, exclusion from extra-curricular activities including honorary positions;
8. Grade reductions as permitted by policy;
9. Withdrawal or restriction of bus privileges/bus probation;
10. Corporal punishment (with parent permission)
11. In-school suspension;
12. Out-of-school suspension (see Board Policy FOB); and
13. Removal to a disciplinary alternative education program (DAEP; see Board Policy FOA, FOC, and FOCA);
14. Expulsion (JJAEP; see Board Policy FOD and FODA).
15. Referral to law enforcement.

This plan recognizes all discipline management techniques allowed under Texas law other than corporal punishment.

Each disabled student's behavior intervention plan (BIP), if such plan is appropriate, will address his/her specialized needs in the area of discipline. Appropriate discipline management techniques may be included within the BIP.

Information received by the District about a student, under Article 15.27, Code of Criminal Procedure, will be maintained separately from the student's permanent academic file. The District will destroy all such information at the end of the school year in which the information was received.

Individual Campus Options

Each individual campus may impose campus or classroom rules in addition to those found in the *Discipline Management Plan and Student Code of Conduct*. The rules may be listed in the student handbook or posted in classrooms and may or may not constitute violations of the *Discipline Management Plan and Student Code of Conduct*. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.

Police Department

To ensure sufficient security and protection of the students, staff, and property of the District, Alto ISD at times will employ a law enforcement unit. These officers, acting to support school officials, serve the purpose of maintaining safe schools.

Parent/Teacher Conferences

One or more conferences shall be held during each school year between a teacher and the parents of a student if the student is not maintaining passing grades, is not achieving the expected level of performance, presents some other problem to the teacher, or in any other case the teacher considers necessary.

Parent Training Workshops

The need for parent training workshops for home reinforcement of study skills and specific curriculum objectives shall be based on interest as indicated by parents in the community.

Responsibilities

Each member of the community must fulfill certain responsibilities if a positive learning environment is to be achieved. A cooperative relationship among students, parents, and educators requires that:

School Board Members:

- Enact and enforce policies which facilitate the establishment and maintenance of a positive and safe learning environment;
- Approve and support the District's *Discipline Management Plan and Student Code of Conduct*;
- Fulfill designated roles in due process and hearing procedures.

Central Administrators:

- Develop, with input from the District planning and decision-making committee, a draft of a proposed *Discipline Management Plan and Student Code of Conduct* for the Board's review and approval;
- Assure District compliance with state and federal law;
- Publish and disseminate the Board-approved *Discipline Management Plan and Student Code of Conduct* online and in hard copy upon request;
- Provide support and professional development training to campus administrators on the Board-approved *Discipline Management Plan and Student Code of*

Conduct and strategies to support students with behavior issues;

- Fulfill designated roles in due process and hearing procedures;
- Report certain disciplinary infractions to the Texas Education Agency (TEA) as required by the *Texas Education Code (TEC)*;
- Provide timely notice to campus administrators when notice is received that a student is required to register as a sex offender;
- Provide each certified employee with access of *TEC* Subchapter A, Chapter 37, and local District policy;
- Monitor disciplinary actions that result in days of removal in order to keep these days to a minimum;
- Ensure that there are sufficient school-based service providers to work with students and to implement tiered supports.

Campus Administrators:

- Assume responsibility for the distribution of the Board-approved *Discipline Management Plan and Student Code of Conduct*;
- Provide campus-based inservice to students and staff on the Board-approved *Discipline Management Plan and Student Code of Conduct*; Enforce the policies, rules, and regulations of the District, school and classroom including preventative and positive behavioral interventions through MTSS/RTI;
- Ensure fair and impartial treatment of students in assigning consequences for disciplinary infractions including students with disabilities;
- Maintain an atmosphere conducive to respect and appropriate behavior;
- Monitor effective use of the MTSS/RTI process and the implementation of behavior interventions and strategies to prevent and improve inappropriate student behaviors;
- Make a good faith effort to provide required written notice to the parent or guardian of any in- or out-of-school suspensions, referrals to a DAEP, expulsions, or when a student is taken into custody by a law enforcement officer, on the same day the action is taken;
- Promptly contact the parent or guardian by email or Remind 101 when a student is given an in- or out-of-school suspension, referred to a DAEP, expelled, or taken into custody by a law enforcement officer;
- Engage parents when their child is subject to disciplinary action;
- Monitor the delivery of differentiated instruction to meet the needs of individual students in accordance with IEPs, accommodation plans, and other individualized programs;
- Facilitate the resolution of school-related conflicts in a timely manner;
- Encourage parent/guardian participation in school affairs and actively promote open communications between parents/guardians and school personnel;
- Notify parents/guardians of receipt of a written report from a teacher of a violation of the *Discipline Management Plan and Student Code of Conduct*;
- Ensure compliance with appropriate timeframes and procedures for disciplinary due process rights;
- Refer students who have repeated disciplinary violations to a MTSS/RTI, 504, or ARD committee to consider intervention strategies to address inappropriate behavior;
- Notify the appropriate law enforcement agency if there are reasonable grounds to believe that a crime has been committed;
- Inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in an offense for which the student is removed to a DAEP or JJAEP of the conduct that

resulted in the student's removal or expulsion and of a student required to register as a sex offender.

Teachers:

- Maintain an atmosphere conducive to good behavior;
- Develop, maintain, and communicate classroom guidelines and clear expectations for students;
- Maintain regular attendance and punctuality, and prepared to perform all duties using appropriate materials;
- Exhibit an attitude of respect toward individuals and property and conduct themselves in a responsible manner;
- Differentiate instruction to meet the needs of individual students in accordance with IEPs, accommodation plans, and other individualized programs;
- Notify parents of student progress and of significant changes in achievement or behavior;
- Notify the principal or appropriate administrator in writing of violations of the *Discipline Management Plan and Student Code of Conduct*;
- Implement high quality and differentiated structures and supports to teach and reinforce positive behavior expectations;
- Engage parents when their child is subject to disciplinary action;
- Adhere to district and campus policies and procedures;
- Notify a campus administrator when a crime is suspected;
- Establish and maintain open communications with parents;
- Maintain confidentiality upon notification that a student has committed an offense for which the student is placed in a DAEP or JJAEP.

Students:

- Read and adhere to the *Discipline Management Plan and Student Code of Conduct* and campus and classroom rules;
- Report to classes daily and on time, prepared with appropriate materials and assignments;
- Exhibit an attitude of respect toward individuals and property, and conduct themselves in a responsible manner;
- Refrain from making profane, insulting, threatening, or inflammatory remarks, engaging in disruptive conduct or cheating;
- Cooperate with school/district staff in investigations and all-school-related matters;
- Give parent/guardian a copy of all notices, including discipline notices, promptly;
- Return papers requiring a parent signature promptly;
- Pay required fees and fines in a timely manner, unless they are waived.

Parents/Guardians:

- Ensure their child's compliance with school attendance requirements and promptly report and explain absences and tardies to appropriate campus personnel;
- Review the *Discipline Management Plan and Student Code of Conduct* and discuss the contents with their child;
- Create a Parent Portal account to access student grades, attendance, registration, etc.
- Assist their child in selecting appropriate attire for school and school-related activities;
- Communicate with campus personnel regarding concerns about their child's educational progress or conduct;
- Maintain up-to-date home, work, and emergency telephone numbers at the school;
- Send their child to school each day on time except in the case of illness or extenuating circumstances;
- Ensure their child's immunizations are up-to-date according to state requirements and provide the school

- with documentation in a timely manner;
- Demonstrate courtesy and respect when communicating with school employees;
- Provide an appropriate area in the home for their child to use for study;
- Ensure their child's attendance at required tutorials;
- Be responsible for negligent, willful, or malicious conduct of their child;
- Be knowledgeable of state, district, and campus policies, regulations, and requirements;
- Supply all records required for enrollment;
- Submit the signed "Parent/Student Acknowledgment" in a timely manner;
- Participate in meaningful conferences with school personnel regarding their child's academic progress, behavior, or general welfare.

General Information

Assault

ALTO ISD POLICY FNCH (LEGAL)

Students are prohibited from assaulting anyone on school property or at any school-related event.

Penal Code 22.01; Education Code 37.006

Assault is defined as:

1. Intentionally, knowingly, or recklessly causing bodily injury to another. *Education Code 37.006(a)(2)(B); Penal Code 22.01(a)(1)*
2. Intentionally or knowingly, threatening another with imminent bodily injury. *Penal Code 22.01(a)(2); or*
3. Intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. *Penal Code 22.01(a)(3)*

For the definitions of aggravated assault, sexual assault and aggravated sexual assault refer to Board Policy FNCH (LEGAL).

Attendance

Regular school attendance is essential for the student to make the most of his or her education — to benefit from teacher-led activities, to build each day's learning on that of the previous day, and to grow as an individual. Absences from class may result in serious disruption of a student's acquisition of required knowledge and skills; therefore, the student and parent should make every effort to avoid unnecessary absences.

Parents must notify the campus office the morning of a student's absence. As time permits, the school will call parents of students reported absent to verify the authenticity of the absence. A parent call, email or dated/signed note from the parent is required in order for the absence to be determined excused or unexcused. If questioning whether a predetermined absence will be considered excused or unexcused, please contact the campus office prior to the absence in order to make an informed decision (when there is an option regarding the child missing school). Students returning to school after an absence should report to the campus office to turn in doctor or parent notes.

If the student has an appointment with a health care professional and either commences classes or returns to school on the same day of the appointment, the student is not considered absent for attendance accounting purposes. The student cannot be penalized for such absence (health care appointment — partial day only) if a note from the doctor's office is provided and the student completes make-up work missed within the time allotted by the teacher. **Any time a student is absent and is seen by a health care professional, a note from the**

health care professional is always in the best interest of the student so that the absence can be specified as either a doctor (or health care) appointment (full day) or health care appointment (partial day) rather than for personal illness. (See "Doctor's Note Required" regarding the impact of absences for personal illness.)

Doctor's Note Required

Once a pattern of unexcused absences is established or if a student's absences for **personal illness** exceed five (5) consecutive days, or a total of eight (8) days in a six-month period, the student will receive an attendance warning letter. The letter will specify that for all future health-related absences the student shall present a statement from a physician or health clinic verifying the child was seen or the student may be taken to the school within the first hour of the school day to be assessed by the campus nurse in an effort to determine whether any symptoms of communicable illness exist that would prevent the student from attending class in order for the absence to be considered excused. If the student's symptoms persist beyond one day (other than for communicable illness), a district nurse excuse cannot be issued and a doctor's note would be required for any subsequent days of absence. Students who are tardy and arrive after the first hour of the school day will not be considered for a nurse-excused absence.

Attendance Laws

Two state laws, one dealing with compulsory attendance (*Education Code 25.085*) and the other with attendance for course credit (*Education Code 25.092*), are briefly addressed as follows:

Compulsory Attendance

ALTO ISD POLICY FEA (LEGAL) and (LOCAL)

State law requires a student between the ages of 6 and 19 to attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt. (While students are not required to enroll in pre-kindergarten or kindergarten, once enrolled the students are required to attend school. TEC 25.085 and Board Policy FEA (LEGAL)) When a student between the ages of 6 and 19 incurs unexcused absences for three or more days or parts of days within a four-week period, the school will send a notice (Compulsory Attendance Notification Letter – CAN) to the student's parents, as required by law, to remind the parent that it is the parent's duty to monitor his or her child's attendance and require the student to come to school. The notice will also inform the parent that the District will initiate truancy prevention measures and request a conference between school administrators and the parent. (The CAN letter along with an automated phone call will serve as the initiation of two TPMs.) These measures will include an attendance (behavior) improvement plan, school-based community service, or referrals to either in-school or out-of-school counseling or other social service. Any other measures considered appropriate by the District may also be initiated. After a student age 19 or older incurs a third unexcused absence, the District will send the student a letter as required by law explaining that the District may revoke the student's enrollment for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking the student's enrollment, the District may implement an Attendance Intervention Plan (AIP). The student's response to the plan will be considered by the District in determining future actions.

If a student ages 12-18 incurs unexcused absences on ten or more days or parts of days within a six-month period in the same school year, the student's parent is subject to prosecution and the District may refer the student to truancy court.

The Coordinator for Campus Administrative Support serves as the District's truancy prevention facilitator. If a parent has questions about his/her student and the effect of the student's absences from school, the parent is advised to contact the campus principal or another campus administrator before contacting the Coordinator for Campus Administrative Support.

Attendance for Credit

ALTO ISD POLICIES FEC (LEGAL) and (LOCAL)

In addition to compulsory attendance, a student must attend at least 90 percent of the days the class is offered in order to receive credit. A student who attends fewer than 90 percent of the days the class is offered will have his/her attendance record reviewed to determine whether there are extenuating circumstances for the absences and a plan may be created by the principal in order for the student to regain credit or be granted promotion if necessary. The actual number of days a student must attend in order to receive credit will depend on whether the class is for a full semester or for a full year.

If credit or promotion continues to be jeopardized because excessive absences place the student's attendance below 75 percent, the parent will be notified in writing. Upon receipt of this notification, the student, parent, or representative may request award of credit by submitting a written petition to the attendance review committee. Petitions may be filed at any time the student receives notice but no later than 30 days after the last day of classes.

The attendance review committee composed of at least two

(2) classroom teachers and one (1) administrator will review appropriate documentation and impose specific conditions for awarding credit, if applicable. Additional members may be added to the committee, but the majority of the members must be classroom teachers. The committee will decide what type(s) of alternative learning activities will be assigned in order for the student to regain credit or be considered for promotion. The committee may assign more stringent requirements to a student who has accumulated excessive absences that are unexcused. The alternative learning assignments will be graded on a pass/fail basis. The academic grade earned in a course, by law, shall not be affected by the completion of alternative learning activities. However, the student must earn a passing grade in order to receive credit.

If the final decision of the committee is to deny credit/promotion, the student or parent may appeal the committee's decision to a district-level committee by submitting a written request for appeal to the Coordinator for Campus Administrative Support within five (5) business days of receipt of the committee's decision. An appeal of a district-level committee may be appealed to the Board.

(See "Leaving Campus After Arrival," "Tardies," and "Truancy.")

Audio Recording

Using any device or technology to record the voice of another in any way that disrupts the educational environment, invades the privacy of others, or records without the prior consent of the individual is prohibited.

Bicycle Riders and Walkers

Students who ride bicycles/scooters or walk to/from school must obey all traffic laws, crossings, and adults on duty. Students must walk bicycles/scooters while on campus. Bicycles and scooters should be secured with a

lock; under no circumstances should these be brought inside the building. The school is not responsible for stolen bicycles or scooters. Students who ride bicycles/scooters or walk are expected to leave campus promptly after the dismissal bell. Motorized bicycles/scooters or any skateboards or roller blades are not permitted on campus.

Bullying

ALTO ISD POLICY FFI (LOCAL)

Texas Education Code 37.0832 defines bullying as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student,
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

The definition of bullying also includes cyberbullying. (See "Cyberbullying and On-Line Harassment.")

The District has jurisdiction to take disciplinary action regarding:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:
 - A. Interferes with a student's educational opportunities; or
 - B. Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

Bullying (as defined by *TEC 37.0832 above*) and other less severe forms of bullying/harassment that do not rise to the level as defined in this statute are not tolerated. Students should report incidents of bullying immediately. Failure to promptly report alleged bullying may impair an administrator's ability to investigate and address the complaint. Retaliation of a person who, in good faith, reports an incident of bullying is also not tolerated.

Reporting Process

If a student believes that he or she has experienced bullying or has witnessed bullying of another student in a setting over which the District has jurisdiction, it is important for the student or parent to report the alleged act or knowledge of the alleged act to a teacher, school counselor, principal, or another district employee in a position of authority as soon as possible. A student who would prefer to remain anonymous should submit a detailed report through

the Alto ISD's Stop It application found on the district webpage or downloaded from the Apple App Store. A failure to report alleged bullying in a timely manner may impair the District's ability to investigate the prohibited conduct to determine whether the allegations, if proven, would constitute bullying as defined by law and the District's legal policy at FFI. Reports of alleged bullying may be made orally or in writing. However, the principal or designated administrator shall document the allegations in writing and record the dates and circumstance of the interview on a district form created for this purpose. The District will promptly notify the alleged victim's parents or guardians on or before the third business day after the date the incident is reported. The District does not have jurisdiction over other situations occurring in the community even though an incident may involve students (including technology-related communications – such as emails, texting, social media messages, etc. – containing threats, bullying, and/or harassment) unless there is a direct impact to the school setting. District personnel may, however, conference with students regarding inappropriate behavior and effective ways to resolve conflict.

Investigation of Report

All allegations of bullying will be promptly investigated by the principal or designated administrator, and the investigation should be completed within ten (10) business days from the date the report is made unless extenuating circumstances make it necessary to continue to investigation beyond ten (10) business days. Parents shall be notified of the reason for the delay. To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation. If the results of an investigation indicate that bullying has occurred, the administration will enact a Stay Away Agreement and Safety Plan and will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. However, the Family Education Rights and Privacy Act (FERPA) prohibits the District from disclosing to anyone other than the student's parent or guardian what disciplinary actions, if any, have been taken against the student who engaged in bullying. If upon completion of the investigation the principal or designated administrator determines that the alleged incident does not rise to the level of bullying, the District will proceed in accordance with the Student Code of Conduct in deciding what, if any, discipline should be assessed for other documented prohibited conduct. Administration may enact a Stay Away Agreement and Safety Plan to prevent further incidents and ensure student safety. A parent or adult student (a student over 18 years old) who is dissatisfied with the outcome of the investigation may appeal through Board Policy FNG (LOCAL), beginning at the appropriate level.

This policy is available in the District's Policy Manual online. Additionally, a copy of the policy and appropriate form can be obtained at the campus level or from the office of the Superintendent. The District prohibits retaliation by a student or employee against any person who in good faith reports makes a report of bullying, serves as a witness, or participates in an investigation. (See "Cyberbullying" and "Harassment" also.)

Bus Rules

Appropriate student conduct on school buses is vital to student safety. In order to promote safe transportation, students are expected to:

Observe same conduct expectations as in the classroom;

1. Enter the bus and immediately go to the assigned seat;
2. Talk in a normal tone of voice;
3. Remain seated and facing forward in the assigned seat until time to exit the bus;
4. Keep head, hands, feet, and other objects to oneself; avoid tampering with bus equipment;

5. Use acceptable language; obscene, profane, and/or unacceptable language and/or gesturing are prohibited;
6. Refrain from eating and/or drinking on the bus; keep the bus clean;
7. Refrain from throwing objects within the bus or out of the windows;
8. If the seats are equipped with seat belts, they must be worn at all times as required by law; and
9. Follow all rules outlined in the District's *Discipline Management Plan and Student Code of Conduct*, as well as safety rules, established by the driver.

Students should abide by the following safety rules related to boarding, riding, and exiting a bus:

1. Students will board and exit the bus in an orderly manner at the designated bus stop;
2. Arrive at the bus stop five (5) minutes before the scheduled stop-time and wait a safe distance from where the bus stops. Three giant steps away from the stop is a good rule;
3. When the bus arrives, do not approach the bus until it has come to a complete stop. Form a single line and board the bus (no pushing or breaking in line). Students will go directly to their assigned seat and sit in a safe position;
4. Students will keep books, band instruments, feet, and other objects out of the aisle of the bus. Objects carried on the bus must be small enough to be held in the lap of the owner;
5. When it is time to exit the bus, students will wait for the bus to come to a complete stop before unbuckling the seatbelt and getting up from the seat; and
6. Upon exiting the bus, students needing to cross the street shall wait until directed by the bus driver before crossing immediately in front of the bus.

Parents are responsible for supervision of their children at the bus stop area prior to the arrival of the bus, while the students are boarding, and after the bus departs from dropping off students. Parents should also send a written note anytime there is to be a change in a student's bus stop or if a student is to ride a different bus. Such notes must be approved by a campus administrator prior to being presented to the bus driver.

Prekindergarten and Kindergarten students must have a responsible adult or older sibling receive them at the bus stop. Should there be no one at the stop to receive the student, the child will be taken back to the school for the parent to pick up. Should this occur more than once, the second time will serve as a final warning, and the third occurrence will result in the child losing bus riding privileges. When student misconduct occurs on a school bus transporting students to or from school or a school-sponsored or school-

related activity:

1. The driver will attempt to redirect the behavior.
2. If the driver is unable to resolve the situation and the student's behavior interferes with the driver's ability to maintain effective discipline, the driver will refer the student to the campus administrator as soon as the driver completes his or her route; if the incident occurs after normal school hours, the driver will refer the student to the campus administrator not later than the morning of the next school day.
3. In the case of misconduct that endangers the safety of other passengers or the driver, the driver has the authority to call for law enforcement assistance through the dispatch office and will notify the campus administrator, and the appropriate

transportation director as soon as possible.

4. The campus administrator will address the student's misconduct in accordance with the *Discipline Management Plan and Student Code of Conduct* and may restrict or revoke a student's transportation privileges.
5. The campus administrator will notify the student's parent and the bus driver, if appropriate, of the action taken.

If a student's behavior disrupts transportation or is illegal, law enforcement officials will be notified. **Flagrant or repeated misconduct on the school bus will result in the loss of the privilege of riding the bus.** During periods of bus removal/ suspension, a student may be arrested for or charged with trespass for boarding a bus. A bus driver may refer a student to the principal's office to maintain effective discipline on the bus. The principal must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student's Individual Education Plan (IEP) or other individually designed program.

(See "Disruption of Transportation" also.)

Cellular Phones

(See "Telecommunication Devices" for details.)

Cheating and/or Plagiarism

Cheating shall be defined as giving or receiving information or help on a test; possession of any unauthorized material during a test; copying another student's assignment or knowingly allowing another unauthorized student to copy from his/her assignment; working with others on a project that is meant to be done individually; unauthorized possession of test or quiz questions and/or answer sheets; completing an assignment, test or quiz on behalf of another student; submitting duplicate work; having someone else complete an assignment, test, or quiz on behalf of the student, accessing a teacher edition, or other examples of academic dishonesty. Using electronic devices to send or receive information as described above is also classified as cheating.

Plagiarism, the use of another's ideas or products as one's own, shall also be defined as cheating. Plagiarism is any failure to give credit for information found and used. It may involve word-for-word copying, paraphrasing, or simply using ideas and information.

The penalty for cheating will be a zero for work involved, and the student will be subject to other appropriate disciplinary action which may include lowering the conduct grade one level. In cheating offenses, all students involved shall be subject to disciplinary action.

Chemical Dispensing Device

A device that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on an individual.

Child Abuse/Neglect and Sexual Abuse

ALTO ISD POLICIES FFG (LEGAL)

While any person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person is required by law to report the action, any professional is required to make such report within 48 hours after first suspecting abuse or neglect. A report of alleged or suspected abuse or neglect and the identity of the person making the report is confidential. A

person acting in good faith who reports alleged abuse or neglect is immune from any civil or criminal liability.

Sexual abuse will, likewise, be reported. The District has developed methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of the likely warning signs indicating that a child may be a victim using a variety of resources and interventions and informing individuals about available assistance that a child victim may obtain including counseling options.

Students who are aware of any form of abuse or neglect should be encouraged to report the incident to any adult, including school employees such as a teacher, counselor, nurse, or administrator.

Education Code 38.004 and 38.0041

Computer/Network/Internet Use

To prepare students for an increasingly computerized society, the District has made a substantial investment in computer technology for instructional purposes. All students are provided with written guidelines pertaining to the responsible use of computers, the Internet, and the District's network system, and personal telecommunication devices. Students and their parents should pay close attention to the "Student Responsible Use Guidelines for Technology" (located on page 51) regarding use of these resources. A violation of any of the guidelines will result in the assignment of an appropriate disciplinary consequence and could result in the loss of computer access privileges. Examples of violations include, but are not limited to, using inappropriate language, copyright violations, deleting or modifying files, changing computer settings without permission, or using another person's account.

Students and their parents should be aware that electronic communications (e-mail, blogs, wikis, and other communications within these tools) using District computers or personal telecommunication devices accessed during the instructional day are not private and may be monitored by District staff.

(See "Telecommunication Devices" for related information.)

Confiscated Items

Items that are confiscated may normally be returned to the student at the end of the class period. Some items may be kept for a longer period of time, given to an administrator, or only returned to a parent/guardian, depending on the situation. Illegal items will be turned over to the Alto PD. It is the student's responsibility to claim confiscated items prior to the end of the school year. Unclaimed items will be disposed of prior to the beginning of the next school year. Efforts will be made to keep confiscated items secure; however, the District is not liable for confiscated items that are lost or stolen. Campus administrators will conduct investigations, in an effort to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate.

Criminal Charges or Classifications

If a student is charged with a crime or engages in conduct punishable as or that contains the elements of a crime for which disciplinary actions are mandated by law, the student is disciplined based on the law enforcement officer's classification and/or the criminal charge(s) accepted by the county district attorney (DA). Certain offenses require mandatory removal to a disciplinary alternative education program (DAEP) and others require mandatory expulsion to a juvenile justice alternative education program (JJAEP). In some circumstances, a

student may be arrested for an offense which initially requires mandatory removal to a DAEP; however, after completion of the criminal investigation, if charges are upgraded to an offense classified as an expellable offense, the school will be required to recommend expulsion based upon the officer's classification or charges being filed. Since school discipline does not have to meet the same standards of evidence as law enforcement, the disciplinary assignment is not reduced or dropped based on the outcome of the criminal case which might include a motion to dismiss, deferred adjudication, deferred prosecution, etc.

In addition, there are certain criminal charges which occur off-campus at nonschool-sponsored or nonschool-related events for which the District is required to remove the student from the regular classroom setting. Upon notification from a law enforcement agency that such a crime has been committed, the school will recommend appropriate disciplinary actions. If the charges for one of these off-campus offenses are later reduced or dropped and documentation of the reduction can be provided, the District will reconsider the disciplinary action. If the charges remain and the student receives deferred adjudication or deferred prosecution, the student will be required to complete the disciplinary assignment.

(See "Deferred Adjudication/Deferred Prosecution" for related information.)

Cyberbullying & On-Line Harassment

Cyberbullying is defined as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet web site, or other Internet-based communication tool. (See "Bullying.") Cyberbullying is bullying at a higher level because of the wider audience and ease with which information can be broadcast. Some of the methods of cyberbullying include pretending to be someone else online to deceive others, spreading lies and rumors about victims, using deception to obtain personal information from others, sending or forwarding mean messages, and posting images of victims without their consent.

Texas Penal Code 33.07 defines on-line harassment as when a person uses the name or persona of another person to create a Web page on or to post one or more messages on a commercial social networking site without obtaining the other person's consent and with the intent to harm, defraud, intimidate, or threaten any person. On-line harassment also occurs when a person sends an electronic mail, instant message, text message, or similar communication that references a name, domain address, phone number, or other item of identifying information belonging to any person without obtaining the person's consent, with the intent to cause a recipient of the communication to reasonably believe that the other person authorized or transmitted the communication, and with the intent to harm or defraud any person.

Parents are encouraged to monitor their child's access on-line and through texting. Victims of cyberbullying and on-line harassment should report these occurrences to the appropriate authorities as soon as possible. A student who would prefer to remain anonymous should submit a detailed report through the Alto ISD Stop It application found on all district devices or downloaded from the Apple App Store or Google Play on a personal device. Cyberbullying and on-line harassment that occurs in the school setting should be reported to campus administrators and will be disciplined accordingly. The District does not have jurisdiction over cyberbullying and on-line harassment that occur in the community and/or in the home setting. In these cases, if the matter rises to the level of a crime, it should be reported to the local law enforcement agency. Only in those situations that occur in the community that result in disruption of the educational setting would the District

have jurisdiction to discipline the students causing an on-campus disruption.

(See “Bullying” and “Harassment” also.)

Damage to School Property

ALTO ISD POLICY FNCB (LEGAL)

A parent or other person who has the duty of control and reasonable discipline of a child is liable for any property damage proximately caused by:

1. The negligent conduct of the child if the conduct is reasonably attributable to the negligent failure of the parent or other person to exercise that duty; or
2. The willful and malicious conduct of a child who is at least 10 years of age but under 18 years of age.

Family Code 41.001

The taxpayers of the community have made a sustained financial commitment for the construction and upkeep of school facilities and property. To ensure that school facilities can serve those for whom they are intended — both this year and in the coming years — littering, defacing, or damaging school property, including textbooks and library books, is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the *Discipline Management Plan and Student Code of Conduct*.

Dating Violence

ALTO ISD POLICY FFH (LOCAL)

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner. Examples include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors. Dating violence is considered prohibited harassment and will not be tolerated. While the school does not have jurisdiction in most off-campus, nonschool-related situations, affected students may seek assistance from campus counselors.

The District has developed a plan to address safety, enforce protective orders, train teachers and administrators, provide counseling for affected students and offer awareness education for students and parents.

(See “Harassment” and/or “Sexual Harassment” for related information.)

Deferred Adjudication/Deferred Prosecution

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 adjudication does not equate to “not guilty.” Students placed on “deferred adjudication” will complete any disciplinary sanctions assigned.

Students arrested for and charged with a criminal offense may also be placed on deferred prosecution. 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. (See “Criminal Charges or Classification” for related information.)

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability or any other basis prohibited by law that negatively impacts the student. (See “Harassment” for reporting procedures.)

Disruption of Activities

ALTO ISD POLICIES FNCI (LEGAL) AND GKA (LEGAL)

No person or group of persons acting in concert may intentionally engage in disruptive activity on the campus or property of any school in the District. Disruptive activity means:

1. Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
2. Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;
3. Preventing or attempting to prevent by force or violence or the threat of violence any lawful assembly authorized by the school administration so that a person attempting to participate in the assembly is unable to participate due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur;
4. Disrupting by force or violence or the threat of force or violence a lawful assembly in progress; and
5. Obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

Conduct by students either in or out of class which for any reason — whether because of time, place, or manner of behavior

— materially disrupts classwork or involves substantial disorder or invasion of the rights of others is prohibited.

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities.

Disruption of Classes

ALTO ISD POLICIES FNCI (LEGAL) and GKA (LEGAL)

For purposes of this rule, “school property” shall include the public school campuses or school grounds or buildings used by the District schools for assemblies or other school-related activities, and “public property” includes any street, highway, alley, public park, or sidewalk. No person shall be permitted, on school property or on public property within 500 feet of school property, to intentionally disrupt, alone or in concert with others, the conduct of classes or other school activities. Conduct which disrupts the educational activities of a school includes:

1. Emissions by means of noise of an intensity that prevents or hinders classroom instruction;
2. Enticement or attempted enticement of students away from classes or other school activities that students are required to attend;
3. Prevention or attempted prevention of students from attending classes or other school activities that students are required to attend; and
4. Entrance into a classroom without consent of either the principal or the teacher and either through acts of misconduct and/or use of loud or profane language

causing disruption of class activities.
Education Code 37.124

Disruption of Transportation

ALTO ISD POLICY CNC (LEGAL)

Any person other than a primary or secondary grade student who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school on a vehicle owned or operated by the District or to or from activities sponsored by a school on a vehicle owned and/or operated by the District shall be guilty of a misdemeanor. It is an exception to the application of the offense that, at the time the person engaged in the prohibited conduct, the person was younger than 12 years of age. *Education Code 37.126*

If the illegal act is conducted through use or exhibition of a firearm, the person shall be guilty of a felony. *Education Code 37.125*

Distribution of Materials

Approval of the campus principal or designee must be obtained prior to distributing to students or posting written materials on school property. Decisions regarding the appropriateness of materials will be consistent with the criteria and timelines specified in Board Policies FMA, FNAA, and GKDA and according to whether the materials are for a curriculum-related or noncurriculum-related group. The principal or designee shall determine the time, place, and manner for distribution of information or notices regarding meetings and activities for curriculum-related and school-sponsored groups/organizations. Approved materials for noncurriculum-related groups will be placed/posted in a designated area accessible to students.

Only announcements pertaining to curriculum-related and school-sponsored meetings/events will be made over the school's public address system. Students distributing materials without permission will be assessed a disciplinary consequence as appropriate.

Each campus has a location designated for the distribution of nonschool-related materials for nonprofit organizations that have obtained District approval. This information (community flyers) can also be found on the campus and District Web site.

The District prohibits the distribution of nonschool-related materials to students for "for-profit" businesses/groups.

Birthday invitations are classified as nonschool-related materials and may not be distributed to students at school ~~site~~ no other flyers from "like" groups are allowed to be directly distributed to students.

(See "Publications — Nonschool, by Students" and "Publications — Student Speech" for additional information and Board Policy GKDA for nonschool literature by nonstudents.)

Dress Code

ALTO ISD POLICY FNCA (LOCAL)

In order to maintain an orderly environment conducive to the attainment of the educational mission and purpose of the District, all students shall be required to conform to a reasonable dress and grooming code. The provisions of the dress and grooming code shall be enforced equally with regard to all students to whom the provisions apply.

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. 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 District prohibits pictures, emblems, or writings on clothing that:

1. Are lewd, offensive, vulgar, or obscene.
2. Advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under FNCF (LEGAL).

The principal at each campus is authorized to determine the suitability of student attire and grooming, within the expressed wording and intent of this policy and in regard to exceptions necessary to address medical or safety concerns or adhere to religious practices. The principal is also the person designated as the person responsible for enforcing this policy at the campus level. Principals at individual campuses are authorized to publish and enforce additional rules that are felt to be necessary to maintain a safe and orderly learning environment.

If the principal determines that a student's clothing or grooming violates the District's dress code, the student shall be given an opportunity to correct the problem at school or in some cases the parent may be given the option to correct the problem. If the problem is not corrected, the student shall be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated offenses will result in more serious disciplinary action.

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

(For more details, see the Dress Code in Campus Handbook.)

Drug/Alcohol Use/Abusable Volatile Chemicals

ALTO ISD POLICY FNCF (LEGAL), FNCF (LOCAL), FOC (LEGAL), and FOD (LEGAL)

No student shall, during any school term and while on school premises or off school premises at a school-sponsored activity, function, or event, sell, give, deliver, use, possess, or be under the influence of any amount of:

1. Marijuana or a controlled substance, as defined by Chapter 481, *Health and Safety Code*, or by 21 USC 801, et. seq.;
2. A dangerous drug, as defined by Chapter 483, *Health and Safety Code*; or
3. An alcoholic beverage, as defined by Section 1.04, *Alcoholic Beverage Code. Education Code 37.006, 37.007*

In addition to the above prohibitions, no student shall inhale, ingest, apply, use, or possess an abusable glue, aerosol paint, or other volatile chemical with intent to inhale, ingest, apply, or use them in a manner:

1. Contrary to directions for use, cautions, or warnings appearing on a label of a container of the glue, paint, or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination, or delirium, or change, distort, or disturb the person's eyesight, thinking process, balance, or coordination.

Health & Safety Code 485.031

No person shall intentionally or knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or other substance that contains a

volatile chemical. *Education Code 37.006; Health & Safety Code 485.033*

In addition to the statutory ban on the possession, use, or transmittal of controlled substances, dangerous drugs, and alcohol [see FNCF (LEGAL)], the District prohibits:

1. The possession, use, or transmittal of paraphernalia related to any prohibited substance; and
2. The possession, transmittal, sale, or attempted sale of what is represented to be any prohibited substance.

Students who violate this policy shall be subject to disciplinary action and may be required to complete an appropriate rehabilitation program.

Drug-Free School Zone

ALTO ISD POLICY FNCF (LEGAL)

Section 481.134 of the *Texas Health and Safety Code* provides that certain drug-related crimes are subject to more severe criminal penalties if they occur in, on, or within 1,000 feet of premises owned, rented, or leased to a school district or a playground or on a school bus. In addition to referring a student who commits a drug-related crime for criminal prosecution, the District will consider such acts to be school-related misconduct and may discipline the student for the misconduct in accordance with the provisions of the *Discipline Management Plan and Student Code of Conduct*. For example, a controlled substance, that would normally be classified as a Class A misdemeanor if found in the community, may be classified by the county district attorney as a felony when it is found on school property because of the Drug-Free School Zone statute. (Misdemeanor drug offenses are disciplined at Level IV, and felony drug offenses are disciplined at Level V.)

The specific drug-related crimes include but are not limited to possessing, manufacturing, delivering, or possessing with the intent to manufacture or deliver a controlled substance.

Drug Paraphernalia

Students are prohibited from possessing any form of drug paraphernalia on school property or at school-sponsored activities or events. Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Electronic Cigarette (E-cigarette)

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe, dab pen, vaping device or similar device under another product name or description. Also included is any component, part, or accessory for the device (i.e. juice), regardless of whether the component, part, or accessory is sold separately from the device.

Extracurricular Activities

ALTO ISD POLICY FM (LEGAL)

Participation in school and school-related activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships with other students; participation, however, is a privilege, not a right.

For extracurricular activities that require tryouts, all students, regardless of disability, have the same access to meet the tryout eligibility requirements. Those students who meet the eligibility requirements are allowed to tryout and are held to the same performance standards during the tryout. The District provides appropriate accommodations for

disabled students through 504, special education, or RTI; however, these accommodations cannot result in an alteration or change in the qualifying standards of performance of the extracurricular activity.

All students participating in extracurricular activities are expected to adhere to the District's *Discipline Management Plan and Student Code of Conduct*. However, sponsors and coaches of extracurricular activities, including but not limited to: honor societies, student council, interscholastic athletics, cheerleaders, dance teams, theater art groups, choirs, and marching bands, may develop and enforce standards of behavior that are higher than the District-developed *Discipline Management Plan and Student Code of Conduct* and may condition membership or participation in the activity on adherence to those standards. These higher standards are outlined in each extracurricular group's guidelines/constitutions. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. No provision of an extracurricular behavioral standard shall have the effect of discriminating on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. Such behavior standards shall be approved by the principal and the Superintendent or designee before they are communicated to students. Students shall be informed of any extracurricular behavior standards at the beginning of each school year or, in the case of interscholastic athletics, cheerleaders, dance team, and marching band, at the time the students report for workout practices that occur prior to the actual beginning of classes. Students and their parents shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Organizational standards of conduct of an extracurricular activity are independent of the *Discipline Management Plan and Student Code of Conduct*. Violations of these standards of conduct that are also violations of the *Discipline Management Plan and Student Code of Conduct* may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of organizational standards of conduct of an extracurricular activity or for violation of the *Discipline Management Plan and Student Code of Conduct*. Disciplinary infractions may also result in a student's removal or limited participation in an extracurricular activity if the disciplinary action or level of offense violates the higher standards of conduct specified by the student's extracurricular contract.

Administrators and sponsors are expected to discipline students according to established rules.

Fighting/Physical Contact/Assault

Physical contact will not be tolerated on school property or while attending a school-sponsored or school-related event on or off school property. If an individual is physically confronted by another student, the individual should avoid striking back and find an adult or administrator that can handle the situation. Regardless of who starts a fight, if both students participate, both students will be disciplined accordingly. A claim of self-defense is not a justification to avoid disciplinary action and/or police intervention unless there is documented evidence that the student could not flee. Anytime one person makes physical contact with another with the implied intent to harm, the act — depending on the severity — may be considered “physical contact,” “assault by contact,” or “assault with bodily injury.” However, at the point when the receiver of the physical contact retaliates, the infraction then becomes “disorderly conduct/fighting in public” for both students.

Student Fighting – Alto ISD’s “Zero Tolerance” Policy

Purpose & Goals: Alto ISD’s “Zero Tolerance” policy has been developed in response to increased physical aggression amongst AISD students, specifically at the middle school and high school grade levels. The Zero Tolerance policy is being implemented as a firm, direct approach to deterring fights, restoring order and safety to AISD campuses, and teaching accountability to our student population. The goal of the zero tolerance policy is to deter fighting amongst our student population altogether. This policy incentivizes avoidance or early resolution of disputes/disagreements before physical aggression occurs. Students are expected to disengage from a situation that is verbally aggressive or emotionally charged. Students can always go to any staff member for assistance or support in avoiding a fight, including reporting another student’s verbally aggressive or threatening behavior. Students will not be punished for requesting a “cool off” time to avoid fighting. It is not the purpose or goal of the policy to punish innocent victims of aggression – administrators will carefully review all evidence when considering consequences for fighting; however, the District expects students who are being targeted by another student(s) through verbally or physically aggressive contact to immediately disengage from the student(s) and tell a staff member.

Fighting Behaviors: If any student is involved in “fighting behaviors,” that student will be assigned to the Disciplinary Alternative Education Program (DAEP). The length of the placement will be at administrator discretion. Fighting behaviors include (but are not limited to): shoving, pushing, punching, slapping, hitting with objects, throwing objects at another, kicking, biting, pulling hair/clothing/jewelry, choking/strangling, restraining, and presenting or using any form of weapon (including but not limited to illegal or contraband weapons identified in the Code of Conduct). Student interactions that are verbally threatening, but do not rise to the level of “fighting behaviors” will not trigger the zero tolerance policy. However, disciplinary consequences will still be assessed for students violating the Student Code of Conduct, including students who attempt to engage in fighting through verbal attacks, threats, bullying, hate speech, or taunting.

There is also a “zero tolerance” policy for students who encourage, promote, or film/record/take photographs of other students fighting. Students who are engaged in fighting in an indirect way will be assigned disciplinary consequences, including but not limited to ISS, OSS, community service, or DAEP. Consequences will be at administrator discretion and will be assessed based upon the extent of the student’s engagement in the fight.

Consequences: Any student engaging in fighting behaviors will be assigned out of school suspension on the day of the fight, lasting for up to three school days. After the assigned period of OSS, the student will be assigned to the DAEP for a length of time determined by the campus administrator. The mitigating factors identified in the SCOC will be considered prior to the implementation of disciplinary consequences. For students with disabilities, a Manifestation Determination Review will occur prior to the formal assignment of DAEP if the placement is recommended to last longer than 10 school days.

Firearm — Defined

ALTO ISD POLICY FOD (LEGAL)

“Firearm” is defined as:

1. Any weapon (including a starter gun) which will or is designed to or which may readily be converted

- to expel a projectile by the action of an explosive.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm silencer.
4. Any destructive device. “Destructive device” means any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any of the preceding described devices. It also means any type of weapon (other than a shotgun shell or a shotgun that is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described in this item, and from which a destructive device may be readily assembled. *18 USC 921*

In accordance with the Gun-Free Schools Act, the District shall expel from the student’s regular program, for a period of one year, any student found in violation of this Act.

[See “Firearms (Exhibition of)” and “Weapons” also.]

Firearms (Exhibition of)

ALTO ISD POLICIES FNCG (LEGAL) and FOD (LEGAL)

Students are prohibited from using, or exhibiting threatening to exhibit or use a firearm in a manner intending to cause alarm or personal injury to another person or to damage school property in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school, or of a vehicle owned or operated by the District being used to transport children to or from school-sponsored activities. Students in violation will be disciplined as required by state law.

Students may not be expelled solely on the basis of the student’s use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus or while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department. Additionally, students are not authorized to bring a firearm on school property to participate in or prepare for one of these purposes. *Texas Education Code 37.007*

(See “Firearms -- Defined” and “Weapons” for additional information.)

Gambling — Defined

“Gambling” shall be defined as participating in games of chance for money and/or other things of value. Students guilty of gambling will be subject to appropriate consequences as outlined in this *Discipline Management Plan and Student Code of Conduct*.

Gang — Defined

A gang is defined as any group of three or more individuals having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal acts or acts that violate school district policies or the *Discipline Management Plan and Student Code of Conduct*.

Gang-Free Zones

See the “Gang-Free Zones” notice on page xii for information regarding the areas designated as gang-free zones, as well as the persons, offenses, and consequences for which these zones apply.

Gang-Related Behaviors/Activities

Gang-related behaviors and activities, such as hand signals, gang signatures, mottoes, graffiti, and the wearing of gang-related insignia and flags, etc., disrupt the school environment and educational process and cause intimidation of other students. To protect the safety of all students, to encourage regular attendance, and to ensure the progress of the educational process, such behaviors and activities are prohibited.

Graduation

Students are subject to removal from the graduation ceremony for inappropriate behavior before or during the ceremony. In addition to removal from the graduation ceremony, a conference with the principal may be required to obtain a diploma.

Senior students who are assigned to a DAEP or JJAEP and complete their full assignment prior to or on the day of graduation and who meet all requirements for graduation may walk at the commencement ceremony and receive a diploma from the District.

Senior students whose DAEP assignment extends into the next school year will be reviewed in consultation with the DAEP and the campus principal for consideration to walk at the commencement ceremony. With appropriate approvals, senior students may be granted approval to attend the rehearsal and graduation ceremony if accompanied by a parent or guardian. Students eligible to walk at graduation must obtain campus principal approval to participate in school-sponsored graduation activities, such as Project Graduation.

Senior students who do not receive approval to walk at graduation will receive their diploma from the District at a later date. DAEP assignments for senior students end when graduation requirements are met even though the full assignment has not been served.

Students classified as seniors, who attend school and take and pass required courses and exams, have a legitimate expectation that they will receive a high school diploma. However, students have no constitutional right to receive their diplomas at a specific graduation ceremony. "Walking across the stage" at graduation is both exciting and memorable, but participation in a graduation ceremony is not a protected right. Alto ISD can restrict participation for any rational reason. *Williams v. Austin Independent School District 796 F. Supp. 251 (W.D. Tex. 1992)*

Graffiti — Defined

"Graffiti" is defined as any markings, including inscriptions, slogans, drawings, or paintings made on tangible property. Regardless of the amount of damage caused, when graffiti occurs on a school through the use of aerosol paint, indelible marker, or an etching or engraving device, the offense becomes a state jail felony [*Penal Code 28.08(d)*] and is disciplined at Level IV as required by state law [*Texas Education Code 37.006*]. Graffiti that does not rise to a felony level will be disciplined at Level III.

Hacking

Hacking is defined as intentional or unauthorized accessor attempted access of any portion of the District's computer systems, networks, or private databases to view, obtain, manipulate, or transmit information, programs, or codes or of another student's personal telecommunication device. Hacking and other inappropriate use of the District's computer systems or of another student's personal telecommunication device are prohibited and are addressed in the "Student Responsible Use Guidelines for Technology."

Harassment

ALTO ISD POLICIES FFH (LEGAL) and (LOCAL)

All students and employees should be treated with courtesy and respect. Students should avoid any behaviors known to be offensive, and stop these behaviors when asked or told to stop. Students shall not engage in prohibited harassment which is motivated by race, color, religion, sex, gender, national origin, disability, or any other basis prohibited by law, including dating violence. This prohibition applies whether the conduct is by word, gesture, or any other inappropriate conduct. The term "harassment" includes repeated, unwelcome, derogatory, and offensive language, name calling, slurs, jokes, or other oral, written, graphic, or physical conduct directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation that creates an intimidating, hostile, or offensive educational environment. Harassment also includes, but is not limited to, threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

Students who believe they have experienced dating violence, discrimination, harassment, or retaliation should immediately report the problem to a teacher, school counselor, principal, or other district employee with the authority to take action. Failure to promptly report this type of prohibited conduct may impair the District's ability to investigate and address the allegations. The report may be made orally or in writing by the student or the student's parent or guardian. The principal or designated administrator will then write the student's oral report on the district form created for this purpose.

Upon receiving a report of prohibited conduct as defined by Board Policy FFH, the District will determine whether the allegations, if proven, would constitute prohibited conduct as defined by policy. If not, the District will refer to Board Policy to determine if the allegations, if proven, would constitute bullying, as defined by law and Board Policy FFI. If the alleged prohibited conduct, if proven, would constitute bullying as defined in law, an investigation of bullying would also be considered.

The District will promptly notify the parents of any student alleged to have experienced prohibited conduct. In the event alleged prohibited conduct involves another student, the District will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation.

To the extent possible, the District will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law.

During the course of an investigation and when appropriate, the District will take interim action to address the alleged prohibited conduct. If the investigation indicates that prohibited conduct occurred, appropriate disciplinary action, and, in some cases, corrective action, will be taken to address the conduct. The District may take appropriate disciplinary and corrective action even if the conduct that is the subject of the complaint was not unlawful. Administration may enact a Stay Away Agreement and Safety Plan to prevent further incidents and ensure student safety.

Complaints of harassment on the basis of disability will be addressed and resolved in a fair and expeditious manner. In accordance with District disciplinary procedures, appropriate disciplinary action shall be taken against students who are found to have engaged in disability harassment. In addition to these procedures, students and staff may have rights and

procedural safeguards under other school policies or state and federal law. The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence against students, staff, or volunteers with disabilities. The District considers this behavior to constitute discrimination on the basis of disability in violation of section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA).

All parties will be notified of the outcome of the District's investigation within the parameters and limits allowed under the Family Education Rights and Privacy Act (FERPA).

A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with Board policy FNG (LOCAL).

(See "Bullying," "Cyberbullying & On-Line Harassment," "Hazing," and "Sexual Harassment" for related information.)

Hazing

ALTO ISD POLICY FNCC (LEGAL)

"Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. The term includes:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above; or
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code. *Education Code 37.151*

Any teacher, administrator, or other person employed by the District, or any student who observes any other student engaged in any form of hazing, or who has reason to know or suspect that a student or students intend to engage in hazing, shall report that fact or suspicion to the principal. Failure to do so is a violation of state law.

(See "Bullying," "Harassment," and "Sexual Harassment" for related information.)

Identification (ID) Numbers

Each student will receive a ID number at the beginning of the year. The unique student ID number will be used to check out library books and textbooks, to purchase food

items in the cafeteria. A student is to never give out his/her ID. Failure to follow these procedures may be considered a violation of the Student Code of Conduct.

Interrogations and Searches

ALTO ISD POLICIES FNF (LEGAL) and (LOCAL)

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, District officials may from time to time conduct searches and/or interrogations. Such searches and/or interrogations are conducted without a warrant and as permitted by law.

School officials may search a student's outer clothing, pockets, or property if the official has reasonable suspicion to believe that the student possesses contraband or a prohibited item, or by securing the student's voluntary consent. Coercion, either expressed or implied, such as threatening to contact parents or police, invalidates apparent consent.

A search is reasonable if it meets both of the following criteria:

1. The action is justified at the inception, i.e., the school official has reasonable grounds for suspecting that the search will uncover evidence of a rule violation or a criminal violation; and
2. The scope of the search is reasonably related to the circumstances that justified the search in the first place; i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Areas such as lockers, which are owned by the District and jointly controlled by the District and the student, maybe searched if reasonable suspicion exists to believe that contraband is inside the locker. Students should not have an expectation of privacy in areas such as lockers and desks owned by the District. Students are responsible for the security of their lockers, for all items in their lockers, and for making sure that their combination is not available to others. Students who are careless with their combination or share it with friends increase the risk of property loss and possession of prohibited items.

Trained dogs' sniffing of cars and lockers does not constitute search under the Fourth Amendment. However, trained dogs' sniffing of students does constitute a search and requires individualized reasonable suspicion.

The District shall use specially trained nonaggressive dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances, and alcohol. Such visits to schools shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on school property. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials regardless of whether or not a student is present. If contraband of any kind is found, the possessing student shall be subject to appropriate disciplinary action.

(See "Questioning of Students," "Questioning of Students by Outside Authorities," and "Search of Property and Students" for related information.)

Jurisdiction

The District has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity 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, board member, or volunteer occurs or is threatened, regardless of time or location;
 6. When a student engages in cyberbullying, as provided by Education Code 37.0832;
 7. When criminal mischief is committed on or off school property or at a school-related event;
 8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
 9. Who commits a felony, as provided by *Education Code 37.006 or 37.0081*;
 10. Who commits certain offenses within 300 feet of school property, as measured from any point on the school's real property boundary line; and
 11. When the student is required to register as a sex offender.

School property is defined as any property belonging to the District.

It is the parents' responsibility to supervise their children at the bus stop or while walking or riding bicycles to and from school. When crimes occur in the community while students are waiting at the bus stop or walking to and from school, it is preferred that parents contact the local law enforcement agency for intervention.

Similarly, the District does not have jurisdiction over other situations occurring in the community even though an incident may involve students (including technology-related communications—such as emails, texting, Facebook messages, etc.—containing threats, bullying, and/or harassment) unless there is a direct impact to the educational setting. District personnel may, however, conference with students regarding inappropriate behavior and effective ways to resolve conflict. In most cases if the matter rises to the level of a crime, it should be reported to a local law enforcement agency.

Leaving Campus After Arrival

Once a student arrives on campus (regardless of the mode of transportation), the student cannot leave campus without obtaining permission from the campus office. Students who become ill at school and desire to go home must go to the nurse. The district nurse will determine if the student should go home and notify the parent/guardian.

The District is committed to the protection of students entrusted to its custody during the school day. Therefore, campus administrators shall exercise caution in releasing students during the school day.

Parents requesting that a student be allowed to leave the campus for medical or family matters must request, in writing or by personal contact, the approval of the principal or designee. Any student who needs to leave campus during the school day must be officially signed out by an authorized person (unless the student is an adult or the student drives a car to school and has written authorization from a parent/guardian) through the designated office prior to leaving campus. An authorized person is one who is a parent/guardian, one who has written authorization from the student's parent/guardian, including a copy of the parent/guardian photo ID, or one who is authorized by a legal order to take possession of a student.

The procedures controlling the release of a student from school during the school day are as follows:

1. When checking a student out of school, an authorized person must report to the attendance office or front office and wait in the designated area for the student to arrive.

2. Definite and satisfactory identification (i.e. driver's license or picture ID) shall be required of the person authorized to take a student from school.
3. The student should remain in the classroom to maximize instructional time until the person picking him/her up arrives in the office. School personnel or student aides will inform the student when it is time to come to the office.
4. High school students who have a car on campus must obtain permission from the office to leave campus during the school day. These students shall check out through office before leaving the campus.

High school students should remove all items needed during the school day from vehicles parked on campus when they arrive in the morning. Students are prohibited from being in the parking lots except upon their arrival and dismissal from school. Students who return to a vehicle during the school day may be disciplined and may be subject to having the vehicle searched.

Students who leave campus at any time without parental permission and administrative approval shall be considered truant and will be subject to disciplinary action.

(See "Truancy" also.)

Location-Restricted Knife

A location-restricted knife is defined as a knife with a blade over five and one-half inches. The definition does not include a throwing star. Possession of a location-restricted knife on school property or a bus is a mandatory DAEP placement or expulsion.

Loitering

Students who are not scheduled to meet with a teacher or participate in a group activity under the supervision of a sponsor should not loiter on the campus before or after school hours. Teachers are assigned before and after school duty to supervise the arrival and departure of students only. It is the parents' responsibility to provide appropriate supervision for students before, during and after school so that they are kept safe. Students who loiter can be charged with or arrested for trespassing.

Likewise, students should not be on the grounds of another school while that school is in session or during the thirty minutes before or after the instructional day which could interfere with arrival and dismissal procedures.

(See "Trespassing" for details.)

Medicine at School

All medications (prescription and non-prescription) brought to the school must be taken to the school clinic immediately upon arrival. Students may transport prescription/non-prescription medication to and from school as long as the medication is not a controlled substance. Students may not be in possession of any prescription or non-prescription (over-the-counter medicine including cough drops/throat lozenges) medication on school grounds during school hours unless officially authorized by the campus nurse. Authorization for possession and self-administration of a prescription medication for asthma, anaphylaxis, or diabetes can be managed through the campus nurse. The following procedures are to be followed regarding medications:

1. All prescription drugs dispensed through a physician's office must be in their original pharmacy container or packing and labeled by the pharmacist or physician. The label must include:
 - a. The student's name;
 - b. The physician's name;
 - c. The name and strength of the drug;
 - d. Amount of drug to be given;
 - e. Frequency of administration; and the

- f. Date prescription was filled.
2. All non-prescription drugs must be in their original container. The written request for administration of these over-the counter drugs, made by parent, guardian, or physician, must contain the following:
 - a. Full name of student;
 - b. Name of drug;
 - c. Amount of drug to be given;
 - d. Scheduled hours when the drug is to be given;
 - e. Reason drug is to be given;
 - f. Date; and
 - g. Appropriate signature.
3. All prescription and non-prescription drugs to be administered or kept at school for longer than 15 days must be accompanied by a written request signed and dated by the prescribing physician and the parent/guardian requesting this service.
4. All prescription and non-prescription drugs to be administered at school for 15 days or less must be accompanied by a written request, signed and dated by a parent or legal guardian.
5. Medications prescribed or requested to be given three (3) times a day or less are not to be given at school unless a specific time during school hours is prescribed by a physician or the campus nurse determines that a special need exists for an individual student.
6. There shall be no more than one drug per properly labeled container.
7. All medications will be stored and dispensed in the school clinic. Exceptions must be approved by appropriate school authorities in advance.
8. Students may not be in possession of prescription or non-prescription medications during school hours or at school-sponsored or school-related activities, on or off campus. Exceptions must be approved by appropriate school authorities in advance.
9. Natural and/or homeopathic-like products, not FDA approved, will not be dispensed in the school setting by school district personnel.
10. In accordance with the Texas Nurse Practice Act, Rule 217.11, the district nurse has the responsibility and authority to clarify any medication order with appropriate licensed practitioner and/or refuse to administer medication that, in the nurse's judgment, is not in the best interest of the student.
11. It is District procedure to return or destroy any unused medication a student has been taking at school once it has been discontinued or at the end of the school year. Authorization is given by the parent/guardian to transport medication home on the Administration of Medication of School forms (Less than 15 Days or More than 15 Days), then the Disposition of Excess Medication form will not be necessary. It is preferred that a parent/guardian retrieve the unused portion or request that it be destroyed. No controlled substances can be sent home with a student. However, if the parent/guardian is unable to retrieve the medication, an adult representative may be designated to pick up the unused portion.

(See "Prescription/Non-prescription Drugs" also.)

Miranda Warnings

State law that applies to law enforcement officers in interrogating juveniles does not apply to public school administrators in their enforcement of discipline. Miranda warnings do not apply to school disciplinary proceedings.

Parent

The term "parent" has been defined to include a parent, legal guardian, or other person having lawful control of the child.

Personal Property

The District discourages students from bringing items of value to school regardless of whether they are prohibited or not (i.e. expensive clothing items or jewelry, cameras, MP3 players, iPods, and large amounts of money). Students choosing to bring these items to school must understand that they can be disciplined for those which are prohibited and that the school cannot be held accountable for any of these type items if they are damaged, lost, or stolen. Campus administrators will conduct investigations, in an effort to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate. Personal property may be confiscated based on the item and situation and may be returned to the student at a designated time or upon the completion of an investigation; however, prohibited items will be confiscated and will, if not an illegal item, only be returned to the parent/guardian. Illegal items and items designated as evidence will be returned over to the Alto Police Department.

Physical Restraint

ALTO ISD POLICY FO (LOCAL)

Any District employee may, within the scope of the employee's duties, use and apply physical restraint to a student if the employee reasonably believes restraint is necessary in order to:

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

A District employee may restrain a student with a disability who receives special education services only in accordance with law [see FOF (LEGAL)].

Plagiarism

(See "Cheating and/or Plagiarism.")

Police Intervention

The District reserves the right to refer any student, regardless of age, to law enforcement (Alto Police Department or other law enforcement agency) if the District suspects that a student has broken the law. This referral may be in addition to any school disciplinary action taken against the student.

The District cannot prevent a parent from calling the police regarding a situation involving their child. In addition, if a parent requests that police be called in a matter occurring at school related to their child, an administrator will contact Alto Police Department. It is up to a police officer to determine if an offense warrants police action.

Possession

"Possession" means actual care, custody, control, or management. In regard to drugs and alcohol, a student may also be considered in possession by means of consumption. A student shall be considered to be in possession of any amount of a substance or object prohibited or regulated by this *Discipline Management Plan and Student Code of Conduct* if the substance or object is:

1. On the student's person or in the student's personal property, including but not limited to the student's clothing, purse, book bag, backpack, or briefcase;

2. In any private vehicle driven by the student to or from school or school-related activities, including but not limited to, an automobile, truck, motorcycle, or bicycle; or
3. In any school property used by the student, including but not limited to, a locker or a desk.

Additionally, a student's self-admission to the possession of a prohibited substance or object at school or at a school-related activity is considered to have been in possession for the purpose of assessing school disciplinary consequences. Students should be cautious about holding on to items, distributing items, or placing items in their lockers for other students.

(See "Vehicles on Campus" also.)

Prescription/Non-Prescription Medication

All medications (prescription and non-prescription) brought to the school must be taken to the school clinic immediately upon arrival. No student shall have non-prescription (over-the-counter medicine including cough drops/throat lozenges) or prescription medications in his/her possession on school grounds during school hours unless officially authorized by the campus nurse. Authorization for possession and self-administration of a prescription medication for asthma, anaphylaxis, or diabetes can be managed through the campus nurse. All medication will be stored and dispensed in the school clinic, and all medication must be in a properly labeled container with one medication per container. Students may transport prescription/non-prescription medication to and from school as long as the medication is not a controlled substance.

A student found in possession of a medication **currently** prescribed for the student (except as noted above) is in violation of established District procedures and is subject to disciplinary action at Level II. Possession of a non-prescription medication is also a Level II offense.

A student who sells, gives, or delivers a non-prescription medication or non-regulated synthetic substance to another student or who possesses or uses a non-prescription medication or non-regulated synthetic substance shall be subject to disciplinary action as a Level III offense.

A student who sells, gives, or delivers a prescription medication (controlled substance/dangerous drug) to another student; a student who attempts to sell, give, or deliver a prescription medication; a student who is in possession of a prescription medication belonging to someone else, including a parent, or a person in possession of their own non-current prescription medication commits a Level IV offense and will be placed in an appropriate disciplinary alternative education program (DAEP). If an officer classifies the action as or charges the student with a felony, the student will be expelled by state law and placed in a Juvenile Justice Alternative Education Program (JJAEP). In simple terms, when a student sells, gives, delivers, etc. his/her own prescription medication which is a controlled substance/dangerous drug, it becomes an illegal substance. Likewise, when a student uses or possesses someone else's prescription medication, it becomes a controlled substance/dangerous drug; therefore, illegal because the student does not have a prescription.

If a student takes more than the recommended dosage of his/her own medication or any other substance (regardless of whether it is a nonprescription medication, nonregulated synthetic substance, etc.) that results in a ticket or arrest for public intoxication or a similar charge, the student will be disciplined at Level IV.

Natural and/or homeopathic-like substances, not FDA approved, and dietary supplements are prohibited at school and will be treated as non-prescription medications for disciplinary purposes as stated in this section.

(See "Medicine at School," "Possession," "Public Intoxication," "Under the Influence," and "Use—Defined" for related information.)

Prohibited Items

Students who unintentionally bring to school a prohibited item, which is not illegal, may turn in the item to a staff member without disciplinary consequences if this is done before the item is discovered or reported by a staff member or another student. This option applies only to the first time the prohibited item is accidentally brought to school. The second time the prohibited item is brought to school, the item will be confiscated and the student disciplined according to the type of item brought to school. Parents/guardians may pick up confiscated items, which are not illegal, within two school days. Items not picked up within two school days will be discarded. Illegal items and items designated as evidence will be turned over to the Alto Police Department.

Students shall not possess or use:

- 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;
- Mace or pepper spray;
- Pornographic material or items;
- Tobacco products, cigarettes, e-cigarettes and any component, part or accessory for an e-cigarette device or accessory to vaping;
- Devices designed to emit an electrical shock (such as a TASER).

Public Displays of Affection (PDA)

In order to maintain a mature and respectful atmosphere, students are reminded that public displays of affection are considered unsuitable in an educational setting. These displays could be defined as kissing, embracing, and/or other forms of physical fraternization.

Public Intoxication

Public intoxication is defined as "a person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another." Students ticketed for public intoxication of marijuana, a controlled substance, a dangerous drug, or alcohol shall be disciplined at Level IV for being under the influence. A student who takes more than the recommended dosage of his/her own medication or any other substance (nonprescription medicine, nonregulated synthetic substance, etc.) and is referred to court, ticketed or arrested for public intoxication shall also be disciplined at Level IV.

(See "Possession," "Prescription/Nonprescription Medication," "Under the Influence," and "Use - Defined" for related information.)

Publications — Nonschool, by Students

ALTO ISD POLICIES FNA (LEGAL) and (LOCAL)

Activities such as distribution of literature, displaying signs, petitioning for change, and disseminating information concerning issues of public concern are protected by the First Amendment. The District may prohibit expression by students if:

1. It materially and substantially interferes with school activities;
2. It materially and substantially interferes with the rights of other students or teachers; or
3. The District can demonstrate reasonable cause to believe that the expression would engender such material and substantial interference.

Classrooms and hallways shall not be used for the distribution of any materials over which the school does not exercise control. Distribution is defined as the circulation of more than ten (10) copies of material from a source other than the District. Each school campus shall designate an area where materials that have been approved for distribution by students in accordance with policy may be made available. Campus principals may develop reasonable time, place, and manner restrictions regarding the distribution of materials at designated areas. Birthday and other party invitations **may not** be distributed in any quantity at school because they create a disruption to the educational environment. All written material over which the school does not exercise control and that is intended for distribution to students shall be submitted to the building principal or designee for prior review according to the following procedures:

1. In order to be considered for distribution, materials shall include the name of the organization or individual sponsoring the distribution.
2. Using the standards below, the principal or designee shall approve or reject submitted material within two (2) schooldays of the time the material is received.
3. The student may appeal the principal's decision in accordance with FNG (LOCAL), beginning at Level II. Nonschool materials shall not be distributed if:

1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence; and the materials would materially and substantially interfere with school activities or the rights of others.
8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

Students who fail to follow the procedures for submitting material for approval shall face disciplinary action. Appropriate law enforcement officials shall be called when someone other than a student refuses to follow the procedures for submitting materials and fails to leave the premises when asked.

(See "Distribution of Materials" and "Publications— Student Speech" for related information and Board Policy GKDA for nonschool literature by nonstudents.)

Publications — Student Speech

ALTO ISD POLICY FMA (LEGAL)

The District's educators shall exercise editorial control over style and content of student speech in school-

sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical concerns.

The District may refuse to disseminate or sponsor student speech that:

1. Would substantially interfere with the work of the school.
2. Impinges on the rights of other students.
3. Is vulgar or profane.
4. Might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order.
5. Is inappropriate for the level of maturity of the readers.
6. Does not meet the standards of the educators who supervise the production of the publication.
7. Associates the school with any position other than neutrality on matters of political controversy.

(See "Distribution of Materials," "Publications — Nonschool by Students" for distribution of nonschool literature by students, and Board Policy GKDA for distribution by nonstudents.)

Questioning of Students

There is no legal right on the part of a parent to be notified or to be present when students are in conversation with or being questioned by school officials concerning school-related behaviors or concerns. Students are not legally entitled to be read their rights ("Miranda Warnings") when being questioned by school officials concerning school-related behaviors or concerns.

Questioning of Students by Outside Authorities

When law enforcement officers or other lawful authorities such as CPS wish to question or interview a student at school, the principal or designee will cooperate fully regarding the conditions of the interview, if the questioning or interview is

part of a child abuse investigation. In other circumstances:

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school;
2. The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents will not be notified. Failure or inability to notify the parents or other persons having lawful control of the student will not ordinarily prevent or delay questioning by law enforcement officials. The principal or designee will notify parents of the questioning, absent any reasonable objections from the interviewer;
3. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence; such as in a case including a criminal investigation;
4. It is the police officer's responsibility to inform the student of his/her rights (Miranda Warning) when required by law. Once a police officer begins questioning a student, all responsibility for such questioning rests with the police officer.

It should be noted that, when law enforcement officers are working with school officials or on their behalf to investigate school-related behaviors or concerns, students are not generally entitled to be read their rights ("Miranda Warnings") unless the students are under arrest during such questioning.

ALTO ISD will not impede the questioning of a student by a law enforcement officer who has a subpoena, court order, warrant, or directive to apprehend, or who is willing to take

the child into custody and remove the child from campus for investigation regarding a nonschool-related matter under *Texas Family Code*

52.01. In case of removal from the campus, the law enforcement officer will be requested to follow campus procedures for checking the student out of school. However, absent one of these provisions, school personnel will request that, prior to allowing an interview for nonschool-related matters, parental permission must be obtained.

Alto ISD will also not impede a CPS investigation and will allow CPS case workers or law enforcement officers to question students related to a reported claim of child abuse.

Reporting Crimes

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

Reports to Law Enforcement

In accordance with Board Policy GRA (LEGAL), a principal or designee is required to make reports to local law enforcement authorities when there are reasonable grounds to believe that a student has engaged in any of the following activities that occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, without regard as to whether the activity is investigated by school security officers:

1. Conduct that may constitute an offense listed in *Government Code 508.149*; deadly conduct, as described by *Penal Code 22.05*, or a terroristic threat, as described by *Penal Code 22.07*. [See GRA (EXHIBIT)]
2. The use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by chapter 481, *Health and Safety Code*.
3. The possession of any of the weapons or devices listed in *Penal Code 46.01(1)-(14)* or *(16)*. [See FNCG (LEGAL)]
4. The possession of a weapon as defined by *18 USC Section 921*, in accordance with the Gun-Free Schools Act. [See FOD (LEGAL)]
5. Conduct that may constitute a criminal offense under *Penal Code 71.02*, Engaging in Organized Criminal Activity. [See GRA (EXHIBIT)]
6. Conduct that may constitute a criminal offense for which a student may be expelled under *TEC 37.007(a)*, *(d)*, or *(e)*.

The report shall include the name and address of each student the person believes may have participated in the activity, but is not required if the person reasonably believes that the activity does not constitute a criminal offense.

Education Code 37.015, 37.007(e)

Safety

Student safety on campus and at school-related events is a high priority of the District. Although the District has implemented safety procedures, the cooperation of students is essential to ensure school safety. A student is expected to:

1. Avoid conduct that is likely to put the student or other students at risk.
2. Follow the behavioral standards in this booklet, as well as any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
3. Remain alert to and promptly report to a teacher or

the principal safety hazards, such as intruders on campus and threats made by any person toward a student or staff member.

4. Know emergency evacuation routes and signals.
5. Follow immediately the instructions of teachers, bus drivers, and other District employees who are overseeing the welfare of students.

Scholastic Penalties

The penalty for cheating will be a zero for the work involved. A reduction in the conduct grade may also be given. Students absent from class for unexcused reasons and those students removed from their regular classroom setting for disciplinary purposes will be allowed to make up assignments. All work satisfactorily completed following the absence/removal will receive a grade if the work is completed within the timeframe designated by the teacher.

Search of Property and Students

School officials are empowered to conduct reasonable searches of students and school property when there is reasonable cause to believe the students may be in possession of drugs, weapons, alcohol, and other materials/items in violation of school policy or state law or items suspected as a part of an investigation. Students who bring prohibited and/or illegal items onto school grounds may be searched in order to secure the school environment and protect other students from potentially harmful effects stemming from the items. School property such as lockers and desks shall remain under the control of school officials, and shall be subject to search. Therefore, students should not have an expectation of privacy in the use of school lockers or desks.

Use of district-owned equipment and its network system is not private and will be monitored by the District. Searches of any personal telecommunications or other personal-electronic devices will be conducted in accordance with law, and the device may be turned over to law enforcement to determine whether a crime has been committed.

Students have full responsibility for the security and content of his or her vehicle parked on district property and must

make certain that it is locked and that the keys are not given to others. Vehicles parked on district property are under the jurisdiction of the District. School officials may search any vehicle any time there is reasonable suspicion to do so, with or without the permission of the student. If a vehicle, subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the student's parent will be contacted. If a search is also refused by the student's parent, the District will turn the matter over to law enforcement. The District may, in certain circumstances, contact law enforcement even if permission to search is granted.

Trained drug dogs and metal detectors may be used at random locations and times by District and law enforcement personnel as provided by District policy and applicable laws.

(See "Interrogations and Searches," "Questioning of Students," and "Questioning of Students by Outside Authorities" for related information.)

Secret Societies

ALTO ISD POLICY FNCC (LEGAL)

The Board prohibits any fraternity, sorority, secret society, or gang defined by state law as any "organization composed wholly or in part of students of public primary or secondary schools that seeks to perpetuate itself by taking in additional members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims of the organization." *Education Code 37.121(d)*

A person commits a Class C misdemeanor if the person:

1. Is a member of, pledges to become a member of, joins, or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or gang; or
2. Is not enrolled in a public school and solicits another person to attend a meeting of a public school fraternity, sorority, secret society, or gang or a meeting at which membership in one of those groups is encouraged.

Education Code 37.121(a),(c)

A person commits a felony if the person, with intent to coerce, induce, or solicit a child to actively participate in the activities of a criminal street gang, threatens the child with imminent bodily injury or causes the child bodily injury.

Penal Code 71.022

An appropriate administrator shall recommend placing in a disciplinary alternative education program (DAEP) any student who commits the offenses described above.
Education Code 37.121(b) [See FOC (LEGAL)]

Self-Defense

To claim self-defense, the student must (1) be without fault in provoking the encounter, (2) not act as the aggressor, and (3) use the minimum force required to remove himself or herself from immediate danger of harm.

Actions that escalate or continue the encounter will not be considered self-defense. Interactions prior to the encounter will also be considered.

Serious Misbehavior

All behavior that violates the Discipline Management Plan and Student Code of Conduct and results in a permissive or mandatory removal to a DAEP is considered serious misbehavior.

A student may be permissively expelled from a DAEP for documented serious misbehavior that occurs in spite of documented behavioral interventions. "Serious misbehavior" in this situation is defined as:

1. Deliberate violent behavior that possesses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Coercion, meaning in relevant part, a threat to inflict bodily injury in the future, accuse a person of an offense, expose a person to hatred, contempt, or ridicule;
4. Public lewdness;
5. Indecent exposure;
6. Criminal mischief;
7. Personal hazing; or
8. Harassment of a student or district employee.

Sexting

Sexting is defined as the practice of sending sexually suggestive, nude, or partially nude photographs and/or sexually explicit messages electronically. Appropriate disciplinary measures will be taken when these types of messages are shared at times when administrators have jurisdiction. The police will also be notified when warranted.

Sexting has garnered significant media coverage as well as concern from school administrators. Parents should discuss this topic with their child especially due to the potential application of Texas child pornography and other criminal statutes when this practice involves photographs of minors (children under the age of 18 at the time the photo

was taken). Since state and federal laws cannot keep up with the changes in technology and the increasing use of texting/sexting by students, it is important that students are educated about the possible ramifications when they make poor decisions or lack proper judgment and foresight. Current laws often result in convictions that require a student found guilty of possession and/or transmitting child pornography to register, for life, as a sex offender.

Sexual Abuse

(See "Child Abuse/Neglect and/or Sexual Abuse" for information related to sexual abuse.)

Sexual Harassment

ALTO ISD POLICIES FFH (LEGAL) and (LOCAL)

"Sexual harassment" is defined as conduct that is so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. Sexual harassment does not include simple acts of teasing and name-calling among school children, even when the comments target differences in gender. (Teasing or name-calling is disciplined based on the seriousness of the offense as specified on the discipline charts.) If a student believes he/she has been sexually harassed, the student or the student's parents should report the incident to any of the following: principal, assistant principal, counselor, or the District's Title IX Coordinator, LeAnn Jones.

If a student's conduct is offensive and unwelcome, campus administrators will determine how the conduct should be disciplined in accordance with the District's *Discipline Management Plan and Student Code of Conduct*. Consequences for misbehavior classified as sexual harassment apply to students of all ages.

(See "Harassment" for related information.)

Social Media

Social media sites are quickly becoming tools for bullying and making threats. Students need to be reminded that the words they write and the images they post may have consequences offline. Parents should review the following tips with their child to assist them in using these sites safely:

1. Help the child to understand what information should be kept private.
 2. Explain that the child should only post information that you — and they — are comfortable with others seeing.
 3. Use privacy settings to restrict who can access and post on your child's social media accounts.
 4. Remind your child that once he/she posts information online and it is read, it cannot be taken back.
 5. Talk to your child about avoiding suggestive talk online.
 6. Encourage your child to tell you if they ever feel uncomfortable or threatened by anything online.
- (See "Harassment" for related information.)

Student

The term student is used to refer to a student currently enrolled in Alto ISD. The District has no jurisdiction over students prior to enrollment or following withdrawal.

Summer School

Students attending summer school are expected to adhere to the same discipline standards as outlined in this booklet. Failure to comply with the discipline standards may result in the student's dismissal from the summer program. If the infraction represents a mandatory removable or expellable offense, the student will be placed in the appropriate disciplinary alternative education program

(DAEP) or juvenile justice alternative education program (JJAEP) at the beginning of the fall semester of the upcoming year.

Students assigned to a DAEP (on or off campus) in which the period of placement extends into the next school year must have approval of the appropriate principal(s) and a review committee in order to attend summer school in Alto ISD. Students expelled for a period in which the placement extends into the next school year are only eligible to attend summer school if the JJAEP does not offer a summer program.

Taking Students into Custody

ALTO ISD POLICY GRA (LEGAL)

The District shall permit a student to be taken into custody:

1. Pursuant to an order of the juvenile court.
2. Pursuant to the laws of arrest.
3. By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
4. By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
5. Pursuant to a properly issued directive to apprehend.
6. By an authorized representative of Child Protective Services, Texas Department of Family and Protective Services, a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in *Family Code 262.104* relating to the student's physical health or safety.

Family Code 52.01, 262.104

The Superintendent shall notify all instructional and support personnel who have responsibility for supervising a student who has been arrested or taken into custody as provided by a law enforcement agency. All personnel shall keep the information received confidential. *Code of Criminal Procedure, Article 15.27(a)*

Tardies

A student is considered tardy when the student is not in the proper place with all needed materials **before** the tardy bell rings. Students with excessive tardies may be assigned disciplinary consequences. **In addition, tardies may be used in presenting a student's overall attendance record to the court when a student has violated compulsory attendance laws.** Students who miss more than 50% of a given class period will be counted absent for attendance purposes. Students checking out of school for the day during a given class period will be recorded as absent if the student leaves before 50% of the class period has elapsed.

(See "Attendance," and "Truancy - Defined" for related information.)

Telecommunication Devices

ALTO ISD POLICIES FNCE (LEGAL) and (LOCAL)

Telecommunication devices are those that emit an audible signal, vibrate, display a message, or otherwise summon or deliver a communication to the possessor. [Telecommunication devices are defined as items such as, but not limited to, cell phones, smart phones, smart watches, electronic readers, and laptops with the capability of sending and receiving messages or information, and any related accessories (including but not limited to wires, headphones, air pods, and ear clips).

The term "telecommunication device" will be used for the remainder of this topic unless otherwise specified.]

Elementary students in Pre-K through 4th grade shall not possess any telecommunication device during the instructional day (7:40 am to 3:20 pm), while riding to/from school on District transportation, during tutorials or detention, or while participating in a school-sponsored extracurricular activity on or off school property. For example, an elementary student on a field trip to the zoo or performing at a concert may not be in possession of a telecommunication device; however, an elementary student could possess a telecommunication device at an event open to the public (in which the student is not performing) such as at a carnival or a sporting event.

Students in grades 5-12 may possess telecommunication devices; however, these devices **MUST** remain turned off and stored away in the student's backpack during the instructional day (7:15 am – 3:20 pm), including during state testing.

[See "**Noncompliance**" (later in this topic) regarding consequences that apply to students who are in possession of a telecommunication device at school during the school day.]

- Students will **NOT** be allowed to use these devices at any point during the school day. (This includes use in the hallways during passing periods and at lunch.)
- **Locker rooms and restroom areas.** The use of telecommunication devices in locker rooms and restroom areas at any time while at school or at a school-related or school-sponsored event is strictly prohibited.
- **Afterschool use.** When attending afterschool activities, telecommunication devices must be in the "silent" mode inside the venue of an afterschool activity held indoors (i.e. basketball game, theater arts production, choir or band concert, carnival, etc.). Students must go into a foyer or outside prior to using a telecommunication device at an indoor afterschool event and/or assembly in which common courtesy dictates that talking is prohibited.
- **Responsibility.** If a student brings a telecommunication device to school, it is the student's responsibility to keep the item secure. The school will not be responsible for telecommunication devices that are damaged, lost or stolen; however, as with other personal property brought to school, administrators will conduct investigations as time permits in an effort to recover lost/stolen items or to determine the person(s) responsible for damages, and will assess discipline as appropriate.
- **School Emergencies and Safety Restrictions.** Ensuring that school officials, law enforcement officers and other emergency agencies will have adequate means of communication during an emergency is of utmost importance to the safety of all students. Therefore, students are asked to turn off telecommunication devices and to not make phone calls or send/receive text messages during an emergency situation that occurs at school until the crisis stage is over unless they are instructed to do so by a staff member or an emergency responder. Students will participate in emergency drills to prepare for these situations. (Parents are asked to refrain from making calls to the school since there are only a few phone lines into the school, and these phone lines are strategic in communicating with emergency responders. In addition, parents are asked to refrain from calling telecommunication devices or sending text messages to keep the airwave frequencies open for emergency responders. As soon as feasible, school personnel will allow students to make phone calls to parents.)
- **State or Major Assessments.** Violation of the telecommunication device guidelines during the administration of any state or major course assessment (STAAR, EOC, and TELPAS; TSI, end-of-course, or semester exam) may result in an invalid assessment

and/ or will be regarded as cheating. The student's test will be invalidated with appropriate disciplinary action assessed.

- **Noncompliance.** The following will occur when a student is not in compliance with the guidelines:
 - The telecommunication device will be confiscated.
 - The student who violates the telecommunication device guidelines will be assessed a disciplinary consequence at Level I for first offense and at Level II for second and subsequent offense(s) as outlined in the *Discipline Management Plan and Student Code of Conduct*. (Note: **Participation in many extracurricular organizations is impacted by Level II and Level III offenses.** Please review organizational guidelines and understand the ramifications that may occur due to noncompliance.)
 - Failure to relinquish a telecommunication device when asked to do so will result in escalated disciplinary consequences for noncompliance.
- **Unclaimed Telecommunication Devices.** If a telecommunication device is not reclaimed by the parent/ guardian within 30 days of the date of notification or the end of the school year (whichever is later), notice will be given to the company whose name and address or telephone number appears on the telecommunication device indicating that the device will be disposed of as allowed by State law.

Under no circumstances should telecommunication devices be used to take photos/videos/audio in any school facility other than for instructional purposes under the direction of a teacher or at an event open to the public. If an administrator suspects that a device may contain photos/ videos/audio taken at school or inappropriate photos/videos/ audio, the photos/videos/audio will be reviewed in the presence of the student or parent/guardian prior to the device being returned to the student. Students will be required to delete school-related photos/videos/audio that were taken in violation of these guidelines. Additionally, police will be contacted if an administrator has reason to believe that a photo/videos/audio might be a violation of law.

Likewise, if an administrator suspects that a telecommunication device was used in violation of these guidelines and/or for cheating, the administrator may review the call history and/or text messages in the presence of the student or parent/guardian prior to the device being returned to the student.

Threats/Terroristic Threats

All threats will be taken seriously and will be investigated by campus administrators or law enforcement personnel, as appropriate. There are various types of threats which include, but are not limited to, the use of threatening language or gestures, assault by threat, and terroristic threat. Disciplinary consequences and/or police action will be assessed based on the outcome of the investigation.

A student commits an offense of terroristic threat if he/she threatens to commit any offense involving 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; classroom; or place of assembly; or
4. Cause impairment or interruption of school communications, power supply, or school-related transportation.

Title 5 Felonies — Offenses Against a Person

ALTO ISD POLICY FOC (EXHIBIT)

Offenses against a person include the following:

- Murder;
- Capital murder;
- Manslaughter;
- Criminally negligent homicide;
- Unlawful restraint (in certain circumstances);
- Kidnapping;
- Aggravated kidnapping;
- Unlawful transport;
- Trafficking of persons;
- Smuggling or continuous smuggling of persons;
- Continuous sexual abuse of young child or children;
- Indecency with a child;
- Improper relationship between educator and student;
- Improper photography or visual recording;
- Assault (if against a public servant or other circumstances);
- Sexual assault;
- Aggravated assault;
- Aggravated sexual assault;
- Voyeurism;
- Invasive visual recording;
- Injury to a child, elderly individual, or disabled individual;
- Abandoning or endangering a child;
- Deadly conduct;
- Terroristic threat (when classified as a felony);
- Aiding suicide;
- Tampering with a consumer product; or
- Harassment by persons in certain correctional facilities.

Title 5, Penal Code

Tobacco Use and Possession

ALTO ISD POLICY FNCD (LOCAL)

Students shall be prohibited from smoking, using, or possessing e-cigarettes tobacco products on school property and at a school-related or school-sanctioned activity on or off school property. These prohibitions will be strictly enforced on school property and at school-related or school-sponsored activities on or off campus. Appropriate disciplinary consequences will be assessed for violations.

(See "Tobacco-Free School Notice" on page xiii regarding tobacco use by nonstudents.)

Transportation Eligibility

Only students eligible for school transportation are allowed to board school buses. Students, who board or attempt to board school buses for which they are not eligible, may receive disciplinary consequences for failing to follow district procedures.

Trespassing

Trespassing on District property is defined as being on any District property without permission, entering a building without a staff member present to supervise, or failing to leave after being told to do so. There are two types of trespass — trespass on school grounds (*TEC 37.107*; does not require a warning prior to issuing a ticket) and criminal trespass (*Penal Code 30.05*; requires a verbal or written warning). Campus administrators or police officers may issue a verbal or written trespass warning to a student. If conditions of a warning are violated within the timeframe established, the student may be arrested for or charged with criminal trespass.

During periods of out-of-school suspension or expulsion, students are prohibited from being on any District property or participating or attending school-sponsored or school-related activities on or off school property until the day after the period of the assignment ends. Students assigned to in-school

suspension at all levels or to an on-campus disciplinary alternative education program (DAEP) at the elementary level (or temporary placement at the secondary level) are prohibited from attending any school-sponsored or school-related activities after school hours until the day after the period of their assignment ends. Secondary students assigned to the Opportunity Awareness Center, for disciplinary reasons, are prohibited from returning to their home campuses or from attending any school-related extracurricular activities on or off District property. Students who have been removed/suspended from the bus for disciplinary purposes are prohibited from boarding a bus during the period of removal/suspension. Violation of one of these prohibitions may result in the student being arrested for or charged with trespassing. In addition, the District may assess a disciplinary consequence to any student who is trespassing on District property. By special permission, students may come on campus accompanied by their parent or guardian.

Truancy

Truancy may be for a full day or for any part of a day including an individual class period or for leaving the building/campus during the school day without permission. In addition to disciplinary consequences, a student and his/her parent/guardian may receive a court warning and/or a citation by the District's attendance officer for violating compulsory attendance laws which govern all types of unexcused absences.

(See "Attendance: Compulsory Attendance," "Leaving Campus After Arrival," and "Tardies" for additional information.)

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator or police officer shall have the authority to refuse entry or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting, and the person persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection. Appeals regarding refusal of entry or ejection from district property may be filed in accordance with FNG (LOCAL) or GF (LOCAL), as appropriate.

Under the Influence

"Under the influence" means not having the normal use of mental or physical faculties; however, the student need not be legally intoxicated to trigger disciplinary action. Impairment of a person's physical and/or mental faculties may be evidenced by a pattern of abnormal or erratic behavior and/or the presence of physical symptoms of drug or alcohol use. The following list contains examples of indicators of possible drug or alcohol use, but is not inclusive:

1. While walking or standing, the person may stumble, stagger, fall, or be unsteady;
2. The person's speech may be incoherent, rambling, slurred, inappropriately loud or shouting in tone of voice. Conversely, the person may be silent when it is inappropriate to be so;
3. The person's actions may be marked by profanity, fighting, extreme hostility, overly aggressive behavior, sleepiness, or crying;
4. The person's eyes may have dilated pupils, constricted pupils, may be bloodshot or red, or may be glassy;
5. The person may smell like alcohol or like an illicit drug, such as marijuana; or
6. There may be physical evidence of alcohol or drug

use, such as a bottle, pills, and/or drug paraphernalia.

When a student shows signs of being under the influence of drugs, alcohol, **any** substance taken in amounts in excess of the recommended dosage, or any substance used in a manner other than recommended, trained professionals will complete a screening assessment to rule out the possibility of the student being under the influence. If the student refuses to have the assessment conducted, the response will be treated as though the student was under the influence. If observations are sufficient, police will be called to determine if a criminal violation exists. A criminal violation does not need to exist in order for school disciplinary actions to be assigned.

(See "Possession" and "Use—Defined" for related information.)

Use — Defined

"Use" means a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech. "Use" shall include introducing any amount of a drug or alcohol into a student's body by any manner regardless of whether physical signs of use are detectable at the time of the investigation or whether criminal charges are filed. Additionally, a student's self-admission to the use of a prohibited substance at school or at a school-related activity is considered "use" for the purpose of assessing school disciplinary consequences.

(See "Possession" and "Under the Influence" for related information.)

Vandalism

(See "Damage to School Property.")

Vehicles on Campus

High school students who drive to and from school in personal vehicles must:

1. Obtain and appropriately display a student parking permit;
2. Park in a designated student parking area on campus; and
3. Adhere to individual school parking rules;

Failure to obtain and appropriately display the required permit or to park in an approved student parking area may result in:

1. Vehicle immobilization (boot);
2. Loss of driving and parking privileges; and/or
3. Other disciplinary action.

Temporary permits may be acquired from an appropriate school office by students needing to drive on a short-term basis or using a substitute car they do not regularly drive to school.

Student vehicles are only to be driven in the student parking lots. Student drivers are expected to operate vehicles in a safe manner at all times and not in any way to make themselves noticed by the way they drive except by courteous and responsible behavior. The maximum speed limit in the parking lot is ten (10) miles per hour.

Vehicles parked on school property are under the jurisdiction of the school. This process will provide a safety measure for students. The school reserves the right to search any vehicle if reasonable suspicions exist to do so. A student has full responsibility for the security of his/her vehicle and should make certain that it is locked and that the keys are not given to others. A student will be held responsible for any prohibited objects or substances, such as tobacco, alcohol, drugs, or weapons, that are found in his/her car and will be subject to disciplinary action by the District as well as referral for criminal prosecution for having such objects or substances on school property. Searches of vehicles may be conducted at any time there is reasonable suspicion to do so, with or without the presence of

the student. Students who park on campus must adhere to all regulations outlined in student handbooks.

If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents. If the parents also refuse to permit the vehicle to be searched, the District may contact local law enforcement officials and turn the matter over to them. [See FNF (LOCAL)]

Alto ISD is not responsible for damage to vehicles or items in vehicles parked on campus at any time.

Illegally parked cars may be towed or impounded by a bootlocked on a car tire at the owner's expense.

High school students should remove all items needed during the school day from vehicles parked on campus when they arrive in the morning. Students are prohibited from being in the parking lots except upon their arrival and dismissal from school. Students who return to a vehicle during the school day, without prior approval, may be disciplined and may be subject to having the vehicle searched.

A campus administrator may terminate a student's driving privileges at any time that he/she feels this action is appropriate (i.e. excessive tardies and truancy). Loss of driving privileges does not allow another student driver to drive the offender's vehicle while he/she (the offender) rides as a passenger.

Videotaping/Recordings and Cameras

A District employee may, without consent of a child's parent, make a videotape or recording of the child if the videotape or recording is to be used only for:

1. Purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses; [see FO (LEGAL)]
2. A purpose related to a cocurricular or extra-curricular activity; [see FM (LEGAL)]
3. A purpose related to regular classroom instruction; [see EHA (LEGAL)]
4. Media coverage of the school; or
5. A purpose related to the promotion of student safety under Education Code 29.022.

Education Code 26.009(b); FL (LEGAL)

Due to confidentiality issues related to directory information and to privacy concerns, parents, students, and visitors may not use video recorders, voice recorders, or cameras unless used during a performance open to the public or during a private conference with permission by an administrator. If a recording or photo is taken, the item in question will need to be deleted.

Public events are those events that occur when the general public has an opportunity to view students (i.e. outside for field day) or when students are not required to participate (i.e. a talent show performed after the end of the school day). If the event is during the instructional day (i.e. classroom or grade-level performance), students are considered a "captured" audience and directory information and privacy rules apply. This is true even if parents are invited to observe.

The principal at each campus has the authority to determine which school-related events will be considered public performances at which photographs or videos can be taken.

Visitors to the Schools

Parents/Guardians and other individuals are welcome to visit District schools. For the safety of those within the school setting, all visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted. Each campus principal has

the authority to permit or deny any person access to the campus, as deemed appropriate, in order to maintain student safety and/or an orderly environment. It is the principal's responsibility to minimize interruptions during instructional time. To support the attainment of this goal, the following guidelines will apply to all visitors to the schools:

1. Upon arrival to a campus, visitors (including volunteers, District employees, and District-approved vendors) must ring the buzzer at the front door and wait to be granted permission to enter the building.
2. All visitors MUST be entered into the visitor tracking system.
3. All adult visitors needing to go beyond the front office area must present a government-issued photo identification such as a driver's license, state identification card, immigration visa, consulate card, or passport.
4. A computer-generated identification badge will be printed and must be worn while on campus.
5. Visitor passes will allow an individual access to the areas of the campus specified on the badge only.
6. Parents/Guardians may escort their children to class on the first three (3) days of the school year only. Parents/Guardians must leave the classroom area before the tardy bell on these days.
7. Visitors are expected to follow all campus- and district- based rules.
8. Visitors must return to the front office area, return their visitor passes, and exit through designated doorways upon completion of their visit to the campus.

Visitors may be asked to leave the classroom and/or campus if their presence disrupts the educational process or school activities in any way. If the visitor refuses to leave, as requested, the visitor may be arrested for or charged with trespassing.

The principal is authorized to establish check-in and check-out procedures for assemblies and programs depending on the location and type of event. Visitors to any area of the building other than a special event, for which regular check-in procedures have been waived, must sign in and obtain a visitor's pass prior to proceeding to areas other than the special event area of the building.

Accessing a Student

In an unusual circumstance, when the principal or an administrative designee determines that it is necessary for a parent/guardian or other authorized individual to meet with a student, the principal or designee will call for or escort the student to the office.

Conferences

Parents/Guardians requesting a conference with the teacher should make prior arrangements one day in advance with the principal, principal's designee, and/or the teacher unless the principal or designee believes there are extenuating circumstances.

Field Trip Chaperones

Parents volunteering to chaperone on field trips must go through the check-in system at the campus to be authorized as a chaperone before leaving on the field trip. Only parents designated as official chaperones may accompany a student on a field trip. All designated chaperones must travel on district-provided transportation to the destination.

Lunch Visitors

Lunch visitors at the elementary level may be parents/stepparents/guardians, nonschool-aged siblings, grandparents (with written permission from a parent), and campus mentors. Visits will be limited to the 30-minute lunch period. Due to space limitations at the elementary level, no exceptions to the list of approved visitors can be made. Lunch

visitors can only include adults listed as allowable contacts by the student's guardians. In addition, lunch visitors are limited to three (3) guests per student per day except on days designated by the campus as a special event (i.e. Grandparents' Day). Unusual circumstances may be approved/ addressed by the principal.

Due to space and safety concerns at the secondary level, lunch visitors will be restricted to parents/guardians and campus mentors (unless individuals are a part of a limited public forum).

Principals may designate a guest table for lunch visitors. Only an authorized lunch visitor and the student for whom the visitor is approved may sit at the guest table.

Picking Up Students

Parents/Guardians or other authorized individuals picking up a student prior to the end of the school day must show a valid government-issued photo identification, sign the student out, and wait in a designated waiting area for the student. Students needing to leave during the school day for appointments should remain in their classroom to maximize instructional time until their parent/guardian arrives. School personnel or student aides will inform the student that the parent/guardian has arrived. (See "Leaving Campus After Arrival" for more information.)

Private Service Providers, Advocates, Attorneys

Private service providers, other than those contracted by the District, are not permitted to provide on-site services to students during the instructional day. Private service providers may reserve District facilities in accordance with Board Policy and Administrative Regulation GKD.

Private service providers, advocates, and attorneys hired or contracted by parents are expected to follow all campus- and district-based rules, and these individuals are not permitted to make classroom observations.

Weapons

ALTO ISD POLICY FNCG (LEGAL)

Students are prohibited from possessing, using or exhibiting any firearm, location-restricted knife, club, or other prohibited weapon on school property or any school-related activity on or off school property; nor shall a student knowingly, intentionally, or recklessly go on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or passenger transportation vehicle of a school with any prohibited weapon, unless pursuant to written regulations or written authorization of the District. *Penal Code 46.03(a)(1), (f), (g); Education Code 37.007(a)(1)*

Students shall not interfere with normal activities, occupancy, or use of any building or portion of the campus or a school bus engaged in the transportation of students to and from school or school-sponsored activities by exhibiting, using, or threatening to exhibit or use a firearm. *Education Code 37.125*

Prohibited weapons are defined as follows:

1. An explosive weapon (any explosive or incendiary Any device, not included as an expellable offense by statute, that is designed to propel a projectile either by a spring-type mechanism, air, or gas shall be disciplined at Level IV. This includes, but is not limited to, items such as BB-guns, pellet guns, paintball guns, sling shots, air soft guns, etc.
2. The possession or use of articles not generally considered weapons, including school supplies, may be prohibited when the principal or designee

determines that a danger exists for any student, school employee, or school property by virtue of possession or use of such articles.

3. Lockers and cars parked on school premises may be inspected by school personnel if there is reasonable suspicion to believe they contain weapons. [See Board Policies FNF (LEGAL) and (LOCAL)] bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon). *Penal Code 46.01(2)*
4. A machine gun (any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger). *Penal Code 46.01(9)*
5. A short-barrel firearm (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). *Penal Code 46.01(10)*
6. A firearm silencer (any device designed, made, or adapted to muffle the report of a firearm). *Penal Code 46.01(4)*
7. Knuckles (any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles). *Penal Code 46.01(8)*
8. Armor-piercing ammunition (handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers). *Penal Code 46.01(12)*
9. A chemical dispensing device (a device other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a chemical capable of causing an adverse psychological or physiological effect on a human being). *Penal Code 46.01 (14)*
10. A zip gun (a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance). *Penal Code 46.01(16)*
11. A tire deflation device (a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires; it does not include a traffic control device that is designed to puncture one or more of a vehicle's tires when driven over in a specific direction, and has a clearly visible sign posted in close proximity to the traffic control device that prohibits entry or warns motor vehicle operators of the traffic control device). *Penal Code 46.01(17)*

Other prohibited items considered as weapons include: knives of any size, including pocket knives, devices designed to emit an electrical shock intended to incapacitate a person (such as a TASER), fireworks of any kind, razors, box cutters, switchblade knives, chains, or any other object that could be used in a way that threatens or inflicts bodily injury on another person. Possession of a knife, other than a location-restricted knife/weapon and including a pocket knife and those designed to be used as manicure instruments, will be disciplined at Level III. The Alto Police Department will be notified any time a knife is confiscated to ensure that the knife is not an illegal weapon. All illegal

knives/weapons will be disciplined at Level V as required by statute.

Other than as stated above, students found to be in violation shall be subject to disciplinary action as specified in the Discipline Management Plan and Student Code of Conduct.

In addition to policy provisions, students possessing "look-alike" weapons will be disciplined at Level II, and students exhibiting, using, or selling "look-alike" weapons will be disciplined at Level III.

[See "Firearm — Defined," "Firearms (Exhibition of)," and

"Prohibited Items" for related information.]

Withdrawal

A parent/guardian (or a student who is 18 or older, who is married, or who has been declared by a court to be an emancipated minor) must come to the school to initiate a request to withdraw their child (or self) from school by signing a withdrawal form. The student will need to return all textbooks and library books and clear any outstanding fines or records as a part of the withdrawal process.

Guidelines for Assessing Disciplinary Consequences

ALTO ISD POLICY FO (LOCAL) - 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; and

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, maturity, and attitude;
- c. The frequency of misconduct;
- d. Documented evidence of self-defense;
- e. The potential effect of the misconduct on the school environment.
- f. Requirements of Chapter 37 of the Education Code; and
- g. The Discipline Management Plan and Student Code of Conduct adopted by the Board.

3. Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

The Six Factors

Consideration will be given, as a factor in each decision concerning suspension, removal to a disciplinary alternative education program (DAEP), expulsion, or placement in a juvenile justice alternative education program (JJAEP), regardless of whether the decision concerns a mandatory or discretionary action, to the following six factors:

1. Self-defense;
2. Intent or lack of intent at the time the student engaged in the conduct;
3. A student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services; or
6. A student's status as a student who is homeless.

A "student who is homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a. FO (LEGAL)

Persistent Offenses

The District defines "persistent offenses" to be two or more violations of the Discipline Management Plan and Student Code of Conduct in general or repeated occurrences of the same level violation.

Level System

Disciplinary offenses in the Discipline Management Plan and Student Code of Conduct are categorized into five levels which identify sample offenses and possible disciplinary options available to the teacher or administrator. In general, discipline shall be progressively administered so that each level has an increasing degree of intervention designed to promote student self-discipline unless Board Policy, state law, or the student code of conduct specifies otherwise. The teacher or administrator responsible for the discipline of a student in a given situation may use discretion in determining the action(s) most appropriate to the setting and the infraction, except in regard to mandatory placements specified in state law (Level IV and V offenses). Campus administrators have the authority to discipline students for violations of the Discipline Management Plan and Student Code of Conduct which occur on campus, on a school bus, or at school-related or school-sponsored activities, as well as certain off-campus offenses as specified by law.

Level I

The focus at Level I of the Discipline Management Plan and Student Code of Conduct is on the implementation of the District's proactive Response to Intervention (RTI) process and the use of tiered supports to teach and reinforce positive behavioral expectations for all students in the classroom setting. The RTI process also makes use of early, systematic intervention supports when inappropriate behaviors are identified in order to prevent the escalation or reoccurrence of the undesired behaviors.

It is anticipated that most students will respond positively to high quality and differentiated structures and behavioral interventions applied by general education teachers at Tier I of RTI referred to as the Universal Tier. However, if students do not respond well to the interventions at Tier I, teachers

are expected to request an RTI collaborative team meeting to consider the possibility of more targeted interventions and support.

Students are subject to disciplinary consequences when they do not respond to classroom interventions and/or when the nature of the behaviors dictates more formal action.

Levels II - III

The discipline charts for Levels II and III on the following pages depict examples of offenses and disciplinary options applicable to students at each campus level (elementary, junior high, and high school) for Levels II and III. There is no appeal process for disciplinary consequences assigned at Levels II and III.

Levels IV - V

Level IV offenses are assessed disciplinary alternative education program (DAEP) placements, and Level V offenses are assessed juvenile justice alternative education program (JJAEP) placements. There is no appeal process for disciplinary consequences assigned at Level IV if the placement does not extend beyond 60 days or the end of the next grading period, whichever is earlier. Level IV placements that extend beyond 60 days or the end of the next grading period, whichever

is earlier, and Level V expulsions are the only disciplinary consequences that afford a student an opportunity for a hearing. Parental questions or complaints regarding ancillary issues related to disciplinary measures should be addressed informally with the teacher or campus administration, as appropriate or in accordance with Board Policy FNG (LOCAL). This process, however, may not be used to overturn a disciplinary assignment.

Discipline of Students with Special Needs

While the Discipline Management Plan and Student Code of Conduct applies to all students. Students who are eligible for services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are also subject to discipline in accordance with those laws. An ARD or 504 Committee may need to be convened prior to assessing school discipline for a student enrolled in one of these programs. These committees will be held in accordance with federal and state law.

Level II Discipline Chart –Elementary Schools (PK-2nd Grade)

Level II: Administrator Directed

Some infractions will result in a referral to an administrator. The disciplinary action(s) will depend on the offense, previous actions, and the seriousness of the misbehavior. **More than one disciplinary option may be assigned.**

Procedures:

1. Written or electronic referral to administrator.
2. Administrator confers with student and/or teacher to establish appropriate disciplinary consequences.
3. Copies of appropriate discipline notices are sent to the teacher and/or parent indicating misbehavior and action(s) taken. Parents are to sign and return the form to school, as appropriate.
4. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
5. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
6. **Level II Offenses and Disciplinary Options are not limited to those provided.**
7. **Repeated violations shall result in a more severe response and/or referral to Level III.**

Level II Discipline Chart –Elementary Schools (PK-2nd Grade)

Examples of Offenses – PK to 2nd	Disciplinary Options																
2.1 Bullying or cyberbullying (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	
2.2 Cheating or copying the work of another	X	X	X		X	X	X		X	X		X		X	X	X	
2.3 Damaging property including library or classroom materials or textbooks, including removal of bar codes; defacing or damaging another person's property			X		X	X	X	X	X	X		X		X	X	X	
2.4 Detention (failing to serve)			X		X	X	X		X		X		X	X	X	X	
2.5 Disturbance, creating/participating in; inappropriate activity			X		X	X	X	X	X		X	X		X	X	X	
2.6 Dress code, repeated violations			X	X	X	X			X			X		X	X	X	
2.7 Drugs/medications, current prescription (possessing); nonprescription drug/medication and/or homeopathic substance, dietary supplements, or energy pills (using)			X		X	X	X		X	X	X				X	X	
2.8 Electronic devices (unauthorized use) such as calculator or gaming devices, etc. for non-authorized activities			X		X	X	X			X	X	X		X	X	X	
2.9 Elopement		X	X		X	X	X		X			X		X	X	X	
2.10 Falsehood to an adult (not associated with an investigation)		X	X		X	X	X		X		X	X		X	X	X	
2.11 Fighting (encouraging or promoting)			X		X	X			X		X	X	X	X		X	
2.12 Food (using inappropriately)		X	X		X	X	X	X	X	X		X		X	X	X	
2.13 Forging or altering school records, parent notes, forms, or other school/home communications			X		X	X	X		X	X		X		X	X	X	
2.14 Hall pass (abusing the use of)		X	X		X	X			X	X		X		X		X	
2.15 Harassment (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	
2.16 Identification (ID) badge violation		X	X		X	X	X		X			X		X		X	
2.17 Language, inappropriate (verbal or written)		X	X		X	X	X		X	X	X	X		X		X	
(continued on next page)	Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat assignment	Social Skills Training	Stay Away Agreement	Detention, before or after school	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]

Examples of Offenses – PK to 2 nd		Disciplinary Options																		
2.18	Laser pointer (possessing or using)			X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2.19	Loitering on school campus before or after school or after the tardy bell rings		X	X		X	X					X	X		X	X				
2.20	Noncompliance with directives; disrespectful		X	X		X	X	X		X		X	X		X	X	X	X	X	
2.21	<i>High School Offense Only</i>																			
2.22	Persistent classroom or bus offenses			X		X	X	X	X	X		X	X		X	X	X	X	X	
2.23	Physically contacting another individual inappropriately or in a way that creates a disruptive environment			X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2.24	Public display of affection (inappropriate), engaging in an act of familiarity with another			X		X	X	X		X		X	X		X	X	X	X	X	
2.25	Recording devices: camera, video/audio recorder, etc. (possessing or using)			X		X	X	X		X	X	X		X	X	X				
2.26	Responsible Use Guidelines (violating)			X		X	X	X	X	X		X		X		X				
2.27	Selling, or soliciting for sale, unauthorized merchandise			X		X	X	X	X	X		X		X		X	X	X	X	
2.28	Skateboard, roller blades, shoes with wheels, or other similar devices (possessing or using)			X		X	X	X	X	X		X		X		X	X	X	X	
2.29	Tardies (multiple)			X		X	X						X		X			X		
2.30	Telecommunication device, (second and subsequent minor offenses)			X		X	X			X	X	X		X						
2.31	Tobacco and tobacco-related paraphernalia, lighters, matches, (possessing)		X	X		X	X	X	X	X	X	X		X	X	X	X	X	X	
2.32	Toys and other nuisance items (possessing)		X	X		X	X	X		X	X	X		X	X	X				
2.33	Truancy, skipping class, leaving school/class without permission		X	X		X	X			X			X		X	X	X			
2.34	Stealing or theft (minor), unauthorized use of property			X		X	X	X	X				X		X	X	X			
2.35	Unauthorized area, being present in an area without permission		X	X		X	X	X		X			X		X	X	X	X	X	
2.36	Unauthorized publications (possessing or distributing)			X		X	X	X		X	X	X	X		X	X	X	X	X	
2.37	Vaping, paraphernalia, devices, or accessories (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X	X	
2.38	Weapon (possessing a look-alike)			X		X	X	X		X	X	X	X		X	X	X	X	X	

Notes:

School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

Sponsors and coaches of extracurricular activities, such as Student Council and choir, may develop and enforce standards of behavior that are higher than the District-developed *Discipline Management Plan and Student Code of Conduct* and may condition membership or participation in the activity on adherence to those standards.

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:

1. conduct that contains the elements of an offense related to weapons;
2. conduct that contains the elements of a violent offense; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Grade penalty for copying or cheating (zero)	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat assignment	Social Skills Training	Stay Away Agreement	Detention, lunch, before or after	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]
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Level III Discipline Chart – Elementary Schools (PK-2nd Grade)

Level III: Administrator Directed

Serious offenses are defined but not limited to those listed below. Persistent shall be defined as two or more violations of the code in general or repeated occurrences of the same violation. **More than one disciplinary option may be assigned.**

Procedures:

1. The administrator investigates the infraction(s) and, if necessary, confers with the teacher.
2. The administrator determines appropriate disciplinary action(s) and notifies the student and the parents and/or guardian. The student is afforded proper due process.
3. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
4. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
5. **Level III Offenses and Disciplinary Options are not limited to those provided.**
6. **Repeated violations shall result in a more severe response.**

Examples of Offenses – PK to 2 nd		Disciplinary Options										
3.1	Ammunition (possessing)		X	X	X	X		X	X	X	X	Lunch Detention Loss of privileges (including bus probation) Restitution of damages/restoring to order Exclusion from extracurricular activities Confiscation of item Stay Away Agreement Detention, lunch, before or after school Recovery Time (45 minutes) Corporal Punishment In-school suspension [partial or full day(s)]
3.2	Assault of another student or an adult that is not a mandatory removable or expellable offense		X		X	X	X	X	X	X	X	
3.3	Blackmail, extortion, or coercion		X	X	X	X		X	X	X	X	
3.4	Bullying or cyberbullying (multiple incidents confirmed)	X	X		X		X	X	X	X	X	
3.5	Disrupting the school environment or educational process	X	X	X	X	X		X	X	X	X	
3.6	Drug/medication, non-prescription; prohibited substance (possessing, using, selling, attempting to sell, delivering or transmitting)		X		X	X		X		X	X	
3.7	Elopement (multiple incidents)	X	X		X			X	X	X	X	
3.8	Failing to disclose information, hiding/covering up info/evidence for self or others, committing perjury, or lying as a witness, falsifying a report; or making a 9-1-1 call that does not constitute a mandatory removable offense		X		X			X	X	X	X	
3.9	Fighting, physical aggression or contact		X	X	X	X	X	X	X	X	X	
3.10	Fire extinguisher, an automated external defibrillator (AED), or their storage cabinet (tampering with)		X	X	X			X	X	X	X	
3.11	Fireworks, stink bombs, smoke bombs, “poppers,” other noxious chemicals or a chemical dispensing devices (including pepper-spray or mace-type materials), or “shock” pens and other similar devices (possessing, distributing, or using)		X	X	X	X		X	X	X	X	
3.12	<i>Secondary Offense Only</i>											
3.13	Gambling		X	X	X	X		X	X	X	X	
3.14	Gang activity, participating in an unauthorized organization, secret society, or gang; gang-related activity that does not constitute a mandatory removable offense	X	X		X	X		X	X	X	X	
3.15	Hacking (illegal or unauthorized entry or attempted entry into the District’s computer system)		X	X	X	X		X	X	X	X	
3.16	Harassment (multiple incidents confirmed)	X	X		X		X	X	X	X	X	
3.17	Hazing or stalking (non-sexual)	X	X		X		X	X	X	X	X	

(continued on next page)

Examples of Offenses – PK to 2 nd		Disciplinary Options									
3.18	Health or safety hazard or a situation that may result in possible or potential injury	X	X	X	X	X		X	X	X	X
3.19	Illegal conduct that does not constitute a removable or expellable offense		X	X	X	X		X	X	X	X
3.20	Language, profane, vulgar, obscene, or threatening, including hit lists (written or verbal); or obscene gestures	X	X	X	X	X		X	X	X	X
3.21	Libelous or slanderous remarks (verbal or written)	X	X	X	X	X		X	X	X	X
3.22	Lighters or matches (using)	X	X	X	X	X		X	X	X	X
3.23	Mooning; streaking; other forms of nudity; exposing or attempting to expose one’s undergarments or those of another (“pantsing”)		X		X			X	X	X	X
3.24	Overnight trips, inappropriate behavior not addressed elsewhere		X	X	X	X		X	X	X	X
3.25	Paraphernalia (drug), aerosol paint, or fixative spray (possessing)		X		X	X		X	X	X	X
3.26	Persistent offenses from Level II, including bus infractions	X	X	X	X	X		X	X	X	X
3.27	Pornographic or sexually-oriented material/items or material that promotes violence or other illegal activities, including sexting (possessing, distributing or creating)		X	X	X	X		X	X	X	X
3.28	Prohibited substance through verbal or written communication without being in possession (attempting to sell or purchase)		X		X	X		X	X	X	X
3.29	Sexual comments (making) or sexual conduct (engaging)		X		X	X	X	X	X	X	X
3.30	Slurs, ethnic, racial or gender-related or inappropriate acts toward others	X	X	X	X	X	X	X	X	X	X
3.31	Stealing, unauthorized possessing of another person’s property, theft, committing burglary		X	X	X	X		X	X	X	X
3.32	Tardies, excessive	X	X		X			X	X	X	
3.33	Telecommunication devices: taking photos/videos, uploading, cheating, etc. (violating the guidelines of)		X	X	X	X		X	X	X	X
3.34	Tobacco and tobacco-related paraphernalia (possessing multiple times, selling or using)	X	X		X	X		X	X	X	X
3.35	Trespassing, interfering with school activities, boycotting, and group demonstrations		X	X	X	X		X	X	X	X
3.36	Vaping, multiple offenses, paraphernalia, devices, accessories (selling, attempting to sell, possessing or using)	X	X		X	X		X	X	X	X
3.37	Vandalizing, defacing or damaging school property, including non-felony graffiti		X	X	X	X		X	X	X	X
3.38	Weapon, not included as a removable or expellable offense (possessing, distributing or concealing)		X	X	X	X		X	X	X	X
3.39	Weapons, look-alike (exhibiting, delivering, using, or selling)		X	X	X	X		X	X	X	X

Notes:

School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

If an offense listed at Level III occurs on campus or at a school-related event and it is classified by a police officer as a felony or a Level IV or V violation, the student is automatically disciplined at Level IV or V as appropriate.

Sponsors and coaches of extracurricular activities, such as Student Council and choir, may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:

1. conduct that contains the elements of an offense related to weapons;
2. conduct that contains the elements of a violent offense; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, lunch, before or after school	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [partial or full day(s)]
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Level II Discipline Chart – Elementary Schools (3rd-4th)

Level II: Administrator Directed

Some infractions will result in a referral to an administrator. The disciplinary action(s) will depend on the offense, previous actions, and the seriousness of the misbehavior. **More than one disciplinary option may be assigned.**

Procedures:

1. Written or electronic referral to administrator.
2. Administrator confers with student and/or teacher to establish appropriate disciplinary consequences.
3. Copies of appropriate discipline notices are sent to the teacher and/or parent indicating misbehavior and action(s) taken. Parents are to sign and return the form to school, as appropriate.
4. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
5. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
6. **Level II Offenses and Disciplinary Options are not limited to those provided.**
7. **Repeated violations shall result in a more severe response and/or referral to Level III.**

Examples of Offenses – 3 rd & 4 th		Disciplinary Options																	
2.1	Bullying or cyberbullying (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	X
2.2	Cheating or copying the work of another	X	X	X		X	X	X		X	X		X		X	X	X		
2.3	Damaging property including library or classroom materials or textbooks, including removal of bar codes; defacing or damaging another person's property			X		X	X	X	X	X		X		X	X	X	X		
2.4	Detention (failing to serve)			X		X	X	X		X			X		X	X	X	X	
2.5	Disturbance, creating/participating in; inappropriate activity			X		X	X	X	X	X		X	X		X	X	X	X	
2.6	Dress code, repeated violations			X	X	X	X			X			X		X	X	X		
2.7	Drugs/medications, current prescription (possessing); nonprescription drug/medication and/or homeopathic substance, dietary supplements, or energy pills (using)			X		X	X	X		X	X	X				X	X	X	X
2.8	Electronic devices (unauthorized use) such as calculator or gaming devices, etc. for non-authorized activities			X		X	X	X			X	X	X		X	X	X		
2.9	Elopement		X	X		X	X	X		X			X		X	X	X	X	X
2.10	Falsehood to an adult (not associated with an investigation)		X	X		X	X	X		X		X	X		X	X	X		
2.11	Fighting (encouraging or promoting)			X		X	X			X		X	X	X	X			X	X
2.12	Food (using inappropriately)		X	X		X	X	X	X	X			X		X	X	X	X	
2.13	Forging or altering school records, parent notes, forms, or other school/home communications			X		X	X	X		X	X		X		X	X	X	X	
2.14	Hall pass (abusing the use of)		X	X		X	X			X	X		X		X		X		
2.15	Harassment (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	
2.16	Identification (ID) badge violation		X	X		X	X	X		X			X		X		X		
2.17	Language, inappropriate (verbal or written)		X	X		X	X	X		X	X	X	X		X		X	X	X
(continued on next page)		Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat assignment	Social Skills Training	Stay Away Agreement	Detention, lunch, before or after school	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)

Examples of Offenses – 3 rd & 4 th	Disciplinary Options															
2.18 Laser pointer (possessing or using)			X		X	X	X	X	X	X	X	X	X	X	X	X
2.19 Loitering on school campus before or after school or after the tardy bell rings		X	X		X	X					X	X		X	X	
2.20 Noncompliance with directives; disrespectful		X	X		X	X	X		X		X	X		X	X	X
2.21 High School Offense Only																
2.22 Persistent classroom or bus offenses			X		X	X	X	X	X		X	X		X	X	X
2.23 Physically contacting another individual inappropriately or in a way that creates a disruptive environment			X		X	X	X	X	X	X	X	X	X	X	X	X
2.24 Public display of affection (inappropriate), engaging in an act of familiarity with another			X		X	X	X		X		X	X		X	X	X
2.25 Recording devices: camera, video/audio recorder, etc. (possessing or using)			X		X	X	X		X	X	X		X	X	X	
2.26 Responsible Use Guidelines (violating)			X		X	X	X	X	X		X		X		X	
2.27 Selling, or soliciting for sale, unauthorized merchandise			X		X	X	X	X	X		X		X	X	X	X
2.28 Skateboard, roller blades, shoes with wheels, or other similar devices (possessing or using)			X		X	X	X	X	X		X		X	X	X	X
2.29 Tardies (multiple)			X		X	X					X		X		X	
2.30 Telecommunication device, (second and subsequent minor offenses)			X		X	X			X	X	X		X			
2.31 Tobacco and tobacco-related paraphernalia, lighters, matches, (possessing)		X	X		X	X	X	X	X	X	X		X	X	X	X
2.32 Toys and other nuisance items (possessing)		X	X		X	X	X		X	X	X		X	X	X	
2.33 Truancy, skipping class, leaving school/class without permission		X	X		X	X			X			X		X	X	X
2.34 Stealing or theft (minor), unauthorized use of property			X		X	X	X	X				X		X	X	X
2.35 Unauthorized area, being present in an area without permission		X	X		X	X	X		X			X		X	X	X
2.36 Unauthorized publications (possessing or distributing)			X		X	X	X		X	X	X		X	X	X	X
2.37 Vaping, paraphernalia, devices, or accessories (possessing)		X	X		X	X	X	X				X		X	X	X
2.38 Weapon (possessing a look-alike)			X		X	X	X		X	X	X		X	X	X	X

Notes:

School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

Sponsors and coaches of extracurricular activities, such as Student Council and choir, may develop and enforce standards of behavior that are higher than the District-developed *Discipline Management Plan and Student Code of Conduct* and may condition membership or participation in the activity on adherence to those standards.

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:

1. conduct that contains the elements of an offense related to weapons;
2. conduct that contains the elements of a violent offense; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat assignment	Social Skills Training	Stay Away Agreement	Detention, lunch, before or after school	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)
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Level III Discipline Chart – Elementary Schools (3rd-4th Grade)

Level III: Administrator Directed

Serious offenses are defined but not limited to those listed below. Persistent shall be defined as two or more violations of the code in general or repeated occurrences of the same violation. **More than one disciplinary option may be assigned.**

Procedures:

1. The administrator investigates the infraction(s) and, if necessary, confers with the teacher.
2. The administrator determines appropriate disciplinary action(s) and notifies the student and the parents and/or guardian. The student is afforded proper due process.
3. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
4. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
5. **Level III Offenses and Disciplinary Options are not limited to those provided.**
6. **Repeated violations shall result in a more severe response.**

Examples of Offenses – 3 rd & 4 th	Disciplinary Options											
3.1 Ammunition (possessing)		X	X	X	X		X	X	X	X	X	
3.2 Assault of another student or an adult that is not a mandatory removable or expellable offense		X		X	X	X	X	X	X	X	X	
3.3 Blackmail, extortion, or coercion		X	X	X	X		X	X	X	X	X	
3.4 Bullying or cyberbullying (multiple incidents confirmed)	X	X		X		X	X	X	X	X	X	
3.5 Disrupting the school environment or educational process	X	X	X	X	X		X	X	X	X	X	
3.6 Drug/medication, non-prescription; prohibited substance (possessing, using, selling, attempting to sell, delivering or transmitting)		X		X	X		X		X	X	X	
3.7 Elopement (multiple incidents)	X	X		X			X	X	X	X	X	
3.8 Failing to disclose information, hiding/covering up info/evidence for self or others, committing perjury, or lying as a witness, falsifying a report; or making a 9-1-1 call that does not constitute a mandatory removable offense		X		X			X	X	X	X	X	
3.9 Fighting, physical aggression or contact		X	X	X	X	X	X	X	X	X	X	
3.10 Fire extinguisher, an automated external defibrillator (AED), or their storage cabinet (tampering with)		X	X	X			X	X	X	X	X	
3.11 Fireworks, stink bombs, smoke bombs, “poppers,” other noxious chemicals or a chemical dispensing devices (including pepper-spray or mace-type materials), or “shock” pens and other similar devices (possessing, distributing, or using)		X	X	X	X		X	X	X	X	X	
3.12 <i>Secondary Offense Only</i>												
3.13 Gambling		X	X	X	X		X	X	X	X	X	
3.14 Gang activity, participating in an unauthorized organization, secret society, or gang; gang-related activity that does not constitute a mandatory removable offense	X	X		X	X		X	X	X	X	X	
3.15 Hacking (illegal or unauthorized entry or attempted entry into the District’s computer system)		X	X	X	X		X	X	X	X	X	
3.16 Harassment (multiple incidents confirmed)	X	X		X		X	X	X	X	X	X	
3.17 Hazing or stalking (non-sexual)	X	X		X		X	X	X	X	X	X	
(continued on next page)	Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, lunch, before or after school	Recovery Time (45 minutes)	Corporal Punishment	In-school suspension [partial or full day(s)]	Out of school suspension (up to three days)	

Examples of Offenses – 3 rd & 4 th		Disciplinary Options										
3.18	Health or safety hazard or a situation that may result in possible or potential injury (creating a)	X	X	X	X	X		X	X	X	X	X
3.19	Illegal conduct that does not constitute a removable or expellable offense		X	X	X	X		X	X	X	X	X
3.20	Language, profane, vulgar, obscene, or threatening, including hit lists (written or verbal); or obscene gestures	X	X	X	X	X		X	X	X	X	X
3.21	Libelous or slanderous remarks (verbal or written)	X	X	X	X	X		X	X	X	X	X
3.22	Lighters or matches (using)	X	X	X	X	X		X	X	X	X	X
3.23	Mooning; streaking; other forms of nudity; exposing or attempting to expose one's undergarments or those of another ("panting")		X		X			X	X	X	X	X
3.24	Overnight trips, inappropriate behavior not addressed elsewhere		X	X	X	X		X	X	X	X	X
3.25	Paraphernalia (drug), aerosol paint, or fixative spray (possessing)		X		X	X		X	X	X	X	X
3.26	Persistent offenses from Level II, including bus infractions	X	X	X	X	X		X	X	X	X	X
3.27	Pornographic or sexually-oriented material/items or material that promotes violence or other illegal activities, including sexting (possessing, distributing or creating)		X	X	X	X		X	X	X	X	X
3.28	Prohibited substance through verbal or written communication without being in possession (attempting to sell or purchase)		X		X	X		X	X	X	X	X
3.29	Sexual comments (making) or sexual conduct (engaging)		X		X	X	X	X	X	X	X	X
3.30	Slurs, ethnic, racial or gender-related or inappropriate acts toward others	X	X	X	X	X	X	X	X	X	X	X
3.31	Stealing, unauthorized possessing of another person's property, theft, committing burglary		X	X	X	X		X	X	X	X	X
3.32	Tardies, excessive	X	X		X			X	X	X		
3.33	Telecommunication devices: taking photos/videos, uploading, cheating, etc. (violating the guidelines of)		X	X	X	X		X	X	X	X	X
3.34	Tobacco and tobacco-related paraphernalia (possessing multiple times, selling or using)	X	X		X	X		X	X	X	X	X
3.35	Trespassing, interfering with school activities, boycotting, and group demonstrations		X	X	X	X		X	X	X	X	
3.36	Vaping, multiple offenses, paraphernalia, devices, accessories (selling, attempting to sell, possessing or using)	X	X		X	X		X	X	X	X	X
3.37	Vandalizing, defacing or damaging school property, including non-felony graffiti		X	X	X	X		X	X	X	X	X
3.38	Weapon, not included as a removable or expellable offense (possessing, distributing or concealing)		X	X	X	X		X	X	X	X	X
3.39	Weapons, look-alike (exhibiting, delivering, using, or selling)		X	X	X	X		X	X	X	X	X

Notes:

School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

If an offense listed at Level III occurs on campus or at a school-related event and it is classified by a police officer as a felony or a Level IV or V violation, the student is automatically disciplined at Level IV or V as appropriate.

Sponsors and coaches of extracurricular activities, such as Student Council and choir, may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.

Students identified as homeless or who are enrolled in a grade level below third grade may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:

1. conduct that contains the elements of an offense related to weapons;
2. conduct that contains the elements of a violent offense; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, lunch, before or after school	Recovery Time (45 minutes or less)	Corporal Punishment	In-school suspension [partial or full day(s)]	Out of school suspension (up to three days)
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Level II Discipline Chart – Middle School

Level II: Administrator Directed

Some infractions will result in a referral to an administrator. The disciplinary action(s) will depend on the offense, previous actions, and the seriousness of the misbehavior. **More than one disciplinary option may be assigned.**

Procedures:

1. Written or electronic referral to administrator.
2. Administrator confers with student and/or teacher to establish appropriate disciplinary consequences.
3. Copies of appropriate discipline notices are sent to the teacher and/or parent indicating misbehavior and action(s) taken. Parents are to sign and return the form to school, as appropriate.
4. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
5. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
6. **Level II Offenses and Disciplinary Options are not limited to those provided.**
7. **Repeated violations shall result in a more severe response and/or referral to Level III.**

Examples of Offenses – Middle School		Disciplinary Options																		
2.1	Bullying or cyberbullying (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	X	
2.2	Cheating or copying the work of another	X		X		X	X	X		X	X		X		X		X	X		
2.3	Damaging property including library or classroom materials or textbooks, including removal of bar codes; defacing or damaging another person's property			X		X	X	X	X	X	X		X		X		X	X	X	
2.4	Detention (failing to serve)			X		X	X	X		X			X		X		X	X		
2.5	Disturbance, creating/participating in or inappropriate activity			X		X	X	X		X		X	X		X	X	X	X	X	
2.6	Dress code Violation		X	X	X	X	X			X			X		X	X	X	X		
2.7	Drugs/medications, current prescription (possessing); nonprescription drug, natural and/or homeopathic-like substances, dietary supplements, or energy pills (using)			X		X	X			X	X	X	X		X	X	X	X	X	
2.8	Electronic devices (unauthorized use) such as calculator, or gaming devices, etc. for non-authorized activities		X	X		X	X	X			X	X	X		X		X	X		
2.9	Elopement		X	X		X	X	X		X			X		X	X	X	X	X	
2.10	Falsehood to an adult (not associated with an investigation)		X	X		X	X	X				X	X		X	X	X	X	X	
2.11	Fight (encouraging or promoting)			X		X				X		X	X	X	X		X	X	X	
2.12	Food (using inappropriately)		X	X		X	X	X	X	X			X	X		X	X	X	X	
2.13	<i>Elementary Offense Only</i>																			
2.14	Hall pass (abusing the use of)		X	X		X	X	X		X	X		X		X		X	X		
2.15	Harassment (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	X	
2.16	Identification (ID) badge violation		X	X		X	X	X		X			X		X		X			
2.17	Language, inappropriate (verbal or written)		X	X		X	X	X		X	X	X	X		X	X	X	X	X	
(continued on next page)		Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat	Social Skills Training	Stay Away Agreement	Detention, including Saturday detention	Timeout/Conference (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP Placement

Examples of Offenses – Middle School	Disciplinary Options																
2.18 Laser pointer (possessing or using)			X		X	X	X		X	X	X		X	X	X		
2.19 Loitering on school campus before or after school or after the tardy bell rings		X	X		X	X	X				X		X		X	X	
2.20 Noncompliance with the directives; disrespectful		X	X		X	X			X		X	X		X	X	X	X
2.21 High School Offense Only																	
2.22 Persistent classroom or bus offenses			X		X	X	X		X		X	X		X	X	X	X
2.23 Physically contacting another individual inappropriately or in a way that creates a disruptive environment			X		X	X			X		X	X	X	X	X	X	X
2.24 Public display of affection (inappropriate, engaging in an act of familiarity with another)		X	X		X	X	X		X		X	X		X	X	X	X
2.25 Recording device: camera, video/audio recorder, etc. (possessing or using)		X	X		X	X	X		X	X	X	X		X	X	X	X
2.26 Responsible Use Guidelines (violating)		X	X		X	X	X	X	X	X		X		X	X	X	X
2.27 Selling or soliciting for sale unauthorized merchandise		X	X		X	X	X		X	X	X	X		X	X	X	X
2.28 Skateboard, roller blades, shoes with wheels, or other similar devices (possessing or using)		X	X		X	X	X		X	X		X		X		X	X
2.29 Tardies (multiple)			X		X	X	X		X			X		X		X	
2.30 Telecommunication, violating the guidelines for devices (second and subsequent minor offenses)			X		X	X	X			X	X	X		X	X	X	X
2.31 Tobacco and tobacco-related paraphernalia, lighters, matches (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X
2.32 Toys and other nuisance items (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X
2.33 Truancy, skipping class, leaving school/class without permission			X		X	X	X		X			X		X		X	X
2.34 Stealing or theft (minor), unauthorized use of property		X	X		X	X	X	X	X			X		X	X	X	X
2.35 Unauthorized area, being present in area without permission		X	X		X	X	X		X		X	X		X		X	
2.36 Unauthorized publications (possessing or distributing)		X	X		X	X			X	X	X	X		X	X	X	X
2.37 Vaping, paraphernalia, devices, or accessories (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X
2.38 Weapon (possessing of a look-alike)			X		X	X	X		X	X	X	X		X	X	X	X

Notes:

School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.

Sponsors and coaches of extracurricular activities, including Student Council, National Junior Honor Society, interscholastic athletics, cheerleading, band, etc., may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.

Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:

1. conduct that contains the elements of an offense related to weapons;
2. conduct that contains the elements of a violent offense; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage.

Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat	Social Skills Training	Stay Away Agreement	Detention, including Saturday detention	Timeout/Conference (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP
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Level III Discipline Chart – Middle School

Level III: Administrator Directed

Serious offenses are defined but not limited to those listed below. Persistent shall be defined as two or more violations of the code in general or repeated occurrences of the same violation. **More than one disciplinary option may be assigned.**

Procedures:

1. The administrator investigates the infraction(s) and, if necessary, confers with the teacher.
2. The administrator determines appropriate disciplinary action(s) and notifies the student and the parents and/or guardian. The student is afforded proper due process.
3. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
4. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
5. **Level III Offenses and Disciplinary Options are not limited to those provided.**
6. **Repeated violations shall result in a more severe response.**

Examples of Offenses – Middle School	Disciplinary Options											
3.1 Ammunition (possessing)		X		X	X		X	X	X	X	X	
3.2 Assault of another student or an adult that is not a mandatory removable or expellable offense		X		X		X	X	X	X	X	X	
3.3 Blackmail, extortion or coercion		X		X	X		X	X	X	X	X	
3.4 Bullying or cyberbullying (multiple incidents confirmed)	X	X		X	X	X	X	X	X	X	X	
3.5 Disrupting the school environment or educational process	X	X		X	X		X	X	X	X	X	
3.6 Drug/medication, non-prescription; prohibited substance (possessing, using, selling, attempting to sell, delivering or transmitting)		X		X	X		X	X	X	X	X	
3.7 Elopement (multiple incidents)	X	X		X			X	X	X	X	X	
3.8 Failing to disclose information, hiding/covering up info/evidence for self or others, committing perjury, or lying as a witness, falsifying a report; or making a 9-1-1 call that does not constitute a mandatory removable offense		X		X			X	X	X	X	X	
3.9 Fighting, physical aggression or contact		X		X		X	X	X	X	X	X	
3.10 Fire extinguisher, an automated external defibrillator, or their storage cabinet (tampering with)		X	X	X			X	X	X	X	X	
3.11 Fireworks, stink bombs, smoke bombs, “poppers,” other noxious chemicals or chemical dispensing devices (including pepper-spray or mace-type materials), or “shock” pens and other similar devices (possessing, distributing, or using)		X	X	X	X		X	X	X	X	X	
3.12 Forging or altering school records, parent notes, forms, or school/home communications		X		X	X		X	X	X	X	X	
3.13 Gambling		X		X	X		X	X	X	X	X	
3.14 Gang activity, participating in an unauthorized organization, secret society, or gang; gang-related activity that does not constitute a mandatory removable offense		X		X			X	X	X	X	X	
3.15 Hacking (illegal or unauthorized entry or attempted entry into the District’s computer system)		X		X	X		X	X	X	X	X	
3.16 Harassment (multiple incidents confirmed)		X		X		X	X	X	X	X	X	
3.17 Hazing or stalking (non sexual)		X		X		X	X	X	X	X	X	
(continued on next page)												
	Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, including Saturday detention	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP	

Examples of Offenses Middle School	Disciplinary Options										
3.18 Health or safety hazard or a situation that may result in possible or potential injury (creating a)		X	X	X	X		X	X	X	X	X
3.19 Illegal conduct that does not constitute a removable or expellable offense		X		X	X		X	X	X	X	X
3.20 Language, profane, vulgar, obscene, or threatening, including hit lists (written or verbal); obscene gestures		X		X	X		X	X	X	X	X
3.21 Libelous or slanderous remarks (verbal or written)		X		X	X		X	X	X	X	X
3.22 Lighters or matches (using)		X	X	X	X		X	X	X	X	X
3.23 Mooning; streaking; other forms of nudity; exposing or attempting to expose one's undergarments or those of another ("panting")		X		X			X	X	X	X	X
3.24 Overnight trips, inappropriate behavior not addressed elsewhere		X	X	X	X		X	X	X	X	X
3.25 Paraphernalia (drug), aerosol paint, or fixative spray (possessing)		X		X	X		X	X	X	X	X
3.26 Persistent offenses from Level II, including bus infractions	X	X		X			X	X	X	X	X
3.27 Pornographic or sexually-oriented material/items or material that promotes violence or other illegal activities, including sexting (possessing, distributing or creating)				X	X		X	X	X	X	X
3.28 Prohibited substance through verbal or written communication without being in possession (attempting to sell or purchase)				X	X		X	X	X	X	X
3.29 Sexual comments (making) or sexual conduct (engaging)		X		X		X	X	X	X	X	X
3.30 Slurs, ethnic, racial or gender-related or inappropriate acts toward others		X		X	X	X	X	X	X	X	X
3.31 Stealing, unauthorized possessing of another person's property, theft, committing burglary			X	X	X		X	X	X	X	X
3.32 Tardies, excessive	X	X		X			X	X			
3.33 Telecommunication devices: taking photos/videos, uploading, cheating, etc. (violating the guidelines of)		X		X	X		X	X	X	X	X
3.34 Tobacco and tobacco-related paraphernalia, (possessing multiple times, selling or using)	X	X		X	X		X	X	X	X	X
3.35 Trespassing, interfering with school activities, boycotting, and group demonstrations		X		X			X	X	X	X	X
3.36 Vaping, multiple offenses, paraphernalia, devices, accessories (selling, attempting to sell, possessing or using)	X	X		X	X		X	X	X	X	X
3.37 Vandalizing, defacing or damaging school property, including non-felony graffiti		X	X	X			X	X	X	X	X
3.38 Weapon, not included as a removable or expellable offense (possessing, distributing or concealing)		X		X	X		X	X	X	X	X
3.39 Weapons, look-alike (exhibiting, delivering, using, or selling)	X	X		X	X		X	X	X	X	X
<p>Notes: School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.</p> <p>If an offense listed at Level III occurs on campus or at a school-related event and it is classified by a police officer as a felony or a Level IV or V violation, the student is automatically disciplined at Level IV or V as appropriate.</p> <p>Level III offenses that are considered highly disruptive or pose a safety concern may be disciplined at Level IV as a permissive DAEP placement.</p> <p>Sponsors and coaches of extracurricular activities, including Student Council, National Junior Honor Society, interscholastic athletics, cheerleading, band, etc., may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.</p> <p>Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:</p> <ol style="list-style-type: none"> conduct that contains the elements of an offense related to weapons; conduct that contains the elements of a violent offense; or selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. 	Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, including Saturday detention	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP

Level II Discipline Chart – High School

Level II: Administrator Directed

Some infractions will result in a referral to an administrator. The disciplinary action(s) will depend on the offense, previous actions, and the seriousness of the misbehavior. **More than one disciplinary option may be assigned.**

Procedures:

1. Written or electronic referral to administrator.
2. Administrator confers with student and/or teacher to establish appropriate disciplinary consequences.
3. Copies of appropriate discipline notices are sent to the teacher and/or parent indicating misbehavior and action(s) taken. Parents are to sign and return the form to school, as appropriate.
4. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
5. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
6. **Level II Offenses and Disciplinary Options are not limited to those provided.**
7. **Repeated violations shall result in a more severe response and/or referral to Level III.**

Examples of Offenses – High School		Disciplinary Options																			
2.1	Bullying or cyberbullying (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	X		
2.2	Cheating or copying the work of another	X		X		X	X	X		X	X		X		X	X					
2.3	Damaging property including library or classroom materials or textbooks, including removal of bar codes; defacing or damaging another person's property			X		X	X	X	X	X		X		X		X	X	X	X		
2.4	Detention (failing to serve)			X		X	X	X		X		X		X		X	X				
2.5	Disturbance, creating/participating in or inappropriate activity			X		X	X	X		X		X	X		X	X	X	X	X		
2.6	Dress code Violation		X	X	X	X	X			X		X		X	X	X	X				
2.7	Drugs/medications, current prescription (possessing); nonprescription drug, natural and/or homeopathic-like substances, dietary supplements, or energy pills (using)			X		X	X			X	X		X	X		X	X	X	X		
2.8	Electronic devices (unauthorized use) such as calculator, or gaming devices, etc. for non-authorized activities		X	X		X	X	X		X	X	X		X		X	X				
2.9	Elopement		X	X		X	X	X		X		X		X	X	X	X	X	X		
2.10	Falsehood to an adult (not associated with an investigation)		X	X		X	X	X			X	X		X	X	X	X	X			
2.11	Fight (encouraging or promoting)			X		X				X		X	X	X	X	X	X	X	X		
2.12	Food (using inappropriately)		X	X		X	X	X	X	X		X	X		X	X	X	X	X		
2.13	<i>Elementary Offense Only</i>																				
2.14	Hall pass (abusing the use of)		X	X		X	X	X		X	X		X		X		X	X			
2.15	Harassment (confirmed through investigation)		X	X		X	X	X		X		X	X	X	X	X	X	X	X		
2.16	Identification (ID) badge violation		X	X		X	X	X		X		X		X		X					
2.17	Language, inappropriate (verbal or written)		X	X		X	X	X		X	X		X	X		X	X	X	X		
(continued on next page)			Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Withdrawal or restriction of bus privileges; bus probation; change of seat assignment	Social Skills Training	Stay Away Agreement	Detention, including Saturday detention	Timeout/Conference (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP

Examples of Offenses – High School	Disciplinary Options																			
2.18 Laser pointer (possessing or using)			X		X	X	X		X	X	X	X		X	X	X				
2.19 Loitering on school campus before or after school or after the tardy bell rings		X	X		X	X	X					X		X		X	X			
2.20 Noncompliance with the directives; disrespectful		X	X		X	X			X		X	X		X	X	X	X	X	X	
2.21 Parking violation			X		X	X	X		X			X		X		X	X			
2.22 Persistent classroom or bus offenses			X		X	X	X		X		X	X		X	X	X	X	X	X	
2.23 Physically contacting another individual inappropriately or in a way that creates a disruptive environment			X		X	X			X		X	X	X	X	X	X	X	X	X	
2.24 Public display of affection (inappropriate, engaging in an act of familiarity with another		X	X		X	X	X		X		X	X		X	X	X	X	X	X	
2.25 Recording device: camera, video/audio recorder, etc. (possessing or using)		X	X		X	X	X		X	X	X	X		X	X	X	X			
2.26 Responsible Use Guidelines (violating)		X	X		X	X	X	X	X	X		X		X	X	X	X	X	X	
2.27 Selling or soliciting for sale unauthorized merchandise		X	X		X	X	X		X	X	X	X		X	X	X	X	X	X	
2.28 Skateboard, roller blades, shoes with wheels, or other similar devices (possessing or using)		X	X		X	X	X		X	X		X		X		X	X			
2.29 Tardies (multiple)			X		X	X	X		X			X		X		X				
2.30 Telecommunication, violating the guidelines for devices (second and subsequent minor offenses)			X		X	X	X			X	X	X		X	X	X	X			
2.31 Tobacco and tobacco-related paraphernalia, lighters, matches (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X	X	X	
2.32 Toys and other nuisance items (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X			
2.33 Truancy, skipping class, leaving school/class without permission			X		X	X	X		X			X		X		X	X		X	
2.34 Stealing or theft (minor), unauthorized use of property		X	X		X	X	X	X	X			X		X	X	X	X	X	X	
2.35 Unauthorized area, being present in area without permission		X	X		X	X	X		X		X	X		X		X				
2.36 Unauthorized publications (possessing or distributing)		X	X		X	X			X	X	X	X		X	X	X	X	X	X	
2.37 Vaping, paraphernalia, devices, or accessories (possessing)		X	X		X	X	X		X	X	X	X		X	X	X	X	X	X	
2.38 Weapon (possessing of a look-alike)			X		X	X	X		X	X	X	X		X	X	X	X	X	X	
<p>Notes: School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.</p> <p>Sponsors and coaches of extracurricular activities, including Student Council, National Junior Honor Society, interscholastic athletics, cheerleading, band, etc., may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.</p> <p>Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:</p> <ul style="list-style-type: none"> conduct that contains the elements of an offense related to weapons; conduct that contains the elements of a violent offense; or selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. 	Grade penalty for copying or cheating (zero)	Behavior Conference / Verbal reprimand	Behavior Contract	Correct dress code violation	Lunch Detention	Parent call or conference	Loss of privileges	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Change of seat assignment	Withdrawal or restriction of bus privileges; bus probation;	Social Skills Training	Stay Away Agreement	Detention, including Saturday detention	Timeout/Conference (45 minutes or less)	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP Placement

Level III Discipline Chart – High School

Level III: Administrator Directed

Serious offenses are defined but not limited to those listed below. Persistent shall be defined as two or more violations of the code in general or repeated occurrences of the same violation. **More than one disciplinary option may be assigned.**

Procedures:

1. The administrator investigates the infraction(s) and, if necessary, confers with the teacher.
2. The administrator determines appropriate disciplinary action(s) and notifies the student and the parents and/or guardian. The student is afforded proper due process.
3. Each campus has the authority to establish appropriate disciplinary consequences based on campus needs which may be different than other campuses in the District. As long as the individual campus is consistent in administering disciplinary options on the campus, there is no basis for a claim of discrimination. It is important to note that two students committing the same offense on the same campus may have different disciplinary actions based on the overall disciplinary record of the students.
4. Students may be assessed disciplinary consequences for offenses that occur on District property, on district-provided transportation, or at a school-sponsored or school-related activity on or off District property.
5. **Level III Offenses and Disciplinary Options are not limited to those provided.**
6. **Repeated violations shall result in a more severe response.**

Examples of Offenses – High School		Disciplinary Options																					
3.1	Ammunition (possessing)		X		X	X		X	X	X	X	X	X										
3.2	Assault of another student or an adult that is not a mandatory removable or expellable offense		X		X		X	X	X	X	X	X	X										
3.3	Blackmail, extortion or coercion		X		X	X		X	X	X	X	X	X										
3.4	Bullying or cyberbullying (multiple incidents confirmed)	X	X		X		X	X	X	X	X	X	X										
3.5	Disrupting the school environment or educational process	X	X		X			X	X	X	X	X	X										
3.6	Drug/medication, non-prescription; prohibited substance (possessing, using, selling, attempting to sell, delivering or transmitting)		X		X	X		X	X	X	X	X	X										
3.7	Elopement (multiple incidents)	X	X		X			X	X	X	X	X	X										
3.8	Failing to disclose information, hiding/covering up info/evidence for self or others, committing perjury, or lying as a witness, falsifying a report; or making a 9-1-1 call that does not constitute a mandatory removable offense		X		X			X	X	X	X	X	X										
3.9	Fighting, physical aggression or contact		X		X		X	X	X	X	X	X	X										
3.10	Fire extinguisher, an automated external defibrillator, or their storage cabinet (tampering with)		X	X	X			X	X	X	X	X	X										
3.11	Fireworks, stink bombs, smoke bombs, “poppers,” other noxious chemicals or a chemical dispensing devices (including pepper-spray or mace-type materials), or “shock” pens and other similar devices (possessing, distributing, or using))		X	X	X	X		X	X	X	X	X	X										
3.12	Forging or altering school records, parent notes, forms, or school/home communications		X		X	X		X	X	X	X	X	X										
3.13	Gambling		X		X	X		X	X	X	X	X	X										
3.14	Gang activity, participating in an unauthorized organization, secret society, or gang; gang-related activity that does not constitute a mandatory removable offense		X		X			X	X	X	X	X	X										
3.15	Hacking (illegal or unauthorized entry or attempted entry into the District’s computer system)		X		X			X	X	X	X	X	X										
3.16	Harassment (multiple incidents confirmed)	X	X		X		X	X	X	X	X	X	X										
3.17	Hazing or stalking (non sexual)		X		X		X	X	X	X	X	X	X										
(continued on next page)			Lunch Detention		Loss of privileges (including bus probation)		Restitution of damages/restoring to order		Exclusion from extracurricular activities		Confiscation of item		Stay Away Agreement		Detention, including Saturday detention		Corporal Punishment		In-school suspension [ISS; partial or full day(s)]		Out-of-school suspension (up to three days)		DAEP Placement

Examples of Offenses – High School		Disciplinary Options												
3.18	Health or safety hazard or a situation that may result in possible or potential injury (creating a)		X	X	X			X	X	X	X	X		
3.19	Illegal conduct that does not constitute a removable or expellable offense		X		X	X		X	X	X	X	X		
3.20	Language, profane, vulgar, obscene, or threatening, including hit lists (written or verbal); or obscene gestures		X		X	X		X	X	X	X	X		
3.21	Libelous or slanderous remarks (verbal or written)		X		X	X		X	X	X	X	X		
3.22	Lighters or matches (using)		X	X	X	X		X	X	X	X	X		
3.23	Mooning; streaking; other forms of nudity; exposing or attempting to expose one's undergarments or those of another ("pantsing")		X		X			X	X	X	X	X		
3.24	Overnight trips, inappropriate behavior not addressed elsewhere		X	X	X	X		X	X	X	X	X		
3.25	Paraphernalia (drug), aerosol paint, or fixative spray (possessing)		X		X	X		X	X	X	X	X		
3.26	Persistent offenses from Level II, including bus infractions	X	X		X			X	X	X	X	X		
3.27	Pornographic or sexually-oriented material/items or material that promotes violence or other illegal activities, including sexting (possessing, distributing or creating)				X	X		X	X	X	X	X		
3.28	Prohibited substance through verbal or written communication without being in possessing (attempting to sell or purchase)				X	X		X	X	X	X	X		
3.29	Sexual comments (making) or sexual conduct (engaging)		X		X		X	X	X	X	X	X		
3.30	Slurs, ethnic, racial or gender-related or inappropriate acts toward others		X		X	X	X	X	X	X	X	X		
3.31	Stealing, unauthorized possessing of another person's property, theft, committing burglary		X	X	X	X		X	X	X	X	X		
3.32	Tardies, excessive	X	X		X			X	X					
3.33	Telecommunication devices: taking photos/videos, uploading, cheating, etc. (violating the guidelines of)		X		X	X		X	X	X	X	X		
3.34	Tobacco and tobacco-related paraphernalia, (possessing multiple times, selling or using)		X		X	X		X	X	X	X	X		
3.35	Trespassing, interfering with school activities, boycotting, and group demonstrations		X		X			X	X	X	X	X		
3.36	Vaping, multiple offenses, paraphernalia, devices, accessories (selling, attempting to sell, possessing or using)		X		X	X		X	X	X	X	X		
3.37	Vandalizing, defacing or damaging school property, including non-felony graffiti		X	X	X			X	X	X	X	X		
3.38	Weapon, not included as a removable or expellable offense (possessing, distributing or concealing)		X		X	X		X	X	X	X	X		
3.39	Weapons, look-alike (exhibiting, delivering, using, or selling)		X		X	X		X	X	X	X	X		
<p>Notes: School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property or at a school-sponsored or school-related event. These individuals also have the authority to involve law enforcement in any discipline or campus situation where it is deemed necessary.</p> <p>If an offense listed at Level III occurs on campus or at a school-related event and it is classified by a police officer as a felony or a Level IV or V violation, the student is automatically disciplined at Level IV or V as appropriate.</p> <p>Level III offenses that are considered highly disruptive or pose a safety concern may be disciplined at Level IV as a permissive DAEP placement.</p> <p>Sponsors and coaches of extracurricular activities, including Student Council, National Junior Honor Society, interscholastic athletics, cheerleading, band, etc., may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards.</p> <p>Students identified as homeless may not be placed in out-of-school suspension unless while on school property or while attending school-sponsored or school-related activity on or off school property the student engages in:</p> <ol style="list-style-type: none"> conduct that contains the elements of an offense related to weapons; conduct that contains the elements of a violent offense; or selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug or an alcoholic beverage. 		Lunch Detention	Loss of privileges (including bus probation)	Restitution of damages/restoring to order	Exclusion from extracurricular activities	Confiscation of item	Stay Away Agreement	Detention, including Saturday detention	Corporal Punishment	In-school suspension [ISS; partial or full day(s)]	Out-of-school suspension (up to three days)	DAEP Placement		

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older, or
 - b. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) 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.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable 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 defined by Penal Code 46.01 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, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 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.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as 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 under Penal Code 42.06 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.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

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

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; 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, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as 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.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

Knuckles means 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.

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by Penal Code 46.01 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.

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. 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;

3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
 - a. A machine gun;
 - b. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

Public lewdness is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

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

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or

e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as 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.

Terroristic threat is defined by Penal Code 22.07 as 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).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;

- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

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

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

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.



The contents of this Student Code of Conduct Handbook are not contractual, and do not give rise to a claim of breach of contract against the school district. Further, the contents of this handbook apply to all students of the district, as the content now appear in the handbook or may be amended in the future.

It is the policy of Alto ISD not to discriminate on the basis of sex, disability, race, religion, color, gender, age, or national origin in its educational programs and/or activities, including career and technology programs, nor in its employment practices.

Alto Independent School District

July 2022