Kennedale ISD

Student Code of Conduct

2026-2027

This Student Code of Conduct provides information regarding expectations for student behavior and consequences for misconduct. Please read and review the information in the Student Code of Conduct with your student so that you have a clear understanding of its content. Once you and your student have reviewed the Student Code of Conduct, please sign and date receipt. Your signature, in the manner required by the school district, acknowledges your understanding and agreement to the terms listed below. Please contact your student's teacher or campus administrator if you have any questions about the Student Code of Conduct.

I have read and understand the Kennedale Independent School District's Student Code of Conduct for the 2026-2027 school year. I understand that _____ (student name) will be held accountable for the behavior expectations and disciplinary consequences outlined in the Student Code of Conduct. I understand that the Student Code of Conduct governs all behavior at school, at school-sponsored and school-related activities, during online or other remote instruction, during school-related travel, or while traveling in a vehicle owned or operated by the District. I also understand the Student Code of Conduct governs some designated behaviors occurring within 300 feet of school property, some designated behaviors occurring completely off-campus, including certain electronic communications and postings, conduct that threatens the safety of other students or staff members, and any school-related misconduct regardless of time or location. I understand that a referral for criminal prosecution is possible for certain violations of law.

Table of Contents

General Overview 4
- Purpose
- Additional Rules
- General Standards of Student Conduct
- Notice of Disciplinary Action
- Anti-Discrimination
- Discipline of Students with Special Needs
- Discipline Appeals
- Effect of Student Withdrawal

Scope of the District's Disciplinary Authority 5
- General Authority
- Searches
- Criminal Conduct

Discipline Considerations & Techniques . . 7
- Discipline Considerations
- Discipline Management Techniques

General Types of Prohibited Conduct 11
- Misconduct Involving Others
- Possessing, Using, Giving, Selling, Buying, or Offering to Sell or Buy Prohibited Items
- Misuse of Property
- Safety / Disruption
- Technology
- Failure to Follow Rules
- Other Misconduct

Removal from District Transportation 17
- Reasons for Removal
- Procedure for Removal

Removal from Classroom by Teacher 18
- Ordinary Teacher Removal
- Formal Teacher Removal
- Placement During Removal
- Procedures for Teacher Removal
- Return to the Classroom

In-School Suspension (ISS) 19
- Reasons for ISS
- Procedure for ISS
- Notice for ISS

Out-of-School Suspension (OSS) 19
- Reasons for OSS
- Procedure for OSS
- Notice for OSS
- Assignments During ISS and OSS
- Grade Level and Other Restrictions on Suspension

Disciplinary Alternative Education Program (DAEP) 20
- Reasons for Mandatory DAEP Placement
- Reasons for Discretionary DAEP Placement
- Emergency DAEP Placement
- Procedure for DAEP Placement
- Length of DAEP Placement
- Particular Rules for Registered Sex Offenders
- Other DAEP Issues
- Policy for Parental Involvement in School Disciplinary Placements

Expulsion 27
- Reasons for Mandatory Expulsion
- Reasons for Discretionary Expulsion
- Emergency Expulsion
- Procedure for Expulsion
- Length of Expulsion
- Other Expulsion Issues
- Expulsion Appeals
- Virtual Expulsion Program

Definitions 32

Index 39

General Overview

Purpose

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 local District policy, the more recently adopted item will control.

Additional Rules

Students may be subject to campus, classroom, transportation, 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 threatens students or staff or disrupts or interferes with the educational process, learning environment, or school safety.

General Standards of Student Conduct

In order to promote a positive educational experience for all students, the District expects students 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 and the property of others, (5) support the learning process, (6) adhere to rules, and (7) promote a safe environment that does not threaten school safety. 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 seven 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. If a student is placed in in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled from school, assigned to a juvenile justice alternative education program, or taken into custody by a law enforcement officer, the campus behavior coordinator will promptly contact the parent/guardian by phone or in person and will also make a good faith effort to provide the student with written notice of the disciplinary action to be delivered to the parent/guardian on the same day the consequence is assigned or recommended. If the parent/guardian is not reached by phone or in person by 5:00 p.m. on the first business day after the disciplinary consequence is assigned or recommended, written notice will be sent to the parent's/guardian's last known address. Another campus administrator may provide notice of disciplinary action if the campus behavior coordinator is not able or available to provide notice. Failure to send any notice within this time period or as noted elsewhere in the SCC does not preclude imposing a discipline consequence. A school district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent(s), guardian(s), or other person(s) standing in parental relation to each student who is assigned to the campus or who regularly uses the facility.

The District has not adopted a parental involvement policy for DAEP placements and/or expulsions.

Anti-Discrimination

The District does not discriminate against students on the basis of race, sex, national origin, disability, religion, age, color, or ethnicity when enforcing the provisions of the SCC.

Discipline of Students with Special Needs

This Code of Conduct applies to all students. However, when enforcing its Code of Conduct, the District will comply with federal and state laws pertaining to students with disabilities. For more information about those specific procedures, please contact the Director of Special Student Services

Discipline Appeals

Questions from parents concerning disciplinary measures should be directed to the teacher or campus administration, as appropriate. If there are concerns or disputes regarding specific disciplinary techniques, student conduct investigations, or disciplinary actions, the first step is to discuss them with the appropriate campus Assistant Principal. If further resolution is needed, an appeal can be made to the campus Principal.

Appeals of disciplinary measures should be directed to the student's teacher or campus administrator, as described in local District policies FNG, FOC, or FOD as appropriate. Depending on the disciplinary consequence assigned, different complaint procedures may apply. A copy of the appropriate policy is available at the campus or central administration office or online at http://www.kennedaleisd.net Please note that the email address and dedicated phone number of the campus behavior coordinator or campus administrator responsible for student discipline is listed on the campus homepage. Timelines for filing appeals stated in the policy will be enforced. Disciplinary consequences will not be delayed or deferred pending the outcome of an appeal.

The Board of Trustees, through adoption of the Student Code of Conduct, has determined that an appeal of an in-school suspension, out of school suspension, or DAEP placement decision shall end at their appointed designee. Through adoption of this Student Code of Conduct, the Board has designated the campus Principal as the Board's designee for this purpose. Once a decision has been made to place a student in DAEP, there are no further avenues for appeal beyond the campus Principal.

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, and/or forwarding any order of a disciplinary consequence to a future school in which a student enrolls.

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.
- 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, constitutions, or other guidelines.
- During lunch periods, including those in which a student leaves the campus.
- While on school property.

- For any school-related misconduct, regardless of time or location.
- During online or other types of remote instruction.
- Other off campus conduct as authorized and defined by Chapter 37 of the Texas Education Code, including cyberbullying.
- For certain offenses against other students and school employees, regardless of time or location.
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line.
- For certain criminal offenses, regardless of time or location
- If the student is a registered sex offender.
- Conduct that threatens the safety of other students or staff members, regardless of the location

Searches

A student's clothing, personal property, electronic equipment, or method of transportation may be searched when there is reasonable cause to believe the search will reveal articles or materials prohibited by the District or other violations of school rules. School property used by the student, such as lockers, desks, or school-owned electronic equipment may be searched when deemed necessary by the campus administration. 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. For more information about searches, please review the District's Student Handbook and policy FNF (Local).

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 will not be postponed pending the outcome of any criminal proceeding or affected by the outcome of any criminal proceeding.

Finally, as the District expects its students to adhere to certain standards of conduct, the District also expects that parents of our students and other visitors will comply with similar standards of conduct and civility expected of our students. Accordingly, a school administrator, resource officer, or school district peace officer may refuse to allow a person to enter or may eject a person from any property under the control of the school district if the person refuses to leave peaceably upon request, and 1) the person poses a substantial risk of harm to themselves or others, or 2) is behaving in a way that is inappropriate for a school setting. A person behaving inappropriately for a school setting may be removed if, prior to the person being removed from District property, 1) the school employee issued a verbal warning that the behavior was inappropriate and could lead to the person's removal of the individual and 2) the person persisted in the behavior. Any person removed from District property may appeal such removal under Board policy FNG (Local) or (GF) (Local) and shall be permitted to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it.

Discipline Considerations

Using their professional judgment, campus behavior coordinators or other appropriate administrators will consider a variety of factors when administering disciplinary consequences and determining the duration of the consequence, including but not limited to:

- the degree of severity and risk of danger.
- the effect of the misconduct.
- the age and grade level of the student.
- legal requirements.
- the frequency of the misconduct.
- the student's demeanor.
- the possibility of disruption of the school environment.
- whether the conduct was motivated by antisemitism **(see definitions)**

When deciding to order a student to out-of-school suspension, DAEP placement, expulsion, or placement in JJAEP the District will consider, in addition to the factors above: (1) self-defense **(see definitions)**, (2) the student's intent **(see definitions)** or lack of intent at the time of the misconduct, (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 and (6) a student's status as homeless. These factors will be taken into consideration regardless of whether it is a discretionary or mandatory disciplinary consequence.

A student who, upon investigation, is found to be subject to bullying **(see definitions)** will not be disciplined on the basis of using reasonable self-defense **(see definitions)** in response to the bullying, as determined by the campus administration.

The District will also establish a "threat assessment and safe and supportive school team" to serve at each campus of the district and will adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program, as well as conducting threat assessments. These will include assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior, gathering and analyzing data to determine the level of risk and appropriate intervention (including referring a student for mental health assessment and implementing an escalation procedure, if appropriate based on the team's assessment), and providing guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual.

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student of the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to: (1) participate in the assessment, either in person or remotely; and (2) submit to the team information regarding the student. After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

Finally, security personnel are important members of the District safety team. State law requires that the job duties of the peace officers, school resource officers and security personnel be listed in the District Student Code of Conduct. See job duties listed below for School Resource Officers:

- Collaborate with school administrators to establish and maintain a safe and secure learning environment
- Assist with conflict resolution efforts and build a positive rapport with students, parents, visitors, and campus staff
- Conduct activities that will help to maintain order by enforcing state laws and city ordinances
- Conduct foot patrols and monitoring of District campuses to deter criminal activity
- Work closely with school administration to develop and train school staff in responding to various crisis situations
- Attend and participate in school events such as drills, assemblies, and other daytime school activities, as needed, and requested by campus administration and approved by SRO's supervisor
- Assist campus administration in the removal of any unauthorized persons on the campus during their shift
- Assist school administration with campus security and safety concerns
- Consult with the campus threat assessment team for the purpose of assessing risks and threats in school
- Assist with traffic on public and school property to ensure proper traffic flow around school campuses
- Coordinate the Campus Crime Stoppers Program
- Provide traffic control as needed
- Assist the District with its Emergency Operations Plan
- Maintain the confidentiality of student records as required by FERPA

Discipline Management Techniques

Discipline is designed to correct student behavior and encourage students to comply with school rules. 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 or campus or classroom rules:

- Verbal correction.
- Seating changes.
- Parent conferences.
- Removal from the classroom.

- Sending the student to the office or other area.
- Transfer to a different classroom or campus.
- Assignment to an alternate setting.
- Behavior modification contracts or improvement plans.
- Separation or “stay away” agreements or orders.
- Assignment of school-related tasks, services, or duties.
- School probation.
- Confiscation of items.
- Revocation of interdistrict transfer, as permitted by state law or local DOI Plan, if applicable
- Calming-down time.
- A fee, not to exceed $15, can be placed on confiscated student personal communication devices, as needed, before a student or parent may retrieve the device
- Restitution or restoration.
- Detention
- Lunch detention.
- Restorative practices
- After-school detention.
- Demerits or rewards.
- Positive behavior interventions.
- Counseling.
- Mediation.
- Peer mentoring.
- Training in conflict management, social skills, managing emotions, and impulse control.
- Loss or restriction of privileges, including participation or membership in co-curricular or extracurricular activities, seeking or holding honorary positions, or speaking at school activities.
- Revocation of transportation privileges.
- Suspension from participation in UIL or district extracurricular activities.

- Consequences identified in co-curricular or extracurricular codes of conduct, constitutions, by-laws, or other guidelines.
- Grade penalties as permitted by policy
- In-school suspension.
- Out-of-school suspension.
- Other methods and consequences as stated in the SCC
- Disciplinary Alternative Education Program (DAEP).
- Expulsion.

State law includes a list of prohibited "aversive" disciplinary techniques, defined as those "intended to reduce the likelihood of a behavior reoccurring by intentionally inflicting on a student significant physical or emotional discomfort or pain". While school districts may still utilize corporal punishment or legally permissible restraints, all other techniques listed in state law and below are explicitly prohibited and will not be utilized.

The term "aversive technique" includes a technique or intervention that:

- (1) is designed to or likely to cause physical pain, other than corporal punishment administered in accordance with state law;
- (2) is designed to or likely to cause physical pain through the use of electric shock or any procedure that involves the use of pressure points or joint locks;
- (3) involves the directed release of a noxious, toxic, or otherwise unpleasant spray, mist, or substance near the student's face;
- (4) denies adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;
- (5) ridicules or demeans the student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
- (6) employs a device, material, or object that simultaneously immobilizes all four extremities, including any procedure that results in such immobilization known as prone or supine floor restraint;
- (7) impairs the student's breathing, including any procedure that involves:
- (a) applying pressure to the student's torso or neck; or
- (b) obstructing the student's airway, including placing an object in, on, or over the student's mouth or nose or placing a bag, cover, or mask over the student's face;
- (8) restricts the student's circulation;
- (9) secures the student to a stationary object while the student is in a sitting or standing position;

- (10) inhibits, reduces, or hinders the student's ability to communicate;
- (11) involves the use of a chemical restraint;
- (12) constitutes a use of timeout that precludes the student from being able to be involved in and progress appropriately in the required curriculum and, if applicable, toward the annual goals included in the student's individualized education program, including isolating the student by the use of physical barriers; or
- (13) deprives the student of the use of one or more of the student's senses, unless the technique is executed in a manner that:
- (a) does not cause the student discomfort or pain; or
- (b) complies with the student's individualized education program or behavior intervention plan

General Types of Prohibited Conduct

Misconduct Involving Others

Misconduct identified in the list of prohibited behaviors below will result in the assignment of one or more "Discipline Management Techniques" if the behavior is committed at school, a school-sponsored or school-related activity, during school-related travel, while traveling on District owned or operated transportation, or when the District has "Disciplinary Authority" as described previously in the SCC.

- Horseplay, roughhousing, and other playful behavior that, though not intended to harm, presents a reasonable risk of harm, threatens the safety of others, or actually causes injury to others.
- Fighting **(see definitions)** or scuffling that may or may not result in physical pain, illness, or any impairment of a physical condition.
- Hitting, pushing, or attempting to hurt another student in any way
- Engaging in conduct that can or does cause bodily injury **(see definitions)**.
- Forcing an unwilling person to act or not act or obtaining money or another object of value from an unwilling person through duress, threats, force, extortion, coercion, or blackmail.
- Subjecting a student or District employee, official, or volunteer to physical harm, confinement or restraint.
- Bullying **(see definitions)**.
- Cyberbullying **(see definitions)**, including conduct that interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.
- Name-calling, ethnic or racial slurs, making racial comments to another student or employee, or derogatory statements that school employees reasonably believe could substantially disrupt the school environment or incite violence.
- Adding any substance, whether harmful or not, without permission to any food or beverages belonging to, in the possession of, or meant to be consumed by another student or District

employee, official, or volunteer.

- Engaging in harassment **(see definitions)** toward another student or a District employee, official, or volunteer, including harassment based on race, color, religion, national origin, disability, sex, gender, or age.
- Engaging in sexual harassment **(see definitions)** or sexual abuse.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older created by using A.I. without the student's consent.
- Invasive visual recording **(see definitions)**.
- Inappropriate verbal (oral or written), physical, or sexual contact toward another student or a District employee, official, or volunteer, regardless of whether it is consensual.
- Touching one's own private body parts in a sexual manner.
- Consensual hugging, touching, or other displays of affection that interfere with, detract from, or disrupt the school environment.
- Engaging in physical, sexual, verbal, or emotional abuse as a means to harm, threaten, intimidate, or control another person in a current or past dating relationship.
- Engaging in oral or written threats to cause harm or bodily injury **(see definitions)** to another student, a District employee, official, or volunteer, or school property, including threats made on or off campus, using the Internet or other technology resources, including messaging apps, postings, or any kind of social media.
- Engaging in oral or written threats of any kind of violence, violent acts, or harm to another student or staff member, whether or not such threats are meant to be taken seriously.
- Preparing a hit list **(see definitions)**.
- Wrongfully obtaining and using another person’s identifying information or personal data without permission.
- Hazing **(see definitions)**.
- Retaliating against a student for (1) reporting either a violation of the SCC or bullying, or (2) participating in an investigation of a violation of the SCC or bullying.

Possessing, Using, Giving, Selling, Buying, or Offering to Sell or Buy Prohibited Items

- Matches or a lighter.
- Tobacco products.
- Electronic cigarettes **(see definitions)**, electronic vaping devices, personal vaporizers, electronic nicotine delivery systems or paraphernalia, including but not limited to Juul and

Juul pods, vials, cartridges, or “pens” with liquid or any other types of material for use in such devices

- Zyn pouches or any other nicotine pouch or delivery system
- Fireworks or any other pyrotechnic device.
- Smoke or stink bombs.
- Laser pointers (unauthorized use).
- Pepper spray or other small chemical dispenser sold commercially for personal protection.
- “Look-alike” drugs or items attempted to be passed off as drugs, including non-prescription drugs, medications, or herbal or dietary supplements except as permitted by District policy.
- Prescription drugs except as permitted by District policy.
- Less than a useable amount of stems, seeds, or other pieces of marijuana.
- Paraphernalia **(see definitions)** related to any prohibited substance, including, but not limited to, marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage.
- Designer drugs, synthetic marijuana, synthetic cannabinoids (such as K2 or spice), stimulants (such as bath salts), or analogs of any drug in any form, regardless of whether currently scheduled or classified as an illegal drug under state or federal law and regardless of whether the substance is legally sold or marketed as "herbal incense," "potpourri," "bath salts," or "not for human consumption"
- Razor blades, box cutters, or chains.
- Knives with a blade 5 ½ inches or less.
- Hand instrument designed to cut or stab another by being thrown; including, but not limited to, a dirk, stiletto, dagger, poniard, bowie knife, sword, or spear.
- Fake or “look-alike” weapons.
- Deadly weapons **(see definitions)**.
- Poisons, caustic acids, or other materials that may be toxic to the human body.
- BB gun, air gun, or stun gun.
- Ammunition, shells, bullets, or gunpowder.
- Clubs, knuckles, firearm silencers, or similar dangerous weapons.
- Material that is sexually-oriented, pornographic, obscene, or reveals a person's private body parts, including material created by A.I.
- Material, including published or electronic items, that promotes or encourages illegal behavior or could threaten school safety.

	• Articles not generally considered to be weapons when the administrator determines that a danger exists or when used in a way that threatens or inflicts bodily injury to another.
	• Electronic games, iPads, MP3 players, stereo headsets, ear pods, air pods, or any other electronic equipment for other than approved use
Misuse of Property	• Stealing from others, including the District.
	• Committing or assisting in a robbery, theft, or burglary that is not punishable as a felony.
	• Damaging, destroying, or vandalizing property owned by others or the District.
	• Committing criminal mischief with damage in an amount less than $2500.
	• Marking District property such as textbooks, lockers, furniture, or equipment with graffiti, tagging, or by other means.
	• Attempting to start or starting a fire on or in any property owned, used, or controlled by a student, the District, or District employees, officials, or volunteers that does not rise to the level of arson or criminal mischief.
Safety / Disruption	• Threatening to use or exhibit a firearm.
	• Discharging a fire extinguisher, pulling a fire alarm, calling 911, tampering with an Automated External Defibrillator, or causing the sprinkler system to activate when there is no smoke, fire, danger, or emergency.
	• Making or participating in false statements, hoaxes, or jokes regarding threats to other students and/or school safety.
	• Making threats regarding school safety or harm to students and/or employees, regardless of intent.
	• Engaging in misbehavior, actions, or demonstrations that substantially disrupt or materially interfere with school activities or that give school officials reasonable cause to believe that such conduct will substantially disrupt the school program, endanger others, or incite violence.
	• Throwing objects that can cause bodily injury or property damage.
	• Making false accusations or providing false statements concerning wrongful, unlawful, inappropriate, or illegal conduct alleged to have been committed by another student or District employee, official, or volunteer.
Technology	• Using, displaying, or having in operational mode a cellular telephone or telecommunications device **(see definitions)** at school during the school day, including using a cellular telephone to film other students and/or District employees.
	• Sending, possessing, or posting electronic messages, videos, audio recordings, or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school, including cyberbullying **(see definitions)**.
	• Using any device or technology to copy or capture an image or the content of any District materials (such as tests or exams) without permission of a teacher or administrator.

- Making, participating in the making of, transmitting to another via an electronic device, or posting to the Internet a digital video, audio recording, or image of an actual or simulated act that involves a crime or conduct prohibited by the Code of Conduct.

- Using any device or technology to record the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or without the prior consent of the individual being recorded.

- Using any device or technology to record the voice or image of another to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video, or photos that reveal private parts of the body that are normally covered by clothing.

- Using the name, persona, or image of a student, District employee, or volunteer to create a web page or social media account or post one or more messages on a website or social media account without the other person's consent for purposes of harassing, intimidating, embarrassing, or threatening another.

- Using email, websites, social media, messaging apps, or electronic devices to engage in or encourage illegal conduct, violations of the SCC, or to threaten school safety.

- Attempting to or successfully accessing or circumventing passwords or other security-related information of the District, officials, volunteers, employees, or other students by any means.

- Attempting to or successfully altering, destroying, interrupting, intercepting, or disabling District technology equipment, District data, the data of other users of the District's computer system, or other networks connected to the District's system, including uploading or creating computer viruses, worms, or other harmful material.

- Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the District's website or social media accounts

- Using Artificial Intelligence (A.I.) in any way that harms other students, disrupts school operations, or otherwise violates provisions of this code of conduct or the District's Acceptable Use Policy

- Using Artificial Intelligence on any kind on any school assignment or assessment, unless explicitly authorized by the instructor of the class

- 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 or when such conduct is school-related and/or falls under the jurisdiction of the school, as described at the beginning of this SCC

- 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 show, provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student's parent/guardian.

Failure to Follow Rules

- Violating dress and grooming criteria.

- Being insubordinate or otherwise failing to comply with lawful directives given by school personnel.

	• Attempting to or successfully evading, avoiding, or delaying questioning by a District employee or providing inaccurate information when questioned about possible violations of the SCC. • Failing to provide proper identification upon request of a District employee. • Attempting to violate or assisting, encouraging, promoting, or attempting to assist another student in violating the Code of Conduct or help conceal any violation. • Failing to immediately report to a school employee knowledge of a device, object, substance, or event that could cause harm to self or others. • Unexcused tardiness to class. • Skipping school or class without the District's or parent/guardian's permission. • Leaving class, the campus, or school events without permission. • Enticing or preventing another student from attending school, class, or a school activity the student is required to attend. • Violating rules for conduct on school owned or operated transportation. • Violating rules for operating or parking a motor vehicle on school property. • Violating policies or rules for computer use, Internet access, technology, or other electronic communications or imaging devices. • Violating the District's medications policy regarding prescription and over-the-counter drugs. • Academic dishonesty, including cheating, copying the work of another, plagiarism, use of A.I. to complete assignments, or unauthorized collaboration with another person in preparing an assignment. • Failure to comply with guidelines applicable to student speakers who are speaking at school-sponsored or school-related events. • Failure to ensure that personal property, mode of transportation, or school property used by the student does not contain prohibited items. • Violating other campus or classroom rules for behavior or district policies.
Other Misconduct	• 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 mooning, streaking, or flashing.

- Taking one or more steps toward violating the SCC even if the student fails to complete the intended misconduct.

Removal from District 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
- 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 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

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 the 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 Classroom by Teacher

Ordinary Teacher Removal

A teacher may send a student to the campus behavior coordinator's office to maintain discipline in the classroom or when the student engages in behavior that violates the SCC. For these informal removals, the behavior coordinator will use one or more discipline management techniques to address and improve the student's behavior before returning the student to the classroom. If the student's behavior does not improve, the behavior coordinator will employ other discipline techniques or progressive interventions to improve the student's conduct.

Formal Teacher Removal

A teacher may remove a student from class when:

- The student repeatedly interferes with the teacher's communication or student learning
- The student demonstrates behavior that is unruly, disruptive or abusive toward the teacher, another adult, or another student
- The student engages in conduct that constitutes bullying as defined by law

A teacher may remove a student from class based on a single incident of behavior described above. A teacher may document any conduct by a student that does not conform to the Student Code of Conduct and may submit that documentation to the principal. 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.

Placement During Removal

When a teacher utilizes a formal removal of the student from the classroom, the administrator may place the student in: (1) another appropriate classroom, (2) in-school suspension, (3) out-of-school suspension, or (4) DAEP.

Procedures for Teacher Removal

No later than three school days after a teacher has formally removed a student from class, an administrator will schedule a conference with the campus behavior coordinator or other administrator, the student's parent/guardian, the student, and the teacher. At the conference, the student will be provided an explanation of the basis for removal and be given an opportunity to respond, the teacher must also be given an opportunity to participate, and a return to class plan must be discussed. After the conference, the campus behavior coordinator or designee will render a discipline decision and inform the student and parent/guardian of the consequences.

A student who is sent to the campus behavior coordinator's or other administrator's office through an ordinary or a formal teacher removal from class is not considered to have been removed from the classroom for the purposes of reporting data through the Public Education Information Management System (PEIMS) or other similar reports required by state or federal law.

Return to the Classroom

The principal may not return the student to the teacher's class without the teacher's written consent unless the Placement Review Committee determines that such placement is the best or only alternative available, a conference is held within three school days of the removal in which the teacher has been provided an opportunity to participate, and a return to class plan has been prepared for that student. The return to class plan must be created before or during the conference and discussed at the conference. At the conference, the principal or other appropriate administrator must notify the student and parent of the right to appeal the removal. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities.

A student may appeal the student's removal from class under this section to the placement review committee or to the campus's threat assessment and safe and supportive school team

established in accordance with state law, as determined by board policy.

If the teacher removed the student 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.

In-School Suspension (ISS)

Reasons for ISS

Students may be placed in ISS for any misconduct listed in any category of the SCC. ISS assignments are not subject to any time limit.

A student who possesses or uses an e-cigarette **(see definitions)** and who is not placed in a disciplinary alternative education program for the first-time offense, must be placed in in-school suspension for a period of at least 10 school days.

Procedure for ISS

The student will be informed of the reason for placement in ISS and be given an opportunity to respond. While in ISS the student will complete assignments from his or her teacher, and the campus administrator may place restrictions on the student's participation in school-sponsored or school-related activities.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date the ISS placement begins in order to evaluate the educational progress of the student and to determine if continued ISS is appropriate. If the principal or other appropriate administrator determines that continued ISS is appropriate, he or she shall document the determination.

Notice for ISS

On the day the consequence is assigned, the campus behavior coordinator or other appropriate administrator will contact the parent/guardian by phone or in person and will also make a good faith effort to provide the student with written notice of the disciplinary action to be delivered to the parent/guardian that same day. If the parent/guardian is not reached by phone or in person by 5:00 p.m. on that day, written notice will be sent to the parent's/guardian's last known address, via mail or electronically. Failure to send any notice within this time period or as noted elsewhere in the SCC does not preclude imposing the ISS discipline consequence.

Out-of-School Suspension (OSS)

Reasons for OSS

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

Procedure for OSS

The student will be informed of the reason for out-of-school suspension and be given an opportunity to respond before the administrator's decision is final. While the student is suspended, the administrator may place restrictions on the student's participation in school-sponsored or school-related activities. Students may be suspended for a maximum of three school days at a time.

Notice for OSS

On the day the consequence is assigned, the campus behavior coordinator or other appropriate administrator will contact the parent/guardian by phone or in person and will also make a good faith effort to provide the student with written notice of the disciplinary action to be delivered to the parent/guardian that same day. If the parent/guardian is not reached by phone or in person by 5:00 p.m. on that day, written notice will be sent to the parent's/guardian's last known address, via mail or electronically. Failure to send any notice within this time period or as noted elsewhere in the SCC does not preclude imposing the OSS consequence.

Upon receiving a written request from a student's parent or guardian, the principal or other appropriate administrator may, at his or her sole discretion, reassign a student placed in out-of-school suspension to ISS if the student's parent or guardian demonstrates through supporting information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. If the administrator decides on

ISS instead, the alternative placement may be used only in extenuating circumstances and may not be used as a routine replacement for out-of-school suspension. The school district shall maintain documentation of each such reassignment, including the parent's request, the reason for the parent's unavailability, and all supporting information and documentation.

Assignments During ISS and OSS

The student will be required to complete all class assignments, homework, tests, and other academic work covered during the 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 or administrator's instructions. The student will be provided during the period of suspension, whether in-school or out-of-school, an alternative means of receiving all course work provided in the classes in the foundation curriculum that the student misses as a result of the suspension, including at least one option for receiving the course work that does not require the use of the Internet.

The District will provide a student placed in ISS with appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's individualized education program and continue to have an opportunity to progress in the general curriculum.

Grade Level and Other Restrictions on Suspension

A student who is in second grade or younger cannot receive an out-of-school suspension unless, while at school or at a school-sponsored activity, the student engages in conduct that contains the elements of an offense related to weapons, engages in conduct that threatens the immediate health and safety of other students in the classroom, engages in documented conduct that results in repeated or significant disruption to the classroom, or engages in selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug, or an alcoholic beverage.

A student who is homeless, as that term is defined in federal law for homeless children and youth, cannot receive an out-of-school suspension, unless the student engages in conduct that contains the elements of an offense related to weapons, engages in conduct that threatens the immediate health and safety of other students in the classroom, engages in documented conduct that results in repeated or significant disruption to the classroom, or engages in selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana or a controlled substance, a dangerous drug, or an alcoholic beverage.

Disciplinary Alternative Education Program (DAEP)

Reasons for Mandatory DAEP Placement

School-Related. Subject to the requirements of Texas Education Code, Section 37.009 (a), a student must be placed in DAEP for any of the following misconduct if committed while on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Engages in conduct punishable as a felony.
- Commits an assault **(see definitions)** resulting in bodily injury **(see definitions)** against another.
- Sells, gives, delivers, possesses, uses, or is under the influence of a controlled substance **(see definitions)** or a dangerous drug **(see definitions)**, in any amount not punishable as a felony.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana **(see definitions)** or tetrahydrocannabinol **(see definitions)**.
- Sells, gives, delivers, possesses, uses, is under the influence of an alcoholic beverage or commits a serious act or offense while under the influence of an alcoholic beverage.

- Sells, gives, or delivers to another person an e-cigarette **(see definitions)**.
- Possesses or uses an e-cigarette **(see definitions)** other than a first-time offense.
- Engages in an offense relating to abusable volatile chemicals **(see definitions)**.
- Engages in conduct that contains the elements of the offense of harassment under specific provisions of the Texas Penal Code **(see definitions)**, against an employee of the school district.
- Engages in public lewdness **(see definitions)**.
- Engages in indecent exposure **(see definitions)**.
- Possesses, other than on his or her person, or uses a firearm **(see definitions)** as defined by state law. Note: Possession of a firearm as defined by federal law is an expellable offense.
- Possesses, other than on his or her person, or uses a knife with a blade over 5½".
- Engages in expellable conduct if the student is between six and nine years of age.
- Engages in a federal firearm offense if the student is six years of age or younger.

Off-Campus. A student must be placed in DAEP for engaging in a Title 5 **(see definitions)** felony offense, aggravated robbery, deadly conduct, disorderly conduct involving a firearm, or unlawfully carrying weapons as defined by the Penal Code **(see definitions)** while off-campus and not in attendance at a school-sponsored or school-related activity if:

- The student receives deferred prosecution
- A court or jury finds the student engaged in delinquent conduct, or
- The Superintendent or Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as either a Title 5 felony offense or aggravated robbery (as defined in the Penal Code).

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

- Issues a false alarm or report **(see definitions)** or a terroristic threat **(see definitions)** involving a public school.
- Engages in the criminal offense of harassment as defined by law **(see definitions)** against any school employee or volunteer.
- Engages in the criminal offense of retaliation as defined by law **(see definitions)** against any school employee or volunteer.
- Is a registered sex offender **(see definitions)** under court supervision, probation, community supervision, or parole.

Students who are: (1) convicted of continuous sexual abuse of a young child or children; or (2) convicted, receive deferred adjudication or deferred prosecution, been found to have engaged in delinquent conduct or conduct in need of supervision, or been placed on probation for either

sexual assault or aggravated sexual assault against another student assigned to the same campus at the time the offense occurred will be placed in DAEP (or JJAEP as appropriate) on the request of the victim's parents if the victim student does not wish to transfer, and there is only one campus serving that grade level. Placement in this circumstance may be for any length of time considered necessary.

Reasons for Discretionary DAEP Placement

School-Related. A student may be placed in DAEP for any of the following misconduct if committed while on school property, or while attending a school-sponsored or school-related activity on or off school property:

- Committing any offense included in the list of "General Types of Prohibited Misconduct" in this SCC.
- Possessing or using an e-cigarette **(see definitions)** for a first-time offense
- Engaging in persistent **(see definitions)** misbehavior that violates this SCC.
- Engaging in criminal mischief if the damage is less than $2500.
- Engaging in conduct that contains the elements of the offense of disruptive activities as defined by law **(see definitions)**
- Engaging in conduct that contains the elements of the offense of disruption of classes as defined by law **(see definitions)** unless the student is younger than 12 years of age at the time of the offense.

Off-Campus. A student may be placed in DAEP for engaging in the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

- The administrator has a reasonable belief that the student engaged in conduct punishable as a felony (other than aggravated robbery or a Title 5 felony), and the student's continued presence in the regular classroom is a threat to the safety of others or is detrimental to the educational process.
- Off-campus conduct for which DAEP placement is required by state law when the administrator does not learn of the conduct until more than a year passes after the conduct occurred.

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

- A student who is a registered sex offender **(see definitions)** and who is not under any form of court supervision may be placed in DAEP at the discretion of the District. A student who is a registered sex offender and who is not under any form of court supervision, may be placed in regular classes if the student is not a threat to the safety of others, is not detrimental to the educational process, and if such placement is not contrary to the best interests of the District's students.
- Engages in bullying **(see definitions)** that encourages a student to commit or attempt to commit suicide.
- Incites violence against a student through group bullying.
- Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

- Is involved with a public-school fraternity, sorority, secret society, or gang **(see definitions)**, including participating as a member or pledge, or soliciting another person to become a member or pledge.

- Is involved in criminal street gang activity (see definition).

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, a campus administrator will schedule a conference with the campus behavior coordinator or other appropriate administrator, the student's parent/guardian, and the student. At the conference, the administrator will explain the allegations against the student, inform the student of the basis for the proposed DAEP placement, and give the student an opportunity to explain his or her version of the incident. The District may conduct the conference and make a discipline decision regardless of whether the student or the student's parent/guardian attends if the District made reasonable attempts to have them attend.

On placement of a student in a disciplinary alternative education program, the school district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under the Texas Education Code, Section 29.004.

If during the term of DAEP placement the student engages in additional misconduct, additional conferences may be conducted and additional discipline may be 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 campus behavior coordinator or designee will issue a DAEP placement order. If the length of placement differs from the guidelines included in the SCC, the DAEP placement order will give notice of the inconsistency.

A copy of the DAEP placement order will be sent to the student and the student's parent/guardian. For those students placed in DAEP for a reason identified in the Texas Education Code, the District will also 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.

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. All DAEP placements will result in placement for up to one school year.

If the DAEP is at capacity at the time a DAEP placement decision is made for a student who engaged in conduct related to marijuana, a vape, alcohol, or an abusable chemical, the student shall be:

- (1) placed in in-school suspension; and

- (2) if a position becomes available in the DAEP program before the expiration of the placement period, transferred back to the DAEP for the remainder of the placement order.

If the DAEP is at capacity at the time a DAEP decision is made for a student who engaged in conduct described under Section 37.007 that constitutes violent conduct, as defined by commissioner rule or administrator discretion in the absence of commissioner rule, a student who has been placed in the program for conduct related to marijuana, a vape, alcohol, or an abusable chemical:

- (1) may be removed from the DAEP and placed in in-school suspension to make space in the DAEP available for the student who engaged in violent conduct; and

- (2) if removed from the DAEP for this reason, shall be returned to the DAEP if space becomes available prior to the end of the placement period.

Successful completion of school days will be determined at the discretion of the District. 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 District employees.

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. 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 engaged in serious or persistent misbehavior that violates the SCC. For purposes of this paragraph only, "serious or persistent misbehavior" means any misconduct identified as being punishable with placement in DAEP or expulsion or three or more violations of the SCC or repeated occurrences of the same violation.

If the DAEP placement extends beyond 60 days or the end of the next grading period, whichever is sooner, the student or the student's parent/guardian may participate in a proceeding before the Board or Board's designee as provided in policy FNG (LOCAL). Any decision of the Board is final and may not be appealed.

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. Registered sex offenders will be placed in a Juvenile Justice Alternative Education Program (JJAEP) in lieu of DAEP if: (1) ordered to attend 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 of one semester. Registered sex offenders who are not under any form of court supervision but who are assigned to DAEP must serve a length of placement to be determined by the Campus Behavior Coordinator or other appropriate administrator.

Transfers. Registered sex offenders under court supervision 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.

Registered sex offenders who are not under court supervision 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.

Periodic Review for Registered Sex Offenders. At the end of the first semester of DAEP placement, a review committee will determine by majority vote and recommend to the appropriate administrator whether the student should remain in DAEP or be returned to the regular classroom. The appropriate administrator 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 appropriate administrator 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.

Appeals for Registered Sex Offenders. DAEP placement may be appealed as described in District policy FNG or FOC. However, the appeal is limited to the factual question of whether the student is required to register as a sex offender under the law. A decision of the District's Board of Trustees is final and may not be appealed.

Other DAEP Issues

Grade Levels. Elementary students in kindergarten through grade 5 will not be placed in DAEP with secondary students in grade 6 through grade 12.

No Participation in Extracurricular Activities While in DAEP. Students placed in DAEP for any mandatory or discretionary reasons 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.

Impact on Graduation. 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.

Transportation. A student placed in DAEP will not be provided transportation unless the student has an IEP that requires special transportation designated as a related service.

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.

Coursework Opportunity. Students placed in DAEP will have an opportunity to complete coursework required for graduation, at no cost to the student, before the beginning of the next school year.

Transition from DAEP. As soon as practicable after the DAEP administrator determines the date a student will be released from the program, the administrator will provide written notice of the date to the student's parent/guardian and to the administrator of the campus to which the student will return. The DAEP will also provide the campus administrator an assessment of the student's academic growth while attending the alternative education program and the results of any assessment instruments administered to the student. Not later than five instructional days after the date of release from the DAEP, the campus administrator will coordinate the student's transition to a regular classroom, which must include assistance and recommendations from school counselors, school district peace officers, school resource officers, licensed clinical social workers, campus behavior coordinators, classroom teachers who are or may be responsible for

implementing the student's personalized transition plan, and any other appropriate school district personnel.

Transition Plan. Each student must be provided a personalized transition plan developed by the campus administrator. The transition plan must include recommendations for the best educational placement of the student and the provision of information to the student's parent or person standing in parental relationship to the student about the process to request a full individual and initial evaluation of the student for purposes of special education services under Texas Education Code, Section 29.004. The transition plan may include recommendations for counseling, behavioral management, or academic assistance for the student with a concentration on the student's academic or career goals; recommendations for assistance for obtaining access to mental health services provided by the district or school, a local mental health authority, or another private or public entity; and a regular review of the student's progress toward the student's academic or career goals. If practicable, the campus administrator or designee will meet with the student's parent/guardian to coordinate plans for the student's transition.

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. The District will decide on a case-by-case basis whether students assigned to DAEP in another Texas district, a Texas open-enrollment charter school, or an out-of-state school district will be required to complete the term of their DAEP placement or be placed directly into a regular classroom setting. 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 enrolling district. If the out-of-state DAEP placement period exceeds one year, the District will reduce the period of the 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.

Summer School. Students in DAEP during summer programs will be served alongside other students not assigned to DAEP.

Summer Activities. Students whose DAEP placement continues past the end of the school year and into the next school year will not be permitted to participate in school-related activities occurring during summer months, including team camps, clinics, practices, and workouts.

Criminal Proceedings. The review and appeal process described below is limited to retaliation or off-campus misconduct. It 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 that the student 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.

The administrator's decision may be appealed to the Board. In the event of an appeal, at the next scheduled meeting the Board will: (1) review the notice, (2) hear statements from the student, the student's parent/guardian, and the administrator, and (3) confirm or reverse the decision of the administrator.

If the Board confirms the decision of the administrator, the student and the student's parent/guardian have the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom while the appeal is pending.

Policy for Parental Involvement in School Disciplinary Placements

The District has opted not to adopt a policy providing for parental involvement in school disciplinary placements.

Expulsion

Reasons for Mandatory Expulsion

A student must be expelled for any of the following misconduct, regardless of whether the conduct occurs on or off school property:

- Engages in conduct that contains the elements of unlawfully carrying weapons under the Penal Code **(see definitions)** or the elements of carrying prohibited weapons under the Penal Code **(see definitions)**.

- Possesses or uses a handgun on or about his or her person **(see definitions)**.

- Engages in conduct that contains the elements of exhibiting, using, or threatening to exhibit or use a firearm under the Penal Code **(see definitions)**.

*Firearm note: So long as the firearm is not brought on school property, a student will not be expelled solely for using, exhibiting, or possessing a firearm at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or while participating in a shooting sports educational activity sponsored or supported by the Texas Parks and Wildlife Department or an organization working with the department.

- Possesses or uses a location restricted knife, on or about his or her person, if the student is younger than 18 years of age.

- Possesses, manufactures, transports, repairs, or sells one of the following prohibited weapons: an explosive weapon, machine gun, short-barrel firearm, armor-piercing ammunition, chemical dispensing device, zip gun, improvised explosive device, or tire deflation device **(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) kidnapping, (10) aggravated kidnapping, (11) burglary, (12) robbery, (13) aggravated robbery, (14) manslaughter, (15) criminally negligent homicide, or (16) continuous sexual abuse of a young child or children.

- 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.

Reasons for Discretionary Expulsion

- Engages in conduct that contains the elements of assault under Section 22.01(a)(1), Penal Code **(see definitions)**, against a school district employee or volunteer.

- Retaliates **(see definitions)** against a school employee or volunteer by committing a state-mandated expellable offense.

While in DAEP. A student may be expelled for engaging in documented serious misbehavior as defined by law **(see definitions)** while the student is placed in DAEP and on the DAEP site/campus despite documented behavioral interventions.

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:

- Sells, gives, delivers, possesses, uses, or is under the influence of a controlled substanceor a dangerous drug, if the conduct is not punishable as a felony.

- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana **(see definitions)** or tetrahydrocannabinol **(see definitions)**.

- Sells, gives, delivers, possesses, uses, or is under the influence of an alcoholic beverage or commits a serious act or offense while under the influence of an alcoholic beverage.

- Engages in misconduct that contains the elements of an offense relating to abusable volatile chemicals **(see definitions)**.

- Engages in deadly conduct **(see definitions)**.

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)**.

* Firearm note: So long as the firearm is not brought on school property, a student will not be expelled solely for using, exhibiting, or possessing a firearm at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or while participating in or preparing for a shooting sports educational activity sponsored or supported by the Texas Parks and Wildlife Department or an organization working with the Department.

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:

- Engages in felony criminal mischief.

- 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 without consent and knowingly alters, damages, or deletes school district property or information or breaches any other computer, computer network, or computer system.

- Engages in bullying **(see definitions)** that encourages a student to commit or attempt to commit suicide.

- Incites violence against a student through group bullying.

- Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

- 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.

- Issues a false alarm or report **(see definitions)** or a terroristic threat **(see definitions)** involving a public school.

Title 5 Felonies Regardless of Location. In addition to the expellable conduct listed above, a student may also be expelled and placed in Juvenile Justice Alternative Education Program if the student:

- is arrested for a Title 5 felony offense **(see definitions)**

- is charged with engaging in a Title 5 felony offense

- receives 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

- is found by a court or jury to have engaged in delinquent conduct for a Title 5 felony offense or aggravated robbery

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

- was convicted of a Title 5 felony offense or aggravated robbery;

A student may be expelled to an alternative setting for the offenses listed above when the appropriate administrator determines the student's presence in the regular classroom either threatens the safety of other students or teachers, is detrimental to the educational process, or is not in the best interests of the District's students.

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. An expulsion ordered in this case is final and may not be appealed beyond the Board of Trustees.

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 Principal within a reasonable time following the alleged misconduct. The student's parent/guardian will be informed of the basis for the proposed expulsion and will 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; and
- An opportunity to testify and to review and present evidence and witnesses in the student's defense.

Additional proceedings may be conducted and additional discipline may be imposed if the student engages in additional misconduct while the student is already expelled.

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 appropriate 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 the 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. Both mandatory and discretionary expulsions will result in expulsion for up to one school year.

School days counted towards completion of the expulsion term will be determined at the discretion of the District. 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.

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.

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.

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 Juvenile Justice Alternative Education Program (JJAEP) or other District-approved program or as necessary to provide a free appropriate public education under IDEA.

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

Age Restrictions. Students under the age of ten who 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.

Student Transfers. The District will decide on a case-by-case basis whether students expelled from another Texas district or from an out-of-state school district will be required to complete the term of their expulsion, be placed in DAEP for the duration of the expulsion term, or be placed directly into a regular classroom setting. In order to continue an out-of-state expulsion, the basis for the expulsion must also be a reason for expulsion in the enrolling district. If the out-of-state expulsion period exceeds one year, the District will reduce the period of expulsion so that it does not exceed one year unless the District determines that the student is a threat to the safety of others or extended expulsion is in the best interest of the student.

Expulsion Appeals

Appeals of disciplinary measures should be directed to a campus administrator, as described in local District policies FNG, FOC, or FOD as appropriate. Depending on the disciplinary consequences assigned, different complaint procedures may apply. A copy of the appropriate policy is available at the campus or central administration office or online at www.kennedaleisd.net Timelines for filing appeals stated in the policy will be enforced. Disciplinary consequences will not be delayed or deferred pending the outcome of an appeal.

Virtual Expulsion Program

The principal or other appropriate administrator may place a student who has been expelled under Texas Education Code, Sections 37.007 or 37.0081 into a virtual expulsion program established by the district and provide virtual instruction and instructional materials for remote learning to the student only if:

(1) the school district is located in a county that operates a JJAEP program or the school district contracts with the juvenile board of another county for the provision of a JJAEP, and the JJAEP rejects admission of the student or returns the student before the expiration of the discipline assignment; or

(2) the school district is not located in a county that operates a JJAEP and does not contract with the juvenile board of another county for the provision of a JJAEP.

If the principal or other appropriate administrator places a student in a virtual expulsion program under this section, the District shall ensure that the student has suitable computer equipment and Internet access and provide the computer equipment and Internet access if necessary.

A school district must ensure that, to the extent practicable in a virtual setting, the district's virtual expulsion program complies with the requirements for a DAEP under Section 37.008.

The principal or other appropriate administrator shall review the placement of a student in a virtual expulsion program under this section at least once every 45 school days after the date the placement begins, in order to determine if continued placement in the program is appropriate. The review must consider whether a position for the grade level in which the student is enrolled has become available in an in-person setting. If the principal or other appropriate administrator determines that such a position has become available, the school

district shall plan for the student's transition to an in-person setting as soon as practicable. If the principal or other appropriate administrator determines that continued placement is appropriate, the principal or other appropriate administrator shall document the determination.

A student placed in a virtual expulsion program shall be counted toward the District's average daily attendance for purposes of receipt of state funds under the Foundation School Program if the District can confirm the student's daily attendance in the virtual expulsion program.

A school district may not require a teacher who provides virtual instruction to students in a virtual expulsion program to provide virtual instruction and in-class instruction for a course during the same class period. A teacher may not provide instruction for a virtual expulsion program course unless the teacher has completed a professional development course on virtual instruction. The District shall take attendance for students placed in a virtual expulsion program in accordance with rules adopted by the Commissioner.

Definitions

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.

ANTI-SEMITISM: A certain perception of Jews that may be expressed as hatred toward Jews, including rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities.

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 student 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 written or verbal expression, including electronic communication, or physical conduct 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 or 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 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, including cyberbullying (see definition below). See District policy FFI for additional information regarding bullying.

CARRYING PROHIBITED WEAPONS: Intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling prohibited weapons, as defined by law.

CHEMICAL DISPENSING DEVICE: A device other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on an individual.

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

CRIMINAL STREET GANG: 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 or electronic communication tool and that occurs off school property or outside of a school-sponsored or school-related activity, if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

DANGEROUS DRUG: Substances as defined in Chapter 483 of the Texas Health and Safety Code, specifically a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act.

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

DEADLY WEAPON: A firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.

DISORDERLY CONDUCT INVOLVING A FIREARM: Discharging a firearm in a public place other than a public road or a sport shooting range or displaying a firearm or other deadly weapon in a public place in a manner calculated to alarm others.

DISRUPTION OF CLASSES: Intentionally disrupting the conduct of classes within 500 feet of school property, alone or in concert with others. Disrupting the conduct of classes or other school activities includes: (A) emitting noise of an intensity that prevents or hinders classroom instruction; (B) enticing or attempting to entice a student away from a class or other school activity that the student is required to attend; (C) preventing or attempting to prevent a student from attending a class or other school activity that the student is required to attend; and (D) entering a classroom without the consent of either the principal or the teacher and, through either acts of misconduct or the use of loud or profane language, disrupting class activities.

DISRUPTIVE ACTIVITY: Intentionally engaging in disruptive activity on the campus or property of any private or public school, alone or in concert with others. Disruptive activity is defined as: (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of a building without the authorization of the administration of the school; (2) seizing control of a building or portion of a building to interfere with an administrative, educational, research, or other authorized activity; (3) preventing or attempting to prevent by force or violence or the threat of force or violence a lawful assembly authorized by the school administration so that a person attempting to participate in the assembly is unable to participate due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur; (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or (5)

obstructing or restraining the passage of a person at an exit or entrance to the campus or property or preventing or attempting to prevent by force or violence or by threats of force or violence the ingress or egress of a person to or from the property or campus without the authorization of the administration of the school.

E-CIGARETTE: "E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes 1) a device described by the statute regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description, and 2) any component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from 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: 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, place of assembly, publicly accessible place, or mode of conveyance such as an automobile.

FIGHTING: Two or more persons engaged in any mutual 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 weapon; or (4) any destructive device, such as any explosive, incendiary or poison gas bomb, grenade, missile, rocket, or mine.

FIREARM (State law): Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

FIREARM SILENCER: Any device designed, made, or adapted to muffle the report of a firearm.

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.

GRAFFITI: Making marks of any kind on the tangible property of another without the effective consent of the owner.

HANDGUN: Any firearm designed, made, or adapted to be fired with one hand.

HARASSMENT (as defined by Board Policy and federal law): Threatening to cause harm or bodily injury to another, engaging in intimidating conduct, causing physical damage to the property of another, subjecting another to physical confinement or restraint, maliciously taking any action that substantially harms another's physical or emotional health or safety, or other conduct prohibited by District policy FFH or DIA that is so severe, persistent, or pervasive that it

has the purpose or effect of substantially or unreasonably interfering with a student's performance; creates an intimidating, threatening, hostile, or offensive educational environment; affects a student's ability to participate in or benefit from an educational program or activity; or otherwise adversely affects the student's educational opportunities. See also definition of Sexual Harassment, below.

HARASSMENT (as defined by the Penal Code): Actions against a school employee with intent to harass, annoy, alarm, abuse, torment, or embarrass, whereby the student initiates the communication and makes a makes a comment, request, suggestion, or proposal that is obscene; threatens, in a manner reasonably likely to alarm the employee receiving the threat, to inflict bodily injury on the employee or to commit a felony against the employee, a member of the employee's family or household, or the employee's property; conveys, in a manner reasonably likely to alarm the employee receiving the report, a false report, which is known by the student to be false, that another person has suffered death or serious bodily injury; sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend an employee of the District; or publishes 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.

HAZING: Any act, occurring 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 an organization, if the act constitutes any type of physical brutality, involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student, or involves the consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, including in amounts that would lead a reasonable person to believe the student is intoxicated. Hazing includes soliciting, encouraging, directing, aiding, or attempting to aid another student in engaging in hazing, as well as having firsthand knowledge of the planning or occurrence of a specific student hazing incident without reporting the incident to a school administrator, a peace officer, or a law enforcement agency. Consent to or acquiescence in the hazing activity does not excuse the student of responsibility for the misconduct.

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.

IMPROVISED EXPLOSIVE DEVICE: A completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components. The term does not include unassembled components that can be legally purchased and possessed without a license, permit, or other governmental approval; or an exploding target that is used for firearms practice, sold in kit form, and contains the components of a binary explosive.

INDECENT EXPOSURE: Those acts defined in Texas Penal Code § 21.08 as an offense that occurs when a person exposes his or her anus or any part of his or her genitals with intent to arouse or gratify the sexual desire of any person and is reckless about whether another is present who will be offended or alarmed by the act.

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 that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

INVASIVE VISUAL RECORDING: A person commits an offense if, without the other person's consent and with intent to invade the privacy of the other person, the person: (1) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of an intimate area of another person if the other person has a reasonable expectation that the intimate area is not subject to public view; (2) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of another in a bathroom or changing room; or (3) knowing the character and content of the photograph, recording, broadcast, or transmission, promotes a photograph, recording, broadcast, or transmission described above.

KNIFE: A bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing, including a switchblade.

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.

MARIJUANA: The plant Cannabis sativa L., whether growing or not, the seeds of that plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant or its seeds.

ON OR ABOUT HIS OR HER PERSON: Within the student's control and within arm's reach.

PARAPHERNALIA: Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes and drug paraphernalia as defined by the Texas Health and Safety Code 481.002.

PERSISTENT: Three 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 conveyance used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) any other school property used by the student, such as a locker or desk.

POSSESSION OR PROMOTION OF LEWD VISUAL MATERIAL DEPICTING A CHILD: Possessing, accessing, or promoting, lewd visual material depicting a child, as further defined by Texas Penal Code § 43.25 and punishable as a felony.

PROHIBITED WEAPONS: A prohibited weapon includes the following items: armor-piercing ammunition, chemical dispensing device, explosive weapon, machine gun, short-barrel firearm, zip gun, improvised explosive device or tire deflation device as further defined in Texas Penal Code § 46.05.

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

REASONABLE BELIEF: A determination that misconduct occurred made by the administrator using all available factual and legal information, including information furnished under Article 15.27 of the Code of Criminal Procedure.

RETALIATE: 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, including posting the residence address or telephone number of the employee on a publicly accessible website with intent to threaten harm or cause harm to the employee or the employee's family or household.

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 Teas 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.

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or conduct on the basis of sex prohibited by District policy FFH or FNC, when it is so severe, persistent, pervasive, and objectively offensive that it has the purpose or effect of effectively denying a person equal access to an educational program or activity. Conduct that meets the definitions of sexual assault, dating violence, domestic violence or stalking under federal law.

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).

TETRAHYDROCANNABINOL (THC): The primary psychoactive component of the cannabis plant. A THC concentration of .3% or greater is prohibited in Texas.

TIRE DEFLATION DEVICE: A device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

TITLE 5 FELONY OFFENSES: Offenses against the person that, depending on the circumstances, 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; 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; invasive visual recording; sexual coercion; 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 children; bestiality; voyeurism; disclosure or promotion of intimate visual material; 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 or other abnormal or erratic behavior or by the student's admission. The student need not be legally intoxicated.

UNLAWFULLY CARRYING A WEAPON: Intentionally, knowingly, or recklessly carrying a handgun, in plain view, on or about his or her person, not on the person's own premises or inside of or directly en route to a motor vehicle or watercraft that is owned by the person or under the person's control or the person is engaged in criminal activity.

USE: With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, putting 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.

Index

Alcoholic beverage 13, 20, 28, 32, 35, 36
Ammunition 13, 27, 32, 36
Appeal 5, 6, 18, 19, 24, 25, 26, 27, 29, 31
Arson 14, 27
Assault 19, 20, 22, 27, 28, 32, 37, 38
Bodily injury 11, 12, 14, 19, 20, 32, 33, 34, 35, 36, 38
Bullying 6, 7, 11, 12, 14, 18, 22, 28, 29, 32, 33
Cellular telephone 14
Cheating 16
Chemical dispensing device 27, 32, 36
Club 13, 33
Controlled substance 13, 20, 27, 28, 33, 36
Corporal punishment 10
Criminal mischief 14, 22, 28, 37
Cyberbullying 6, 11, 14, 32, 33
Dangerous drug 13, 20, 27, 28, 33, 36
Deadly conduct 21, 28, 33, 38
Deadly weapon 13, 33
E-cigarette 19, 21, 22, 34
Explosive weapon 27, 34, 36
Extracurricular 4, 5, 9, 10, 25
False alarm 21, 26, 29, 34
Felony 14, 20, 21, 22, 27, 28, 29, 35, 36, 38
Fighting 11, 34
Firearm 13, 14, 21, 27, 28, 30, 32, 33, 34, 35, 36, 37, 38
Fireworks 13
Graduation 25
Handgun 27, 32, 34, 38
Harassment 12, 21, 35, 37, 38
Hazing 12, 35, 37
Hit list 12, 35
In-school suspension 5, 10, 18, 19, 23, 24, 30
Indecency with a child 27, 38
Indecent exposure 21, 35, 37
Intent 7, 10, 14, 32, 33, 34, 35, 36, 37, 38
K2 13
Knife 13, 21, 27, 35, 36, 37
Knives 13
Knuckles 13, 36
Machine gun 27, 36
Marijuana 13, 20, 23, 24, 28, 36
On or about his or her person 27, 36, 38
Out-of-school suspension 4, 7, 10, 18, 19, 20, 23, 30
Paraphernalia 13, 36
Persistent 22, 24, 32, 35, 36, 37
Possession 6, 12, 21, 36
Prescription 13, 16, 34
Prohibited weapon 27, 32, 36
Public lewdness 21, 37
Retaliation 21, 26
Robbery 14, 21, 22, 27, 29
Safety 4, 6, 8, 11, 13, 14, 15, 20, 22, 24, 25, 26, 27, 29, 30, 31, 32, 33, 35, 36, 37
Search 6, 34
Self-defense 7, 37
Serious 12, 20, 23, 24, 28, 33, 34, 35, 36, 37, 38
Sex offender 6, 21, 22, 24, 25, 37
Sexting
Sexual assault 19, 22, 27, 37, 38
Sexual harassment 12, 35, 37
Short-barrel firearm 27, 36, 37
Silencer 13, 34
Special education 20, 26
Spice 13
Stealing 14
Terroristic threat 4, 21, 26, 29, 38
Tire deflation device 27, 36, 38
Title 5 21, 22, 29, 38
Tobacco 12
Transfer 9, 15, 22, 24, 26, 31
Transfers 24, 26, 31
Transportation 4, 5, 6, 9, 11, 16, 17, 25, 32, 36, 38
Under the influence 20, 27, 28, 38
Use 4, 5, 6, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 32, 33, 34, 35, 36, 37, 38
Vandalizing 14

Withdrawal 5, 26, 31
Zip gun 27, 36, 38