

# Eanes Independent School District

## Student Code of Conduct 2025–26 School Year



Approved by the Eanes ISD Board of Trustees on June 18, 2024.

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## GENERAL OVERVIEW

### **PURPOSE**

All Eanes ISD students are entitled to basic rights of citizenship recognized and protected by law for persons of their age and maturity. In addition, students are expected to demonstrate respect for the rights, privileges, and property of others. The District supports the position that the benefits of education are dependent upon positive student attitudes toward learning and student adherence to high principles of behavioral conduct.

Students who violate the rights of others and/or who violate classroom, campus, or District rules and/or state and federal law will be subject to appropriate disciplinary measures. These actions are designed to correct misconduct and to promote adherence by all students to their responsibilities as citizens in the school community.

The Board of Trustees adopted this Student Code of Conduct (SCC) to promote a safe, secure, and optimal learning environment for all students. Inside you will find information regarding:

- The District-wide discipline management plan;
- A description of prohibited conduct;
- The disciplinary options, methods, and consequences for preventing and addressing student misconduct; and
- The process the District will follow when administering disciplinary consequences.

If there is a conflict between the SCC and the Student Handbook, the terms of the SCC will control. If there is a conflict between the SCC and District policy, the more recently adopted item will control.

### **ADDITIONAL RULES**

Students may be subject to campus, classroom, extracurricular, and/or organization rules in addition to those found in the SCC. Students may face consequences under these additional rules as well as possible disciplinary action under the SCC. Further, to the extent a student engages in misconduct that is not specifically addressed in the SCC, the student may still be disciplined if the misconduct disrupts or interferes with the educational process, learning environment, or school safety.

### **GENERAL STANDARDS OF CONDUCT/CODE OF CIVILITY**

In order to promote a positive educational experience for all students, the District expects students, staff, parents, guardians, and members of the community to adhere to seven basic standards of conduct:

1. Exercise self-control, self-respect, and self-discipline;
2. Demonstrate a positive attitude;

3. Respect the rights and feelings of others;
4. Respect school property;
5. Support the learning process;
6. Adhere to campus and District policies and rules; and
7. Promote a safe environment.

Among other things, this means each student is expected to be honest; attend all classes, regularly and on time; be prepared for each class; be appropriately dressed and groomed, as outlined in the campus student handbook; and to cooperate with and/or assist school staff in maintaining safety, order and discipline.

This also means that parents and guardians shall support their student in attending all classes; being on time for classes; being prepared for classes; and support their student's cooperation with and/or assistance with school staff in maintaining safety, order, and discipline. Parents and guardians understand and agree that to have a safe campus and properly effectuate disciplinary issues, their student may be questioned as part of an investigation by District staff without advanced notice. This is done for the safety of the students and campus and to preserve the integrity of the investigation process.

Because of significant variations in student conduct, it is not always possible for the SCC to address each and every act of student misbehavior. To that end, the District retains discretion to address student misconduct that is inconsistent with these standards even though the conduct may not be specifically included in the SCC.

#### **NOTICE OF DISCIPLINARY ACTION**

Teachers and administrators strive to notify parents/guardians of student conduct concerns as they occur. The campus principal/campus behavior coordinator or other administrator shall promptly notify a student's parent/guardian by phone or in person of any violation that may result in suspension, Disciplinary Alternative Education Program (DAEP) placement, or expulsion from school. The administrator shall also notify a student's parent/guardian if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent/guardian written notification of the disciplinary action. If the parent/guardian has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the administrator shall send written notification.

Before the principal, campus behavior coordinator or other administrator assigns a student under 19 to detention outside regular school hours, notice shall be given to the student's parent/guardian to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

## **ELEMENTARY STUDENTS**

Students younger than 10 must receive services in a DAEP if they commit an expellable offense. However, a student younger than 6 may not be sent to DAEP unless the student commits a firearm offense under Texas Education Code section 37.007(e)(2).

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

## **ANTI-DISCRIMINATION**

The District does not discriminate against students on the basis of race, color, religion, sex (including biological sex, gender identity, sexual orientation, and gender stereotypes), gender, national origin, age, disability, or any other basis prohibited by law when enforcing the provisions of the SCC.

## **OFFENSIVE LANGUAGE**

It is the position of the Eanes ISD Board of Trustees and Administration that the use of offensive language in the school environment is unacceptable and creates a hostile work and educational environment. Such language includes, but is not limited to, the use of slurs or offensive language related to race, gender and/or sexual orientation, disability and religious beliefs. In order to maintain a safe and appropriate educational environment for students and employees, all district employees and students are required to report such violations of the SCC to the appropriate campus administrator. Such behavior is outlined below.

## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

The discipline of students with disabilities is subject to applicable state and federal law, in addition to this SCC. 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).

In accordance with the Texas Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists until an Admission, Review and Dismissal (ARD) meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the District shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

## **EFFECT OF STUDENT WITHDRAWAL**

Withdrawal from school after a student has been accused of a violation of the SCC will not prevent the District from investigating the alleged violation and, if it is determined that a violation did occur,

assessing the appropriate disciplinary consequence and enforcing that consequence should the student re-enroll in the District. If a student who makes a threat that triggers a mandatory state threat assessment withdraws from the District, the District will still comply with the mandatory state laws.

### **ACADEMIC AND DISCIPLINE RECORDS**

Placement in in-school suspension, out-of-school suspension, or DAEP is not referenced or noted on a student's official transcript. If a student is placed in the Juvenile Justice Alternative Education Program (JJAEP) and receives credit during that placement, such credit is noted on a student's official transcript as earned through the JJAEP.

If a student enrolls in another school district, Eanes ISD is required to transfer certain discipline records to the newly enrolling school.

### **PARTICIPATING IN GRADUATION ACTIVITIES**

The District has the right to limit a student's participation in graduation activities for violating the Student Code of Conduct. Participation may include a speaking role, as established by District policy and procedures. For students who have completed their DAEP assignment prior to graduation, please see page 39.

### **LEVELS OF VIOLATIONS IN THE STUDENT CODE OF CONDUCT**

The SCC classifies student violations according to their significance. There are five levels of increasingly serious violations. Minor offenses are classified as Level I violations. The most serious offenses are classified as Level V. Each level carries a range of consequences and learning experiences that are appropriate for the particular violation. Due to the nature of some infractions, they may be listed under more than one level. In these cases, the principal will decide upon the appropriate level and consequence according to the specific circumstances of the violation. Repeated violations in one level may result in disciplinary consequences at the next level.

### **PROCEDURES FOR STUDENT DISCIPLINE REFERRALS**

Most Level I offenses are considered minor violations of the SCC, and, therefore, a written report of such offenses is ordinarily not required to be filed with the school principal or other appropriate administrator. However, if the teacher (1) imposes school detentions, (2) removes the student to the principal's office, or (3) has the student enter a behavioral contract, the teacher may file with the school principal or the other appropriate administrator a written report, not to exceed one page, documenting the violation. A written report will generally be the discipline referral, but the administrator has the ability to generate a more detailed report, depending on the discipline infraction.

The appropriate campus staff with knowledge that a student violated the SCC at Level II or higher must file a written report with the school principal. The principal or other appropriate administrator will make a copy of the report available to the student's parents or guardians as soon as possible but not later than three school days after receipt of the report from the teacher. All consequences will be recorded and kept on file for future reference.

### **ALL DISCIPLINE APPEALS**

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals of disciplinary measures should be addressed in accordance with Board policy FNG(LOCAL) for Level I and II, except that *discipline appeal decisions are final at Level II*. The two levels of appeal available for discipline are:

1. Campus Level: Appeal to the building principal.
2. District Level: If a student, parent, guardian, or representative desires to appeal the building principal's decision, then the Superintendent or designee shall hear the appeal. After hearing and reviewing all information pertaining to the incident, the Superintendent or designee issues the District's decision, which is final.

A copy of the FNG (Local) may be obtained at the campus or central administration office or on the District's website under the *Board Policy Online* page:

<http://www.eanesisd.net/board>.

Timelines for filing appeals stated in FNG (Local) and this SCC will be enforced. Failure to give timely notice of an appeal shall constitute a waiver of the student's right to appeal. Disciplinary consequences will not be delayed or deferred pending the outcome of an appeal.

### **GENERAL APPEAL FORMAT**

In addition to discipline appeals (referenced above), students, parents, guardians, or representatives can appeal other matters under FNG (Local). In general, campus level appeals aim to be more informal in an effort to resolve matters at the lowest level possible. Campus principals (or designee) have the discretion to change the format of such appeal.

However, appeals to Level 2 at the District Level shall be more formal: the hearing officer can set a designated time for each side to present its "case" to the hearing officer. Both parties presenting shall refrain from questioning each other directly; the hearing officer shall have all authority to ask questions of either party.



## **SCOPE OF THE DISTRICT'S DISCIPLINARY AUTHORITY**

### **GENERAL AUTHORITY**

In addition to the disciplinary authority established for certain types of offenses as described within the SCC, the District has general disciplinary authority over a student at the following times:

- At any time during the school day if a student is attending school in person;
- If a student is attending school remotely, at any time the student is accessing District learning with other District students and/or staff, including synchronous instruction, small group lessons, and special services;
- While traveling on district owned or operated transportation or during school-related travel;
- While attending any school-sponsored or school-related activity, regardless of time or location;
- As provided in extracurricular or organization handbooks, by-laws, or constitutions;
- During lunch periods, including those in which a student leaves the campus;
- While on District property at any time during or outside the school day;
- For any school-related misconduct, regardless of time or location, including misuse of District technology;
- Other off campus conduct, including cyberbullying, as permitted by Chapter 37 of the Texas Education Code;
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location; and
- If the student is a registered sex offender.

### **THREAT ASSESSMENT AND SAFE AND SUPPORTIVE SCHOOL TEAM**

The campus behavior coordinator/other appropriate administrator will work closely with the District's 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 this SCC.

### **SEARCHES**

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

A student's clothing; personal property; electronic device or technology equipment; method of transportation; or school property used by the student (such as lockers or desks) may be searched by a school administrator when there is reasonable suspicion to believe the search will reveal articles or

materials prohibited by the District. Students are responsible for ensuring that any personal property, method of transportation or school property used by the student does not contain prohibited items. Students may be disciplined for possession of prohibited items discovered during a search.

Desks, lockers, District-provided technology, and similar items are the property of the District and are provided for student use. District property is subject to search or inspection at any time without notice and resulting disciplinary consequences can ensue for misuse of any District property (including technology).

### **CRIMINAL CONDUCT**

School administrators will report crimes as required by law and may contact local law enforcement regarding suspected criminal activity. Certain acts of misconduct may constitute criminal offenses in addition to violations of the SCC. Because school discipline is independent of criminal proceedings, disciplinary consequences may not be postponed pending the outcome of any criminal proceeding or affected by the outcome of any criminal proceeding.

## **EANES ISD POLICE DEPARTMENT**

The Eanes ISD Police Department is commissioned to ensure sufficient security and protection of students, staff, and property. District police officers are licensed state peace officers who are vested with all the powers, privileges, and immunities of peace officers while the officers are performing their duties as defined by Board policies.

### **EJECTION FROM CAMPUS**

In accordance with Education Code 37.105, a school administrator, district police officer, security officer, or school resource 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. The timelines for the District's grievance procedures shall be adjusted as necessary to permit the person to address the Board within 90 days, unless the complaint is resolved before a Board hearing.

### **Questioning of Students by Law Enforcement Officers/Officials**

When law enforcement officers or other lawful authorities other than an EISD Police Department Officer wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, if the questioning or interview is part of a child abuse investigation.

In other circumstances:

- The principal will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student at school.
- The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
- The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.

## **DISCIPLINE CONSIDERATIONS AND TECHNIQUES**

### **DISCIPLINE CONSIDERATIONS**

When deciding to order any mandatory or discretionary disciplinary consequence, including but not limited to, out-of-school suspension, DAEP placement, expulsion, or placement in JJAEP of a student, the District shall consider:

1. Self-defense (see *definitions*);
2. The student's intent (see *definitions*) or lack of intent at the time of 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 to the extent required by state and federal law;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

Additionally, using their professional judgment, District employees shall also consider a variety of factors when administering all disciplinary consequences and determining the duration of the consequence, including but not limited to:

- The degree of severity and the risk of danger;
- The effect of the misconduct;
- The frequency of the misconduct;
- The age and grade level of the student;
- The student's demeanor; and
- Legal requirements, including consistency.

## **DISCIPLINE MANAGEMENT TECHNIQUES**

Discipline is designed to improve conduct, correct student behavior, and encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgement of teachers and administrators and on a range of discipline management techniques and restorative practices. The District may use any one or a combination of the following strategies or techniques to manage student behavior, prevent or intervene in discipline problems, or address violations of the SCC, campus, or classroom rules:

- Verbal correction;
- Seating changes;
- Parent conferences, including telephone calls;
- Removal from the classroom;
- Contracts to modify student behavior;
- Sending the student to the office or other area;
- Assignment of school-related tasks or duties;
- Calming-down time, in accordance with law;
- Demerits or rewards;
- Confiscation of items;
- School probation;
- Restitution to the District or an individual;
- Transfer to a different classroom or campus;
- Revocation or restriction of transportation privileges;
- Loss or restriction of privileges, participation or membership in co-curricular or extracurricular activities, and seeking or holding honorary positions;
- Loss or restriction of access to technology (either personal or District provided);
- Counseling by teachers, counselors, or administrators;
- In-school suspension;
- Out-of-school suspension;
- Placement in a DAEP;
- Expulsion;
- Consequences identified in co-curricular or extracurricular codes of conduct, constitutions, or by-laws;
- Detention;
- Mediation; and/or
- Other strategies and consequences determined by school officials to be appropriate and designed to further the goals outlined in this SCC.

Disciplinary consequences are not appropriate for failure to meet assigned academic requirements. However, teachers and administrators may impose academic consequences, including grade reductions, as permitted by policy regarding unexcused absences and academic dishonesty, and for the student's

failure to meet assigned academic requirements consistent with grading standards and practices communicated to students at the beginning of the semester or school year.

By policy, Eanes ISD prohibits the use of corporal punishment for student discipline.

### **PROHIBITED AVERSIVE TECHNIQUES**

In accordance with law, aversive techniques are prohibited for use with students. Aversive techniques are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain.

## **LEVELS OF DISCIPLINARY BEHAVIOR**

The SCC ensures that all students have the opportunity to develop their skills, knowledge, and competencies in a nurturing and accountable school setting. Discipline is one aspect of school culture and the management system and should be reasonable, timely, fair, age-appropriate, and match the severity of the student's misbehavior.

### **Level I. Minor Infractions**

Minor infractions are not of a severe nature but may indicate a specific need. The goal of Level I discipline is to identify student needs and provide support, so students are able to behave in ways that positively contribute to academic achievement, social-emotional well-being, and school success. It should foster a school environment that maintains safe and orderly learning communities and balances the needs of the student, the needs of those directly affected by behaviors, and the needs of the overall school community.

#### **Level I incidents may include, but are not limited to:**

- Disruption of school activities; including virtual learning.
- Bringing any item, foods, or beverages with logos, images, words, or any other print that is offensive and not school appropriate, which are prohibited on campus, district events, and activities. This includes but is not limited to logos and company names of alcohol, tobacco, and/or drugs.
- Giving false information either verbally or in writing to a school staff member;
- Failure to follow the directions of a teacher, principal, bus driver, supervisor, or any other school staff member;
- Disrespect towards a staff member;
- Gambling;
- Tardiness or truancy;
- Littering on school grounds;

- Trespassing;
- The use of “Personal Communication Devices” is prohibited at all campuses. The State of Texas defines these devices to include personal cell phones, smart watches, tablets, etc. Violations of this rule shall start as a Level 1 incident, details of which are specified on page 25.

For Level I incidents, behaviors should be supported using one or more of the management techniques appropriate for the student, the school environment, and the situation:

- Mediation or conflict resolution sessions;
- Behavior contracts;
- Bus warnings;
- Parent/family conference with student;
- In-class redirection/warning;
- Change of seat assignment;
- Confiscation of inappropriate item(s);
- Loss of privilege(s);
- Parent conference;
- Parent phone call or note;
- Verbal warning;
- Teacher or designated staff counsels the student;
- Additional in-class supports/supplementation;
- Special education students—refer to IEP; and § 504 students—refer to § 504 Accommodation Plan.

For Level I incidents, the following corrective actions and/or Level II interventions may also be applied:

- Assignment to in-school suspension;
- Removal from bus transportation;
- Detention;
- Special education students—refer to IEP; and § 504 students—refer to § 504 Accommodation Plan.

## **LEVEL II. SERIOUS DISRUPTIVE BEHAVIOR**

In general, Level II incidents are considered more serious in nature and will need more intensive learning experiences.

The discipline techniques at this state are designed to teach the students positive alternative behaviors or to impress upon the student the consequences of negative behavior. After investigating the scope and nature of the incident, the campus administrator may implement any one or more of the discipline management techniques.

Level II serious disruptive incidents may include, but are not limited to:

- Possession of articles inappropriate for school including prohibited electronic devices, pepper spray, matches, laser pointers, and/or printed material not appropriate for school.
- Improper use of telecommunication devices, authorized or unauthorized [see Attachments A, B, and C; *see also* the Student Handbook].
- Cheating
- Harassment, bullying, cyber-bullying [see Bullying, page 22].
- Persistent or pervasive Level I offenses
- Vandalism
- Elementary school physical altercations
- Encouraging another student to engage in violence or a SCC violation
- Horseplay
- Initiating physical aggression (that does not rise to the level of assault)
- Continuous prohibited use of personal communication devices

For Level II incidents, behaviors should be supported using one or more of the management techniques appropriate for the student, the school environment, and the situation:

- Conference with campus administrator;
- Behavioral contracts;
- Loss of privilege(s);
- Confiscation of inappropriate item(s);
- Partial or complete denial of attendance and/or participation in extracurricular activities;
- Before/after school and/or Saturday detention;
- Removal from class for campus ISS;
- Parent notification/parent conference;
- Teacher removal from class, documented behavior;
- Special education students—refer to IEP; and § 504 students—refer to § 504 Accommodation Plan;
- Referral to Eanes ISD Police Department from appropriate legal action.

A second Level II incident may result in any of the above consequences or out-of-school suspension (OSS) for up to three days and/or additional assignment to in-school suspension (ISS). Repeated or serious Level II incidents may ultimately result in assignment to DAEP.

### **Level III. Serious or Persistent Misbehavior**

After reasonable discipline management techniques have been attempted and the campus administrator determines that the student's presence in the regular classroom is disruptive to other students or persistent misbehavior violates the previously communicated standards of student conduct,

the building administrator may assign in-school suspension (ISS) or out-of-school suspension (OSS) (up to three days for OSS) or remove a student to a disciplinary alternative education program (DAEP).

**Behaviors leading to such action may include, but are not limited to:**

- Vandalism
- Tampering with, changing, or altering records or documents of the District by any method, including, but not limited to, computer access or other electronic means
- Cheating—denial of credit
- Directing profanity, vulgar language or obscene gestures toward another student, school personnel, or any other person
- Engaging in verbal abuse, i.e., name-calling, ethnic or racial slurs, or derogatory statements (inclusive of “jokes” or “teasing”) addressed publicly to others that may disrupt the school program or incite violence
- Fighting
- Harassment or bullying
- Insubordination
- Use of force or threat
- Engaging in any form of sexual harassment of another student or staff member
- Planning and/or organizing and/or instigating and/or participating in an activity that causes substantial disruption of the educational program
- Possession of any weapon not prohibited in Level V, including but not limited to BB/pellet guns, knives, razors, box cutters, “look-alike” weapons, chains, ammunition, or stun guns
- Possession of ammunition, fireworks, matches or a lighter, or other dangerous instruments
- Misdemeanor theft
- Extortion, coercion, kidnapping, or blackmail
- Damaging and/or destroying and/or altering district electronic devices and/or software by any method including, but not limited to, the use of computer software viruses or other electronic means
- Inappropriate using instructional materials including electronic devices or other technology
- Hazing
- Possessing drug paraphernalia, as drug paraphernalia is defined by the *Texas Controlled Substances Act (Article 4476-15, Vernon’s Texas Civil Statutes)*
- Nonfelony criminal mischief
- Continuous prohibited use of personal communication devices
- Persistent or pervasive Level II offenses
- Encouraging another student to engage in violence or a SCC violation

For Level III incidents, behaviors should be supported using one or more of the management techniques appropriate for the student, the school environment, and the situation:



- Assignment to in-school suspension (ISS); and/or
- Out-of-school suspension (up to three days); and/or
- Assignment to DAEP; and/or
- Certain offenses may result in filing a charge by the Eanes ISD Police Department;
- Special education students—refer to IEP; and § 504 students—refer to § 504 Accommodation Plan;
- A student who is involved in a Level III incident and is suspended or placed in DAEP is prohibited from attending or participating in school-sponsored or school-related activities while in DAEP.

#### **Level IV. Offenses Resulting in Mandatory Placement to Disciplinary Alternative Education Program (DAEP)**

A student will be placed in the District’s disciplinary alternative education program (DAEP) for any of the following incidents if committed on school property or while attending school-sponsored or school-related activities on or off school property.

Behaviors leading to such action may include, but are not limited to, the following:

- Serious or persistent misbehavior after the student has been placed in a campus ISS and continues to violate the District’s *Student Code of Conduct*;
- Possession of any weapon with a blade (including, but not limited to: pocket-knife, box cutter, etc.) and the intent to use the item as a weapon.
- Threats to bring a gun to school
- Regardless of where the conduct occurs, engaging in conduct involving a public school that contains the elements of the false alarm or report (under Texas Penal Code § 42.06), or terroristic threat (Texas Penal Code § 22.07);
- Regardless of where the conduct occurs, engaging in conduct that involves threats of shooting a student, District employee, general statements about shooting anyone on/near an Eanes ISD campus, and statements to others indicating that they should not go to school on a specific day because of a plan the individual is planning to execute (this is inclusive of “jokes”);
- Regardless of where the conduct occurs, engaging in conduct that involves threats of blowing up or bombing any Eanes ISD property;
- Assault of an individual under Texas Penal Code § 22.01(a)(2)-(3);
- While at school or while attending a school-sponsored or school-related activity, a student is in possession of any “look-alike” drugs or items attempted to be passed off as drugs, non-prescription drugs, medications, non-prescription substances designed to alter one’s state of mind, or herbal or dietary supplements except as permitted by District policy and procedures;
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, engaging in conduct punishable as a felony other than those felony offenses listed in Level V of the *Student Code of Conduct*;

- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, engaging in conduct that contains the elements of the offense of assault under Texas Penal Code § 22.01(a)(1);
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, selling, giving, delivering, possessing, using, or being under the influence of marijuana, THC, tobacco, any product related to tobacco or marijuana use, or e-cigarettes;
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, selling, giving, delivery, possessing, using, or being under the influence of marijuana or a controlled substance (real or look-alike/imitation) (as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et. Seq.), including any marijuana-like substances that is commonly found in K2, Spice, or any synthetic substance that produces psychoactive effects, or a dangerous drug (as defined by Chapter 482, Health and Safety Code) or an abusable volatile chemical under Section 485.031-485.034, Health and Safety Code, if punishable as a misdemeanor;
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, engaging in any offense that could be or is categorized as a non-felony drug offense;
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, selling, giving, or delivering to another person an alcoholic beverage (as defined by Section 1.04, Alcohol and Beverage Code); committing a serious act or offense while under the influence of alcohol; or possessing ,using, or being under the influence of an alcoholic beverage (see Drug/Alcohol Possession/Use, p. 25).
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, engaging in conduct that contains the elements of the offense of public lewdness (Texas Penal Code § 21.07,) or indecent exposure (Texas Penal Code § 21.08);
- On or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, engaging in conduct that contains the elements of the offense of aggravated robbery (Texas Penal Code § 29.03);
- Engaging in conduct occurring off campus and while the student is **not** in attendance at a school-sponsored or school-related activity if:
  - The student receives deferred prosecution under Section 53.03, Texas Family Code, for conduct defined as a felony offense in Title 5, Penal Code; or
  - A court or jury finds that the student has engaged in delinquent conduct under Section 54.03, Texas Family Code, for conduct defined as a felony offense in Title 5, Penal Code; or
  - The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Title 5, Penal Code.

- Regardless of time or location, engaging in conduct on or off school property that contains the elements of the offense of retaliation under Texas Penal Code § 36.06, against any school employee;
- Engaging in conduct that contains the elements of an offense of deadly conduct under Texas Penal Code § 22.05;
- Engaging in conduct that contains elements of the offense of criminal mischief under Texas Penal Code § 28.03, if the conduct is punishable as a felony;
- Engaging in conduct that contains the elements of the offense of harassment under Texas Penal Code §§ 42.07 (a) (1), (2), (3), or (7), against any employee of the school district;
- Off campus, non-violent felony, if the Superintendent/designee has a reasonable belief the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process;
- Breach of Computer Security, under the Texas Penal Code, is a permissive removal offense if a student accesses a district's computers, computer system, or computer network and knowingly alters, damages, or deletes district property or information;
- A student who is younger than 10 years of age shall be removed from class and placed in a disciplinary alternative education program if the student engages in conduct that would be an expellable offense for students 10 years old or older. A student who is under 10 years of age who possesses a firearm shall be expelled but shall receive education in the DAEP during the term of the expulsion. See the list of removable offenses in [Level V](#) of the Student Code of Conduct;

Level IV consequences may include, but are not limited to:

- Assignment to DAEP;
- Special education students will be referred to an ARD Committee and §504 students referred to a 504 Committee;
- Referral will be made to Eanes ISD Police Department for appropriate legal action; District police may not issue Class C citations on school property (see SB 494 and SB 1114);
- Expulsion to Travis County Juvenile Justice Alternative Education Program;
- A student who is involved in a Level IV incident and is placed in DAEP is prohibited from attending or participating in school-sponsored or school-related activities (including extracurricular activities).

#### LEVEL V. Offenses Resulting in Expulsion/Referral to the Travis County Juvenile Justice Alternative Education Program (JJAEP)

A student shall be expelled for any of the following offenses that occur on District school property or while attending a school-sponsored or school-related activity of a school in another district in Texas.

Behaviors leading to such action may include, but are not limited to, the following:

- A firearm violation, as defined by federal law. A firearm under federal law includes the following:
  - Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive;
  - The frame or receiver of any such weapon;

- Any firearm muffler or firearm weapon;
- Any destructive device, such as any explosive, incendiary, or poison gas bomb or grenade.
- Use, exhibition, or possession of the following, under the Texas Penal Code:
  - A firearm;
  - A location-restricted knife, such as a knife with a blade over 5½ inches; a hand instrument designed to cut or stab another by being thrown including, but not limited to, a dart, stiletto, poniard, dagger, bowie knife, sword, or spear;
  - A club;
  - A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. [see Weapons, p. C-24];
  - Possession of or conspiring to possess any explosive or improvised explosive device.
- Engaging in conduct containing the elements of the following under the Texas Penal Code Title 5:
  - Aggravated assault, sexual assault, or aggravated sexual assault;
  - Arson;
  - Murder, capital murder, or criminal attempt to commit murder;
  - Aggravated robbery;
  - Manslaughter;
  - Criminally negligent homicide;
  - Indecency with a child;
  - Aggravated kidnapping;
  - Behavior related to an alcohol or drug offense that could be punishable as a felony;
  - Retaliation against a school employee, combined with one of the above-listed offenses on or off school property or at a school-sponsored or school-related activity;
  - Continuous abuse of a young child or children.
- After being placed in a DAEP for disciplinary reasons, the student continues to engage in serious misbehavior that violates the District Student Code of Conduct;
  - “Serious misbehavior” is defined as deliberate violent behavior that poses a direct threat to the health or safety of others; extortion, meaning the gaining of money or other property by force or threat; conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or conduct that constitutes the offense of public lewdness under Section 21.07 of the Penal Code, indecent exposure under Section 21.08 of the Penal Code; criminal mischief under Section 28.03 of the Penal Code; personal hazing under the Education Code, or harassment under Section 42.07(a)(1) of the Penal Code, of a student or district employee.
- Title 5 Expulsions: After an opportunity for a hearing, a student may also be expelled from Eanes ISD and placed in the Travis County Juvenile Justice Alternative Education Program if, regardless of when the offense occurred, the location of the offense, or whether the student was enrolled in the District at the time of the offense, a student:

- Has received deferred prosecution under the Family Code for conduct defined as a felony offense in Title 5 of the Penal Code;
- Has been found by a court or jury to have engaged in delinquent conduct under the Family Code for conduct defined as a felony offense in Title 5 of the Penal Code;
- Is charged with engaging in conduct defined as a felony offense in Title 5 of the Penal Code;
- Has been referred to a juvenile court for allegedly engaging in delinquent conduct under the Family Code for conduct defined as a felony offense in Title 5 of the Penal Code;
- Has received probation or deferred adjudication for a felony offense under Title 5 of the Penal Code;
- Has been convicted of a felony offense under Title 5 of the Penal Code; or
- Has been arrested for or charged with a felony offense under Title 5 of the Penal Code.

Before being expelled, the principal must also determine the student's presence in the classroom threatens the safety of the other students or teachers; will be detrimental to the educational process; or is not in the best interest of the District's students. Title 5 felonies include criminal homicide; murder; capital murder; manslaughter; criminally negligent homicide; kidnapping; aggravated kidnapping; indecency with a child; sexual assault; aggravated sexual assault; sexual coercion; injury to a child, elderly individual, or disabled individual; abandoning or engaging a child; deadly conduct; terroristic threat; aiding suicide; tampering with a consumer product; smuggling of persons; trafficking of persons; public lewdness; indecent exposure; bestiality; improper relationship between educator and student; harassment by persons in certain correctional facilities; harassment of public servant; improper photography or visual recording of others. The expulsion shall last until:

- The student graduates from high school;
- The Title 5 felony charges that resulted in the expulsion are dismissed or reduced to a misdemeanor offense; or
- The student completes the term of the placement or is assigned to another program.

A decision under this section is final and may not be appealed; however, the placement shall be reviewed at intervals not to exceed 120 days.

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#### Level V. Consequences for misbehavior:

The length of expulsion may be up to one year. Under federal law, any student who brings a firearm as defined in 18 U.S.C. § 921, regardless of the student's age, must be expelled from the student's regular campus for a period of at least one year, except that the Superintendent may modify the length of the expulsion.

A student who violates the provisions of Level V Student Code of Conduct (above) and is expelled will be referred to the Travis County Juvenile Court. The Juvenile Courts may order an expelled student or a student who commits a felony off campus to attend the JJAEP. The District will also make a referral to Eanes ISD Police Department for appropriate legal action.

- Special education students will be referred to an ARD Committee and §504 students will be referred to 504 Committee.
- A student who is involved in a Level V incident and is placed in JJAEP is prohibited from attending or participating in school-sponsored or school-related activities.

## DEFINITIONS AND EXPLANATIONS OF STUDENT VIOLATIONS

The following provisions delineate actions or activities that the District considers violations of the expectations of the SCC. Students found in violation of the SCC will be subject to disciplinary action. The behaviors described are representative of the most frequent types of offenses, therefore, this list is **not** exhaustive.

Other misconduct not specified in this SCC may be dealt with by an appropriate discipline management techniques or assignment to the DAEP, depending on the nature of the misconduct.

For purposes of this SCC, a student who is apprehended in the process of committing an act which would constitute an offense under the SCC if completed shall be considered to have committed the offense, whether or not all elements of the offense had been completed before apprehension. A student who endeavors to commit an act, which is an offense under the SCC, and is unsuccessful for reasons other than apprehension, e.g., an attempt to enter another student's locker to steal which is unsuccessful because of inability to accomplish entry, shall be considered to have committed the offense of attempting to commit the act, e.g. attempted theft or robbery. Offenses of attempt may be punishable in the same manner as the offense which was attempted.

### **Assault (Level IV Offense)**

Students are prohibited from assaulting anyone on school property, within 300 feet of school property, at any school-related event, in a situation which is school-related, or in any way which is detrimental to the educational process.

An assault as defined by Texas Penal Code § 22.01(a):

- (a) A person commits an offense if the person:
  - (1) Intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
  - (2) Intentionally or knowingly threatens another within imminent bodily injury including the person's spouse; or
  - (3) Intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

### **Bullying (Level II-IV Offense)**

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 methods, 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.
5. Bullying includes cyberbullying. Cyberbullying is defined in state law as bullying that is done through the use of any electronic communications device, including through the use of:
  - a. A cellphone, or any other type of phone or smart watch,
  - b. A computer
  - c. A camera
  - d. Electronic mail
  - e. Instant messaging
  - f. Text messaging
  - g. Any social media application
  - h. An internet website
  - i. Any other internet-based communication tool
6. Bullying is prohibited by the district and can include the following types of behaviors:
  - a. Hazing
  - b. Threats
  - c. Taunting
  - d. Teasing
  - e. Confinement
  - f. Assault
  - g. Demands for money
  - h. Destruction of property
  - i. Theft of valued possessions
  - j. Name-calling
  - k. Rumor-spreading
  - l. Ostracism
  - m. Harassment defined as threatening to cause or intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.
  - n. The making of a "hit list." Hit list is defined as a list of people targeted to be harmed.

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another District employee as soon as possible to obtain assistance and intervention. Procedures for reporting allegations of bullying may be found on the District's website. A student may anonymously report an alleged incident of bullying via Westlake Watch. The administration will investigate any allegations of bullying and related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary action or other action may be taken even if the conduct did not rise to the level of bullying in order to avoid a substantial disruption of the educational environment. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

The principal may, in response to an identified case of bullying, decide to move a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to another campus in the District. The parent of a student who has been determined by the District to be a victim of bullying may request that his or her child be transferred to another classroom or campus within the District.

A copy of the District's policy is available on the District's website as Board Policy FFI (Local).

A student or parent who is dissatisfied with the outcome of an investigation may appeal through Board Policy FNG (Local) and in accordance with this SCC.



## **Cell Phones**

As required by law, Eanes ISD prohibits the use of “personal communication devices” while on school property and during the school day. These devices include personal cell phones, smart watches, tablets, etc. It does NOT include district-issued devices. Personal communication devices shall be off and put away in a student’s backpack or locker while on school property and during the school day.

This does NOT apply to the following: 1) devices needed to implement a student’s IEP or 504 plan; 2) if a student has a documented need based on a directive from a qualified physician; or 3) if a student needs it to comply with a health or safety requirement imposed by law or is part of the district’s safety protocols.

The following infraction schedule applies:

### **Elementary:**

1. First offense: confiscate device, return to student at end of day; teacher conversation with student and inform parent/guardian
2. Second offense: confiscate device and return only to parent/guardian; administrator conversation with parent/guardian
3. Third offense: confiscate device and return only to parent/guardian; administrator meeting with parent/guardian to develop a device plan

### **Middle School**

1. First offense: confiscate device, return to student at end of day; administrator conversation with parent/guardian
2. Second offense: confiscate device and parent/guardian must pick up the device
3. Third offense: confiscate device and parent/guardian must pick up the device; student will be required to check in their personal device(s) each morning for the next **10 consecutive school days** and may retrieve it at the end of each day.
4. Fourth Offense: confiscate device and parent/guardian must pick up the device; student will be required to check in their personal device(s) each morning for the next **20 consecutive school days** and may retrieve it at the end of each day.
5. Fifth Offense: confiscate device and parent/guardian must pick up the device; disciplinary referral submitted and the student will face additional administrative consequences in accordance with this Student Code of Conduct

### **High School**

1. First Offense: teacher conference with student; teacher will contact parent/guardian
2. Second Offense: administrator conference with student; administrator will contact parent/guardian
3. Third Offense: lunch detention

4. Fourth Offense: confiscate device and return only to parent/guardian; lunch detention (if offenses continue, will escalate to ISS)

### **Cheating (Level II/III Offense)**

Cheating shall be defined as giving or receiving information or help on a test, possession of any unauthorized material during a test, copying another student's assignment or knowingly allowing another unauthorized student to copy from his/her assignment, submitting duplicate work, or having someone else complete an assignment on behalf of the student. Plagiarism, the use of another's ideas or products as one's own, is also defined as cheating. This also includes inappropriate use of artificial intelligence (AI) as prohibited by the classroom teacher. The penalty for cheating will be a zero for work involved and the student will be subject to appropriate disciplinary action in cheating offenses. All students involved will be subject to disciplinary action.

### **Dating Violence**

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 the other 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. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment, or substantially interferes with the student's academic performance.

Examples of dating violence against a student may include, but are not limited to physical or sexual assault, name-calling, put downs, threats to hurt the student or the student's family members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, threats to harm a student's current dating partner, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

### **Disruption of Classes or School Activities (Level III/IV Offense)**

For purposes of the SCC, "school property" includes the public school campus or school grounds upon which any public school is located, and any grounds or buildings used by District schools for assemblies or other school-related activities; and "public property" includes any street, highway, alley, public park, or sidewalk not owned by the District.

No student shall be permitted on school property or on public property within 500 feet of school property to disrupt willfully, alone or in concert with others, the conduct of classes or other school activities. Conduct that disrupts classes or other school activities includes the following actions:

- Emissions, by any means, of a noise of an intensity that prevents or hinders instruction;
- Enticement or attempted enticement of students away from classes or other school activities that students desire or are required to attend;
- Prevention or attempted prevention of students from attending classes or other school activities that students desire or are required to attend;

- Admission to an educational activity or area without consent of either the principal or teacher and either through acts of misconduct and/or use of loud or profane language, causing disruption of class activities;
- Threats against district property including but not limited to fire, arson, or bombing.

Conduct by a student or students, either in or out of class, that for any reason—whether because of time, place or manner of behavior—materially disrupts classwork or school activities or involves substantial disorder or invasion of the rights of other students, officials, guests, participants, or employees at school or school-related activities is prohibited.

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

Virtual/remote/distance learning by students will follow the same learning and behavioral expectations as in a traditional classroom. Should a student violate technology expectations or input inappropriate content, the student and his/her parent will be contacted. Depending on the infraction, any violation regarding misuse of technology or content, may lead to the student forfeiting his/her ability to utilize virtual learning and incur discipline consequences in accordance with the SCC (see Board Policy CQ and EISD acceptable use policy for electronic services for students). Any inappropriate behavior will follow the SCC.

### **Drug/Alcohol Possession/Use (Level III-V Offense)**

Possession, use, and delivery of any alcohol or drugs (real or imitation) is strictly prohibited, no matter how small the quantity. Some students believe that if the blood alcohol level is not over the criminal level, that school sanctions do not apply. This is not correct. Similarly, some students believe that over-the-counter and otherwise “legal” supplements that contain “low” levels of substances prohibited by the SCC mean that school sanctions do not apply. This is also not correct.

As required by Texas law, non-felony drug offenses that are on or within 300 feet of school property shall be a mandatory DAEP placement.

School discipline will be applied if any amount of drugs or alcohol is used or possessed at school, at a school-related event, or prior to coming to school or a school-related event. This includes the following:

- Any controlled substance or dangerous drug as defined by law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate (real or imitation);
- Any marijuana-like substances that are commonly found in K2, Spice, or any synthetic substance that produces psychoactive effects;
- Alcohol or any alcoholic beverage;
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation;
- Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drug;
- Correction fluid, white out, etc.
- District police may not issue Class C citations on school property, Senate Bill 393 and Senate Bill 1114.

“Possess” means actual care, custody, control, or management of a prohibited substance or drug paraphernalia. A prohibited item found or observed on the student’s person or in the student’s locker, vehicle, clothing, or belongings will be presumed to be in the student’s possession. There may be more than one person in possession of a prohibited item. As an example, a prohibited item found in a vehicle with more than one student will be presumed to be in the possession of all students present when circumstances indicate knowledge of the prohibited items and have or may exercise care, custody, control, or management of the prohibited item.

“Use” means smoke, ingest, imbibe, drink, or otherwise absorb. Use may be evidenced by the student’s appearance, actions, speech, breath, or aroma.

Students coming on school premises or to a school function after using alcohol or other prohibited drugs are subject to disciplinary action.

“Under the Influence” means noticeable impairment of a student’s faculties but is not limited to legal intoxication.

The transmittal, sale, or attempted sale of what is represented to be any of the above listed substances is also prohibited under this rule.

The principal is responsible for determining whether a student has been using drugs or alcohol. However, a comprehensive drug screen, administered in a health facility designated by the District and within two hours of apprehension of the alleged use, may be accepted as conclusive evidence for use. Other methods of detection may be used to determine whether a student has or has not used drugs or alcohol.

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student’s use shall not be in violation of this rule. Prompt written notice of such usage shall be given to the principal by the student’s parents. Students may not use or possess medicine—prescription or nonprescription—without complying with procedures established in the Student Parent Handbook.

The use and possession of CBD, hemp, cannabidiol, mushrooms, or any “micro dose” of prohibited substances is prohibited on campus and any district property, unless it has been medically approved by a health care provider in advance of the use. All documentation for medicinal use must be on file in the campus clinic. Distribution to a student must be dispensed by the campus nurse.

### **Harassment (Level III Offense)**

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student’s ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student’s academic performance.

Examples of harassment may include, but are not limited to, offensive or derogatory language directed at a person’s religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property. See Board Policies FFH.

**Hazing (Level III Offense)**

Hazing includes any willful act done by a student either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social ostracism, shame, or disgrace. No student shall engage in any form of hazing, nor shall any student encourage or assist any other person in hazing. Students shall have prior written approval from the principal for any type of “initiation rites” of a school club or organization.

**Insubordination (Level III/IV Offense)**

Insubordination refers to, but is not limited to, any form of failure to cooperate with school personnel, failure to submit to the authority of school personnel, and the providing of false information.

**Misuse of Property**

Students shall not:

- Steal from others, including the District;
- Commit or assist in a robbery, theft, or burglary that is not punishable as a felony;
- Damage, destroy, or vandalize property owned by others or the District;
- Mark District property such as textbooks, lockers, furniture, or equipment with graffiti, tagging, or by other means; or
- Enter, without authorization, District facilities that are not open for operations.

**Misuse of Technology Resource and the Internet**

Students are prohibited from possessing, sending, forwarding, posting, delivering, accessing, or displaying electronic messages or video that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal. This prohibition also applies to conduct off school property, or in a virtual setting, whether the equipment used to send such messages is District-owned, borrowed, or personally owned, if it results in a substantial disruption to the educational environment or infringes on the rights of another student at school.

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 according to this SCC, and 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. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child a program that addresses the consequences of engaging in inappropriate behavior using technology.

Students sharing inappropriate photos and electronic communications with District staff will be subjected to disciplinary actions outlined in the SCC. Staff members have an obligation to report any inappropriate communications they receive.

Students shall not:

1. Access files, software, or other resources owned by someone else without their explicit permission;

2. Use another individual's login, files, network directories, etc. that are designated for someone else's use as designated by their teacher;
3. Log into a system as someone else;
4. Take District property without District permission;
5. Use means to circumvent District technology that restricts internet access;
6. Use technology in a way that contradicts a campus or teacher's explicit rules;
7. Make, participate in the making of, transmit to another via electronic device, or post to the Internet a digital video or audio recording of an actual or simulated act that involves a crime or conduct prohibited by the SCC (students who are not involved in the prohibited conduct will not be disciplined under this provision so long as they report the incident to a school employee, turn over the recording to a school employee as soon as possible after the incident, and do not provide a copy of the recording to anyone other than law enforcement or school employees.);
8. Copy, download, reproduce, distribute, retransmit, redisplay, or modify items from the District's website; or
9. Engaging in any of the above forms of technological misconduct outside of school when such conduct causes a material or substantial disruption at school as determined by school officials.

Students are expected to use technology in accordance with the District's "Responsible Use Guidelines," which are incorporated into this SCC.

For elementary guidelines, please see Attachment "A"

For middle school guidelines, please see Attachment "B"

For high school guidelines, please see Attachment "C"

**NOTE:** Students will not be disciplined for technological misconduct related to possessing items described above so long as the student (1) did not contribute to creation of the item in any way, (2) possessed it only after receiving the item unsolicited from another, (3) either promptly destroyed the item or reported it to a school employee as soon as possible, and (4) did not provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student's parent/guardian.

### **Sexual Harassment (Level III or IV Offense)**

Sexual harassment is defined as any unwanted physical, verbal, or visual sexual advances; requests for sexual favors; and other sexually-oriented conduct, which is offensive or objectionable to the recipient, including, but not limited to: epithets; derogatory or suggestive comments, slurs, or gestures; and offensive posters, cartoons, pictures, or drawings.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature, such as comforting a child with a hug or taking the child's hand. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

The District believes that every student has the right to attend District schools and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. The

District considers sexual harassment of students to be serious and will consider the full range of discipline options up to and including the District's DAEP, according to the nature of the offense.

All students are expected to treat one another courteously, with respect for the other person's feelings; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop. All students are prohibited from engaging in offensive verbal or physical conduct of a sexual nature directed toward another student. This prohibition applies whether the conduct is by word, gestures, or any other intimidating sexual conduct, including requests for sexual favors, that the other student regards as offensive or provocative. Students and/or parents are encouraged to discuss their questions or concerns about the expectations in this area with the teacher; the principal or designee; or the Superintendent or designee who serves as the District's TIX Coordinator for students.

A complaint alleging sexual harassment by another student or sexual harassment or sexual abuse by a staff member may be presented by a student and/or parents in a conference with the principal or designee or with the TIX coordinator. If practicable, the first conference with the student is to be held by a person who is the same gender as the student. The conference will be scheduled and held as soon as possible within five days of the request. The complaints will be investigated by the EISD Police Department, which ordinarily will be completed within 10 school days. The students or parents will be informed if extenuating circumstances delay completion of the investigation. The student will not be required to present a complaint to a person who is the subject of the complaint.

If the resolution of the complaint is not satisfactory to the student or parents, the student or parents within 10 days may request a conference with the Superintendent or designee by following the procedures set out in Board Policy FFH (Local).

### **OTHER MISCONDUCT**

Students are generally prohibited from the following behavior:

- Using profanity, vulgar language, or obscene gestures;
- Loitering in unauthorized areas;
- Falsifying, altering, forging, or destroying school records, passes, other school-related documents, or documents presented to District employees;
- Gambling or betting money or other things of value;
- Inappropriate exposure of a student's private body parts which are ordinarily covered by clothing, including through such acts as sexting, mooning, streaking, or flashing; or
- Taking one or more steps toward violating the SCC even if the student fails to complete the intended misconduct.

## REMOVAL FROM DISTRICT-OWNED OR OPERATED TRANSPORTATION

### **REASONS FOR REMOVAL**

Appropriate student behavior is essential to the safe operation of District transportation. Students must comply with the expectations of the SCC while using District transportation. In addition to compliance with the SCC, students are expected to comply with the following transportation rules:

- Enter and exit transportation in an orderly manner at the designated stop;
- Remain seated in designated seats facing forward;
- Wear seat belts as directed by the driver;
- Keep aisles clear of books, bags, instruments, feet, or other obstructions;
- Comply with lawful directives issued by the driver;
- Follow the driver's rules for food or beverages;
- Do not bring live animals on the bus, other than an authorized service animal or for approved school purposes;
- Do not extend any body part, clothing, or other article outside of the transportation;
- Keep hands, feet, other body parts, or objects to yourself;
- Refrain from making loud or distracting noises;
- Do not obstruct the driver's view;
- Do not throw objects inside the transportation or out of the windows or doors;
- Do not mark, deface, destruct, or tamper with seats, windows, emergency doors, or other equipment;
- Refrain from engaging in the *General Types of Prohibited Conduct* as outlined in the SCC; and
- Follow any health and safety rules required by the District.

The above does not apply to special education students who receive special education transportation as a related service.

### **PROCEDURE FOR REMOVAL**

A driver of District owned or operated transportation may send a student to the administrator's office to maintain discipline during transport to or from school or a school-sponsored or school-related activity, to enforce the transportation rules, or when the student engages in behavior that violates the SCC. The administrator may use one or more discipline management techniques to address the behavior, which may include temporarily suspending or permanently revoking school transportation privileges.

The student will be informed of the reason for suspension or revocation of transportation privileges and will be given an opportunity to respond before the administrator's decision is final. Suspension of transportation privileges does not excuse a student from attending school. It is the responsibility of the parent/guardian and/or student to make alternate transportation arrangements to and from school.



## **REMOVAL FROM THE CLASSROOM**

### **ROUTINE REFERRAL**

A teacher may send a student to the administrator's office to maintain discipline in the classroom or when the student engages in behavior that violates the SCC. The administrator may use one or more discipline management techniques to address the behavior.

### **FORMAL REMOVAL**

A teacher may remove a student from class when:

- The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach or with the learning of other students; or
- The behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach or with the learning of other students.

A teacher must remove a student from class if the student engages in conduct that requires or permits DAEP placement or expulsion under the Texas Education Code, in which case the procedures for DAEP placement or expulsion will apply.

### **PROCEDURES FOR FORMAL REMOVAL**

Within three school days of the formal removal, the campus behavior coordinator/appropriate administrator will schedule a conference with the administrator, the teacher who removed the student from class, the student's parent/guardian, and the student. At the conference, the administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations. After the conference, the administrator will render a discipline decision and inform the student and parent/guardian of the consequences.

### **PLACEMENT DURING REMOVAL**

When a student is removed from the classroom by a teacher and a conference is pending, the administrator may place the student in another appropriate classroom, in-school suspension, out-of-school suspension, or DAEP.

### **RETURN TO THE CLASSROOM**

If a student was formally removed from class because the student engaged in assault resulting in bodily injury, aggravated assault, sexual assault, or aggravated sexual assault against the teacher, the student may not be returned to the teacher's class without the teacher's consent.

For other formal removals, the student may only be returned to the teacher's class without the teacher's consent if the Placement Review Committee determines that the teacher's class is the best or only alternative.

## **IN-SCHOOL SUSPENSION (ISS)**

### **REASONS FOR ISS**

Students may be placed in ISS for any misconduct listed in any Levels I, II, and III above.

### **PROCEDURE FOR ISS**

Before being placed in ISS, the student will meet with the campus behavior coordinator/appropriate administrator, who will inform the student of the alleged misconduct. The student will be given an opportunity to respond before the administrator makes a decision.

While in ISS, the student will complete assignments from his or her teachers. The District shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in ISS.

## **OUT-OF-SCHOOL SUSPENSION (OSS)**

### **REASONS FOR OSS**

Students in grades 3 or above may be suspended from school for any misconduct listed in any category of the SCC.

Students in grades K-2 may be assigned OSS for weapon-related conduct; conduct that threatens the immediate health and safety of other students in the classroom; or documented conduct that is repeated and significantly disruptive to the classroom.

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

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

The District shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations.

**PROCEDURE FOR OSS**

Before being suspended, so long as it is administratively feasible, a student will meet with the campus behavior coordinator/appropriate administrator, who will inform the student of the alleged misconduct. The student will be given an opportunity to respond before the administrator makes a decision.

The appropriate administrator shall determine the number of days of a student's suspension. Students may be suspended for a maximum of three school days per behavior violation.

While the student is suspended, the student may not attend or participate in school-sponsored or school-related activities. Principals may make allowances for student attendance on a case-by-case basis only with regard to family member participation in a school-related activity.

A parent/guardian may submit a written request including documentation of lack of suitable supervision during school hours to request that an OSS placement be changed to an ISS placement. Such reassignment is at the discretion of the campus administrator (principal/assistant principal).

**MAKE-UP WORK**

If a student is assigned out-of-school suspension, that student will be required to complete all class assignments, homework, tests, and other academic work covered during the time of suspension. The student will have the opportunity to receive full credit for completed academic work, when submitted in a timely manner and in accordance with the teacher's or administrator's instructions.

The District shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in OSS, including at least one method of receiving this coursework that does not require the use of the internet.

## **DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP) (Level III or IV Offense)**

**A student who has committed a Level III, IV, or V offense as defined in this *Student Code of Conduct* shall be considered to have engaged in serious or persistent misbehavior that threatens to impair the educational efficiency of the school and shall be suspended from school or placed in in-school suspension, removed to DAEP, or expelled to JJAEP (for Level V).**

### **EMERGENCY DAEP PLACEMENT**

An administrator may order an emergency DAEP placement if the student has been so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, the learning of other students, or the operation of a school-related or a school-sponsored activity. The reason for emergency placement must also be a reason for which DAEP placement could be ordered on a non-emergency basis. At the time of the emergency placement, the student will be told the reason for the action.

No later than the tenth day after the date of emergency DAEP placement, the student will be given a conference as required for regular placement in DAEP; see below.

### **PROCEDURE FOR DAEP PLACEMENT**

**Conference.** No later than three school days after the student is removed from class, the campus behavior coordinator/appropriate administrator will schedule a conference with the administrator, the student's parent/guardian, and the student. At the conference, the administrator shall inform the student, orally or in writing, of the reasons for the removal, shall give the student an explanation of the basis for the proposed DAEP placement, and give the student an opportunity to respond to the reasons for the removal.

Following valid and reasonable attempts to require attendance, the District may conduct the conference and make a discipline decision regardless of whether the student or the student's parent/guardian attends the conference. Unless the administrator is provided 24 hours' prior notice that the parent/guardian shall be represented by legal counsel at the conference, the administrator may reschedule the conference to a time when the District's legal counsel may also participate.

If during the term of DAEP placement the student engages in additional misconduct, additional conferences may be conducted, and additional discipline imposed.

**Interim Placement.** Until a placement conference can be held, the student may be placed in another appropriate classroom, in-school suspension, or out-of-school suspension. The student may not be returned to the regular classroom pending the placement conference.

**DAEP Placement Order.** If the outcome of the conference is to place the student in DAEP, the administrator will issue a DAEP placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services will be sent to the student and the student's parent/guardian.

If the length of placement differs from the guidelines included in this SCC, the DAEP placement order will give notice of the inconsistency.

For those students placed in DAEP for a reason identified in the Texas Education Code, the District will send the juvenile court a copy of the DAEP placement order no later than the second business day after the placement conference. A copy of the DAEP placement order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the DAEP placement order.

### **DAEP AT CAPACITY**

If the DAEP is at capacity at the time the administrator is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to the DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If the DAEP is at capacity at the time the administrator is deciding placement for a student who engaged in violent conduct, a student placed in DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in the DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to the DAEP for the remainder of the period.

### **LENGTH OF DAEP PLACEMENT**

The length of a student's placement in DAEP will be determined on a case-by-case basis using the criteria identified in the *Discipline Considerations* section of this SCC.

Mandatory DAEP placements may result in placement for up to 120 school days. Discretionary DAEP placements may result in placement for up to 60 school days.

In order for a day to successfully count toward the DAEP assignment, the student must be present for the entire day, arrive on time, complete all assignments, follow all rules, and engage in no additional violations of the SCC.

Students may reduce DAEP placement days by successfully complying with DAEP policies and Campus expectations.

Students placed in DAEP at the end of one school year may be required to complete the assigned term at the beginning of the next school year.

**Drug and Alcohol Offenses.** Eanes ISD believes that all students have a right to participate in learning, extra-curricular, and all other activities in a drug and alcohol-free environment. Drug and alcohol offenses are serious, and disciplinary actions are intended to discourage drug and alcohol use by students.

The minimum mandatory DAEP placements for selling, giving, delivering, possessing, using, or being under the influence of marijuana, a controlled substance (see *definitions*), a dangerous drug (see *definitions*), or an alcoholic beverage (see *definitions*) in any amount not punishable as a felony will be 45 days. Students may reduce this placement by successfully completing a District-approved substance abuse program. Students may also further reduce placement days by successfully complying with DAEP policies and Campus expectations.

In accordance with this SCC, students may be expelled for multiple infractions.

**Exceeds One Year.** The length of DAEP placement may not exceed one year unless, after review, the District determines that the student is a threat to the safety of other students or to district employees.

**Exceeds School Year.** For DAEP placement to extend beyond the end of the school year, the administrator must determine that: (1) the student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or (2) the student has engaged in serious or persistent misbehavior (see *definitions*) that violates the SCC.

**Exceeds 60 Days/Grading Period.** If the DAEP placement extends beyond 60 days or the end of the next grading period, whichever is sooner, the student and the student's parent/guardian may participate in a proceeding before the Superintendent or designee. The decision of the Superintendent or designee is final and may not be appealed.

**Prohibition on Attending Certain Events.** While a student is placed at DAEP, that student is prohibited from coming on other Eanes ISD campuses, attending school-related events, and/or attending school-sponsored events. Principals may make allowances for student attendance on a case-by-case basis only with regard to family member participation in a school-related activity.

## **DISCIPLINE APPEALS**

Student or parent appeals regarding a student's discipline (including DAEP placement) should be addressed in accordance with Board policy FNG(LOCAL). A copy of the policy may be obtained at the campus office or on the District's website under the *Board Policy Online* page: <http://www.eanesisd.net/board>. Appeals shall begin at Level One with the principal or designee. The decision of the Superintendent or designee at Level Two is final and may not be appealed.

Disciplinary consequences shall not be delayed or deferred pending the outcome of an appeal.

## **OTHER DAEP ISSUES**

**Report to Law Enforcement.** Suspected drug or alcohol use, including inappropriate use of prescription drugs, and a report to law enforcement required by law, shall be made by the District.

**No Participation in Activities While in DAEP.** Students placed in DAEP are not allowed to attend or participate in school-sponsored or school-related extracurricular or co-curricular activities during the period of DAEP placement. This restriction applies until the student fulfills the DAEP assignment at this or another school district. A student placed in the DAEP may not visit any District campus unless arrangements have been made with the campus principal.

**Impact on Extracurricular Code of Conduct.** The administration of consequences under the Eanes ISD Extra Curricular Code of Conduct ("ECC") is separate from the administration of any discipline under the SCC. Discipline imposed under the SCC will not limit or prevent the imposition of consequences in accordance with the ECC. Moreover, the modification of any discipline imposed under the SCC shall not affect the consequences that may have been imposed under the ECC.

**Impact on Graduation Activities.** For graduating seniors who are in DAEP during the last week of school, the DAEP placement will continue through the last instructional day. The student will be allowed to participate in commencement exercises and related graduation activities unless otherwise specified in the DAEP placement order.

**Impact on Other Privileges.** Exemptions from exams and other privileges shall be determined by the principal. The modification of any discipline imposed under the SCC does not automatically constitute a basis for restoring an exemption or other privileges. Summer programs provided by the district may serve students assigned to the DAEP in conjunction with other students.

**Impact on Academics.** While every effort is made for students to continue to perform at grade level, the DAEP setting is not intended to replicate a regular classroom, including the manner in which instruction is delivered. Texas Education Code 37.008(a)(4) requires each school district to provide a disciplinary



alternative education program that focuses on English language arts, mathematics, science, history, and self- discipline.

A student's four-year graduation plan may not be altered when the student is assigned to a DAEP. The District will offer a student removed to a DAEP an opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal, before the beginning of the next school year, through any method available, including a correspondence course, distance learning, or summer school. 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 District shall administer the required pre-and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with administrative procedures for administering other diagnostic or benchmark assessments.

**Transition Services.** In accordance with law and District procedures, campus staff shall provide transition services to a student returning to the regular classroom from DAEP. See policy FOCA (LEGAL) for more information.

**Transportation.** A student placed in DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

**Periodic Review.** The District will review a student's DAEP placement and academic status every 120 calendar days. In the case of a high school student, the student's progress toward graduation will be reviewed and a graduation plan will be established. At the review, the student or the parent/guardian will have an opportunity to present reasons for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

**Additional Misconduct.** If during the term of DAEP placement the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional conferences may be conducted, and additional discipline may be imposed.

**Effect of Student Withdrawal.** When a student withdraws from school before a DAEP placement order is completed, the District may complete the proceedings and issue a DAEP placement order. If the student re- enrolls in the District during the same or subsequent school year, the District may enforce the DAEP placement order at that time, minus any portion of the placement that was served by the student during enrollment in another district. If the administrator does not issue a DAEP placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a DAEP placement order.

**Student Transfers.** Students assigned to DAEP in another Texas district, a Texas open-enrollment charter school, or an out-of-state school district at the time of enrollment into the District will be placed into the District's DAEP to complete the term of their DAEP placement. In order to continue an out-of-state DAEP placement, the basis for the DAEP placement must also be a reason for DAEP placement in the District. If the out-of-state DAEP placement period exceeds one year, the District will reduce the period of placement so that the total placement does not exceed one year unless the District determines that the student is a threat to the safety of others or extended placement is in the best interests of the student.

**Review After Receiving Notice of Criminal Proceedings.** The review and appeal process described below does not apply if the student was placed in DAEP as required by law for conduct occurring on or within 300 feet of school property, at a school-sponsored or school-related activity, or for a false alarm or report or terroristic threat involving a public school.

If the District receives notice that prosecution of a student's case was refused and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated or a court or jury found the student not guilty or did not engage in delinquent conduct or conduct indicating a need for supervision and dismissed the student's case with prejudice, the District will review the student's DAEP placement and will schedule a review with the student's parent/guardian no later than the third day after receiving notice. The student will not be returned to the regular classroom before the review. After reviewing the notice and receiving information from the student's parent/guardian, the administrator may only continue the student's DAEP placement if the administration has reason to believe the student's presence in the regular classroom threatens the safety of others.

#### **PARTICULAR RULES FOR REGISTERED SEX OFFENDERS**

The general SCC rules for DAEP placement apply to registered student sex offenders (see *definitions*) except as modified in this section.

**Placement.** Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the District must remove the student from the regular classroom and determine appropriate placement. The placement shall be in DAEP unless: (1) the student is ordered to attend a Juvenile Justice Alternative Education Program (JJAEP) by a court, or (2) if permitted by agreement between the District and the JJAEP.

**Length of Placement.** Registered sex offenders under court supervision will be placed in DAEP for a minimum of 90 school days, which is the equivalent of one semester. Registered sex offenders who are not under any form of court supervision but are assigned to DAEP must serve a minimum of 90 school days, which is the equivalent of one semester.

**Transfers.** Registered sex offenders (whether under court supervision or not) that transfer into the District will be required to complete the DAEP assignment assessed by the previous school district but

will receive credit for any time already spent in DAEP. In making a decision regarding the placement of a registered sex offender that transfers into the District, the District will consider the recommendation of the review committee as described in the *Periodic Review* section described below.

**Periodic Review.** After 80 school days in DAEP, a review committee will determine by majority vote and recommend to the Superintendent or designee whether the student should remain in DAEP or be returned to the regular classroom. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent/guardian shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

The District will follow the committee's decision to return the student to the regular classroom unless the student's presence in the regular classroom is a threat to the safety of others, is detrimental to the educational process, or is not in the best interests of the District's students. Conversely, the District will follow the committee's decision to continue the student's placement in DAEP unless the student's presence in the regular classroom is not a threat to the safety of others, is not detrimental to the educational process, or is not contrary to the best interests of the District's students.

If the student remains in DAEP, the review committee will re-consider the student's placement before the beginning of the next school year.

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

**Appeals.** DAEP placement may be appealed as described in this SCC. However, the appeal is limited to the factual question of whether the student is required to register as a sex offender under the law. Level II decision is final and may not be appealed.

## EXPULSION (Level V Offense).

### REASONS FOR MANDATORY EXPULSION

**School-Related.** A student must be expelled for any of the following misconduct that occurs on school property or while attending a school-sponsored or school-related activity on or off school property:

- Brings to school or possesses at school, including any setting that is under the District's control or supervision for the purpose of a school activity, a firearm, as defined by federal law (see *definitions*).
- Unlawfully carries on or about the student's person a handgun\* or a location-restricted knife, as defined by state law. (see *definitions*)

\* *NOTE:* A student will not be expelled solely for using, exhibiting, or possessing a firearm in the following circumstances: (1) at an approved target range facility not located at a school campus, (2) while participating in or preparing for a school-sponsored shooting sports competition, or (3) while participating in or preparing for a shooting sports educational activity sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization with the Department so long as the firearm is not brought on school property.

- Possesses, manufactures, transports, repairs, or sells a prohibited weapon, as defined by state law (see *definition*)
- Engages in conduct that contains the elements of the following offenses as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault, (3) aggravated sexual assault (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or disabled individual.
- Sells, gives, delivers, possesses, uses, or is under the influence of a controlled substance (see *definitions*) or a dangerous drug (see *definitions*) if the behavior is punishable as a felony.
- Commits a serious act or offense while under the influence of an alcoholic beverage (see *definitions*) if the behavior is punishable as a felony.

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

- Sells, gives, delivers, possesses, uses, or is under the influence of any amount of marijuana, a controlled substance, dangerous drug, or alcoholic beverage, if it is the second infraction in the same school year and the conduct is not punishable as a felony. A student with a valid

prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision with regard to possession and use.

- Commits a serious act while under the influence of an alcoholic beverage if it is the second infraction in the same school year and the conduct is not punishable as a felony.
- Engages in misconduct that contains the elements of an offense relating to abusable volatile chemicals (see definitions) if it is the second infraction in the same school year.

**Regardless of Location.** A student must be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Retaliates against a school employee or volunteer by committing a state-mandated expellable offense.
- Issues a false alarm or report (see *definitions*) (including a bomb threat) or a terroristic threat (see *definitions*) involving a public school and it is the second infraction.

### **REASONS FOR DISCRETIONARY EXPULSION**

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

- Commits an assault (see *definitions*) resulting in bodily injury to a school employee or volunteer.
- Engages in deadly conduct (see *definitions*).
- Engages in a second or multiple infraction(s) that are reasons for mandatory DAEP placement.

**Three Hundred Feet.** Additionally, a student may be expelled for any of the following offenses that occur within 300 feet of school property as measured from any point on the District's real property boundary line:

- Possesses a firearm, as defined by federal law (see *definitions*).
- Unlawfully carries on or about the student's person a handgun or a location-restricted knife, as defined by state law. (see *definitions*)
- Possesses, manufactures, transports, repairs, or sells a prohibited weapon, as defined by state law (see *definitions*).
- Engages in the following misconduct as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault (3) aggravated sexual assault (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or children.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance (see *definitions*), a dangerous drug (see *definitions*), or alcohol if the behavior is punishable as a felony.

- Commits a serious or offense while under the influence of an alcoholic beverage (see *definitions*) if the behavior is punishable as a felony.

**At School.** A student may be expelled for engaging in documented serious misbehavior (see *definitions*) while the student is placed in DAEP or on the DAEP site/campus despite documented behavioral interventions.

**Regardless of Location.** A student may be expelled if the student engages in the following misconduct regardless of whether the conduct occurred on or off campus:

- Commits aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder, or aggravated robbery against another student.
- Retaliates against a school employee or volunteer by committing an assault (see *definitions*) resulting in bodily injury.
- Issues a false alarm or report (see *definitions*) (including a bomb threat) or a terroristic threat (see *definitions*) involving a public school.
- Engages in criminal mischief if the damage is \$1,500 or more.
- Commits a state-mandated expellable offense on the school property of another Texas school district or while attending a school-sponsored or school-related activity of another Texas school district.
- Engages in breach of computer security by accessing a computer, computer network or computer system owned by or operated on behalf of a school district and knowingly alters, damages, or deletes school district property or information or breaches any other computer, computer network, or computer system.

**Bullying.** A student may be removed from class and placed in DAEP or expelled if the student:

- Engages in bullying (see *definitions*) that encourages a student to commit or attempt to commit suicide;
- Incites violence against a student through group bullying; or
- Releases or threatens to release intimate visual material (see *definitions*) of a minor or a student who is 18 years of age or older without the student's consent.

**Title 5 Felonies Regardless of Location.** In addition to the expellable conduct listed above, a student may also be expelled and placed in DAEP or JJAEP if the student:

- Is arrested for, charged with, or convicted of a Title 5 felony offense (see *definitions*) or aggravated robbery;
- Received deferred adjudication or deferred prosecution for a Title 5 felony offense or aggravated robbery;
- Is on probation for a Title 5 felony offense or aggravated robbery;
- Was found by a court or jury to have engaged in delinquent conduct for a Title 5 felony offense or aggravated robbery, or

- Has been referred to a juvenile court for delinquent conduct based on a Title 5 felony offense or aggravated robbery.

Before a decision is made, the student must have a hearing before the Board or its designee, who must determine that, in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

- Threatens the safety of other students or teachers;
- Will be detrimental to the educational process; or
- Is not in the best interests of the District's students.

Any decision of the Board or its designee under this section is final and may not be appealed.

In this circumstance, expulsion to an alternative setting may be ordered regardless of: (1) the date on which the conduct occurred, (2) the location at which the conduct occurred, (3) whether the student was enrolled in the District at the time the conduct occurred, or (4) whether the student successfully completed any court disposition requirements regarding the conduct.

A student may be subject to an expulsion under this circumstance until: (1) the student graduates from high school, (2) the charges are dismissed or reduced to a misdemeanor, (3) the student completes the term of the placement, or (4) the District assigns the student to another program. The student will be entitled to the same periodic review afforded to other students in alternate settings.

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

### **EMERGENCY EXPULSION**

An administrator may order the immediate expulsion of a student if the administrator reasonably believes the emergency expulsion is necessary to protect persons or property from imminent harm. The reason for the emergency expulsion must also be a reason for which expulsion could be ordered on a non-emergency basis. At the time of the emergency expulsion, the student will be told the reason for the action.

No later than the tenth day after the date of emergency expulsion, the student will be given a hearing as required for a regular expulsion; see below.

### **PROCEDURE FOR EXPULSION**

**Hearing.** Students alleged to have committed an expellable offense will receive a hearing before the campus behavior coordinator/other administrator within a reasonable time following the alleged misconduct. The student's parent/guardian will be informed of the basis for the proposed expulsion and

be invited in writing to attend the hearing. After making an effort to inform the student and parent/guardian of the hearing, the District may hold the hearing regardless of whether the student or the student's parent/guardian attends. At the hearing, the student is entitled to:

- Representation by an adult, including the student's parent/guardian, who can provide guidance to the student and who is not an employee of the District;
- An opportunity to question the District's witnesses; and
- An opportunity to testify and to review and present evidence and witnesses in the student's defense.

**Interim Placement.** Until an expulsion hearing can be held, the student may be placed in another appropriate classroom, in-school suspension, out-of-school suspension, or DAEP.

**Expulsion Order.** If the outcome of the expulsion hearing is that the student will be expelled, the campus behavior coordinator or other administrator will issue an expulsion order and provide a copy to the student and the student's parent/guardian. If the duration of the expulsion differs from the guidelines in this SCC, the expulsion order will give notice of the inconsistency.

The District will send a copy of the expulsion order to the juvenile court no later than the second business day after the expulsion hearing. A copy of the expulsion order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the expulsion order.

### **LENGTH OF EXPULSION**

The duration of the expulsion will be determined on a case-by-case basis using the criteria identified in the *Discipline Considerations* section of this SCC.

Mandatory expulsions may result in expulsion for up to 180 school days. Discretionary expulsions may result in expulsion for up to 90 school days.

Students who bring a firearm (as defined by federal law) to school will be expelled from the regular classroom for at least one calendar year except as modified by the administrator on a case-by-case basis.

Students expelled at the end of one school year may be required to complete the term of their expulsion at the beginning of the next school year.

**Exceeds One Calendar Year.** An expulsion will not exceed one calendar year unless, after review, the District determines that: (1) the student is a threat to the safety of other students or to District employees; or (2) extended expulsion is in the best interest of the student.



## **APPEALS**

Student/parent appeals regarding a student's expulsion should be addressed in accordance with Board policy FNG(LOCAL) except that the Level II decision is final and may not be appealed to the Board at Level III. A copy of the policy may be obtained at the campus office or on the District's website under the *Board Policy Online* page: <http://www.eanesisd.net/school-board>. Appeals shall begin at Level Three with the Board.

Consequences will not be delayed or deferred pending the outcome of the appeal.

## **OTHER EXPULSION ISSUES**

**Academic Impact.** Students will not receive academic credit for work missed during the period of expulsion unless the student is enrolled in a (JJAEP) or other District-approved program or as required by IDEA or Section 504.

**Transition Services.** In accordance with law and District procedures, campus staff shall provide transition services to a student returning to the regular classroom from JJAEP. See policy FODA (LEGAL) for more information.

**Participation in Activities.** Expelled students are prohibited from being on school grounds or from attending or participating in school-sponsored or school-related activities while expelled.

**Additional Misconduct.** If during the term of expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and additional discipline may be imposed.

**Age Restrictions.** Students under the age of ten that engage in expellable behavior will not be expelled but will be placed in DAEP.

**Effect of Student Withdrawal.** If a student withdraws from the District before the expulsion hearing is conducted, the District may proceed with conducting the hearing after sending written notice to the parent/guardian and student. If the student re-enrolls during the same or subsequent school year, the District may enforce the expulsion order at that time; students will be credited for any expulsion period that was served by the student while enrolled in another district.

If the administrator does not issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue an expulsion order.

NOTE: Texas law requires that all student discipline records, and any completed threat assessments are provided to a transferring school when a child transfers.

**Student Transfers.** The District will continue the expulsion of students expelled from either another Texas school district or from an out-of-state school district for behavior that is also a reason for expulsion in the District, until the term of expulsion has been served. If the out-of-state expulsion exceeds one year, the District will reduce the period of the expulsion so that the total expulsion does not exceed one year unless the District determines that the student is a threat to the safety of others or extended placement is in the best interest of the student.

## DEFINITIONS

**Abusing:** Using improperly or excessively.

**Abusable Volatile Chemicals:** Those substances as defined in Texas Health and Safety Code § 485.001.

**Alcoholic Beverage:** Those substances as defined in Texas Alcoholic Beverage Code § 1.04.

**Armor-Piercing Ammunition:** Handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers or other firearms.

**Assault:** For discipline purposes, intentionally, knowingly, or recklessly causing bodily injury to another.

**Bodily Injury:** Physical pain, illness, or impairment of a physical condition.

**Bullying:** 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.

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 interfered with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

See District policy FFI for additional information regarding bullying.

**Club:** An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.

**Controlled Substance:** Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq. This definition includes synthetic drugs such as synthetic cannabinoids (a.k.a. "Spice" or "K2") and substituted cathinones (a.k.a. "bath salts").

**Criminal Street Gang:** Three or more persons having a common identifying sign or symbol or an identifiable leadership which continuously or regularly associate in the commission of criminal activities.

**Cyberbullying:** Bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

**Dangerous Drug:** Substances as defined in Chapter 483 of the Texas Health and Safety Code.

**Dating Violence:** 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.

**Days:** Generally, "days" in the SCC refers to school days, unless otherwise specified in the SCC or in an accompanying Board Policy, in which case Board Policy language shall control.

**Deadly Conduct:** Recklessly engaging in conduct that places another in imminent danger of serious bodily injury, such as by knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**E-Cigarette:** 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. Includes any device that is manufactured, distributed or sold as an e-cigarette, e-cigar, or e-pipe or under another name or description, and a component, part or accessory for the device.

**Explosive Weapon:** Any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror. It includes a device designed, made or adapted for delivery or shooting an explosive weapon.

**False Alarm or Report:** Under Texas Penal Code 42.06, knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that is known to be 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.

**Fighting:** Two or more persons engaged in any mutually violent or physically aggressive contact toward each other such as scuffling, pushing, shoving, or hitting.

**Firearm (Federal Law):** (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.

**Gang:** An organization, combination, or association of persons composed wholly or in part of students that: (1) seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, or (2) that engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the District will consult with law enforcement authorities.

**Gender-Based Harassment:** Physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity, if the conduct is so severe, persistent, or pervasive that the conduct affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with the

student's academic performance; or otherwise adversely affects the student's educational opportunities.

**Graffiti:** Making marks of any kind on the tangible property of another without the effective consent of the owner. Includes markings with paint, an indelible pen or marker, or an etching or engraving device. The markings may include inscriptions, slogans, drawings, or paintings.

**Handgun:** Handgun is defined by Texas 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 Texas Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Texas 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. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
  - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
  - g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
  - h. 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; or

- i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

**Hazing:** Defined by Texas Education Code 37.151 as an intentional, knowing, or reckless act, on or off the campus, by one person alone or acting with others, directed against a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization (including student government, band or a musical group, or an academic, athletic, dance or cheerleading team) if the act:

1. Is any type of physical brutality;
2. Subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health or safety, including sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. Induces, causes, or requires the student to perform a duty or task that violates the Texas Penal Code; or
4. Involves 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.

**Hemp:** As defined in Title 5, Chapter 121 of the Texas Agriculture Code.

**Hit List:** List of people targeted to be harmed using a firearm, knife, or any other object to be used with intent to cause bodily harm.

**Indecent Exposure:** Those acts defined in Texas Penal Code section 21.08.

**Intent:** The design, resolve, determination, or state of mind with which a person acts, ordinarily proven through inferences drawn from the act and/or circumstances surrounding the act. Intent includes the conscious objective or desire to engage in the conduct or cause the result, an awareness that the conduct is reasonably certain to cause the result, or disregard of a substantial and justifiable risk when there is an awareness that the circumstances exist, or the result will occur. The fact that a student may not have been motivated by a desire to violate the SCC does not preclude imposing a disciplinary consequence so long as the student intended to engage in the underlying conduct that violated the SCC.

**Intimate Visual Material:** Visual material defined by Texas Civil Practice and Remedies Code 98B.001 and Texas Penal Code 21.16.

**Knife:** A bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

**Knuckles:** Any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

**Location-Restricted Knife:** A knife with a blade over 5 ½ inches.

**Machine Gun:** Any firearm capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger

**Paraphernalia:** Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, or a dangerous drug into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes.

**Persistent Misbehavior:** Two or more violations of the SCC or repeated occurrences of the same violation.

**Possession:** To have in or on: (1) a student's person or in the student's personal property, such as the student's clothing, purse, or backpack; (2) in any vehicle used by the student for transportation to or from school or school- related activities, such as an automobile, truck, motorcycle, or bicycle; (3) any other school property used by the student such as a locker or desk; or (4) telecommunications or electronic devices.

**Principal:** Principal means lead campus administrator and can include assistant principals.

**Prohibited Weapons:** A prohibited weapon includes the following items: armor-piercing ammunition, chemical dispensing device, explosive weapon, knuckles, machine gun, short-barrel firearm, switchblade knife, zip gun, improvised explosive device, or a tire deflation device.

**Public Lewdness:** Those acts defined in Texas Penal Code § 21.07.

**Reasonable Belief:** 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 and must consider the information furnished in the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

**Retaliation:** Harming or threatening to harm another: (1) on account of their service as a District employee or volunteer, (2) to prevent or delay another's service to the District, or (3) because the person intends to report a crime

**Self-Defense:** To claim self-defense, the student must (1) be without fault in provoking the encounter and not act as the aggressor, and (2) use the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter will not be considered self-defense. Interactions prior to the encounter will also be considered.

**Serious Misbehavior:** To engage in (1) deliberate violent behavior that poses a direct threat to the health or safety of others, (2) extortion to gain money or other property by force or threat, (3) coercion, meaning to threaten to either commit an offense; inflict bodily harm; accuse a person of any offense; expose a person to hatred, contempt, or ridicule; or to harm the credit of any person, (4) public lewdness as defined in Texas Penal Code § 21.07, (5) indecent exposure as defined in Texas Penal Code § 21.08, (6) criminal mischief as defined in Texas Penal Code § 28.03, (7) personal hazing as defined in Texas Education Code § 37.152, or (8) harassment of a student or District employee as defined in Texas Penal Code § 42.07 (a)(1).

**Sex Offender:** A student required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure for an offense committed on or after September 1, 2007. The term does not include a student who: (1) is no longer required to register as a sex offender under Chapter 62, (2) is exempt from registering as a sex offender under Chapter 62, or (3) receives an early termination of the obligation to register as a sex offender under Chapter 62.

**Sexting:** The electronic transfer of a sexually suggestive or sexually explicit photo, video, or message by using a telecommunications or electronic device.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's performance; creates an intimidating, hostile, or offensive educational environment; affects a student's ability to participate in or benefit from an educational program or activity; otherwise adversely affects the student's educational opportunities, or is prohibited by District policy FFH or FNC.

**Short-Barrel Firearm:** 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 if, as altered, has an overall length of less than 26 inches.

**Switchblade Knife:** Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force. It does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires



exertion applied to the blade by hand, wrist or arm to overcome the bias toward closure and open the knife (also known as one- handed openers or assisted openers).

**Telecommunications Device:** Any type of device that: (1) emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or (2) permits the recording, transmission, and/or receipt of messages, voices, images, or information in any format or media, electronic or otherwise. It does not include an amateur radio under control of someone with an amateur radio license.

**Terroristic Threat:** Threats to commit any offense involving violence to any person or property with intent to: (1) cause a reaction 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, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public place; (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service; (5) place the public or a substantial group of the public in fear of serious bodily injury; or (6) influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

**Title 5 Offenses:** Those crimes listed in Title 5 of the Texas Penal Code that typically involve injury to a person and may include: murder; capital murder; manslaughter; criminally negligent homicide; unlawful restraint; kidnapping; aggravated kidnapping; trafficking of persons; unlawful transport; assault; aggravated assault; sexual assault; aggravated sexual assault; sexual coercion; bestiality; improper relationship between educator and student; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; improper photography or visual recording; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment by a person in a correctional facility; continuous sexual abuse of a young child or disabled individual; and tampering with a consumer product.

**Under the Influence:** When in the employee's professional judgment, the student does not have the normal use of mental or physical faculties likely attributable to the student's use of a prohibited substance. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use, including but not limited to an odor of alcohol on a student's breath or other abnormal or erratic behavior or by the student's admission. The student need not be legally intoxicated.

**Use:** With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, puffing into action or service or carrying out an action or purpose with the object or device.

**Zip Gun:** A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

## **ATTACHMENT A: Elementary School Responsible Use Guidelines for Technology**

Our staff and students use technology to learn. Technology is essential to facilitate the creative problem-solving, information fluency, communication and collaboration that we see in today's global economy. While we want our students to be active contributors in our connected world, we also want them to be safe, legal, and responsible. The Responsible Use Guidelines (RUG) support our vision of responsible technology use and promote a strong sense of digital citizenship. The RUG applies to all Eanes Independent School District computer networks, digital resources, and all devices connected to those networks (whether they be student owned or otherwise).

With the ability to use technology comes responsibility. It is important you read and discuss the District Responsible Use Guidelines, ask questions if you need help understanding them, and sign the agreement form. It is your responsibility to follow the rules for appropriate use. Irresponsible system use will result in the loss of the privilege of using this educational and administrative tool. Please review the leveled-guidelines following this document, which explain in greater detail responsible use expectations for elementary, middle school and high school students in the areas of Internet Safety & Security, Digital Citizenship, and Research & Information Literacy.

Eanes ISD recognizes that with the implementation of a 1:1 iPad program there is a need to protect the investment in iPads by both the District and the Student/Guardian. EanesCare is available for students and parents to aid in the cost to cover the iPad and case replacement in the event of theft, accidental damage, or loss. Information on EanesCare Protection Plan Coverage can be found here: <https://www.eanesisd.net/dept/tech/plan>

Please note that the Internet is a global computer network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While Eanes ISD will use Internet filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. District provided resources are not private and may be viewed by district officials. The school district will provide you with third party accounts (such as Google Apps) that require students to adhere to these Responsible Use Guidelines. Any other third-party accounts that are used for educational purposes, must also adhere to these Responsible Use Guidelines. Eanes Independent School District will monitor your activity on the network and on school-issued devices. It will be your responsibility to follow the rules for appropriate use.

**RESPONSIBLE USE  
AND DIGITAL  
CITIZENSHIP**

Any use described below is deemed "responsible" and consistent with the Eanes ISD Responsible Use Guidelines for Technology. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

- Following the district's Responsible Use Guidelines for appropriate use of the district's technologies, resources and wired and wireless networks, which are reviewed annually with each student.
- Use is mainly for educational purposes, but some limited personal use is permitted. (Remember that people who receive Email from you with a District address might mistakenly infer that your message represents the District's point of view).

- Ensuring the district provided device is available, charged and ready to use in the classroom.
- Using best practices for online safety including email, websites and district provisioned accounts.
- Use is limited to your own individual account - you and only you should use that account. You should not share your password with others.
- Safeguarding all district provided devices and resources.
- Following classroom rules and procedures as determined by teachers and administrators.
- Use technology to further the educational and administrative purposes, academic goals and learning objectives of Eanes ISD.
- Use does not violate the student code of conduct or employee standards of conduct.
- Use of appropriate online names as well as use of polite and appropriate language/content on all online posts.
- Follow copyright rules and properly cite websites, content and media for instructional activities, products and research.
- Students should use AI only when a teacher approves of using this resource.
- In the event a student withdraws from the district, the student is responsible for returning all technologies and instructional materials previously assigned to them as part of their enrollment in the district.

#### **UNACCEPTABLE AND IRRESPONSIBLE USE**

Any of the following uses is deemed “unacceptable and irresponsible” and a violation of the Eanes ISD Responsible Use Guidelines for Technology. This list does not include all possible violations, and supplements prohibited behaviors defined in the Student Code of Conduct. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

Disciplinary action may be taken for unacceptable and irresponsible use of the network or Internet.

- Unauthorized use of copyrighted material, including violating district software licensing agreements
- Taking or posting of videos or photos without permission of the individual or group.
- Sending, possessing, delivering, or posting electronic messages or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school or infringes on the rights of another student at school, including cyberbullying.
- Use of technology resources such as chat rooms, social sites, and games in a manner that causes disruption to the educational program or district network.

- Use of school technology resources to encourage illegal behavior or threaten school safety.
- Use of a personal device in a manner that conflicts with Board policy and/or the student handbook and code of conduct.
- Use of an AI application to create a final product, assignment or task without the written permission of a teacher or administrator.
- Use of any means to disable or bypass the district’s Internet filtering system or other security systems.
- Attempting to alter, destroy, disable or gain unauthorized access to district technology equipment, district data, the data of other users, or district network resources and applications.
- Encrypting communications or files to avoid security review.
- Posting personal information about yourself or others (such as addresses and phone numbers) other than as needed to conduct school operations.
- Forgery of email messages or transmission of unsolicited junk email.
- Use related to commercial activities or for commercial gain.
- Use that violates the student code of conduct or employee standards of conduct or is unlawful.
- Wasting school resources through the improper use of the computer and/or network systems.
- Students who use an AI application to complete an assignment that does not align with the teacher’s written guidelines, will be disciplined in accordance with the student handbook.

**CONSEQUENCES  
FOR  
INAPPROPRIATE USE**

One or more of the following consequences may be imposed:

- Disciplinary action, in accordance with Board policy and/or the student handbook and code of conduct (as applicable).
- Removal of personal device(s) if applicable by authorized District personnel.

## **ATTACHMENT B: Middle School Responsible Use Guidelines for Technology**

Our staff and students use technology to learn. Technology is essential to facilitate the creative problem-solving, information fluency, communication and collaboration that we see in today’s global economy. While we want our students to be active contributors in our connected world, we also want them to be safe, legal, and responsible. The Responsible Use Guidelines (RUG) support our vision of responsible technology use and promote a strong sense of digital citizenship. The RUG applies to all

Eanes Independent School District computer networks (including the devices made available by them), and all devices connected to those networks (whether they be student owned or otherwise).

With the ability to use technology comes responsibility. It is important you read and discuss the District Responsible Use Guidelines, ask questions if you need help understanding them, and sign the agreement form. It is your responsibility to follow the rules for appropriate use. Irresponsible system use will result in the loss of the privilege of using this educational and administrative tool. Please review the leveled-guidelines following this document, which explain in greater detail responsible use expectations for elementary, middle school and high school students in the areas of Internet Safety & Security, Digital Citizenship, and Research & Information Literacy.

Eanes ISD recognizes that with the implementation of a 1:1 iPad program there is a need to protect the investment in iPads by both the District and the Student/Guardian. EanesCare is available for students and parents to aid in the cost to cover the iPad and case replacement in the event of theft, accidental damage, or loss. Information on EanesCare Protection Plan Coverage can be found here: <https://www.eanesisd.net/dept/tech/plan>.

Please note that the Internet is a global computer network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While Eanes ISD will use Internet filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. District provided resources are not private and may be viewed by district officials. The school district will provide you with third party accounts (such as Google Apps) that require students to adhere to these Responsible Use Guidelines. Any other third-party accounts that are used for educational purposes, must also adhere to these Responsible Use Guidelines. Eanes Independent School District will monitor your activity on the network and on school-issued devices.

It will be your responsibility to follow the rules for appropriate use.

#### **RESPONSIBLE USE AND DIGITAL CITIZENSHIP**

Any use described below is deemed “responsible” and consistent with the Eanes ISD Responsible Use Guidelines for Technology. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

- Following the district’s Responsible Use Guidelines for appropriate use of the district’s technologies, resources and wired and wireless networks, which are reviewed annually with each student.
- Use is mainly for educational purposes, but some limited personal use is permitted. (Remember that people who receive Email from you with a District address might mistakenly infer that your message represents the District’s point of view).
- Ensuring the district provided device is available, charged and ready to use in the classroom.

- Using best practices for online safety including email, websites and district provisioned accounts.
- Use is limited to your own individual account - you and only you should use that account. You should not share your password with others.
- Safeguarding all district provided devices and resources.
- Following classroom rules and procedures as determined by teachers and administrators.
- Use technology to further the educational and administrative purposes, academic goals and learning objectives of Eanes ISD.
- Use does not violate the student code of conduct or employee standards of conduct.
- Use of appropriate online names as well as use of polite and appropriate language/content on all online posts.
- Follow copyright rules and properly cite websites, content, and media for instructional activities, products and research.
- Students should use AI only when a teacher approves of using this resource.
- In the event a student withdraws from the district, the student is responsible for returning all technologies and instructional materials previously assigned to them as part of their enrollment in the district.

#### **UNACCEPTABLE AND IRRESPONSIBLE USE**

Any of the following uses is deemed “unacceptable and irresponsible” and a violation of the Eanes ISD Responsible Use Guidelines for Technology. This list does not include all possible violations and supplements prohibited behaviors defined in the Student Code of Conduct. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

#### Disciplinary action may be taken for unacceptable and irresponsible use of the network or Internet.

- Unauthorized use of copyrighted material, including violating district software licensing agreements
- Taking or posting of videos or photos without permission of the individual or group.
- Sending, possessing, delivering, or posting electronic messages or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school or infringes on the rights of another student at school, including cyberbullying.
- Use of technology resources such as chat rooms, social sites, and games in a manner that causes disruption to the educational program.

- Use of school technology resources to encourage illegal behavior or threaten school safety.
- Use of personal devices that conflicts with Board policy and/or the student handbook and code of conduct.
- Use of an AI application to create a final product, assignment or task without the written permission of a teacher or administrator.
- Use of any means to disable or bypass the district's Internet filtering system or other security systems and applications.
- Attempting to alter, destroy, disable or gain unauthorized access to district technology equipment, district data, the data of other users, or district network resources and applications.
- Encrypting communications or files to avoid security review
- Posting personal information about yourself or others (such as addresses and phone numbers) other than as needed to conduct school operations
- Forgery of email messages or transmission of unsolicited junk email
- Use related to commercial activities or for commercial gain
- Use that violates the student code of conduct or employee standards of conduct, or is unlawful
- Wasting school resources through the improper use of the computer and/or network systems
- Students who use an AI application to complete an assignment that does not align with the teacher's written guidelines will be disciplined in accordance with the student handbook.

#### **CONSEQUENCES FOR INAPPROPRIATE USE**

One or more of the following consequences may be imposed:

- Disciplinary action, in accordance with Board policy and/or the student handbook and code of conduct (as applicable)
- Removal of personal device(s) if applicable by authorized District personnel

#### **Internet Safety and Security**

**Go Places Safely and Responsibly** - The Internet can be a great place to discover and visit far-away places to learn new things. Staying safe online is similar to staying safe in the world. Students will choose safe, age-appropriate sites with the guidance of their teachers. Students will protect their passwords from others.



**Staying Safe Online** - EISD has filters in place to help steer students clear of inappropriate content; however, students may encounter some inappropriate information and/or content. Students will contact their teacher if they encounter a website that could be inappropriate.

**Communicating Safely Online** - Use of the Internet and online collaboration is an important part of being in middle school. However, there are still risks involved when engaging in online conversation. Students will understand situations where online talk may be risky. Students will recognize and report any warning signs of online predators. Students will not participate in inappropriate dialogue with others online.

**Gaggle:** Eanes ISD utilizes technology to proactively protect students and ensure their safety and well-being in digital spaces. The district implemented Gaggle Safety Management solution to manage student safety on school-provided technology and further promote student and educator productivity in a safe and controlled environment. The District utilizes Gaggle to have the ability to analyze emails, attachments, and documents for inappropriate behavior as well as identify potential serious situations such as self-harm, cyberbullying, substance abuse, threats and more.

**Security of Information** - Sharing of information online can be a great way to accomplish a task or work on a project collaboratively. However, there are certain bits of information that students should not share online or with others. Students will not share any of the following:

- Passwords
- Private and personal information about yourself
- Private and personal information about others

**Internet Privacy** - Many websites collect information from visitors for advertising or data collection purposes. Students will:

- Recognize and analyze online privacy terms.
- Understand how and why companies collect their information so they can make informed decisions before providing personal information to a website.
- Guard against phishing, scamming and identity theft.

For additional information on digital and online safety, please visit <https://www.eanesisd.net/dept/tech/online-safety>.

## **Digital Citizenship**

The Internet is a powerful community of connected people. That connection requires levels of responsibilities to one another. Digital media plays an important role in a student's life and in our society. Part of being a good digital citizen is using technology in a responsible, appropriate way. Below are some specific areas to address with middle school children

**Responsible Decision Making and Self-Management** - Students will have access to digital and online resources. These should be used for instructional purposes and in accordance with the student code of conduct and district policies and under the direction of teachers or staff.

**Social Media & Email** - Students will have access to a school email account after receiving basic training on email etiquette. Please know that all email can be viewed by teachers, administrators or parents. Email should be written with thought to the audience and purpose. Certain online school-approved social media sites are allowed for instructional use (based on grade of the student). Students will learn about interaction, risks, and responsible use on both school-approved and other social media sites that they may encounter. Abuse or misuse of district email may require disciplinary action including the loss of the privilege.

**Electronic Communications** - When communicating with teachers and staff, students will use the district provided communication tool(s) as identified by Eanes ISD. The application(s) are to be used for electronic communications as it relates to school activities, clubs, or campus-based activities. Students should not communicate to teachers, coaches, sponsors, or staff members through cellular text messaging. All messages, attachments and links shared between students and staff will be reviewed by Eanes ISD administrators as needed.

**Commenting Responsibility** - As the use of social media and other age-appropriate websites becomes available to middle school students, it is important for students to understand the positive and negative aspects of their digital life. Students will be able to make comments on age-appropriate websites or school-approved social media sites. These comments, like anything else on the Internet, have a certain amount of digital permanence. Students will display respect and thoughtfulness online by not posting comments that are negative, inappropriate, or personal about others or themselves.

**Digital Ethics** - Students will use the Internet and digital tools to produce content for the classroom. Students will not present the work of others as their own work (known as plagiarism). There may be times when other students have left their own work on a computer or that students will collaborate on a digital project. Students will not delete, or damage other students' work intentionally. Students will ask for permission prior to taking or posting videos or photos of others. When working on projects or any other work with online resources, students will follow copyright and creative commons laws.

**Cheating** - With the use of mobile devices, there may be temptation to cheat and share test or assignment information on a non-collaborative project. Students will not use technology and/or mobile devices to share confidential school content with other students.

**Artificial Intelligence (AI)** - Teachers cannot require students to use an online application that is blocked for an assignment. However, teachers will provide guidelines for the use of artificial intelligence applications if allowed. This guidance may include a continuum of permissions from full use of AI software for an assignment to disallowing all AI software. Other uses may include but are not limited to idea generation, enhancing a final draft or developing an outline. A teacher may require citations including the original prompt used to generate the response, the date and the URL of the program.

Students who use an AI application to complete an assignment that does not align with the teacher's written guidelines will be disciplined in accordance with the Student Code of Conduct.

**Cyberbullying** - Cyberbullying is the use of digital technologies or mobile devices to harass, threaten, embarrass or torment another individual. This can happen both directly and indirectly. Students will:

- Identify strategies for dealing with cyberbullying responsibly.
- Analyze and report any offensive online behavior or interactions to a trusted adult or tip line (Westlake Watch).
- Create positive online communities rooted in trust and respect.
- Think before you send or post.

Students will NOT:

- Publish information that is harmful or embarrassing to others.
- Facilitate in the spreading of rumors via online platforms.
- Participate in online polls, “bash” sessions, or other communities that are harmful to others.

**“Sexting”** or other inappropriate online interactions - Like cyberbullying, “sexting”, or the transmission of inappropriate images or messages digitally, can result in conviction in a court of law. Students will understand the role of digital technologies in relationships. Students will not actively participate in the sharing of inappropriate photos, videos and/or information of themselves or others.

### **Research and Information Literacy**

**Searching** - Students will use a variety of search engines and resources to search for information and content. Students will understand the functions of effective keywords and categories to find useful and relevant information online.

**Research and Evaluation** - Students will choose websites and resources with high-quality information and when possible, use multiple sources to select information. Students will properly cite online resources. Students will be able to identify online advertisements and spam on websites and understand the purpose behind those advertisements.

## **ATTACHMENT C: High School Responsible Use Guidelines for Technology**

Our staff and students use technology to learn. Technology is essential to facilitate the creative problem-solving, information fluency, communication and collaboration that we see in today's global economy. While we want our students to be active contributors in our connected world, we also want them to be safe, legal, and responsible. The Responsible Use Guidelines (RUG) support our vision of responsible technology use and promote a strong sense of digital citizenship. The RUG applies to all Eanes Independent School District computer networks (including the devices made available by them), and all devices connected to those networks (whether they be student owned or otherwise).

With the ability to use technology comes responsibility. It is important you read and discuss the District Responsible Use Guidelines, ask questions if you need help understanding them, and sign the agreement form. It is your responsibility to follow the rules for appropriate use. Irresponsible system use will result in the loss of the privilege of using this educational and administrative tool. Please review the leveled-guidelines following this document, which explain in greater detail responsible use expectations for elementary, middle school and high school students in the areas of Internet Safety & Security, Digital Citizenship, and Research & Information Literacy.

Eanes ISD recognizes that with the implementation of a 1:1 iPad program there is a need to protect the investment in iPads by both the District and the Student/Guardian. EanesCare is available for students and parents to aid in the cost to cover the iPad and case replacement in the event of theft, accidental damage, or loss. Information on EanesCare Protection Plan Coverage can be found here: <https://www.eanesisd.net/dept/tech/plan>

Please note that the Internet is a global computer network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While Eanes ISD will use Internet filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. District provided resources are not private and may be viewed by district officials. The school district will provide you with third party accounts (such as Google Apps) that require students to adhere to these Responsible Use Guidelines. Any other third-party accounts that are used for educational purposes, must also adhere to these Responsible Use Guidelines. Eanes Independent School District will monitor your activity on the network and on school-issued devices.

It will be your responsibility to follow the rules for appropriate use.

#### **RESPONSIBLE USE AND DIGITAL CITIZENSHIP**

Any use described below is deemed "responsible" and consistent with the Eanes ISD Responsible Use Guidelines for Technology. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

- Following the district's Responsible Use Guidelines for appropriate use of the district's technologies, resources and wired and wireless networks, which are reviewed annually with each student.
- Use is mainly for educational purposes, but some limited personal use is permitted. (Remember that people who receive Email from you with a District address might

mistakenly infer that your message represents the District's point of view).

- Use furthers the educational and administrative purposes, goals, and objectives of Eanes ISD.
- Ensuring the district provided device is available, charged and ready to use in the classroom.
- Using best practices for online safety including email, websites, and district provisioned accounts.
- Use is limited to your own individual account - you and only you should use that account. You should not share your password with others.
- Safeguarding all district provided devices and resources.
- Following classroom rules and procedures as determined by teachers and administrators.
- Use technology to further the educational and administrative purposes, academic goals and learning objectives of Eanes ISD.
- Use does not violate the student code of conduct or employee standards of conduct.
- Use of appropriate online names as well as use of polite and appropriate language/content on all online posts.
- Follow copyright rules and properly cite websites, content, and media for instructional activities, products and research.
- Students who use an AI application to complete an assignment that does not align with the teacher's written guidelines will be disciplined in accordance with the student handbook.
- In the event a student withdraws from the district, the student is responsible for returning all technologies and instructional materials previously assigned to them as part of their enrollment in the district.

Any of the following uses is deemed "unacceptable and irresponsible" and a violation of the Eanes ISD Responsible Use Guidelines for Technology. This list does not include all possible violations and supplements prohibited behaviors defined in the Student Code of Conduct. The final decision regarding whether any given use of the network or technology resource is acceptable lies with the Superintendent or designee.

Disciplinary action may be taken for unacceptable and irresponsible use of the network or Internet.

#### **UNACCEPTABLE AND IRRESPONSIBLE USE**

- Unauthorized use of copyrighted material, including violating district software licensing agreements

- Taking or posting of videos or photos without permission of the individual or group.
- Sending, possessing, delivering, or posting electronic messages or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school or infringes on the rights of another student at school, including cyberbullying.
- Use of technology resources such as chat rooms, social sites, and games in a manner that causes disruption to the educational program or district network.
- Use of school technology resources to encourage illegal behavior or threaten school safety.
- Use of a personal device that conflicts with Board policy and/or the student handbook and code of conduct.
- Use of an AI application to create a final product, assignment or task without the written permission of a teacher or administrator.
- Use of any means to disable or bypass the district's Internet filtering system or other security systems and applications.
- Attempting to alter, destroy, disable or gain unauthorized access to district technology equipment, district data, the data of other users, or district network resources.
- Encrypting communications or files to avoid security review
- Posting personal information about yourself or others (such as addresses and phone numbers) other than as needed to conduct school operations
- Forgery of email messages or transmission of unsolicited junk email
- Use related to commercial activities or for commercial gain
- Use that violates the student code of conduct or employee standards of conduct, or is unlawful
- Wasting school resources through the improper use of the computer and/or network systems

One or more of the following consequences may be imposed:

#### **CONSEQUENCES FOR INAPPROPRIATE USE**

- Disciplinary action, in accordance with Board policy and/or the student handbook and code of conduct (as applicable)
- Removal of personal device(s) if applicable by authorized District personnel

## Internet Safety and Security

**Go Places Safely and Responsibly** - The Internet can be a great place to discover and visit far-away places to learn new things. Staying safe online is similar to staying safe in the world. Students will choose safe, age-appropriate sites with the guidance of their teachers. Students will protect their password from others.

**Staying Safe Online** - EISD has Internet filters in place to help steer students clear of inappropriate content; however, students may encounter some inappropriate information. Students will contact their teacher if they encounter a website that could be inappropriate.

**Communicating Safely Online** - Use of the Internet and online collaboration is an important part of being in high school. However, there are still risks involved when engaging in online conversation. Students will recognize and report any warning signs of online predators. Students will engage in safe online relationships and not participate in inappropriate dialogue with others online. Students will identify strangers and avoid risky online behavior. Students will report any inappropriate communication or possible online predators with a trusted adult.

**Gaggle:** Eanes ISD utilizes a technology application to proactively protect students and ensure their safety and well-being in digital spaces. The district implemented Gaggle Safety Management solution to manage student safety on school-provided technology and further promote student and educator productivity in a safe and controlled environment. The District utilizes Gaggle to have the ability to analyze emails, attachments, and documents for inappropriate behavior as well as identify potential serious situations such as self-harm, cyberbullying, substance abuse, threats and more.

**Security of Information** - Sharing of information online can be a great way to accomplish a task or work on a project collaboratively. However, there are certain bits of information that students should not share online or with others. Students will not share any of the following:

- Passwords
- Personal information/inappropriate photos of yourself
- Personal information/inappropriate photos of others

**Internet Privacy** - Many websites collect information from visitors for advertising or data collection purposes. Students will:

- Recognize and analyze online privacy terms.
- Understand how and why companies collect their information so they can make informed decisions before providing personal information to a website.
- Guard against phishing, scamming and identity theft.

For additional information on digital and online safety, please visit

<https://www.eanesisd.net/dept/tech/online-safety>.

## Digital Citizenship

The Internet is a powerful community of connected people. That connection requires levels of responsibilities to one another. Part of being a good digital citizen is using technology in a responsible,

appropriate way. Digital media plays an important role in a student's life and in our society. Below are some specific areas to address with high school students when learning how to grow their digital citizenship.

**Social Media & Email** - Students will have access to a school email account after receiving some basic training on email etiquette. Please know that all email can be viewed by teachers, administrators, or parents. Email should be written with thought of the audience and purpose. Certain online school-approved social media sites are allowed. Students will learn about interaction, risks, and responsible use on both school-approved and other social media sites that they may encounter. Abuse or misuse of district email or school-approved social media sites may require disciplinary action.

**Electronic Communications** - When communicating with teachers and staff, students will use the district provided communication tool(s) as identified by Eanes ISD. The application(s) are to be used for electronic communications as it relates to school activities, clubs, or campus-based activities. Students should not communicate to teachers, coaches, sponsors, or staff members through cellular text messaging. All messages, attachments and links shared between students and staff will be reviewed by Eanes ISD administrators as needed.

**Commenting Responsibility** - As the use of social media and other age-appropriate websites becomes available to high school students, it is important for students to understand the positive and negative aspects of their digital life. Students will recognize the importance of context in posting or viewing online images. Students will post appropriate comments in online and social communities. These comments, like anything else on the Internet, have a certain amount of digital permanence and can affect reputation down the road. Students will display respect and thoughtfulness online by not posting comments that are negative, inappropriate, or personal about others or themselves.

**Digital Ethics** - Students will use the Internet and digital tools to produce content for the classroom. Students will not present the work of others as their own work (known as plagiarism). There may be times when other students have left their own work on a computer or that students will collaborate on a digital project. Students will not delete, or damage other students' work intentionally. Students will ask for permission prior to taking or posting videos or photos of others. When working on projects or any other work with online resources, students will follow copyright and creative commons laws.

**Cheating** - With the use of mobile devices, there may be temptation to cheat and share test or assignment information on a non-collaborative project. Students will not use technology and/or mobile devices to share confidential school content with other students.

**Artificial Intelligence (AI)** - Teachers cannot require students to use an online application that is blocked for an assignment. However, teachers will provide guidelines for the use of artificial intelligence applications if allowed. This guidance may include a continuum of permissions from full use of AI software for an assignment to disallowing all AI software. Other uses may include but are not limited to idea generation, enhancing a final draft or developing an outline. A teacher may require citations including the original prompt used to generate the response, the date and the URL of the program.



Students who use an AI application to complete an assignment that does not align with the teacher's written guidelines will be disciplined in accordance with the Student Code of Conduct.

**Cyberbullying** - Cyberbullying is the use of digital technologies or mobile devices to harass, threaten, embarrass or torment another individual. This can happen both directly and indirectly.

Students will:

- Identify strategies for dealing with cyberbullying responsibly.
- Analyze and report any offensive online behavior or interactions to a trusted adult or tip line (Westlake Watch).
- Create positive online communities rooted in trust and respect.
- Think before you send or post.

Students will NOT:

- Publish information that is harmful or embarrassing to others.
- Facilitate in the spreading of rumors via online platforms.
- Participate in online polls, "bash" sessions, or other communities that are harmful to others.

**"Sexting"** or other inappropriate online interactions - Like cyberbullying, "sexting", or the transmission of inappropriate images or messages digitally, can result in conviction in a court of law. Students will understand the role of digital technologies in relationships. Students will not actively participate in the sharing of inappropriate photos, videos and/or information of themselves or others.

### **Research and Information Literacy**

**Searching** - Students will use a variety of search engines and resources to search for information and content. Students will understand the functions of effective keywords and categories to find useful and relevant information online.

**Research and Evaluation** - Students will choose websites and resources with high-quality information and when possible, use multiple sources to select information. Students will properly cite online resources. Students will be able to identify online advertisements and spam on websites and understand the purpose behind those advertisements.

## **ATTACHMENT E: SECONDARY STUDENT IDENTIFICATION BADGE GUIDELINES**

Eanes ISD prioritizes safety and security for students, staff, and community members. During the 2025-26 school year the District issued identification (ID) badges to students enrolled in grades 6th-12<sup>th</sup>. In addition to visual identification, the ID badges provide students with increased functionality and convenience to campus resources. Students are required to adhere to the campus and District requirements and expectations as it relates to identification badges.

### **Student ID Badge Guidelines**

1. **Requirement:** All students must wear their official student ID badge visibly when using district transportation, when on campus during school hours, including during classes, events, and while using school facilities during the school day.

2. **Placement:** The ID badge should be worn on a lanyard around the neck or clipped to the upper torso, ensuring it is easily visible to staff and security personnel. Badges should be visible in common areas and during classes at the discretion of the teacher for safety purposes. *\*Students at Westlake High School will be provided a digital form of the ID badge that can be used as an alternative proof of identification.*
3. **Security and Identification:** The badge is used for identifying students and limited access to campus facilities. Students must not lend their ID badge to others. At Westlake High School students' phones may be used in the event the physical badge is not available.
4. **Replacement:** Lost, damaged, or stolen ID badges must be reported immediately to the administration office by submitting the online form. Students will pick up the replacement badge during the scheduled time. A replacement fee may apply.
5. **Found Badges:** If a student or staff member finds a badge, return it to the campus administration.
6. **Compliance:** Failure to wear the ID badge may result in disciplinary action, including being denied entry to district vehicles, campuses or events.
7. **Exceptions:** Exceptions to this guideline for medical or other reasons must be approved by the administration in advance.

### **Identification Badge Discipline:**

**First & Second Offense:** Issue a verbal or written warning, reminding the student of the badge guidelines and its importance. Students will receive a temporary badge to be worn for the school day. In the event the badge is lost or damaged, the student will be assessed a fee and provided a replacement badge.

**Subsequent Offenses:** Parents and Guardians will be informed of the noncompliance. After repeated offenses (3 or more), notify parents about the student's failure to follow the badge guidelines and discuss the importance of compliance. *\*Parent notifications are automated through the campus ID badge dashboard.*

- **Restrictions on Activities:** Limited participation in extracurricular activities, school events or restrictions on lunch/free time until the student demonstrates compliance.

**Temporary Badge:** Students will receive a temporary badge for the day, but the student will be required to sign a log or report to the office to obtain it. Multiple instances could lead to more serious consequences.

**Replacement Fee:** If the badge is lost or damaged, the student is required to pay a fee for a new one. The replacement fee will be added to the student's account in Skyward. *\*Replacement cost is based on the actual cost to print and replace the badge.*