

# **Student Code of Conduct**

**2016-17**



# ACKNOWLEDGMENT

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## *Student Code of Conduct Acknowledgment*

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator.

A paper "hard copy" of this publication is available upon request from your campus principal's office, at no cost to you. Again, please do not hesitate to let us know of any questions or concerns with regard to expectations of appropriate student conduct and related disciplinary procedures.

Best wishes for a successful school year.

*Dr. David Young, Ph.D. – Abilene ISD Superintendent*

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We acknowledge that we have received a copy of the Abilene ISD Student Code of Conduct for the **2016–2017** school year and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

Print name of student: \_\_\_\_\_

Signature of student: \_\_\_\_\_

Print name of parent: \_\_\_\_\_

Signature of parent: \_\_\_\_\_

Date: \_\_\_\_\_

School: \_\_\_\_\_

Grade level: \_\_\_\_\_

Upon receipt of optional "hard copy", please sign this page, remove it, and return it to the student's school. Thank you.

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# **STUDENT CODE OF CONDUCT**

## **Purpose**

The Student Code of Conduct is the district’s response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a Disciplinary Alternative Education Program (DAEP), placement in a Juvenile Justice Alternative Education Program (JJAEP), or expulsion from school.

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

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

Because the Student Code of Conduct is adopted by the district’s board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will prevail.

**Please Note:** The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

## **General Information**

### ***General Eligibility for Admittance***

The Board shall admit into the public free schools of the District free of tuition all persons who are over five and not over twenty-one years of age on September 1, of the scholastic year, if such person or his parent, guardian, or person having lawful control resides within the District. The District may withdraw any student who ceases to be a resident.

**‘Parent’ Defined**

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

**Residency Requirement**

In order for a person under eighteen years of age to establish for the purpose of attending the public free schools, a residence separate from his/her parent, guardian, or other person having lawful control of him/her, he/she must demonstrate that his/her presence in the District is for the purpose of attending the public free schools and not the primary purpose of participation in extracurricular activities.

The Board shall determine whether an applicant for admission qualifies as a resident of the District and may adopt reasonable guidelines for making that determination as necessary to protect the best interest of students. The Abilene Independent School District is not required to admit a person attempting to establish residency under this section if he or she has:

1. Engaged in conduct or misbehavior within the preceding year that resulted in removal to a disciplinary alternative education program or expulsion,
2. Engaged in delinquent conduct and is on probation or other conditional release,
3. Been convicted of a criminal offense and is on probation.

**Falsifying Enrollment Information**

A parent, or person having lawful control, who knowingly falsifies information on a form required for a student’s enrollment in the District, or a school within the District shall be considered to have committed a third degree felony if the student is not eligible for enrollment but is enrolled on the basis of false information. For the period during which the ineligible student is enrolled, the person is liable for the maximum tuition fee.

The District may charge the amount the District has budgeted per student as maintenance and operating expense or the maximum tuition fee whichever is greater.

**Admission Requirements**

Students entering a school in the Abilene Independent School District will be required to provide proof of residence.



## **Child's Identity**

State Law (Texas Education Code 25.002) requires a parent or custodian to present within 30 days of a child's enrollment, proof of the child's identity (birth certificate or any other acceptable documentation) and a copy of the child's records from the most recently attended school. It also requires school districts to notify the police if this information is not provided and request whether the child has been reported as missing.

Also, the school district enrolling the child is required to notify the Missing Children Information Clearing House (1-800-346-3242) if the name on the identifying document or school records differs from the name under which the child is enrolled.

## ***Student Records/Directory Information***

Certain information about District students is considered directory information and will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about the child. This objection must be made in writing to the principal within ten school days after the issuance of the student code of conduct. Be aware that denial of release of directory information could impact student participation in events covered by local news and Abilene Independent School District TV. Indiscreet release of directory information will not occur. If directory information is ever requested "private" that info will remain private until written notice is received to change to "not private". The parent and director of student services will be notified of unusual requests. Directory information includes: a student's name, address, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, enrollment status, dates of attendance, grade level, honors and awards received in school, and student's photograph.

Parents wishing not to release directory information to military recruiters and institutions of higher education may direct the district, in writing, not to release the information.

By law, both parents, whether married, separated, or divorced, may have legal access to the records of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

It is understood that Communities in Schools of the Big Country campus coordinators, may obtain student information from Abilene ISD to determine if students referred to them by teachers, parents, counselors or self are eligible for services that may help the student. Communities in Schools services may include, but are not limited to, job search, counseling, supportive guidance, tutoring, enrichment, testing and referrals to other agencies. All information obtained will be kept confidential to the extent permitted by law and used for the purpose indicated. Any student eligible for services must have a parent consent form signed prior to receiving services. Parent objection to the release of information must be made in writing to the principal.

The District's complete policy regarding student records is available from the principal's or superintendent's office. This refers to Abilene Independent School District Board Policy FL which may be obtained at the principal's or superintendent's office. Board policy may also be reviewed online through the District's web site at: [www.abileneisd.org](http://www.abileneisd.org)

## ***Attendance***

To receive credit in a class, a student must be in attendance for at least 90% of the days the class is offered during a semester. A student who is in attendance less than 90% of the days the class is offered but more than 75% may earn credit by completing a plan approved by the principal FEC (LEGAL).

When returning to school after an absence, a student must bring a note signed by the parent that describes the reason for the absence. Verification of any illness may be required if the student's absences are more than 3 to 5 consecutive days or if the reason given is suspect.

An attendance committee will be appointed by each school to hear appeals from students who are in attendance less than 75% or if they did not successfully complete the approved plan of the principal.

The committee will consist of the student's teacher(s), counselor, and the principal or his or her representative. The attendance committee will have the authority to:

1. Grant excessive absences.
2. Offer alternative ways for students to make up time and school work missed.
3. Deny credit.

The Board has established the following as extenuating circumstances:

1. Board-approved extracurricular activity or public performance subject to limitations in FM (LEGAL) preceding.
2. Required screening, diagnosis, and treatment for Medicaid-eligible students.
3. Documented health care appointment, if the student begins classes or returns to school on the same day as the appointment.
4. Temporary absence resulting from any cause acceptable to the teacher, principal, or Superintendent.
5. Juvenile court proceeding documented by a probation officer.
6. Absence required by state or local welfare authorities.
7. Family emergency or unforeseen or unavoidable instance requiring immediate attention.
8. Approved college visitation.

According to state law, if a student is absent from school without an excuse for three days or parts of days within a four-week period or 10 or more days or parts of days within a six-month period in the same school year, the parents may be subject to prosecution.

A person who is 19 or older and is enrolled in public school is required to attend school each day in order to maintain eligibility. If the person has more than five unexcused absences in one semester, a school district may revoke the person's enrollment for the remainder of the year.

***Excused Absences due to Military Deployment***

A student may be excused for up to 5 days absence without penalty (and will be allowed reasonable time to make up missed school work) in order to visit with a parent, stepparent, or legal guardian who is an active duty member of the uniformed services and has been called for duty for, is on leave from, or immediately returned from continuous deployment of at least four months outside the service member's residence. Excused absence will be allowed for such visits taken within 60 days before the deployment, while the service member is on leave during deployment, and/or within 30 days after the service member's return from deployment.

***Compulsory Attendance***

Students will be required to attend school if they are at least 6 years of age at the beginning of the school year, and until student has reached their 18th birthday.

Upon enrollment in school, pre-kindergarten and kindergarten students will be required to attend school.

There is a direct relationship between attendance at school and success in schoolwork. It is very difficult for a child who misses school frequently to keep up with daily work.

Senate Bill 1432 requires that a parent or guardian be notified when a student has had three (3) or more unexcused absences in a four-week period or ten (10) or more unexcused absences in a six (6) month period. The bill also states that:

1. It is the parent's duty to monitor the student's school attendance and require the student to attend school; and
2. The parent is subject to prosecution under Texas Education Code Section 25.093.

***Leaving School Without Permission/Truancy***

Students attending District schools shall not be allowed to leave campus during the lunch hour. The principal or designee shall consider special circumstances on a case-by-case basis.

Students leaving campus without administrative approval shall be subject to disciplinary action.

***Driver License Attendance Verification***

To obtain a driver license, a student between the ages of 16 and 18 must annually provide to the Texas Department of Public Safety a form obtained from the school verifying that the student has met the 90 percent attendance requirement for the semester preceding the date of application. The student can obtain this form at the home campus office.

***Saturday School***

Students in grades 6-12 may be assigned to Saturday School by an attendance committee for excessive absences and/or tardies that are not acceptable. Saturday School will be required for students who are truant from school.

***Assistance for Students with Learning Difficulties***

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other support services that are available to all students.

At any time a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If evaluation is needed, the parent will be notified and asked to provide consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date of the district receives the written consent. The district must give a copy of the report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of their rights if they disagree with the district. Additionally, the notice must inform the parent how to obtain a copy of the Notice of Procedural Safeguards – *Rights of Parents of Students with Disabilities*.

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is:

Connie Mangin  
325.677.1444

## ***Dress Code***

The District's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards.

A student's dress and grooming should be clean, neat and in good taste at all times. A student's appearance shall not create a distraction from nor interfere with the normal orderly process of the instructional program or of the management of any school program.

The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference with normal school operations. The District prohibits pictures, emblems, or writings on clothing that are lewd, offensive, vulgar, or obscene or that advertise or depict tobacco products, alcoholic beverages, drugs, or any other prohibited substance.

The following specific guidelines must be adhered to in the matter of dress in all AISD schools (subject to stricter standards in the Middle Schools):

1. Appropriate and modest attire is required. Some examples of items not to wear include but are not limited to: off-the-shoulder apparel, tank tops, spaghetti straps, muscle shirts, mesh tops, halter tops, see-through clothing, exposed midriff or backs, bicycle shorts, sunshades in the buildings.
2. All apparel, accessories and visible body markings must be free of references to race, alcohol products, tobacco products, drugs, sex, vulgarity, profanity, death, suicide or violence, either explicitly or by innuendo. Body markings on any part of the body must be reasonably covered in an unobtrusive manner if they are gang related or violate any provision of the dress code.
3. Clothing must be appropriately sized and worn at the waistline. No shorts, skirts, or dresses may be shorter than five inches above the top of the knee. Clothing that is altered, slit, or frayed and exposes skin that otherwise would not be permitted, is not allowed. Leggings/tights are not allowed without shorts or skirts unless covered by an appropriate garment that reaches at least to the middle of the thigh.
4. Clothing must adequately cover the student's body so as not to consistently expose any portion of underwear, cleavage, midriff or buttocks when standing or sitting with normal posture. Outer garments must cover undergarments (athletic shorts, pajamas etc.) at waist level.
5. Shoes appropriate for school must be worn at all times. See campus handbook as applicable. No house shoes. No shoes with wheels.
6. Hats, caps, hoods or any other head coverings are not to be worn in the building.
7. Hair should be clean and appropriately groomed and cut or styled in such a way that it does not cover the eyes. Students will not be allowed to spray paint or dye their hair green, blue, purple, pink, or other unnatural tints. The District also prohibits hairstyles and treatments that are unconventional, gang related and/or create a potential disturbance/distraction. Designs in hair and mohawks are prohibited for elementary and middle school students. See campus handbook for high school.
8. Visible body piercing or clipping jewelry is limited to the ears in elementary and middle school. In high school, facial piercings should be limited to clear or small studs. Body piercings should remain concealed at all times.
9. Any apparel, accessory or visible body marking that denotes gang-related association is prohibited (i.e. rags, bandanas, chains, spiked or studded items, or other physical alterations as identified by local law enforcement).

STANDARDIZED DRESS is required in all AISD Middle Schools, as outlined in Appendix 3.

## **General Information**

Prior to being disciplined for a violation of the District's dress code, the student will be warned that his/her dress is unacceptable and given an opportunity to make necessary changes. If appropriate corrections are not made in the student's appearance, the student shall be subject to discipline (such as ISS) after being afforded appropriate due process. Repeated offenses may result in additional disciplinary action in accordance with the Student Code of Conduct.

Judgments as to what is neat, clean, modest, immodest, appropriate, or inappropriate will be made by the principal and the decision of the building principal in these matters is final.

### ***Bus Policy***

The state allows the district to provide bus transportation for all students that live two or more miles from their school. This service is provided at no cost to students. School busses are considered an extension of the classroom therefore riding the bus is a privilege, which may be revoked. Students are expected to comply with the Student Code of Conduct.

Behavior which is not permitted includes, but is not limited to, the following:

#### **General Bus Rules are in accordance with Federal Highway Safety Standards #17**

1. All students must obey the driver's directions promptly and courteously.
2. Students are to stay in seats and face forward.
3. Students must keep the bus aisles clear of books, bags, feet, etc.
4. Students must keep all body parts inside the bus.
5. No loud or distracting noises are allowed.
6. No vandalism to school or personal property is allowed.
7. No rude, vulgar, obscene language or obscene actions are allowed.
8. Students should keep hands, feet and other objects to themselves. No horseplay.
9. Any action by a student that is deemed unsafe is prohibited. This includes throwing objects on or off the bus.
10. Students are expected to maintain proper conduct while at designated bus stops.

Should the rules be broken, the following consequences will be invoked by the **building principal or the campus behavior coordinator**.

<b>First referral:</b>	Warning and parent letter
<b>Second referral:</b>	Warning and parent contact
<b>Third referral:</b>	Five days suspension from the bus
<b>Fourth referral:</b>	Ten days suspension from the bus
<b>Fifth referral:</b>	Removal from the bus for the remainder of the semester

## ***General Information***

\*\*\*\*\*Severe misbehavior may result in immediate removal from the bus. This may include but not limited to fighting, vandalism, breaking the law, or deliberate defiance of driver's instruction that puts the passengers in danger.

For safety purposes, video/audio equipment may be used to monitor student behavior on buses.

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

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

## **Visitors on Campus**

Parents and visitors on campus should report to the main office upon arrival and will be asked to show photo identification. The identification will be electronically checked against registered sexual offender databases. Visitors refusing to show acceptable identification may be asked to leave the school.

## ***District Web Site***

The District will maintain a District Web site for the purpose of informing employees, students, parents, and members of the community of District programs, policies, and practices. Requests for publication of information on the District Web site must be submitted to the District Webmaster. No commercial advertising will be permitted on a Web site controlled by the District.

## ***Sexual Harassment***

The District believes that every student has the right to attend school and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. The District considers sexual harassment of students to be serious and will consider the full range of disciplinary options, up to and including expulsion, according to the nature of the offense.

All students are expected to treat one another courteously, with respect for the other person's feelings; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop. All students are prohibited from engaging in offensive verbal or physical conduct of a sexual nature directed toward another student. This prohibition applies whether the conduct is by word, gesture, or any other intimidating sexual conduct, including requests for sexual favors that the other student regards as offensive or provocative.

Students and/or parents are encouraged to discuss their questions or concerns about the expectations in this area with the teacher, the principal or designee, or Mrs. Kari Leong or Dr. Joe Alcorta, who serve as the District's Title IX coordinators for students.

A complaint alleging sexual harassment by another student or sexual harassment or sexual abuse by a staff member may be presented by a student and/or parent in a conference with the principal or designee or with the Title IX coordinator. The first conference with the student ordinarily will be held by a person who is the same gender as the student. The conference will be scheduled and held as soon as possible within five days of the request. The principal or Title IX coordinator will coordinate an appropriate investigation, which ordinarily will be completed within 10 days. The student or parent will be informed if extenuating circumstances delay completion of the investigation.

The student will not be required to present a complaint to a person who is the subject of the complaint.

If the resolution of the complaint is not satisfactory to the student or parent, the student or parent within 10 days may request a conference with the Superintendent or designee by following the procedure set out in Board Policy FFH (LOCAL). If the resolution by the Superintendent or designee is not satisfactory, the student or parent may present the complaint to the Board as provided by policy.

## ***Bullying***

Bullying may occur when a student or group of students engages in written or verbal expression or physical conduct that 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; or is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student. (Refer to Glossary on page 47 for the complete, statutory definition of Bullying.) See Board Policy FFI (LOCAL).

A student or parent who has a complaint alleging bullying should immediately report the complaint to a campus administrator, teacher or counselor for investigation.



## **School District Disciplinary Authority and Jurisdiction**

### **Campus Behavior Coordinator**

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district maintains a current list of the persons serving as a campus behavior coordinator in the student handbook or on the district's website at [www.abileneisd.org](http://www.abileneisd.org).

School rules and the authority of the district to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity on district transportation;
2. During lunch periods in which a student is allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
9. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
10. When the student is required to register as a sex offender.

### ***Searches of Students, Lockers, and Vehicles on School Property***

The principal or other school administrator can search a student's outer clothing, pockets, or property if she or he has a reasonable basis to suspect that the search will reveal evidence that the student has violated a school rule. The scope of the search will be related to the suspected violation.

Lockers are school property and remain under the school's control at all times. Lockers can be searched at any time. Because students are responsible for any contraband that is found in their lockers and will be disciplined accordingly, they should not give any other student the combination to their lockers or otherwise let anyone else have access to their lockers.

## ***School District Authority and Jurisdiction***

Vehicles parked on school property or within 300 feet of school property are subject to search by the principal or other school administrators if they have a reasonable basis to suspect that there may be contraband of any kind, such as weapons, alcohol, drugs, tobacco, or any other prohibited substance, in the car.

The District will periodically bring in trained, non-aggressive dogs to sniff around vehicles parked on school property to alert officials to the current presence of concealed prohibited items, illicit substances, and alcohol. If the trained dog alerts to a vehicle, that alert provides a reasonable basis to search the car. We will always ask the student for permission to search when a dog alerts or we have any reasonable basis, such as a reliable tip, to search the vehicle. If the student does not consent, we will ordinarily contact a parent and local law enforcement and turn the matter over to the police. Because students are responsible for any contraband that is found in a vehicle they have parked on school property and will be disciplined accordingly, they should be very careful about what goes on in any vehicle they drive to school.

Lockers, classrooms and other common areas may be sniffed by trained dogs at any time when students are not present. The students may be asked to step outside, leaving their belongings inside the room, so the trained dog can search the area. If contraband of any kind is found as a result of a search, the possessing student will be subject to the appropriate disciplinary action, regardless of the intent, in accordance with the Student Code of Conduct.

### **Notice of Metal Detector Searches**

Students are subject to metal detector searches on a random basis. [see Board Policy FNF (LOCAL)]

### ***Cooperation with Law Enforcement Officials***

The District and district personnel will cooperate with law enforcement agencies within reason. Law enforcement officials may be summoned to keep or restore order at school or school related activities. They may also be summoned to conduct an investigation of alleged criminal conduct on school premises or at school sponsored activities. Administrators shall have the responsibility and authority to determine when law enforcement officers' assistance is needed within their respective jurisdiction. However, district administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

### ***Police Questioning of Students***

The following guidelines apply when law enforcement officers or other lawful authorities desire to question or interview a student at school regarding matters other than child abuse or neglect:

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school.
2. The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents shall not be notified at that time.
3. The principal or a designee ordinarily shall be present during the questioning or interview unless the interviewer raises what the principal considers to be a valid objection.

## ***School District Authority and Jurisdiction***

State law specifically prohibits school officials from denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect, or requiring that a parent or school employee be present during the interview. School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.

### ***Arrested Students***

If a student at school is subject to arrest or apprehension by law enforcement officer(s), the principal or appropriate administrator, after consultation, shall deliver the student into the officer's custody. The principal shall immediately make reasonable efforts to notify the student's parents and the director of student services

### ***Reporting Crimes***

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

### ***Revoking Transfers***

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

### ***Graduation Activities***

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

See DAEP—Restrictions during Placement on pages 31-32, for information regarding a student assigned to DAEP at the time of graduation.

## **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

## **General Conduct Violations**

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

### ***Disregard for Authority***

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on district vehicles.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

### ***Mistreatment of Others***

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, harassment, or making hit lists. (See glossary for all three terms.)
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Engage in conduct that constitutes dating violence. (See glossary.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

## ***Property Offenses***

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see DAEP Placement or Expulsion.)
- Deface or damage school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion.)

## ***Possession of Prohibited Items***

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain; or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon;
- An air gun or BB gun (including CO2 or other compressed gas), pellet gun, or paintball;
- Ammunition;
- A stun gun;
- A pocketknife, switchblade, or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device, or any other vaporizing device or “smoking” simulator;
- Matches or a lighter;
- A laser pointer for other than an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion.)

## ***Possession of Electronic or Other Communication Devices***

### **High School**

Students are not permitted to possess electronic devices such as tablets, handheld games, viewing or listening devices (iPods, DVD/CD players, radios, camcorders, cameras, etc.) or pagers unless prior permission has been obtained from the principal or teacher or pursuant to the district’s Bring Your Own Device (BYOD) policy. (See APPENDIX 2: Bring Your Own Device policy) Without such permission, teachers will collect the items and turn them in to the principal’s office. Students may carry cell phones and may use them during passing periods, but upon entering the classroom all phones must be out of sight and turned off or completely silenced.

Cell phone use is permissible in the cafeterias and immediate patio areas around the cafeterias only during the student’s designated lunch time.

## **General Conduct Violations**

If a faculty or staff member sees or hears the prohibited use of a student's cell phone in any instructional building during non-passing periods, the phone will be taken up. The parent, legal guardian, or student may come to the office after school and retrieve the phone on the first offense for a \$15 cash fee. On the second offense, there will be a \$15 cash fee charged, and a parent or legal guardian must be the one who picks up the phone after school. On the third and subsequent offense(s), the parent or other legal guardian must retrieve the phone after school, there will be a \$15 cash fee charged and the student will be assigned detention or ISS. This policy is in place during the student's instructional day.

If at any time, including permitted cell phone use in the hallways or cafeteria, a faculty member or administrator has reasonable suspicion of conduct violations or illegal activity using the cell phone or other electronic device, the device is subject to confiscation and a school administrator will be allowed access to the device, SIM card, memory card, battery, and all components for the device. If any evidence of illegal activity is found, the device and/or evidence may be turned over to law enforcement authorities, charges will be filed and legal action may be taken.

If a phone or device is confiscated and held by school administration, it will be placed in an envelope with the student's name on it and held in the principal's office in a secure location. The district is not responsible for confiscated items that are misplaced, stolen, or damaged.

### **Middle and Elementary Schools**

Students are not permitted to possess electronic devices such as tablets, games, viewing or listening devices (iPods, DVD/CD players, radios, camcorders, cameras, etc.) or pagers unless prior permission has been obtained from the principal or teacher or pursuant to the district's Bring Your Own Device (BYOD) policy. (See APPENDIX 2: Bring Your Own Device policy) Without such permission, teachers will collect the items and turn them in to the principal's office. Students shall not use a cell phone or other communication device with phone, IM, and/or text messaging, or other capabilities at school or on school property during the instructional day. A student may possess a cell phone if it is out of sight and turned off. If a student is in violation of the policy, they will be subject to disciplinary action. The phone will be confiscated and returned only to the student's parent or legal guardian. The student will receive a warning. On the second offense, the parent or legal guardian will be charged a \$15 cash fee to retrieve the phone. On the third offense, the parent or legal guardian will be charged a \$15 cash fee to retrieve the phone and the student will be assigned detention or ISS. If the offenses continue, the discipline plan will be followed and further fees will be assessed.

If at any time, a faculty member or administrator has reasonable suspicion of conduct violations or illegal activity using the cell phone or other electronic device, the device will be subject to confiscation and a school administrator will be allowed access to the device, SIM card, memory card, battery, and all components for the device. If any evidence of illegal activity is found, the device and/or evidence may be turned over to law enforcement authorities, charges will be filed and legal action may be taken.

If a phone or device is confiscated and held by school administration, it will be placed in an envelope with the student's name on it and held in the principal's office in a secure location. The district is not responsible for confiscated items that are misplaced, stolen, or damaged.

**Students shall not possess or use telecommunications or other electronic devices at school during state-mandated assessments as prohibited by state law or regulation.**

***Illegal, Prescription, and Over-the-Counter Drugs***

Students shall not:

- Possess or sell seeds or pieces of marijuana, whether or not a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion.)
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See glossary for “abuse.”)
- Abuse over-the-counter drugs. (See glossary for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See glossary for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

***Misuse of Technology Resources and the Internet***

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources. (See APPENDIX 1: Electronic Communication Systems, Responsible Use Guidelines, and Internet Safety)
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the Internet or other electronic communications to threaten district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including cyberbullying and “sexting” either on or off school property, if the conduct causes a substantial disruption to the educational environment.
- Use e-mail or websites, social media, or other electronic technology to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment.



***Safety Transgressions***

Students shall not:

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

***Miscellaneous Offenses***

Students shall not:

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district allows campus or classroom rules to be imposed in addition to those found in the Code. These rules may be posted in classrooms or given to the student as additional standards of conduct.

## **Discipline Management Techniques**

Discipline shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative discipline practices. Discipline shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Because of these factors, discipline for a particular offense, including misconduct in a district vehicle owned or operated by the district, unless otherwise specified by law, may bring into consideration varying techniques and responses.

### ***Students with Disabilities***

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law shall prevail.

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

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

### ***Techniques***

The following discipline management techniques may be used - alone, in combination, or as part of progressive interventions - for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or "time-out."
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.

## ***Discipline Management Techniques***

- Detention, which may extend beyond regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

### ***Notification***

The campus behavior coordinator will ordinarily attempt to promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. Moreover, if and when such a student is placed into in-school or out-of-school suspension, placed in a DAEP, expelled, or placed into JJAEP or taken into custody by a law enforcement officer, the campus behavior coordinator shall promptly notify the parent by phone or in person in accordance with Education Code 37.0012. (Such notification shall be in addition to, not instead of, any other due process required for such disciplinary action.) A good faith effort shall also be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

## ***Discipline Management Techniques***

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

### ***Appeals***

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

**(The Board encourages resolution of complaints through informal conferences with appropriate teacher, principal, or other campus administrator.)**

Consequences shall not be deferred pending the outcome of a grievance.

## **Removal from the Regular Educational Setting**

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

### ***Routine Referral***

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

### ***Formal Removal***

A teacher **may** also initiate a formal removal from class if:

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

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the misconduct for which he or she is charged and the consequences. The student shall have an opportunity to give his or her version of the incident.

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

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

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

***Returning Student to Classroom***

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

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

## **Out-of-School Suspension**

### ***Misconduct***

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

### ***Process***

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The number of days of a student's suspension shall be determined by the campus behavior coordinator, but shall not exceed three school days.

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

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

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

## **Disciplinary Alternative Education Program (DAEP) Placement**

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

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

Summer programs provided by the district may serve students assigned to a DAEP in conjunction with other students, subject to those programs' rules of discipline and consequences.

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

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

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

### ***Discretionary Placement: Misconduct That May Result in DAEP Placement***

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code, without regard to criminal laws or charges, when warranted by circumstances or severity.

#### ***Misconduct Identified in State Law***

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

- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Any criminal mischief (vandalism), including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.



## ***Disciplinary Alternative Education Program (DAEP) Placement***

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator **may**, but is not required to, place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

### ***Mandatory Placement: Misconduct That Requires DAEP Placement***

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school, if the student is not expelled to the JJAEP for such conduct.
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision by legal possession or use as prescribed. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)

## ***Disciplinary Alternative Education Program (DAEP) Placement***

- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  - a. The student receives deferred prosecution (see glossary),
  - b. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
  - c. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

## ***Disciplinary Alternative Education Program (DAEP) Placement***

### ***Sexual Assault and Campus Assignments***

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

### ***Emergencies***

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

### ***Process***

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

### ***Disciplinary Alternative Education Program (DAEP) Conference***

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

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

### ***Consideration of Mitigating Factors***

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

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

## ***Disciplinary Alternative Education Program (DAEP) Placement***

### ***Disciplinary Alternative Education Program (DAEP) Placement Order***

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

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

### ***Coursework Notice***

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

### ***Length of Placement***

The campus behavior coordinator may assign students up to 30 successful days at the Jefferson Center/Elementary Reassignment Center, and a student may complete the term in as few as 20 successful days. If the campus behavior coordinator recommends assignment for more than 30 successful days, the assignment and duration of a student's placement in a DAEP shall be determined by the Director of Student Services and/or the Administrative Review Committee.

The duration of a student's placement shall be determined on a case-by-case basis. DAEP placement shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year except as provided below.

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

### ***Exceeds One Year***

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

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

### ***Exceeds School Year***

Students who commit offenses requiring placement in a DAEP at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

## ***Disciplinary Alternative Education Program (DAEP) Placement***

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator, the Director of Student Services and/or the Administrative Review Committee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

### **Exceeds 60 Days**

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

### ***Appeals***

Questions from students or their parents regarding disciplinary measures should be addressed to the campus administration. Appeals regarding the decision to place a student in a DAEP should be addressed to the Director of Student Services, as the Board's designee, whose decision shall be final in accordance with policy FOC (LEGAL). All other complaints regarding services or conditions in a DAEP should be addressed in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy Online at the following address: [www.abileneisd.org](http://www.abileneisd.org).

Appeals shall begin at Level I with the lowest level administrator who has the authority to provide a remedy.

**(The Board encourages resolution of complaints through informal conferences with appropriate teacher, principal, or other campus administrator.)**

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

### ***Restrictions during Placement***

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations. After the student completes the placement at the DAEP, he/she regains eligibility to participate, **subject to the written requirements of the extracurricular activity, club or organization**. DAEP students are not permitted to be on school grounds at any time, other than DAEP facilities. State law prohibits students placed in a DAEP, for reasons specified in state law, from attending or participating in school-sponsored or school-related extracurricular activities.

The district shall provide transportation to students in a long term DAEP (e.g. Opportunity Center). This does not include students in a short term DAEP (e.g. Reassignment Center) unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

## ***Disciplinary Alternative Education Program (DAEP) Placement***

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order or unless the student commits another serious or persistent offense while at the DAEP- which may subject the student to be barred from participation in graduation, by the decision of the Superintendent or Director of Student Services.

### ***Placement Review***

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee(s) at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

### ***Additional Misconduct***

If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

### ***Notice of Criminal Proceedings***

After a student has been placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, the office of the prosecuting attorney shall notify the district if and when:

1. Prosecution of the student's case is refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or
2. The court or jury finds the student not guilty, or makes a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and/or the case has been dismissed with prejudice.

Upon receiving such notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

## ***Disciplinary Alternative Education Program (DAEP) Placement***

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

### ***Withdrawal during Process***

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

### ***Newly Enrolled Students***

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district. The district may place the student in the district's DAEP or a regular classroom setting.

A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

### ***Emergency Placement Procedure***

When an emergency placement occurs, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

## **Placement and/or Expulsion for Certain Offenses**

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

### ***Registered Sex Offenders***

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

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

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

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

### **Review Committee**

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

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

### **Newly Enrolled Student**

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



## ***Placement and/or Expulsion for Certain Offenses***

### **Appeal**

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

### ***Certain Felonies***

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

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

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

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

### **Hearing and Required Findings**

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

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

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

## ***Placement and/or Expulsion for Certain Offenses***

### **Length of Placement**

The student is subject to the placement until:

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

### **Newly Enrolled Students**

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

## **Expulsion**

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

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

### ***Discretionary Expulsion: Misconduct That May Result in Expulsion***

#### **Any Location**

A student **may** be expelled for:

- Engaging in the following, no matter where it takes place:
  - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
  - Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.
  - Breach of computer security.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

#### **At School, Within 300 Feet, or at a School Event**

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision by legal possession or use as prescribed. (See glossary for "under the influence.")

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary.)

### **Within 300 Feet of School**

A student may be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Carrying on or about the student's person a handgun, an illegal knife, or a club, as these terms are defined by state law. (See glossary.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See glossary.)
- Possession of a firearm, as defined by federal law. (See glossary.)

### **Property of Another District**

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

### **While in DAEP**

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

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or

4. Conduct that constitutes the offense of:
  - a. Public lewdness under Section 21.07, Penal Code;
  - b. Indecent exposure under Section 21.08; Penal Code;
  - c. Criminal mischief under Section 28.03, Penal Code;
  - d. Personal hazing under Section 37.152; or
  - e. Harassment under Section 42.07 (a)(1), Penal Code, of a student or district employee.

### ***Mandatory Expulsion: Misconduct That Requires Expulsion***

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

#### **Under Federal Law**

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

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

#### **Under the Texas Penal Code**

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

- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

### ***Under Age Ten***

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

### ***Emergency***

In an emergency, the principal or the principal's designee **may** order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis.

### **Process**

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

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

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

## **Hearing**

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the district's witnesses.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

In every case, these factors of possible mitigation shall be considered:

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

The board of trustees delegates to the Director of Student Services authority to conduct hearings and expel students.

## **Length of Expulsion**

The length of an expulsion shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees, or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

### **Expulsion Order**

After the due process hearing, if the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the Director of Student Services shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

### **Board Review of Expulsion**

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. It may give notice of the decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision. Consequences shall not be deferred pending the outcome of the hearing.

### ***Withdrawal During Process***

When a student has violated the district's Code in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the board or its designee, or the campus behavior coordinator fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.



### ***Additional Misconduct***

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator or the board's designee may issue an additional disciplinary order as a result of those proceedings.

### ***Restrictions During Expulsion***

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

### ***Newly Enrolled Students***

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

### ***Emergency Expulsion Procedures***

When an emergency expulsion occurs, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

### ***DAEP Placement of Expelled Students***

The district may provide educational services to any expelled student in a DAEP, in lieu of JJAEP or other non-district program; however, educational services in a district DAEP must be provided if the student is less than ten years of age.

## **Glossary**

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

**Abuse** is improper or excessive use.

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

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

**Armor-piercing ammunition** is handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
  - a. Any vegetation, fence, or structure on open-space land; or
  - b. Any building, habitation, or vehicle:
    - 1) Knowing that it is within the limits of an incorporated city or town,
    - 2) Knowing that it is insured against damage or destruction,
    - 3) Knowing that it is subject to a mortgage or other security interest,
    - 4) Knowing that it is located on property belonging to another,
    - 5) Knowing that it has located within it property belonging to another, or
    - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly damages or destroys a building belonging to another, or
  - b. Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative

**Bullying** may occur when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and a school district's board of trustees or the board's designee determines that the behavior:

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; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying *if* it:

1. Exploits an imbalance of power between the student perpetrator who is engaging in bullying and the student victim through written or verbal expression or physical conduct; *and*
2. Interferes with a student's education or substantially disrupts the operation of a school.

**Chemical dispensing device** is a device designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

**Club** is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

**Criminal Mischief** (or Vandalism) is defined in part by Texas Penal Code 28.03 as intentionally or knowingly damaging, destroying, tampering with or making markings such as inscriptions, slogans or drawings (i.e. graffiti) upon tangible property without consent of its owner.

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

**Cyberbullying** is the use of any electronic communication device to engage in bullying or intimidation.

**Dating violence** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is

or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

**Deadly conduct** occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Deferred adjudication** is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

**Deferred prosecution** may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

**Delinquent conduct** is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

**Discretionary** means that something is left to or regulated by a local decision maker.

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

**Explosive weapon** is any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

**False Alarm or Report** occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

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

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

Such term does not include an antique firearm.

**Firearm silencer** means any device designed, made, or adapted to muffle the report of a firearm.

**Fighting** is defined as mutual combat between two or more individuals when each has a willful intent to inflict physical pain or harm. Instead of fighting, a student under attack should seek to detach himself/herself from the situation and get school personnel or adult help.

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

**Harassment** is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

**Hazing** is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

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

**Illegal knife** is defined by Texas Penal Code 46.01(6) as a

1. Knife with a blade of over five and one-half inches;
2. Hand instrument designed to cut or stab another by being thrown;
3. Dagger, including, but not limited to, a dirk, stiletto, or poniard;
4. Bowie knife;
5. Sword; or
6. Spear.

**Knuckles** are any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles. This also includes a set of rings attached to a bar such as a double or triple ring.

**Machine gun** is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

**Mandatory** means that something is obligatory or required because of an authority.

**Paraphernalia** are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

**Possession** means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any other school property used by the student, including but not limited to a locker or desk.

**Prohibited weapon** under Texas Penal Code 46.05(a) means

1. An explosive weapon;
2. A machine gun;
3. A short-barrel firearm or firearm silencer, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or classified as a curio or relic by the U.S. Department of Justice;
4. Knuckles;
5. Armor-piercing ammunition;
6. A chemical dispensing device;
7. A zip gun; or
8. A tire deflation device.

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

**Reasonable belief** is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

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

**Serious misbehavior means:**

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:

- a. Public lewdness under Section 21.07, Penal Code;
- b. Indecent exposure under Section 21.08; Penal Code;
- c. Criminal mischief under Section 28.03, Penal Code;
- d. Personal hazing under Section 37.152; or
- e. Harassment under Section 42.07 (a)(1), Penal Code, of a student or district employee.

Serious or persistent misbehavior includes but is not limited to:

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

**Short-barrel firearm** is a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

**Terroristic threat** is a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

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

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

- Murder;
- Kidnapping;
- Trafficking of persons;
- Smuggling or continuous smuggling of persons;
- Assault;
- Aggravated assault;
- Sexual assault;
- Aggravated sexual assault;
- Unlawful restraint;
- Voyeurism;
- Indecency with a child;
- Invasive visual recording;
- Disclosure or promotion of intimate visual material;
- Injury to a child, an elderly person, or a disabled person of any age;
- Abandoning or endangering a child;
- Deadly conduct;
- Terroristic threat;
- Aiding a person to commit suicide; and
- Tampering with a consumer product.

[See FOC (EXHIBIT)]

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

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

**Zip gun** is a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.



## **Compliance Statements**

### **Equal Educational Opportunities**

No officer or employee of the District, when acting or purporting to act in official capacity, shall refuse to permit any student to participate in any school program because of the student's race, religion, color, sex, or national origin.

The District shall provide a free appropriate public education, including regular or special education and related services designed to meet the individual educational needs of each qualified student with a disability, regardless of the nature or severity of the disability, as adequately as the needs of nondisabled students. The District shall comply with federal law concerning education of the disabled in the areas of educational setting, evaluation and placement, and procedural safeguards.

All students, including women, members of minority groups, students with disabilities, disadvantaged students, and persons of Limited English Proficiency (LEP), shall have equal access to vocational education programs, services, and activities.

The District has designated the following school official to coordinate its efforts to comply with these policies, and any complaint shall be directed to: Kari Leong

### **Section 504 of The Rehabilitation Act of 1973**

Section 504 of The Rehabilitation Act of 1973 prohibits discrimination on the basis of disability. A disabled person is any person who has a physical or mental disability, which substantially limits one or more major life activities, has a record of such a disability, or is regarded as having such a disability. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. A student between the ages of 3 and 21 whose disability substantially limits a major life activity may qualify for services under Section 504. It must be determined that an educational need exists because of the student's disability.

No qualified disabled person shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from financial assistance.

Inquiries regarding services for students under Section 504 should be made to the campus principal. The campus principal is designated under District guidelines as the campus 504 coordinator.

### **Title IX**

The Abilene Independent School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services and/or programs. Kari Leong and Dr. Joe Alcorta have been designated to coordinate compliance with the nondiscrimination requirements of Title IX. They may be contacted at the Administration Building, 241 Pine Street. Teryl Reece has been designated to coordinate compliance with the nondiscrimination requirements of Section 504 of the Rehabilitation Act and Title IX of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973.

### Credit by Examination

Students currently enrolled in the Abilene Independent School District may apply for grade level or individual course credit by examination without prior instruction. Additional information is available from the school counselor. Board Policy EEJB (LOCAL).

### General Authority

The Texas legislature has delegated the authority of managing independent school districts and the disciplining of those students attending school within the District to the Board and those persons employed by the Board. *Texarkana ISD v. Lewis*, 470 S.W.2d 727 (Tex. Civ.App.-Texarkana, 1971, no writ).

If a particular type of conduct has the effect of disrupting the learning atmosphere, it should be subject to regulations. The Board possesses considerable leeway in promulgating regulations for the proper conduct of students. *Passel v. Fort Worth ISD*, S.W.2nd 888 (Tex. Civ.App.- Fort Worth, 1970, Writ ref'd n.r.e.)

### Asbestos

All District facilities were re-inspected by a Texas Department of Health licensed asbestos consultant during the summer of 2012 to determine the conditions of previously identified asbestos-containing materials. The results indicate we are in compliance with current federal standards. Additionally, an Inspection of AISD Asbestos records and facilities was conducted in April 2001 by the Texas Department of Health and confirmed that AISD is in compliance.

Asbestos Management Plans have been conformed to current standards with updates. Copies of the original management plans and updates are on file in each principal's office or facility manager's office and at the maintenance office located at 3757 Amarillo.

There is in effect a continuous management and maintenance program designed to prevent and/or handle any asbestos hazards that may arise. All actions are performed under the TDSHS regulations following the guidelines of the Asbestos Hazardous Emergency Response Act (AHERA) and Environmental Protection Agency (EPA) Guide to Operations & Maintenance Programs.

### Herbicides and Pesticides

By state law, strict controls direct the use of herbicides and pesticides in schools and on campuses. Such materials can only be applied by licensed personnel and, normally, must be applied only at times when students will not be on campus for a period of 12 hours after application. However, there are provisions for emergency application(s) during school hours. A number of District employees hold non-commercial applicator licenses and AISD is in full compliance with all herbicide and pesticide laws. The District has an active Integrated Pest Management Program.

Pesticides are periodically applied in school buildings. Information concerning these applications may be obtained by calling 692-7234. Ask to speak to Alan Scott Willis, General Maintenance Supervisor.

### **Bacterial Meningitis**

#### **What is Meningitis**

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious. Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

#### **What are the Symptoms**

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms.

Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

The diagnosis of bacterial meningitis is based on a combination of symptoms and laboratory results.

#### **How Serious is Bacterial Meningitis**

If it is diagnosed early and treated promptly, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

#### **How is Bacterial Meningitis Spread**

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing; sharing drinking containers, utensils, or cigarettes).

The germ **does not** cause meningitis in most people. Instead, most people become **carriers** of the germ for days, weeks or even months. The bacteria rarely overcome the body's immune system and causes meningitis or another serious illness.

### **How Can Bacterial Meningitis be Prevented**

Do not share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85-90%). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within 7 to 10 days after the vaccine is given and lasts for up to 5 years.

### **What You Should Do if You Think Your or a Friend Might Have Bacterial Meningitis**

Seek prompt medical attention.

### **For More Information**

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Texas Department of Health office to ask about meningococcal vaccine. Additional information may also be found at the web sites for the Centers for Disease Control and Prevention: [www.cdc.gov](http://www.cdc.gov) and the Texas Department of Health: [www.tdh.state.tx.us](http://www.tdh.state.tx.us).

### **School Clinic**

Children are seen in the school clinics to receive their medication and for various physical ailments. Depending on the presenting symptoms, the school nurse/LVN may use the following over the counter products: antacid, chloraseptic throat spray, toothache medication, benadryl or generic equivalent, orabase, campho-phenique, hydro-cortisone cream, 911 Relief Spray, triple antibiotic ointment, petroleum jelly, benzalkonium chloride wipes, peroxide and alcohol. It is important that the school nurse/LVN be informed of any allergies to either drugs or environmental conditions that a student might have.

AISD has a School Physician Consultant, and each year he signs standing orders regarding the above listed products. These standing orders are posted in each school clinic. The school nurses and LVNs wish a safe and healthy school year for the children of the Abilene Independent School District.

### **Comprehensive Developmental Guidance and Counseling Program**

The Abilene Independent School District provides a comprehensive developmental guidance and counseling program to all students enrolled in the district. The certified school counselors of the district have planned and implemented this program. Their goals are 1) to promote an atmosphere which will enable students to develop to their fullest potential in both cognitive and affective learning; 2) to give students an opportunity to utilize their skills in dealing with problem situations; 3) to assist students to develop decision-making skills; 4) to provide activities which incorporate educational, social and career domains; and 5) to provide opportunities for all students to gain a positive self-image and interpersonal skills.

In order to achieve these goals specific services are provided in four major areas. The district's professional counselors deliver a seven strand guidance curriculum to help students develop basic life skills. The skill areas addressed are 1) self-esteem; 2) motivation to achieve; 3) decision-making, goal-setting, planning, and problem-solving; 4) interpersonal effectiveness; 5) communication skills; 6) cross-cultural effectiveness; and 7) responsible behavior. The counselors also offer responsive services such as individual and small-group counseling in order to intervene on behalf of those students whose immediate personal concerns or problems put their continued personal-social, career, and/or educational development at risk. In addition, the counselors assist students in the development of an individual planning system. In this area, they provide an atmosphere in which students can set challenging educational, career, and personal-social goals that are based on self-knowledge and information about school, the world of work, and their society. Finally, the counselors are involved in system support activities which indirectly benefit students. These activities include consultation with teachers, consultation with parents, community relations, campus-based school improvement planning, and student advocacy when working with policy-makers and instructional/curriculum planners.

The State of Texas has mandated this program for all Texas public school districts. If for some reason you do not wish your child to participate in the district's developmental guidance and counseling program, please notify your child's school counselor in writing.

### **Student Assistance Services Counseling Program**

The Abilene Independent School District provides a Student Assistance Services - Counseling Program to all high school students enrolled in the district. All Student Assistance Services Counselors are Master's level certified mental health professionals. The mission of the program is to provide intervention, prevention, education, and support services to students with addictions or related issues in order that they may take full advantage of their educational experience. The Student Assistance Services program maintains confidentiality in accordance with state and federal regulations.

**Confidentiality of Information**

**Abilene ISD/Special Education**

Abilene ISD/Special Education is located at 241 Pine Street, Abilene, TX, 79601. The telephone number is 325.677.1444. Policies and procedures concerning confidentiality and access of student records are available for review at the above address during working hours, 8:00 a.m. until 5:00 p.m., Monday through Friday.

Individual student records are kept at this location and may be reviewed during regular business hours by parents and eligible students by submitting a written request to Connie Mangin, Executive Director of Special Education, Abilene Independent School District, 241 Pine Street, Abilene TX 79601.

Complaints concerning confidential records are to be directed to the above office.

In compliance with state and federal regulations, the parents of special education students or eligible students of Abilene ISD are informed annually of the types and locations of education records, along with the official responsible for their maintenance and access. This information is shown below for convenience in accessing educational records in both the principal's office and the special education office.

**Directory Type Information**

LOCATION: Individual School

RESPONSIBLE OFFICIAL: Title: Building Principal; Address; Refer to School Directory

**Educational Records (Cumulative Folders)**

LOCATION: Individual School

RESPONSIBLE OFFICIAL: Title: Building Principal; Address; Refer to School Directory

**Psychological/Intellectual/Academic Testing Results/Medical**

LOCATION: Department of Special Education

RESPONSIBLE OFFICIAL: Title: Executive Director of Special Education; Address: 241 Pine Street, Abilene, TX

# APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)

## APPENDIX 1

### Electronic Communication Systems, Responsible Use Guidelines (RUG), and Internet Safety

#### I. OVERVIEW

The Abilene Independent School District Network (AISD network) offers access to the District's electronic communication system for educational purposes. Our goal is to promote educational excellence in the Abilene schools by providing effective and meaningful classroom instruction and administrative needs while ensuring a safe, ethical and productive learning environment. With this educational opportunity comes responsibility. It will be the user's responsibility to follow the rules for appropriate and acceptable use.

**The “electronic communication system” is defined as the District’s network, servers, computer workstations, peripherals, applications, databases, software, online resources, Internet access, and any other technology designated for use by students and employees.**

The Internet is a network of many types of communication and information networks. With access to computers and people all over the world comes the availability of adult content or material that may be considered objectionable and may not be considered to be of educational value in the school setting. In compliance with the Children's Internet Protection Act (CIPA), the school district has installed active content filtering and/or blocking software to restrict access to Internet sites containing material harmful to minors. While the District uses filtering technology and protection measures to restrict access to such material, it is not possible to absolutely prevent such access. A user who incidentally connects to an inappropriate site must immediately disconnect from the site and notify a teacher/administrator. If a user sees another user accessing inappropriate sites, he or she should notify a teacher/administrator immediately.

In addition, access to the electronic communication system is a privilege, not a right. The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided in this document so that you are aware of the responsibility to follow the rules for appropriate and acceptable use you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the network resources. Noncompliance may result in suspension of access or termination of privileges along with other appropriate disciplinary action consistent with Abilene ISD Policies. All AISD students are required to abide by the Student Code of Conduct. All AISD employees are required to abide by the Code of Ethics and Standard Practices for Texas Educators (“Code of Ethics”), State and Federal law, and District Policy. All users must abide by ethical standards when communicating with students and employees, regardless of whether such communication takes place on campus, during instructional time, through use of the System or not. Violations of law may result in criminal prosecution as well as disciplinary action by Abilene ISD.

#### II. PHILOSOPHY

1. **Risk** – Even with filtering, blocking, and anti-virus software, controlling all materials on the AISD network is impossible. Sites accessible via the AISD

## **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

network may contain material that is illegal, defamatory, inaccurate or harmful. With global access to computers and people, a risk exists that users may access material that may not be of educational value in the school setting.

2. **User Responsibility** – AISD network users, like traditional library users, are responsible for their actions in accessing available resources. Should inappropriate materials become available, users must notify a campus teacher/administrator and/or district system operator immediately.

### **III. TERMS AND CONDITIONS**

**Responsible Use:** Abilene ISD Electronic Communication System (AISD network) access may be used to improve learning and teaching consistent with the educational goals of Abilene ISD. Abilene ISD expects legal, ethical, and efficient use of the AISD network. District-approved email accounts will be provided for staff and students based on district initiatives. District-approved social media activities that are educationally related may be used. **At no time should personal use of Abilene ISD’s Electronic Communication System (AISD network) come in conflict or hinder a user’s expected responsibilities.**

1. **Privilege:** Use of a personal Abilene ISD Network account is a privilege, not a right.
2. **Limited personal use** is permitted as long as it does not increase the cost to the District or interfere with the operations of the network.
3. **Subject to System Administration:** All Abilene ISD Network accounts and computer usage are subject to perusal by the system administrator for virus scanning and monitoring for inappropriate use and investigation of suspected misuse at the authorized direction of Campus or District administrations regardless of cause.
4. **Required Training:** All staff and students will participate in annual training for appropriate technology use, as required by the district.

**Inappropriate Use:** Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations by Abilene ISD, that violate the rules of network etiquette, or that hamper the integrity or security of Abilene ISD’s electronic communication system.

1. **Violation of Law:** Transmission of any material in violation of any U.S. or State law is prohibited. This includes, but is not limited to: copyrighted material; threatening, harassing, or obscene material; or material protected by trade secret. Any attempt to break the law through the use of an AISD network account may result in litigation against the offender by the proper authorities. If such an event should occur, Abilene ISD will fully comply with the authorities to provide any information necessary for the litigation process.
2. **Commercial Use:** Use for commercial, income-generating or “for profit” activities, product advertisement, or political lobbying is prohibited.
3. **Vandalism/Mischief:** Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data or devices of another user, the AISD network, or any other networks that are connected to the AISD



## **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

network. This includes, but is not limited to, the creation or propagation of computer viruses. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited.

4. **Electronic Mail Violations:** Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users is prohibited. Sending unsolicited junk mail, spam, chain e-mails, or that of commercial content is prohibited.
5. **File/Data Violations:** Deleting, examining, copying, or modifying files and/or data belonging to other users is prohibited.
6. **System Interference/Alterations:** Attempts to exceed, evade or change resource quotas are prohibited. Causing network congestion through mass consumption of system resources, attempts to disable the AISD network filter or compromising the integrity of the firewall are prohibited.
7. **Inappropriate Speech/Messages:** The following restrictions against inappropriate speech and messages apply to all communication sent and/or accessed through AISD network, including all e-mails, instant messages, texts, web pages, blogs, wikis, or other avenues of electronic communication. Users shall not send obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful messages. Users shall not post information that could cause damage, danger, or disruptions, or engage in personal attacks, including prejudicial or discriminatory attacks. Users shall not harass another person or knowingly or recklessly post false or defamatory information about a person or organization.
8. **Home/Personal Internet:** A user's home and personal electronic communication use can have an impact on the school and on others. A user's personal electronic communication expression, including but not limited to, a threatening message, a violent or sexual web site, a text, or a post that creates a likelihood of material or substantial disruption of the school/district's operation may result in district disciplinary action and/or criminal penalties.
9. **Bullying/Harassment:** Our district takes cyber bullying and harassment by electronic communication very seriously, and it will not be tolerated. Users shall not use any Internet or other communication device to intimidate, threaten, bully, harass, or embarrass students or staff members. Users who engage in such activity on school grounds or who engage in such activity off campus and create a material or substantial disruption of school operations (or the reasonable potential exists) shall be subject to disciplinary actions as well as possible criminal penalties.

**Consequences of Responsible Use Guidelines (RUG) Violation:** Any attempt to violate the provisions of these procedures will result in revocation of the user's account, regardless of the success or failure of the attempt. In addition, students may face district

## **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

disciplinary action (Student Code of Conduct) and/or appropriate legal action. In the event of a claim that a student has violated these guidelines, the district will provide the student with notice and an opportunity to be heard in the manner set forth in the Student Code of Conduct. Staff members may face district disciplinary action up to and including employment termination and/or appropriate legal action.

1. **Final Determination:** The Superintendent or the designee will make the final determination as to what constitutes inappropriate use.
2. **Denial, Revocation, or Suspension of Accounts:** The superintendent/designee, departmental director, campus principal, and/or the system administrator in accordance with Abilene ISD disciplinary procedures may deny, revoke, place restrictions, or suspend an account.

### **IV. SECURITY**

1. **High Priority:** Security of the District's electronic communication system is a high priority.
2. **Reporting Security Problems:** If a user identifies or has knowledge of a security problem on the AISD network, the user must notify a teacher, campus principal, system administrator, and/or the superintendent's designee for Abilene ISD. The user shall not reveal or demonstrate the problem to others. Any user who attempts or causes a breach of system security may have his/her privileges revoked and may be subject to additional disciplinary and/or legal action.
3. **Impersonation:** Attempts to login to the AISD network as a system administrator or another user may result in suspension of access to the District's electronic communication system as well as other appropriate disciplinary or legal action in accordance with the Student Code of Conduct or board policy.
4. **Security Risks Denied Access:** Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the AISD network.
5. **Supervision:** Staff must supervise student use of the District's electronic communication system in a manner that is appropriate to the students' age and the circumstances of use.
6. **Filtering Software:** Users may not disable the District's filtering software at any time. Authorized staff may temporarily or permanently unblock access to sites containing appropriate material if the filtering software has inappropriately blocked access to such sites.
7. **Bandwidth:** Bandwidth utilization is monitored. Users who routinely monopolize excessive amounts of bandwidth will be notified and their usage will be examined. In order to protect and reserve bandwidth and other resources for educational use, users may not:
  - Download software or files that are not for educational purposes.
  - Play interactive online games.
  - View non-curriculum based streaming videos/movies.
  - Set their Internet browser home page to a digital media rich site (i.e. CNN, Yahoo, MSN).

## **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

### **V. INTERNET SAFETY: Internet safety of our staff and students in their use of electronic communication is a high priority.**

1. NEVER give your username/password to anyone.
2. NEVER tell anyone online your full name, home address, phone number, age, friend's name, your school, or any other personal information.
3. NEVER share photos of yourself, your family, or your home with people you meet online.
4. NEVER open attachments or click on links in an e-mail from someone you do not know.
5. NEVER make appointments to meet people whom you meet online. Students should report to a teacher or administrator if they receive such a request.
6. Users who view Inappropriate Use, defined above, including but not limited to bullying/harassment or inappropriate speech/messages should not respond. A teacher or administrator should be notified immediately.
7. Do not accept e-mails, files, or web page addresses (and the like) from strangers. People who you meet online are not always who they say they are.
8. Be aware that online information is not necessarily private.

#### **DISCLAIMER**

Abilene ISD makes no warranties of any kind, whether expressed or implied, for the service it is providing and is not responsible for any damages suffered by the users. This includes loss, theft, or damage to personal devices; loss of data resulting from delays, non-deliveries, misdeliveries; intrusion by computer virus; or other service interruptions or malfunctions. Abilene ISD is not responsible for phone/credit card bills or any other charges incurred by users. Use of any information obtained via the AISD network is at the user's own risk. Abilene ISD is not liable for an individual's inappropriate use of the District's electronic communication systems or violations of copyright restrictions or other laws or for costs incurred by users through use of Abilene ISD's electronic communication system.

# **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

## **Responsible Use and Digital Citizenship**

**Respect Yourself:** I will select online names that are appropriate, and I will be polite and use appropriate language/content in all online posts.

**Protect Yourself:** I will not publish personal details, contact details, or a schedule of activities for myself or anyone else. I understand that unless otherwise authorized, I am the owner of my accounts, and I am responsible for all activity initiated by and/or performed under these accounts. I understand that it is my responsibility to appropriately secure my account credentials. I understand that I am responsible for maintaining and backing up all of my own data. If I am uncertain whether a specific computer activity is permitted or appropriate, I will ask a teacher/administrator before engaging in that activity.

**Respect Others:** I will not use technologies to bully or tease other people. I will not make audio or video recordings of students/employees without their prior permission. I understand that posing as someone else is forbidden and I will not pose as a user other than myself when online. I will be careful and aware when printing to avoid wasting resources and printing unnecessary items.

**Protect Others:** I will help maintain a safe computing environment by notifying appropriate campus officials of inappropriate behavior, vulnerabilities, risks, and breaches involving campus technology.

**Respect Intellectual Property:** I will suitably cite any and all use of websites, books, media, etc. I will respect all copyrights.

**Protect Intellectual Property:** I will request to use the software and media that others produce.

The Responsible Use Guidelines of electronic communication facilities and services direct and require that all users:

1. Respect all Internet safety practices including online behavior, ethics, and netiquette.
2. Respect the legal protection provided by copyright and licenses to programs, applications, and data.
3. Respect the rights of others by complying with all present and future AISD policies regarding privacy and intellectual property.

## **APPENDIX 1: ELECTRONIC COMMUNICATION SYSTEMS AND RESPONSIBLE USE GUIDELINES (RUG)**

4. Respect the rights of others by complying with all present and future AISD policies regarding sexual, racial, and other forms of cyber bullying and harassment and by preserving the privacy of personal data accessed.
5. Respect the privacy of others by not tampering with their personal devices, files, storage devices, passwords, and/or accounts in any manner.
6. Respect storage limits. Limit storage on the network to educational materials. Users will be assigned a fixed amount of storage. Users will be required to routinely review and purge unwanted and unneeded files.
7. Respect the integrity of computing systems and data, including but not limited to, infiltrating a computer system, damaging and/or altering the software or hardware components of a computer, and/or gaining unauthorized access via the network.
8. Respect the ethical standards set forth by the school district by using technology in a manner which is consistent with those standards and in a manner consistent with their intended purpose.
9. Respect and adhere to local, state, or federal law which may govern the use of technology in Texas and in the United States of America.

## **APPENDIX 2**

### **Bring Your Own Device policy**

#### **Definition**

Bring Your Own Device (BYOD) is a policy that allows students to bring and use their own personal electronic devices at school. Devices include but may not be limited to: smartphones (such as iPhone or Android), tablets and eReaders (such as iPad or Kindle), laptops, and netbooks. With teacher approval, students may use their devices in the classroom to access and save information from the Internet, collaborate with other learners, and utilize productivity tools available to them.

#### **Purpose**

The Bring Your Own Device (BYOD) program is designed to help students keep up with the demands of the 21st century. Helping students become responsible digital citizens will enhance not only what we do in the classroom, but also give students skills and experiences that will prepare them for college and career.

#### **Bring Your Own Device**

Our district is now offering filtered Abilene ISD Wi-Fi on all campuses. Students in grades K-12 may bring a personal device (laptop, smartphone, eReader, iPad, etc.) to school and use for educational purposes with teacher approval. Students are required to connect to the filtered Abilene ISD Wi-Fi to ensure access to the best online resources. Abilene ISD offers AISD-Guest Wi-Fi for parents and community members on AISD campuses.



#### **Guidelines**

Devices may not be used to disrupt the educational environment or violate the rights of others. Using the device to cheat, violate school conduct rules, harass/bully staff or students, or using the device for unlawful purposes will subject the student to disciplinary action. Serious offenses will be reported to the local authorities.

Recording the voice or image of another in any way that disrupts the educational



environment, invades the privacy of others, or is made without the consent of the individuals being recorded is prohibited. Devices recording the voice or image of another to take, transfer, or share any audio, video, or photographs that reveal parts of the body (ordinarily covered by clothing) is prohibited. The possession of pornographic images or video on any electronic device is prohibited.

## **APPENDIX 2: Bring Your Own Device policy**

### **Responsibility for Devices**

- The electronic devices that students bring to school are their sole responsibility.
- The campus or district assumes no responsibility for personal devices if they are lost, loaned, damaged, or stolen. Only limited resources will be spent to locate lost or stolen items.
- Personal devices may be subject to investigation in accordance with District Policy.
- Students are expected to keep their devices secure at all times and not loan to others.
- Students are expected to exhibit digital responsibility and follow the Responsibility Use Guidelines (RUG) while using technology.
- Use of technology is a privilege and not a right.

### **Responsible Use of Technology**

- Use strong passwords.
- Do not share passwords.
- Keep addresses, phone numbers, and other personal information private.
- Do not connect with people you do not know personally.
- Students are required to connect to the filtered AISD Internet while on campus.
- Report any suspicious information to an adult immediately.
- Photos are to be taken only when directed by the classroom teacher.
- Students must keep their phone silent unless otherwise directed.

### **Appropriate Student Use**

As with any tool, there are appropriate places and times for the use of devices on the AISD network. Below are the levels and permissible situations for use. Campus administrators and teachers have the right to prohibit use of devices at certain times or during designated activities (i.e. campus presentation, theatrical performance, or guest speaker) that occur during the school day.

<b>Usage</b>	<b>Elementary (Grades K-5)</b>	<b>Middle School</b>	<b>High School</b>
<b>When designated for learning by teacher</b>	Yes	Yes	Yes
<b>During lunch</b>	No	No	Yes
<b>Specific procedures announced by campus</b>	Yes	Yes	Yes

## **APPENDIX 2: Bring Your Own Device policy**

### **Frequently Asked Questions**

***I brought my device to school for use in the classroom, but my teacher said I couldn't use it in the classroom. Can I still use it?***

The teacher in the classroom has the final say on procedures in the classroom. If he or she asks you not to use your device, then you should follow those directions. Access is available but *not guaranteed* for each classroom situation.

***I have my laptop/mobile device with me in class. How do I get on the Internet?***

Most laptops or other personal technology devices (smartphones, etc), will detect a wireless connection when you are near one. Your device should prompt you to join an available network. When prompted, choose the Abilene ISD network. After you choose this network and enter your username and password, you will be connected to the network.

***My laptop is not prompting me to choose a wireless network. Is there another way to connect?***

In the settings menu of your device, there is usually a network access icon. Go to this icon and choose Abilene ISD from the list or prompt your computer to look for wireless networks in range. Always consult the owner's manual for your device to find exact directions on accessing a wireless network.

***Can I access my school files from my personal devices?***

Student files saved to the district's servers cannot be accessed on personal devices. Students are encouraged to save their files to "cloud storage" like Dropbox, Google Drive, etc. that allow access to files on personal devices or through a web browser on school computers.

***Can I print to school printers from my personal devices?***

Printing from devices such as tablets and phones is not currently supported. Printing from personal laptops *may* be possible. Talk to your teachers or campus technology specialists to learn if printing is supported and how to set it up.

***I just can't get my laptop to connect to the network. Can I get some help from someone?***

It is not the responsibility of your teachers or other AISD staff to troubleshoot individual devices during the school day. Check your owner's manual for issues concerning connectivity.

***What if my laptop, phone, or device is stolen or damaged?***

Students bring electronic devices to school at their own risk just like any other personal item. The district will not be held responsible if an electronic device or other item is lost, stolen, or misplaced, including those devices that have been confiscated.



## **APPENDIX 2: Bring Your Own Device policy**

### **Frequently Asked Questions (Continued)**

***I don't have my own electronic communications device to bring to school. Will I be penalized or miss out on instruction?***

No! It is not mandatory for students to bring a device, even if they do own one. When electronic devices are used to enhance learning in the classroom, students without a personal device may be provided access to an appropriate district owned digital device. Keep in mind that learning can be enhanced greatly for the entire class even if only a handful of students have a device!

***Is it required that I use the Abilene ISD wireless?***

Yes, it is absolutely required that you use the district filtered wireless and is stated as such in the 2012-2013 AISD Code of Conduct as well as the Responsible Use Guidelines (RUG).

***Can I use my own 3G or 4G service?***

No

***Are there any guidelines that must be followed when I'm using my device on the proper wireless network and during the designated times at school?***

Use of electronic communication devices during the school day is a privilege. Adherence to the Responsible Use Guidelines (RUG), Bring Your Own Device (BYOD) Handbook, and Student Code of Conduct are essential to maintaining an academic environment and the integrity of the classroom.

**APPENDIX 3: Standardized Dress**



**2016-2017**

**AISD MIDDLE SCHOOL STANDARDIZED DRESS**

<b>Standardized Tops</b>	<ul style="list-style-type: none"> <li>• Polo style with collar: any red, maroon, white, black, any blue, gray, orange, pink, green (solid colors only)</li> <li>• Sweatshirts, sweaters, hoodies (same color options as standardized tops/pull-over style)</li> <li>• No logos or monograms except for AISD school logos on standardized tops.</li> <li>• Shirts will be tucked in (boys and girls).</li> </ul>
<b>Standardized Bottoms</b>	<ul style="list-style-type: none"> <li>• Pants, shorts, skirts: khaki, black, blue, gray (solid colors only, no sweat pant material)</li> <li>• Jumpers: khaki, black, blue, gray (solid colors only)</li> <li>• Must be hemmed and in good condition (no holes, rips, tears, etc.)</li> <li>• Leggings must be solid colors (refer to "Tops") and must be accompanied by shorts or a skirt.</li> </ul>
<b>Spirit Day Dress</b>	<ul style="list-style-type: none"> <li>• Spirit days are a reward and will be determined by the principal and will usually be on Fridays.</li> <li>• There will be no more than one spirit day in a school week. Students will be permitted to wear the following additional items on designated spirit days:             <ul style="list-style-type: none"> <li>○ AISD school spirit shirts</li> <li>○ College T-shirts</li> <li>○ Denim blue jeans with no holes, rips or tears</li> </ul> </li> <li>• Students may continue to wear standardized dress on spirit days.</li> </ul>
<b>Belts (Optional)</b>	<ul style="list-style-type: none"> <li>• Plain black, brown or khaki (no ribbon or sashes, etc.)</li> </ul>
<b>Footwear</b>	<ul style="list-style-type: none"> <li>• No flip-flops/slides or shower type shoes</li> </ul>
<b>Outerwear</b>	<ul style="list-style-type: none"> <li>• Sweatshirts, hoodies, must be long-sleeved, no logos (same solid color options as tops).</li> <li>• Button-up, long-sleeved shirts may be worn over polo shirt but must be unbuttoned, no logos (same solid color options as tops).</li> <li>• Jackets and coats are permitted but must remain open (unzipped/unbuttoned) inside school building.</li> </ul>

**\* All clothing must be appropriately sized/fitted. Over/Under-sized clothing is not permitted.**

***\*This standardized dress code serves in addition to the general AISD Dress Code.***