



STUDENT CODE CONDUCT
2024-2025

OUR SHARED VISION

IN KLEIN ISD, **EVERY** STUDENT ENTERS WITH A **PROMISE** & EXITS WITH A **PURPOSE**

Our shared vision is accomplished through our strategic priorities of Cultivate Talent, Build Community, and Reimagine Learning. Our Guiding Documents of Profile of a Learner, Profile of a Leader, and our Definition of High-Quality Teaching align and drive our work for our students.

Cultivate Talent



Klein ISD will listen, learn & continuously improve to ensure our employees are fully supported & engaged.

- Recruit and retain high-quality employees to benefit student outcomes
- Develop and value our employees in every position through personalized, professional learning and meaningful leadership development opportunities
- Foster opportunities for two-way communication and collaboration that empower our employees to be heard and have a voice that positively impacts and supports Klein ISD's tradition of excellence

Build Community



Klein ISD will build trust with our students, parents, families & community to know & serve every student by name, strength & need.

- Maintain safe and disciplined schools to ensure learning environments that develop students of integrity
- Equip our parents and families with resources and support to be successfully engaged in their children's learning journey
- Encourage positive and productive partnerships between the Klein Family and Klein community so that every person is treated with dignity and respect

Reimagine Learning



Klein ISD will provide the best learning experience to empower our learners to excel in academics, the arts & athletics.

- Provide an engaging curriculum rooted in a strong academic foundation that supports real-life, meaningful learning opportunities to inspire every learner
- Ensure a learning environment that supports strong mental health and overall wellness for every member of our Klein Family
- Partner with parents and families to guide our students in pursuing and achieving their learning goals for college, career, and military aspirations through innovative pathways of choice



KLEIN ISD
PROMISE 2 PURPOSE

WWW.VISION.KLEINISD.NET

KLEIN ISD DISTRICT MAP



MAP KEY	
	ELEMENTARY
	INTERMEDIATE
	HIGH SCHOOL
	AG BARN
	ADMINISTRATION

ELEMENTARY

- Benfer (107)
- Benignus (124)
- Bernhausen (129)
- Blackshear (127)
- Brill (109)
- Ehrhardt (110)
- Eiland (118)
- Epps Island (105)
- Fox (133)
- Frank (125)
- French (131)
- Grace England EC/PK (130)
- Greenwood Forest (104)
- Hassler (120)
- Haude (103)
- Kaiser (108)
- Klenk (117)
- Kohrville (101)
- Krahn (113)
- Kreinhop (121)
- Kuehnle (115)
- Lemm (111)
- Mahaffey (132)
- McDougle (122)
- Metzler (123)
- Mittelstädt (116)
- Mueller (126)
- Nitsch (121)
- Northampton (102)
- Roth (114)
- Schultz (119)
- Theiss (106)
- Vistas (36)
- Zwink (128)

INTERMEDIATE

- Doerre (46)
- Hildebrandt (42)
- Hofius (50)
- Kleb (45)
- Klein Intermediate (41)
- Krimmel (48)
- Schindewolf (47)
- Strack (44)
- Ulrich (49)
- Wunderlich (43)

HIGH SCHOOL

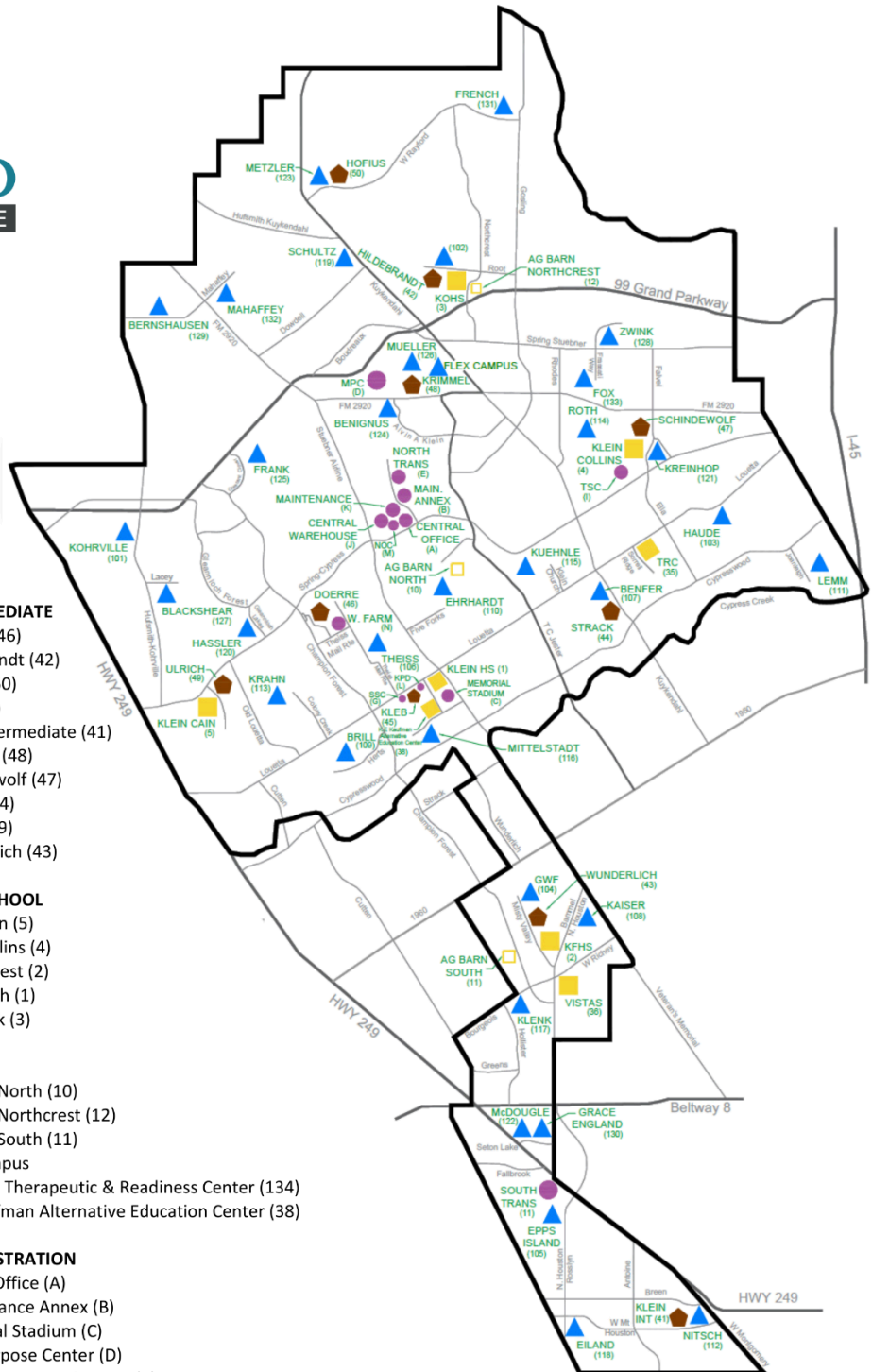
- Klein Cain (5)
- Klein Collins (4)
- Klein Forest (2)
- Klein High (1)
- Klein Oak (3)

OTHER

- Ag Barn North (10)
- Ag Barn Northcrest (12)
- Ag Barn South (11)
- Flex Campus
- Klein ISD Therapeutic & Readiness Center (134)
- K.E. Kaufman Alternative Education Center (38)

ADMINISTRATION

- Central Office (A)
- Maintenance Annex (B)
- Memorial Stadium (C)
- Multipurpose Center (D)
- North Transportation Ctr. (E)
- South Transportation Ctr. (F)
- Student Support Ctr. (G)



ADMINISTRATION

Frank A. Lemmon Administration Building 7200 Spring Cypress Road, Klein, TX 77379 832-249-4000
 Klein ISD Athletics/Memorial Stadium 16607 Stuebner Airline Road, Klein, TX 77379 832-249-4303
 Klein ISD Maintenance Annex 19010 Doerre Road, Klein, TX 77379 832-249-4535
 Klein Technology Services Center 4016 Spring Cypress, Klein, TX 77379 832-249-4437
 Kleinwood Center 16710 Kleinwood Dr., Klein, TX 77379 832-249-4501
 Klein ISD Police Headquarters 7403 Louetta Road, Klein, TX 77379 832-249-4266
 Klein ISD Multipurpose Center 7500 FM 2920, Klein, TX 77379 832-249-4240
 Otis Davis Transportation Center 19020 Doerre Road, Klein, TX 77379 832-249-4566
 Klein ISD Tom Ricker South Transportation Center 14131 SH 249, Klein, TX 77086 832-249-4599

ELEMENTARY SCHOOLS

Benfer 18027-B Kuykendahl Road, Klein, TX 77379 832-484-6000
 Benignus 7225 Alvin A. Klein Drive, Klein, TX 77379 832-484-7750
 Bernshausen 11116 Mahaffey Road, Klein, TX 77375 832-375-8000
 Blackshear 11211 Lacey Road, Klein, TX 77375 832-375-7600
 Brill 9102 Herts Road, Klein, TX 77379 832-484-6150
 Ehrhardt 6603 Rosebrook Lane, Klein, TX 77379 832-484-6200
 Eiland 6700 North Klein Circle Drive, Klein, TX 77088 832-484-6900
 Epps Island 7403 Smiling Wood Lane, Klein, TX 77086 832-484-5800
 Fox 4800 Port Aegean Dr., Klein, TX 77388 832-375-8900
 Frank 9225 Crescent Clover Drive, Klein, TX 77379 832-375-7000
 French 5802 W. Rayford Road, Klein, TX 77389 832-375-8100
 Grace England Early Childhood 7535 Prairie Oak Drive, Klein, TX 77086 832-375-7900 Pre-Kindergarten Center
 Greenwood Forest 12100 Misty Valley Drive, Klein, TX 77066 832-484-5700
 Hassler 9325 Lochlea Ridge Drive, Klein, TX 77379 832-484-7100
 Haude 3111 Louetta Road, Klein, TX 77388 832-484-5600
 Kaiser 13430 Bammel N. Houston Road, Klein, TX 77066 832-484-6100
 Klein ISD Flex School 7072 FM 2920, Klein, TX 77379
 Klenk 6111 Bourgeois Road, Klein, TX 77066 832-484-6800
 Kohrville 11600 Woodland Shore Drive, Klein, TX 77375 832-484-7200
 Krahn 9502 Eday Drive, Klein, TX 77379 832-484-6500
 Kreinhop 20820 Ella Boulevard, Klein, TX 77388 832-484-7400
 Kuehnle 5510 Winding Ridge Drive, Klein, TX 77379 832-484-6650
 Lemm 19034 Joanleigh Drive, Klein, TX 77388 832-484-6300
 McDougle 10410 Kansack Lane, Klein, TX 77086 832-484-7550
 Mahaffey 10255 Mahaffey Road, Klein, TX 77375 832-375-8300
 Metzler 8500 W. Rayford Road, Klein, TX 77389 832-484-7900
 Mittelstädt 7525 Kleingreen Lane, Klein, TX 77379 832-484-6700
 Mueller 7074 FM 2920, Klein, TX 77379 832-375-7300
 Nitsch 4702 West Mt. Houston Road, Klein, TX 77088 832-484-6400
 Northampton 6404 Root Road, Klein, TX 77389 832-484-5550
 Roth 21623 Castlemont Lane, Klein, TX 77388 832-484-6600
 Schultz 7920 Willow Forest, Klein, TX 77375 832-484-7000
 Theiss 17510 Theiss Mail Route Road, Klein, TX 77379 832-484-5900
 Zwink 22200 Frassati Way, Klein, TX 77389 832-375-7800

INTERMEDIATE SCHOOLS

Doerre 18218 Theiss Mail Route Road, Klein, TX 77379 832-249-5700
 Hildebrandt 22800 Hildebrandt Road, Klein, TX 77389 832-249-5100
 Hofius 8400 W. Rayford Road, Klein, TX 77389 832-375-8800
 Kleb 7425 Louetta Road, Klein, TX 77379 832-249-5500
 Klein Intermediate 4710 West Mt. Houston Road, Klein, TX 77088 832-249-4900
 Krimmel 7070 FM 2920, Klein, TX 77379 832-375-7200
 Schindewolf 20903 Ella Boulevard, Klein, TX 77388 832-249-5900
 Strack 18027-S Kuykendahl Road, Klein, TX 77379 832-249-5400
 Ulrich 10103 Spring Cypress Road, Klein, TX 77070 832-375-7500
 Wunderlich 11800 Misty Valley Drive, Klein, TX 77066 832-249-5200

HIGH SCHOOLS

Klein High 16715 Stuebner Airline Road, Klein, TX 77379 832-484-4000
 Klein Forest 11400 Misty Valley Drive, Klein, TX 77066 832-484-4500 DAEP
 Klein Oak 22603 Northcrest Drive, Klein, TX 77389 832-484-5000
 Klein Collins 20811 Ella Boulevard, Klein, TX 77388 832-484-5500
 Klein Cain 10201 Spring Cypress Road, Klein, TX 77070 832-375-8400
 Therapeutic & Readiness Center 4411 Louetta Rd. Klein, TX 77388 832-249-4369
 K. E. Kaufman Alternative Education Center - 7302 Kleingreen Lane, Klein, TX 77379 832-249-4800
 Vistas High School Program 12550 Bammel N. Houston Road, Klein, TX 77066 832-484-7650

STUDENT CODE OF CONDUCT

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. The school will foster a climate of mutual respect for the rights of others. Students are expected to respect the rights and privileges of other students, teachers, and district staff. The district's rules of conduct and discipline are established to achieve and maintain order in the school, on vehicles owned or operated by the District, and/or at all school-related activities and apply in all those settings. Students who violate the rights of others or who violate district or school rules will be subject to disciplinary measures designed to correct the misconduct and to promote adherence by all students to their responsibilities as citizens in the school community. District officials may question a student regarding the student's own conduct or the conduct of other students in accordance with Board Policy [FNF](#). In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

CONTENT OF APPROVED PROGRAM

The essential ingredients of the student code of conduct are included in the Klein ISD student handbook. Each year the handbook is reviewed for possible revisions. The Student Code of Conduct has been developed in accordance with applicable law, including but not limited to Chapter 37 of the Texas Education Code. Texas Education Code Chapter 37 may be found at the following link: <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.37.htm>.

The Student Code of Conduct is submitted to the Board of Trustees for approval on an annual basis.

CAMPUS BEHAVIOR COORDINATOR

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The campus principal, whom Klein ISD has designated as the campus behavior coordinator, may remove a student to a disciplinary alternative education program (DAEP) and also temporarily remove a student from campus for reasons other than the assignment to the DAEP.

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 a campus behavior coordinator. Contact information for campus behavior coordinators may be found at www.kleinisd.net and at [Campus Behavior Coordinator](#).

An Executive Director of Student Services as the designee of the Board of Trustees, may expel a student for disciplinary infractions and take any other action related to discipline management allowed by laws of the State of Texas.

SECURITY PERSONNEL

To ensure sufficient security and protection of students, staff, and property, the Board employs police officers. 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\(LOCAL\)](#).

UNAUTHORIZED PERSONS

In accordance with Texas Education Code 37.105, a school administrator or district 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 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 days, unless the complaint is resolved before a Board hearing.

STANDARDS OF CONDUCT

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district 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.

MISTREATMENT OF OTHERS

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle.
- 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.
- 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 conduct that constitutes 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.
- Participate in hazing.
- Cause an individual to act through the use of threat or force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Take photos, videos, or voice recordings of any individuals without the prior consent of the individual being recorded.
- Take photos, videos, or a voice recording in any way that disrupts the educational environment or invades the privacy of others.

PROHIBITED ITEMS

Students shall not possess or use the following items:

- Firearms;
- Knuckles;
- Rakes;
- Knives (including location-restricted knives, pocket knives, or any other small knife);
- Clubs;
- Razors;
- Chemical weapons such as Mace;
- An air gun or BB gun;
- Ammunition;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived to be a weapon;
- A hand instrument designed to cut or stab another by being thrown;
- A stun gun;
- Any similar articles capable of inflicting serious bodily injury;
- A firearm silencer or suppressor;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, vape pens, and any component, part, or accessory for an e-cigarette or vape pen device;
- Matches or a lighter; and
- A laser pointer, unless it is used for an approved use.

Any student who possesses or uses such items will be subject to disciplinary measures up to and including expulsion in accordance with the Code and with applicable state law. In addition, information will be provided to appropriate law enforcement authorities who will determine if criminal charges will be filed.

FIREWORKS

Students shall not possess or use fireworks, smoke or stink bombs, any other pyrotechnic devices, incendiary devices, or explosive devices of any kind in the building or on the campus, at any time, during the day or night, or at any school activity.

Students who possess or use such items will be subject to disciplinary measures up to and including expulsion in accordance with the Code and with applicable state law. In addition, information will be provided to appropriate law enforcement authorities who will determine if criminal charges will be filed.

ILLEGAL, PRESCRIPTION, AND OVER-THE-COUNTER DRUGS

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug;
- 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;
- 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;
- Abuse over-the-counter drugs;

- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties;
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Students who engage in such conduct will be subject to disciplinary measures up to and including expulsion in accordance with the Code and with applicable state law. In addition, information may be provided to appropriate law enforcement authorities who will determine if criminal charges will be filed.

Electronic Devices and Technology Resources

The district permits students to possess personal cell phones for safety purposes; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes.

A student must have approval to possess other personal telecommunications devices on campus such as laptops, tablets, or other portable computers. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

The use of cell phones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The parent may pick up the confiscated telecommunications device from the principal's office.

Confiscated telecommunications devices that are not retrieved by the student or the student's parent will be disposed of after the notice required by law.

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel.

Any disciplinary action will be in accordance with the Student Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

Instructional Use of Personal Telecommunications and Other Electronic Devices

Students must obtain prior approval to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must also sign a user agreement that contains applicable rules for use.

All personal devices must be turned off during the instructional day when not in use for approved instructional purposes. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Acceptable Use of District Technology Resources

District-owned technology resources may be issued to individual students for instructional purposes. Use of the district's network systems and equipment is restricted to approved purposes only. Students and parents will be asked to sign a user agreement regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether on district-owned or personally owned equipment, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content—commonly referred to as “sexting”—will be disciplined in accordance with the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement.

This type of behavior may constitute bullying or harassment, as well as impede future endeavors of a student. We encourage parents to review with their child the "Before You Text" Sexting Prevention Course, a state-developed program that addresses the consequences of sexting.

Any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct. In some cases, the consequence may be expulsion.

GANG-FREE ZONES

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

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 of Conduct.

TRANSPORTATION

The Board of Trustees of the Klein Independent School District has adopted the following rules of conduct for students while being transported by buses or other vehicles owned, operated, or controlled by the school district.

Since the District's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle should not be distracted by student misbehavior. Therefore, in addition to and/or in lieu of other disciplinary management techniques, a bus driver may refer a student to the principal's office to maintain effective discipline. The principal shall then employ appropriate discipline management techniques which may include restricting or revoking a student's bus riding privilege, in accordance with law and the rules set forth in this Code.

1. Students must ride their assigned bus to and from the bus stop nearest their residential or rural address, with the following exceptions:
 - a. If the parent/guardian of an eligible or ineligible bus student is temporarily out-of-town and the student is spending one or more nights with a host family residing in the school attendance zone, arrangements may be made for transportation. A written request must be directed to the principal and approval is subject to seating availability on the bus as determined by the director of transportation.

- b. A high school student in grades 9-12 may be picked up at his/her home and delivered to another residence after school by written request and securing principal approval in consultation with the director of transportation, provided it is within the same attendance zone.
- c. A parent/guardian may designate a child-care facility or grandparent's residence as the place where the student obtains transportation to and from school, provided the location is in the same attendance zone. Either designated location must be an approved stop on an approved route.
- d. In most instances the designated bus stop will be the intersection nearest the student's residence or a stop as designated by the transportation department.
- e. In accordance with campus procedures as determined by the principal for temporary changes.

* The principal, in consultation with the director of transportation, may approve the requested bus change if: (1) both the parent and the care provider sign the Klein ISD Bus Change Request and Release of Liability form and submit it to the school principal a minimum of five school days in advance of the bus change; and (2) the care provider has his/her signature notarized. If approved, only one additional request to change buses for exceptions (b) or (c) may be allowed during the same school year.

- 2. The driver is in full charge of the bus and students. Students must obey the driver promptly. Disobedience and rudeness will not be tolerated.
- 3. The bus driver may designate and train student assistants to help lead students off of the bus in the event of an emergency.
- 4. Derogatory remarks to the driver or other students about discipline or transportation will not be tolerated. Please make all complaints to the director of transportation.
- 5. Unnecessary conversation with the driver is prohibited. No student may engage in conversation with the driver while the bus is in motion except in emergencies or unusual situations.
- 6. Outside of ordinary conversation, classroom conduct and decorum is to be observed on the bus at all times.
- 7. Students must refrain from using obscene or profane speech and indecent gestures, actions, or conduct while riding in the bus or prior to boarding or after leaving the bus.
- 8. No students may use, or have in their possession, any tobacco product or electronic cigarette, alcoholic beverage, dangerous drug, or controlled substance as defined by the Texas statutes while riding in the bus.
- 9. Students must not throw paper, rubbish, or other objects out of the bus, on the floor, or at any other students or driver.
- 10. Students must not, at any time, extend any part of their bodies out the bus windows, nor shall they in any way touch or hang onto the bus before boarding or after leaving.
- 11. Students must not try to get on or off the bus or move about within the bus while it is in motion.
- 12. Students must not write on or deface any part of the bus. Any damage to the bus must be reported to the driver immediately. Students who write on or deface any part of the bus are subject to suspension and restitution for damages.
- 13. After the initial seating choice, students must sit in their assigned seats each day. Students are responsible for any vandalism to that seat and to their area.
- 14. Drinks are not permitted on the bus unless they are a part of the lunch. Food or drink may not be consumed on the school bus. Exceptions may be made on extracurricular trips, with the approval of the director of transportation.
- 15. Glass containers of any type may not be brought on the school bus.
- 16. No live animals may be transported on school buses.
- 17. The emergency door will be used only in emergencies.

18. Boarding school buses:
 - a. Do not be late. Be at your stop on time. The bus cannot wait. All students are encouraged to be at their designated bus stops 10 minutes before scheduled pick- up time.
 - b. Do not stand in the roadway.
 - c. Maintain a single-file line, six feet from where the bus will stop.
 - d. Be seated and remain seated until the bus arrives at your school.
19. Departing school buses:
 - a. Depart from the bus in an orderly manner, moving some three feet, perpendicular and some 15 feet forward. Those students who need to cross the roadway must stop and await the signal from the bus driver.
 - b. Do not walk down the side of the bus or behind the bus.
 - c. Fighting or scuffling in any form while waiting for the bus or riding on the bus may result in suspension of bus-riding privileges.
20. All students desiring transportation must file a transportation request form at their respective school.
21. Students must respect private property at each designated bus stop.
22. Students are not permitted to bring skateboards on the bus.

Failure to abide by the aforementioned rules will be handled according to the following guidelines:

MINOR (PERSISTENT) MISCONDUCT

Each student will receive three (3) warnings from the bus driver before a written discipline notice is completed and forwarded to the campus administration.

- | | | |
|----|---------------------|---|
| 1. | 1st written report: | Warning from campus assistant principal or one (1) day bus suspension |
| 2. | 2nd written report: | One (1) day bus suspension |
| 3. | 3rd written report: | Three (3) day bus suspension |
| 4. | 4th written report: | Five (5) day bus suspension |
| 5. | 5th written report: | Ten (10) day bus suspension |
| 6. | 6th written report: | Twenty (20) day bus suspension |
| 7. | 7th written report: | Bus suspension for the remainder of the current school year. |

SERIOUS MISCONDUCT

At a minimum, disciplinary action should begin with #4, above.

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|----|---------------------|--|
| 1. | 1st written report: | Five (5) day bus suspension |
| 2. | 2nd written report: | Ten (10) day bus suspension |
| 3. | 3rd written report: | Twenty (20) day bus suspension |
| 4. | 4th written report: | Bus suspension for the remainder of the current school year. |

Campus administrators may remove a student from a bus at any time for safety reasons. Parents will be contacted to pick up the student. Misconduct on district transportation may also result in campus disciplinary consequences.

SMART Tag

Klein ISD has the responsibility to transport over 23,000 students on school buses each day to and from school. Ensuring the accountability for and the safety and security of the students riding on those buses is our highest priority. Klein ISD utilizes a system called SMART tag, which places a tablet computer on each bus that is equipped with an RFID (Radio Frequency Identification Device) reader, mobile connectivity and GPS. Students will place their SMART ID cards on the sensor of the computer tablet when loading and unloading their bus. This ensures all riders are accounted for. No information is stored on the Student ID tag.

All students will receive a plastic SMART ID card. SMART ID's will be required each time your child enters and exits the bus. Please help us enforce this requirement so that your child may take advantage of the privilege to ride the bus. Failure to comply with ID requirements will ultimately result in disciplinary action up to and including possible bus suspension/expulsion.

DISHONESTY IN SCHOOL WORK

Dishonesty in school work is defined as the giving or receiving of assistance when the teacher has indicated, or it should be presumed by the student, that the assignment is supposed to be the work of the student who is being graded. The possession or delivery of a copy of a stolen test or exam is considered to be dishonest. Plagiarism (representing someone else's works or ideas as your own) whether from a book, another student's paper, the Internet, or other source is dishonest. Per Klein ISD Regulation, plagiarism also includes the inappropriate use of Artificial Intelligence (AI) and ChatGPT.

Any student involved in an instance of cheating will receive a grade of zero. A discipline consequence may be assigned to a student found guilty of dishonesty in schoolwork. Students found to be dishonest in school work may not be eligible for membership in the National Honor Society, scholastic honors, and various groups and organizations.

DISCIPLINE MANAGEMENT TECHNIQUES

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

Discipline management techniques may be used alone, in combination, or as a part of progressive interventions for behavior prohibited by the Student Code of Conduct or by campus or classroom rules. Information and procedures regarding specific discipline management techniques utilized by Klein ISD are provided below and in the Discipline Offense Categories section.

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

1. Self-defense,
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 homelessness status.

STUDENTS WITH DISABILITIES

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy [FOF \(Legal\)](#).

AFTER-SCHOOL/SATURDAY DETENTION

After-school and/or Saturday detention shall be utilized for the infractions of rules where, in the opinion of the administration, the interest of the school and of the students will be served. The student will attend his/her regular classes during the school day and will report to detention on the day of the assignment.

1. When the student is assigned to the detention hall, he/she will be given written notification by the assistant principal or campus behavior coordinator.
2. A student who fails to report to detention will be subject to additional disciplinary consequences.

SUSPENSION OR EXPULSION OF STUDENTS

The principal of a school may assign a student to an after-school detention program, if available, or to an in-school suspension program, if available, for up to a five-day period. The principal, in consultation with the Executive Director of Student Services may extend that assignment up to 20 days. The principal may suspend a student out of school for up to a three-day period if it is determined to be the most appropriate available consequence.

Students who are assigned in-school suspension are not eligible for extracurricular activities on the exact day(s) of the assignment.

Students who are suspended out of school are not eligible for extracurricular activities beginning with notification of the suspension until the day following the last day of suspension, including weekend activities.

Exceptions to Out-Of-School Suspensions

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:

1. Conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
2. Conduct that contains the elements of a violent offense, including elements of assault, sexual assault, aggravated assault, 1. or aggravated sexual assault, as provided by the Penal Code Section 22.01, 22.011, 22.02, or 22.021; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - a. marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;
 - b. a dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - c. an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

When a student is found to have violated the Student Code of Conduct and will be subject to suspension, removal to a DAEP, or expulsion, the principal as the designated campus behavior coordinator shall attempt, if the parent or guardian can be found, to notify the student's parent or guardian by telephone, email, or in writing.

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete coursework required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

The principal, as the campus behavior coordinator, may assign a student to DAEP, if available, for the length of time during the current school year deemed advisable. A student assigned to the DAEP will be required to make up days missed due to an absence without permission and/or out-of-school suspension for disciplinary incidents before returning to his/her home campus.

If a student placed in the disciplinary alternative education program, as noted above, continues to engage in serious misconduct, the student may be expelled in accordance with state law.

While enrolled in summer school, if a student commits an offense for which he/she would be assigned to the DAEP or expelled, the assignment or expulsion will begin in the upcoming school year.

If a student assaults a teacher or other individual on school property, the student may be removed immediately by the principal or his administrative designee and will be referred to law enforcement authorities. This includes verbal and physical threats toward any Klein ISD staff member. If the student is considered to be a clear, present, and continuing danger of physical harm to himself/herself or to the other individuals on school property, the student may be assigned to the DAEP or expelled in accordance with this Code and with applicable law. Persons who have been expelled may not attend any on- or off-campus student functions.

Students who are expelled or placed in the alternative education classes are not eligible for extracurricular activities during the period of the expulsion or assignment to the alternative education classes.

Further details regarding offenses that may result in DAEP placement or expulsion are provided below in the Discipline Offense Categories section.

DISCIPLINE OFFENSE CATEGORIES

Level I – Offenses

(Level I offenses include those acts of misbehavior which interfere with an orderly educational environment.) These include but are not limited to the following:

- Being tardy to class;
- Failure to obey school regulations concerning automobiles and/or parking guidelines;
- Running and/or making excessive noise in the halls, building, and/or classroom;
- Altering, defacing, or refusing to wear an ID badge;
- Refusing to follow classroom rules;
- Refusing to participate in classroom activities;
- Eating or drinking in an undesignated area;
- Chewing gum;
- Possessing and/or using nuisance items;
- Not bringing required classroom materials and/or assigned work to class;
- Lunchroom misconduct (misuse of food, for example);
- Posting or distributing unauthorized communicative materials on school grounds;
- Using profane, obscene, indecent, immoral, or offensive language and/or gestures to other students;
- Dishonesty in school work;

- Leaving the classroom or school grounds without permission: cutting class, absence without permission;
- Exhibiting any unacceptable physical contact which could, but does not, result in injury;
- Violating the dress code;
- Not abiding by the rules and regulations regarding field trips;
- Use or possession of tobacco (first time);
- Altering school records, documents, or signing another person's name on school documents;
- Engaging in acts of familiarity;
- Selling or soliciting for sale any merchandise on the school campus without the authorization of the building principal;
- Inappropriate possession/use of a paging device/cell phone during the school day;
- Violation of Student Guidelines for Acceptable and Responsible Use of Technology Resources;
- Loitering;
- Disrupting the classroom environment.

Level I – Disciplinary Measures

One or more of the following disciplinary measures may be used, and cannot be appealed beyond the campus principal:

- Teacher/student conference;
- In-class disciplinary action (verbal reprimand, brief cooling off period, for example);
- Parent conference;
- Administrator/student conference;
- Confiscation of a prohibited nuisance item;
- Withdrawal of various student privileges;
- Detention hall – assignment to a supervised classroom during or outside of school hours;
- Grade penalty for copying and/or cheating;
- Exclusion from extracurricular activities;
- In-school suspension class;
- Out-of-school suspension;
- Restoration and/or restitution as applicable.

Level II – Offenses

Level II offenses include those student behaviors which seriously disrupt the educational environment, or which may be illegal. These include but are not limited to the following:

- Any repeated or chronic misbehavior cited in the previous level;
- Possession or use of weapon, not classified as a prohibited weapon according to Penal Code 46.05;
- Gambling which is defined as participating in games of chance for money and/or other things of value;
- Interfering with the school authorities and programs through boycotts, sit-ins, or trespassing, as prohibited by law;
- Possession or discharging of fireworks or volatile chemicals on school property;
- Possession of ammunition;

- Fighting, which is defined as physical contact between two or more individuals; any fighting that occurs enroute to or from school, or on school property, could result in an immediate suspension from school, and referral to law enforcement authorities;
- Theft;
- Engaging in serious or persistent act(s) of disobedience or disorderly behavior which may prove detrimental to the school, harmful to health and safety, and inhibiting rights of others;
- Bullying, including cyberbullying, as defined by this Handbook and in Klein ISD Board Policy FFI (Local);
- Elements of harassment as defined by this Handbook and in Klein ISD Board Policy FFH(Local);
- Displaying any behavior which is disruptive to the orderly process of education;
- Inappropriate exposure or display of body parts;
- Engaging in any behavior related to the giving or receiving of body piercings or tattoos on campus;
- Being disrespectful toward school personnel or failing to comply with the requests of school personnel;
- Threats, which are not terroristic threats (oral, written, or electronic) to do bodily harm to another or to the property of another;
- Creating “hit lists” as defined in 37.001, Education Code;
- Defacing school property;
- Serious or persistent violation of Student Guidelines for Acceptable and Responsible Use of Technology Resources;
- Use or possession of drug paraphernalia;
- Inappropriate use of technology devices/phones in locker rooms, restroom areas while at school/school-related/school-sponsored event.

Level II – Disciplinary Measures

One or more of the following disciplinary measures may be used and cannot be appealed beyond the Executive Directors of Student Services:

- Parent contact;
- Administrator/teacher/parent/student conference;
- Exclusion from extracurricular activities;
- Restitution or restoration, as applicable;
- In-school suspension;
- Out-of-school suspension;
- Placement in the DAEP.

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 [\(LOCAL\)](#)

Absences missed by a student suspended out of school will be considered excused if the student satisfactorily completes missed assignments in the same number of days he/she was absent.

A student assigned to the disciplinary alternative education program will be required to make up days missed due to an absence without permission and/or out-of-school suspension for disciplinary incidents before returning to his/her home campus.

Level III - Offenses

1. A student shall be removed from class and placed in a DAEP if the student engages in conduct that contains the elements of the false alarm under Section 42.06, Penal Code, or terroristic threat under Section 22.07, Penal Code.
2. A student shall be removed from class and placed in a DAEP if the student commits the following, on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - a. Engages in conduct punishable as a felony;
 - b. Engages in conduct that contains the elements of the offense of assault under Section 22.01(a)(1), Penal Code;
 - c. Sells, gives, or delivers to another person, or possesses, or uses or is under the influence of:
 - (1) Sells, gives, delivers to another person or possesses, uses, or is under the influence of marijuana or THC is mandatory DAEP by Chapter 481, Health and Safety Code, including "synthetic" or "look-alike drugs," or by 21 U.S.C. Section 801 *et seq.*; or
 - (2) Sells, gives, delivers to another person or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony is mandatory DAEP, as defined by Chapter 483, Health and Safety Code;
 - (3) Sells, gives, delivers to another person or possesses or uses an e-cigarette is mandatory DAEP.
 - d. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage;
 - e. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034 Health and Safety Code;
 - f. Engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code;
 - g. Engages in conduct that contains the elements of the offense of harassment under Section 42.07(a)(1),(2),(3), or (7), Penal Code, against an employee of the school district.
3. A student shall be removed from class and placed in a DAEP if the student engages in conduct, on or off school property, that contains the elements of the offense of retaliation under Section 36.06, Penal Code, against any school employee or volunteer
4. A student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:
 - a. The student receives deferred prosecution for conduct defined as a felony offense in Title 5, Penal Code, or the felony offense of aggravated robbery under Section 29.03, Penal Code;
 - b. A court or jury finds that the student has engaged in delinquent conduct for conduct defined as a felony offense in Title 5, Penal Code, or the felony offense of aggravated robbery under Section 29;03, Penal Code; or
 - c. The Superintendent or designee has a reasonable belief the student has engaged in delinquent conduct for conduct defined as a felony offense in Title 5, Penal Code, or the felony offense of aggravated robbery under Section 29.03, Penal Code;
 - d. A student is required to register as a sex offender regardless of whether the student is under court supervision.

5. A student shall be removed from class and placed in a DAEP if the student engages in expellable conduct and is between six and nine years of age.
6. A student shall be removed from class and placed in a DAEP if the student commits a federal firearms violation and is younger than six years of age.
7. A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:
 - a. The Superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than aggravated robbery under Section 29.03, Penal Code, or those offenses defined in Title 5, Penal Code; and
 - b. The continued presence of the student threatens the safety of other students or teachers or would be detrimental to the educational process.
8. A student may be removed from class and placed in a DAEP if the student engages in bullying that encourages a student to commit or attempt to commit suicide.
9. A student may be removed from class and placed in a DAEP if the student incites violence against a student through group bullying.
10. A student may be removed from class and placed in a DAEP if the student releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
11. A student may be removed from class and placed in a DAEP if the student participates in or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or gang.

12. Additional conduct after removal

If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted regarding that conduct and the principal or Board, as appropriate, may enter an additional order as a result of those proceedings.

13. Withdrawals

If a student withdraws from Klein ISD before an order for placement in a DAEP is entered, the principal or Board, as appropriate, may complete the proceedings and enter an order. If the student subsequently enrolls in Klein ISD during the same or subsequent school year, Klein ISD may enforce the order at that time except for any period of the placement that has been served by the student on enrollment in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the student enrolls may complete the proceedings and enter an order.

14. Certain off-campus conduct

The Board of Trustees, or the Board's designee, after an opportunity for a hearing, may elect to place a student in a DAEP under Section 37.008 if:

- a. The student has received deferred prosecution under Section 53.03 Family Code, for conduct defined as a Title 5 felony offense or has been found by a court or jury to have engaged in delinquent conduct under Section 54.03 Family Code, for conduct defined as a felony offense in Title 5, Penal Code, or the felony offense of aggravated robbery under Section 29.03, Penal Code; and

- b. The Board or the Board's designee has determined that the student's presence in the regular classroom (1) threatens the safety of other students or teachers; will be detrimental to the educational process; or (3) is not in the best interests of Klein ISD students.

Any decision of the Board or the Board's designee under this provision is final and may not be appealed. The Board or the Board's designee may order placement under the circumstances listed above regardless of: (1) the date on which the conduct occurred; (2) the location at which the conduct occurred; (3) whether the conduct occurred while the student was enrolled in Klein ISD; or (4) whether the student has successfully completed any court disposition requirements imposed in connection with the conduct. Such a placement may be for any period considered necessary by the Board or the DAEP Board's designee. The District's standard guidelines for lengths of removals do not apply; however, the student's placement will be reviewed at intervals required by the Texas Education Code.

15. Continuation of placement

Klein ISD may also require placement in a DAEP of a student who was placed in a DAEP by another school district or who was:

- a. Placed in a DAEP by an open-enrollment charter school under Education Code Section 12.131, and the charter school provides Klein ISD with a copy of the placement order; or
- b. Placed in a DAEP by a school district in another state and:
 - (1) the out-of-state district provides Klein ISD with a copy of the placement order; and
 - (2) the grounds for placement by the out-of-state district are grounds for placement in Klein ISD.

Note: If a student was placed in a DAEP by a school district in another state for a period that exceeds one year, and the student seeks to enroll in Klein ISD, Klein ISD shall reduce the period of placement so that the aggregate period does not exceed one year unless, after a review, Klein ISD determines that the student is a threat to the safety of other students or to Klein ISD employees or extended placement is in the best interest of the student.

16. Court-ordered placements

A student who has not been expelled but has been ordered for the first time in a school year to attend the district's DAEP by a court of law as a condition of probation shall attend the DAEP for the entire period of probation. A student who has been ordered to attend a DAEP by a court of law for a second or subsequent time in a school year shall be permitted to attend only with the school district's consent.

- 17. A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct for which removal is required, if the principal or other appropriate administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.
- 18. Pending the removal conference, a student may be suspended for up to three days.

Level III – Disciplinary Measures

1. Length of placements:

The period of placement in the DAEP may not exceed one year unless, after a review, the District determines that the student is a threat to the safety of other students or to District employees or extended placement is in the best interest of the student. A student assigned to the disciplinary alternative education program will be required to make up days missed due to an absence without permission and/or out-of-school suspension for disciplinary incidents before returning to his/her home campus.

- a. A student who knowingly possesses, is under the influence of, is involved in the delivery or sale of a controlled substance, dangerous drug, and/or marijuana in any form in any amount capable of being used in an illicit manner, shall be removed to a DAEP or expelled in accordance with the Klein ISD Board Policy and Chapter 37 of the Texas Education Code.

The length of assignment to the DAEP is as follows:

- 1st offense Minimum of 20 days in the DAEP
- 2nd and subsequent offenses during the year will result in a DAEP placement that will increase in increments of a minimum of 5 days per offense (i.e., 25 days, 30 days, 35 days, etc.)

The length of the expulsion is from forty-five (45) school days to ninety (90) school days as noted in Level IV Disciplinary Measures

- b. A student who knowingly possesses, is under the influence of, is involved in the delivery or sale of alcohol in any form in any amount capable of being used in an illicit manner, shall be removed to a DAEP in accordance with the Klein ISD Board Policy and Chapter 37 of the Texas Education Code.

The length of assignment to the DAEP is as follows:

- 1st alcohol offense Minimum of 20 days in the DAEP
- 2nd and subsequent offenses during the year will result in a DAEP placement that will increase in increments of a minimum of 5 days per offense (i.e., 25 days, 30 days, 35 days, etc.)

- c. A student who knowingly inhales, ingests, applies, uses, or possesses a substance containing hemp or an abusable volatile chemical in a manner designed to affect the person's central nervous system, create or induce a condition of intoxication, hallucination, or elation, or change, distort, or disturb the person's eyesight, thinking process, balance, or coordination, will be removed to the DAEP for a minimum of 20 days for the first offense. Each subsequent offense during the year will result in a DAEP placement that will increase in increments of a minimum of 5 days per offense (i.e., 25 days, 30 days, 35 days, etc.).
- d. A student who engages in off-campus conduct punishable as a Title 5 felony offense or the felony offense of aggravated robbery under Section 29.03, Penal Code will be removed to the DAEP for a minimum of 45 school days up to expulsion. The student is subject to removal until the student graduates, the charges are dismissed or reduced to a misdemeanor offense, or the student completes the term of placement or is assigned to another program.
- e. A student who engages in serious and/or persistent misbehavior that violates the Student Code of Conduct will be removed to the DAEP for a minimum of 20 days for the first offense. Each subsequent offense during the year will result in a DAEP placement that will increase in increments of a minimum of 5 days per offense (i.e., 25 days, 30 days, 35 days, etc.).
- f. An elementary student will be removed to the DAEP for a minimum of 10 days up to 20 days. A second offense resulting in removal to the DAEP in the same school year may result in additional days.
- g. A student who is required to register as a sex offender with/without any form of court supervision will be removed for 90 school days up to expulsion. The placement to DAEP may last through the graduation of the student, until registration as a sex offender is no longer required, or the student is assigned to another program.

- h. All other Level III first offenses at the secondary level shall result in removal for a minimum of 20 school days to the DAEP. Each subsequent offense during the school year will result in a DAEP placement that will increase in increments of a minimum of 5 days per offense (i.e., 25 days, 30 days, 35 days, etc.).
- i. Notwithstanding the provisions above, the campus behavior coordinator and/or Executive Directors of Student Services retain discretion in adjusting the length of placement in DAEP in consideration of relevant circumstances and the mitigating factors listed in Education Code Section 37.001.

For 1.f. and 1.g. above, at the end of the placement or expulsion period and before the beginning of school each year, a committee, according to state law, shall meet to recommend whether the student will continue the placement.

2. Appeal process

The site-based decision made by the campus behavior coordinator pertaining to a Level III offense will be by written order after a campus-level conference in which the student is given notice of the reasons for the recommended placement, an explanation of the basis of the removal, and a chance to respond. 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. Any written placement order shall specify the period of placement and indicate whether the period is inconsistent with the guidelines stated herein.

The DAEP placement decision may be appealed to the school principal and through the district's appeal process to the Executive Directors of Student Services, as the designees of the Board of Trustees. The decision of the Executive Director of Student Services is final and may not be appealed further. The district shall not delay disciplinary consequences pending the outcome of an appeal.

3. Exclusion from activities

A student who is removed from class and placed in the DAEP shall be prohibited from attending or participating in extracurricular activities during the period of placement.

4. Exceptions to DAEP placement requirements

- a. A student younger than age six may not be removed from class and placed in a DAEP. An elementary student may not be placed in a DAEP with any other student who is not an elementary student.
- b. Removal to a DAEP is not required if the student is expelled under Section 37.007 for the same conduct for which removal would have been required.

5. Emergency Placement

A student may be immediately placed in the DAEP if the principal or designee reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity. The reason for placement must be a reason for which placement in a DAEP may be made on a non-emergency basis. Within a reasonable time after the emergency placement, but not later than the 10th day after the placement, the student shall be offered the procedures applicable to other placements in the 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.

Level IV – Offenses

1. A student shall be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off school property:
 - a. Engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Section 46.02, Penal Code, or elements of an offense related to prohibited weapons under Section 46.05, Penal Code.
 - b. Engages in conduct that contains the elements of the offenses of:
 - (1) aggravated assault under Section 22.02, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;
 - (2) arson under Section 28.02, Penal Code;
 - (3) murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal attempt under Section 15.01, Penal Code, to commit murder or capital murder;
 - (4) indecency with a child under Section 21.11, Penal Code;
 - (5) aggravated kidnapping under Section 20.04, Penal Code;
 - (6) aggravated robbery under Section 29.03, Penal Code;
 - (7) manslaughter under Section 19.04, Penal Code;
 - (8) criminally negligent homicide under Section 19.05, Penal Code;
 - (9) continuous sexual abuse of a young child or disabled individual under Section 21.02, Penal Code.
 - c. Engages in the following conduct, if the conduct is punishable as a felony:
 - (1) sells, gives, or delivers to another person or possesses, or uses, or is under the influence of:
 - (a) marijuana or controlled substance, as defined by Chapter 481, Health and Safety Code, including “synthetic” or “look-alike drugs,” or by 21 U.S.C. Section 801 *et seq*; or
 - (b) a felony controlled substance or dangerous drug offenses are permissive expulsion as defined by Chapter 483, Health and Safety Code;
 - (2) sells, gives, or delivers to another person an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code, commits a serious act or offense while under the influence of an alcoholic beverage.
2. A student shall be expelled if the student engages in conduct that contains the elements of any offense listed in number 1, above, against any employee or volunteer in retaliation for or as a result of the person’s employment or association with a school district, without regard to whether the conduct occurs on or off school property or while attending a school- sponsored or school-related activity on or off of school property.
3. A student who is charged by school officials with bringing a firearm to the campus or to a school function on or off the campus, after a hearing to determine guilt, will be expelled from the Klein ISD for a period of no less than one (1) calendar year from the date of the offense.

4. A student may be expelled if the student:
 - a. Engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Section 42.06, Penal Code, or terroristic threat under Section 22.07, Penal Code;
 - b. Engages in conduct that contains the elements of an offense under Section 22.01 (a)(1), Penal Code (Assault as when a person: intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse), against a school district employee or a volunteer as defined by Section 22.053, regardless of where the assault occurs;
 - c. Engages in conduct that contains the elements of the offense of criminal mischief under Section 28.03, Penal Code, if the conduct is punishable as a felony under that section;
 - d. Engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02 Penal code, if:
 - (1) the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and
 - (2) the student knowingly:
 - (a) alters, damages, or deletes school district property or information; or
 - (b) commits a breach of any other computer, computer network, or computer system.
 - e. Engages in bullying that encourages a student to commit or attempt to commit suicide.
 - f. Incites violence against a student through group bullying.
 - g. Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
 - h. Continues to engage in documented serious misbehavior while on the program campus despite documented behavioral interventions while placed in 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 Section 1.07, Penal Code; or
 - (4) conduct that constitutes the offense of:
 - (a) public lewdness under Section 21.07, Penal Code;
 - (b) indecent exposure under Section 21.08, Penal Code
 - (c) criminal mischief under Section 28.03, Penal Code;
 - (d) hazing under 37.152, or
 - (e) harassment under Section 42.07(a)(1), Penal Code, of a student or district employee;
 - i. Engages in conduct that contains the elements of aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, or aggravated robbery against another student, without regard to whether that conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property;
 - j. Subject to Education Code Section 37.007(d), if within 300 feet of school property, as measured from any point on the school's real property boundary line:
 - (1) Engages in conduct specified by Education Code Section 37.007(a), as outlined above in item 1 of this section; or
 - (2) Possesses a firearm, as defined by federal law.

- k. While on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property:
 - (1) Sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of marijuana or a controlled substance, including "synthetic" or "look-alike drugs," a dangerous drug, or an alcoholic beverage, if the conduct is not punishable as a felony; or commits a third or subsequent misdemeanor drug offense while a student in grades 6–12 in the Klein ISD. (Texas Education Code Section 37.007)
 - (2) Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code;
 - (3) Engages in conduct that contains the elements of the offense of deadly conduct under Section 22.05, Penal Code.
- l. Engages in conduct punishable as a felony offense under Title 5 of the Penal Code or the felony offense of aggravated robbery under Section 29.03, Penal Code without regard to whether the offense occurred on or off school property or whether the offense involved students or school employees.
- m. Is a registered sex offender regardless of whether the student is under court supervision.
- 5. A student who attends school in Klein ISD and who engages in conduct described in item 1, above, may be expelled from school if the student engages in that conduct:
 - a. on school property of another Texas school district; or
 - b. while attending a school-sponsored or school-related activity of a school in another Texas school district.
- 6. Emergency Expulsion
 The principal or the principal's designee may order the immediate expulsion of a student if the principal or the principal's designee reasonably believes that action is necessary to protect persons or property from imminent harm. The reason must be a reason for which expulsion may be made on a non-emergency basis. Within a reasonable time, but not later than the 10th calendar day after the date of the expulsion, the student shall be offered the due process outlined in this Code of Conduct for expulsions.

Level IV – Disciplinary Measures

- 1. A student who uses, exhibits, or possesses a firearm as defined by 18 U.S.C. 921 shall be expelled for at least one (1) calendar year from the date of the offense.
- 2. A student who is expelled for conduct relating to a felony offense under Title V., Penal Code, or the felony offense of aggravated robbery under Section 29.03, Penal Code shall be expelled for a length of forty-five (45) school days to ninety (90) school days. The student is subject to expulsion until the student graduates, the charges are dismissed or reduced to a misdemeanor offense, or the student completes the term of placement or is assigned to another program.
- 3. A student registered as a sex offender with/without court supervision who is expelled shall be expelled for 90 school days. The expulsion may last through the graduation of the student, until the student is not required to register as a sex offender, or until the student is assigned to another program.
- 4. A student who commits any other Level IV offense shall be expelled for a period of 45 school days up to 90 school days.

For 3 above, at the end of the expulsion period and before the beginning of school each year, a committee, according to state law, shall meet to recommend whether the student will continue the placement.

5. 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

6. 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 in the student's defense; and
3. An opportunity to question district witnesses present 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 student's parent attends.

The Board of Trustees has delegated to the Executive Directors of Student Services the authority to conduct hearings and expel students.

7. Appeals. A decision to expel a student may be appealed to the Board of Trustees in accordance with the Inquiries, Complaints, and Appeals procedures in Klein ISD Board Policy [FNG \(LOCAL\)](#). Consequences shall not be deferred pending the outcome of any appeal. The period of expulsion may not extend beyond one calendar year unless, after a review, the District determines that the student is a threat to the safety of other students or Klein ISD employees. If the period of an expulsion is inconsistent with the guidelines included in this Code of Conduct, the expulsion order must give notice of the inconsistency.

8. Withdrawal during Process. When a student has violated the district Code of Conduct in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and the 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, appropriate administrator, or the Board of Trustees or the Board's designee fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

9. Newly Enrolled Students. If a student who has been expelled by another school district or open-enrollment charter school enrolls in Klein ISD, Klein may continue the expulsion under the terms of the order, place the student in a DAEP for the period specified by the expulsion order, or allow the student to attend regular classes without completing the period of expulsion. Klein ISD may take any action permitted by the preceding paragraph if the student was expelled by a school district in another state if:
1. The out-of-state district provides to Klein ISD a copy of the expulsion order; and
 2. The grounds for the expulsion are also grounds for expulsion in Klein ISD.

However, if a student was expelled by a school district in another state for a period that exceeds one year, and Klein ISD continues the expulsion or places the student in a DAEP, Klein ISD shall reduce the period of expulsion or placement so that the aggregate period does not exceed one year unless, after a review, Klein ISD determines that the student is a threat to the safety or other students or to Klein ISD employees or extended placement is in the best interest of the student.

10. Miscellaneous Provisions. A student younger than ten (10) years of age may not be expelled for engaging in conduct described in this section except as required by Federal law.

An expelled student shall be provided educational services or be placed in the Harris County Juvenile Justice Alternative Education Program as specified in Section 37.011 of the Texas Education Code.

The principal shall inform each teacher who has regular contact with a student through a classroom assignment of the conduct of a student who has engaged in any violation listed as a Level IV offense. A teacher shall keep the information received confidential. The State Board of Education may revoke or suspend the certification of a teacher who intentionally violates this requirement.

11. 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.

Approved:

6/2024

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:

1. A crime that involves 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. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
 - a) Recklessly damages or destroys a building belonging to another, or
 - b) Recklessly causes another person to suffer bodily injury or death.

Assault is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as 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 in Section 37.0832 of the Education Code 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.

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. A blackjack, nightstick, mace, and tomahawk are in the same category.

Controlled substance means a substance, including a drug, an adulterant, and a diluent, 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 Section 37.0832 of the Education Code 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 drugs are 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 a 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 Section 37.001(b)(2) of the Education Code; 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 Section 37.151 of the Education Code 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; and
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 Section 37.001(b)(3) of the Education Code 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, clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including, but not limited, to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or 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:
 - a) An explosive weapon;
 - b) A machine gun;
 - c) 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, 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 Section 37.121(d) of the Education Code 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 Article 15.27 of the Code of Criminal Procedure.

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

Serious 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 school work 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 Sec Section 22.08 and;
- Tampering with a consumer under Section 22.09

[See [FOC \(LEGAL\)](#).]

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, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.