

Student Code of Conduct

Changes & Updates for 2025-2026

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TASB Model

Student Code of Conduct and Student Handbook

provided by Texas Association of School Boards (TASB)

Leading the Changes or Updates-

- ❖ **Chapter 37** of the Texas Education Code
- ❖ **Campus Feedback:** Campus administrators provide feedback and suggested changes to the Student Handbook/Code of Conduct.
- ❖ **District Review:** Recommended changes were reviewed by the executive leadership team as well as district directors and coordinators for potential implementation.
- ❖ **Law and Policy:** Review references and align content
- ❖ **Legal Requirements:** Included in content
- ❖ **89th Legislative Session:** Review relevant changes

Legislative Bills from the 89th Legislative Session that affect the Student Code of Conduct

- **House Bill (HB) 6** makes [substantial changes to Chapter 37](#), including clarifying the length of suspensions, removing [mandatory DAEP](#) placements for possession of an e-cigarette, and allowing districts to create virtual expulsion programs, among other things.
- **House Bill (HB) 1481** mandates that school districts and open-enrollment charter schools adopt a written policy prohibiting students from using [personal communication devices](#) on school property during the school day. The policy must outline disciplinary measures for violations and may include provisions for device confiscation. Exceptions are provided for students with medical needs or those requiring the devices for IEPs or Section 504 plans.

Legislative Bills from the 89th Legislative Session that affect the Student Code of Conduct

- **Senate Bill (SB) 326** amends the Education Code to address [antisemitism](#) in public schools and higher education institutions. It requires these institutions to use the definition of antisemitism found in Government Code section 448.001 when determining whether a student's conduct that violated the code of conduct was motivated by antisemitism.
- **Senate Bill (SB) 569** expands virtual and hybrid education in public schools, establishing new rules for full-time virtual and hybrid campuses. It mandates that school districts [consider virtual/hybrid](#) education as an alternative to expulsion before expelling a student. The bill also outlines requirements for academic and operational planning for these programs, ensures accountability for virtual instruction providers, and provides funding through the Foundation School Program.

Note: This is not an inclusive list of all Legislative bills passed.

Campus Behavior Coordinator - “CBC”

Each campus must designate a single person as a campus behavior coordinator (Campus Administrator).

Additional staff may assist the CBC, provided the CBC “personally verifies” compliance.

CBC must monitor disciplinary referrals and made reports to the campus threat assessment team.

CBC duties-

- Monitor disciplinary referrals;
- Report to the campus's threat assessment and safe and supportive school team any student who engages in conduct that contains the elements of:
 - terroristic threat
 - unlawfully carrying weapons
 - an offense relating to prohibited weapons or
 - exhibiting, using, or threatening to exhibit or use a firearm
- report to the campus's threat assessment and safe and supportive school team any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others

Antisemitism (SB 326)

**Requires definition & examples*

General Conduct Violations- Mistreatment of Others

Students shall not:

Engage in any behavior that violates the Student Code of Conduct and is motivated by antisemitism. [See Glossary]

Glossary:

Antisemitism is defined by [Government Code section 448.001](#) as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

Personal Communication Device (HB1481)

- Requires a policy prohibiting students from using cell phones, smart watches & personal communication devices on school property during the school day- *new policy coming soon FNCE (LOCAL)*

Students shall not:

- Bring or use a personal communication device, including a cell phone, or other electronic device on school property during the school day. [See Glossary]
- The district may authorize the use of a personal communication device for the following reasons:
- To implement an individualized education program (IEP) or for a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) or a similar program or plan;
- With documented need based on a directive from a qualified physician; or
- To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.

Inappropriate use of a personal communication device during the school day will result in disciplinary action in accordance with this Code of Conduct.

Misuse of Technology Resources and the Internet

Students shall not:

- Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

Miscellaneous Offenses

- Engage in academic dishonesty, which includes cheating or copying the work of another student, **unauthorized use of artificial intelligence**, plagiarism, and unauthorized communication between students during an examination.

First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette (HB6)

An appropriate administrator may place a student in a disciplinary alternative education program (DAEP) for the first-time offense of possession or use of a nicotine delivery product or e-cigarette, as defined by Section 161.081, Health and Safety Code.

If a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program (DAEP) for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days.

Parental Involvement (HB 6)

The principal, campus behavior coordinator, or other appropriate administrator shall notify the parent of, or person standing in parental relation to, a student who has been placed in a disciplinary alternative education program (DAEP) or expelled of the parent's or person's right to request a behavioral agreement that specifies the responsibilities of the parent or person and student.

The behavioral agreement must specify the responsibilities of the student and parent/guardian. If followed, the agreement may result in a reduced disciplinary placement period, as outlined in the agreement. Reduction in the disciplinary placement period does not entitle the student to different disciplinary placement. The decision to reduce, revoke, or amend the disciplinary placement period is at the sole discretion of the school administration. Compliance with the agreement is required for the reduction to remain valid.

****The commissioner will adopt a model behavior agreement for school districts to use as a guideline.***

Teacher Removal (HB6)

- Allows teachers to remove students from class if the student:
- Repeatedly interferes with the teacher's ability to communicate effectively with the students or their classmates' ability to learn
- Demonstrates behavior that is unruly, disruptive, or abusive toward another person, or engages in bullying
- If the teacher removes a student, the principal may not return the student to the teacher's class without the teacher's written consent unless:
 - (1) the placement review committee determines that is the best or only alternative available;
 - (2) the principal prepared a plan for the student's return to the class;
 - (3) the teacher was provided an opportunity for a conference within 3 days of the removal; and
 - (4) the plan is discussed with the teacher at the conference.
- Commissioner will develop a model plan for return to class.
- A student may appeal a teacher's removal from class to the placement review committee or the safe & supportive school team.

Teacher Removal- Placement Review Committee

- Each campus must have a placement review committee, consisting of 3 members:
- Campus faculty shall choose 2 teachers to serve as members and 1 teacher to serve as an alternate; and
- The principal shall choose 1 member from the professional staff of a campus.

-Tex. Educ. Code 37.003

Teacher Removal- *from NISD SCOC*

A teacher may initiate a formal removal from class if:

1. A student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn.
2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student in the classroom.
3. A student engages in conduct that constitutes bullying, as defined by Education Code 37.0832.0.

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

Teacher Removal- *from NISD SCOC cont.*

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

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

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

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

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom (HB6)

A student who has been formally removed by a teacher for any other conduct **may not** be returned to the teacher's class **without the teacher's written consent** *unless the placement review committee determines* that the teacher's class is the best or only alternative, and not later than the **third class day** after the day the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides **written consent** for the student's return or a return to class plan has been prepared for that student.

Appeals of Formal Teacher Removals (HB 6)

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

In-School Suspension (HB 6)

An in-school suspension is not subject to any time limit.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date of the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate.

During in-school suspension, a student shall receive appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's individualized education program (IEP) and continue to have an opportunity to progress in the general curriculum.

In-School Suspension- Process

Before being suspended, a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision. The CBC shall determine the number of days of a student's suspension.

In deciding whether to order in-school suspension, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care);
6. A student's status as homeless.

Appeals (SB 12)

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the appendix, central administration office or online at

<https://www.nisdtx.org>

**Appeal forms will be included as an appendix in the Student Code of Conduct FNG (LOCAL)*

Alternative Assignment (HB6)

A parent or person standing in parental relation to the student may submit a written request to the principal or other appropriate administrator to reassign a student placed in out-of-school suspension. The parent or person standing in parental relation to the student must provide information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. It is the sole discretion of the principal or other appropriate administrator to reassign the student placed in out-of-school suspension.

Disciplinary Alternative Education Program (DAEP)

The DAEP shall be provided in a setting other than the student's regular classroom.

An elementary school student may **not** be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, **elementary classification** shall be kindergarten-grade 5 (ages 6 years and up) and secondary classification shall be grades 6-12.

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

DAEP (additional offenses)

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

- Engages in conduct that contains the elements of the offense of disruptive activities under Education Code 37.123.
- Engages in conduct that contains the elements of the offense of disruption of classes under Education Code 37.124.
- Possesses or uses an e-cigarette, as defined by Section 161.081, Health and Safety Code, except that if a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days. See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for additional information.

Mandatory DAEP (HB 6)

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. [see Glossary]
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
- Engages in conduct punishable as a felony.
- Commits an assault [see Glossary] under Penal Code 22.01(a)(1).
- Except as provided by Education Code 37.007(a)(3), sells, gives, or 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 offense. [School-related felony drug offenses are addressed in Expulsion.] [See Glossary for "under the influence," "controlled substance," and "dangerous drug."]

Mandatory DAEP (HB 6)

- Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Sells, gives, or delivers to another person ~~or possesses or uses~~ an e-cigarette, as defined by Section 161.081, Health and Safety Code.

**HB 6 removes mandatory DAEP placement for possession or use of e-cigarettes. It also clarifies that a felony offense is also a mandatory expulsion.*

Mandatory DAEP (HB 6)

- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation under Penal Code 36.06 against any school employee or volunteer on or off school property.
- Engages in conduct that contains the elements of harassment under Penal Code 42.07 against any school employee or volunteer on or off of school property.

Mandatory DAEP (HB 6)

The student receives deferred prosecution [see Glossary], or a court or jury finds that the student has engaged in delinquent conduct [see Glossary], or the superintendent or designee has a reasonable belief [see Glossary] under Section 53.03, Family Code, for conduct defined as any of the following offenses under the Penal Code:

1. A felony offense under Title 5;
2. The offense of deadly conduct under Section 22.05;
3. The felony offense of aggravated robbery under Section 29.03;
4. The offense of disorderly conduct involving a firearm under Section 42.01(a)(7) or (8); or
5. The offense of unlawfully carrying weapons under Section 46.02, except for an offense punishable as a Class C misdemeanor under that section.

Mandatory Expulsion (HB 6)

A student must be expelled under federal or state law for any of the following offenses that occur ~~on school property or while attending a school-sponsored or school-related activity~~ on or off school property.

Questions