

# STUDENT CODE OF CONDUCT



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**FRIENDSWOOD ISD**

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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, suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Friendswood Independent School District 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. However, administrators will consider implications of behaviors and misbehaviors when considering discipline and application to specific situations. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be based on one or more of the following: the seriousness of the offense, the student's age and grade level, the effect of the misconduct on the school environment and school programs and activities, whether the student acted in self-defense, intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and/or a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the code shall be posted on the district's Web site. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the district's board of trustees adopts the Student Code of Conduct, it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code shall 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. School District Authority and Jurisdiction

## **School District Authority and Jurisdiction**

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 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 a student engages in cyberbullying, as provided by Education Code 37.0832;
7. When criminal mischief is committed on or off school property or at a school-related event;
8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
9. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
10. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
11. When the student is required to register as a sex offender.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable cause to believe it contains articles or materials prohibited by the district. The district has the right to search a student's locker, desk and personal items when there is reasonable cause to believe it contains articles or materials prohibited by the district.

The use of sniff dogs, sometimes referred to as drug dogs, is limited only to objects under the school's control or situated at school, such as lockers, desks, school buses, cars and backpacks. Periodically, dogs will be brought into classrooms to search rooms, desks, and student belongings once students have been removed from the room. The sniffing of objects on school property by the dogs does not constitute a search under the Fourth Amendment to the Constitution. *Horton v. Goose Creek ISD*, 690 F.2d471(5<sup>th</sup> Cir. 1982), cert. denied, 103 S. Ct. 3536 (1983). Therefore, an alert by a sniff dog can provide the basis for a further search of the object.

Under the law, school officials can search objects if they have reasonable suspicion that contraband lies therein. *New Jersey v. T.L.O.*, 105 S. Ct. 733 (1985). Objects upon which dogs have alerted can be searched without the necessity of consent, including the student's

consent. If a student refuses to give his/her consent for his/her vehicle to be searched, a master locksmith will be called upon to open the vehicle. Every effort will be taken to insure the vehicle is not damaged if a search is made.

## **Reporting Crimes / School Resource Officers**

School administrators 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.

### **School Resource Officer**

Through a memorandum of understanding involving the Friendswood Police Department and the Friendswood Independent School District, the School Resource Officer Program is available at Friendswood High School and Friendswood Junior High. These officers also assist with situations on other campuses within the District as requested. The School Resource Officer (SRO) serves students as a mentor and liaison to create a positive environment and relationship between the school and the police department.

Additionally, the SRO provides security for students and staff while serving in his/her capacity as a police officer in the enforcement of the laws of the state of Texas and the city of Friendswood. This may include issuing citations for infractions such as, but not limited to illegal drugs, fighting, theft, truancy, profanity and assault.

### **Questioning of Students by Law Enforcement Authorities**

School officials are expected to cooperate to the fullest extent possible with law enforcement. Before the campus administrator permits the questioning or taking into custody of a student by law enforcement officials other than the school resource officer (SRO), over a non-school related matter, the officer must state the necessity for taking the student into custody or questioning of the student while in school. Campus administration will document the name and badge or identification number of the law enforcement official as well as make copies of any official documents presented by law enforcement officials.

*Taking a student into custody:* A student may be taken into custody if a law is violated on campus and the law enforcement officer or SRO determines that it is appropriate to take the student into custody. For a non-school related matter, a student may be taken into custody if an officer presents the administrator with a warrant or custody order. If a child is removed from school by law enforcement, it is the officer's responsibility to notify the child's parents; however, the school will also notify parents as soon as practicable to alert them of the removal so long as it does not impede the officer's ability to perform his / her duties.

*Questioning a student at school over a criminal matter:* School officials will gain parental permission for an interview at school by law enforcement officials other than the SRO. Written consent should be obtained from the parent prior to the interview. Parents may consent or may request that an administrator be present, refuse the interview, or reschedule for a time when the parent can be present.

*Child abuse investigations:* If the police are investigating a claim of child abuse or neglect, the officer has the right to interview the child at school and school officials are prohibited from interfering with the investigation. A school official may not insist that a school employee accompany the child during the interview.

## **Revoking Transfers**

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

## **Participating in Graduation Activities**

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

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district's Code, resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district's Code resulting in an out-of-school suspension, removal to DAEP, or expulsion during the semester immediately preceding graduation.

See DAEP – Restrictions during Placement on page 18, for information regarding a student assigned to DAEP at the time of graduation.

## **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator or school resource officer shall have the authority to refuse entry or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting, and the person persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with FNG (Local) or GF (Local), as appropriate.

## **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 serious offenses. In the subsequent sections on Suspension, DAEP Placement, Placement and/or Expulsion for Certain Serious Offenses, and Expulsion, severe offenses that require or permit specific consequences are listed. Any offense, however, may be serious 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 school buses.
- 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, cyberbullying or making hit lists. (See glossary for all four terms)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Make ethnic, racial, or religious slurs
- Verbally abuse or make derogatory or offensive remarks addressed to include another person's race, color, religion, national origin, or disability or gender.
- Engage in conduct that constitutes sexual 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.

The policy of FISD is that all students and employees be free from bullying, racial or religious harassment, sexual harassment, dating violence, and sexual violence. Students, faculty, staff, administration, and parents/guardians will take allegations of any bullying or harassment very seriously. The District will make every reasonable effort to handle and respond to every charge and complaint filed by students and employees in a fair, thorough, and just manner.

## **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 that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- an air gun or BB gun;
- ammunition;
- a location-restricted knife;

- a hand instrument designed to cut or stab another by being thrown;
- a firearm;
- a stun gun;
- a pocketknife or any other small knife;
- mace or pepper spray;
- pornographic material;
- tobacco products; cigarettes; e-cigarettes/vaporizers; and any component, part, or accessory for an e-cigarette device;
- 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 Telecommunications Devices**

See FISSD Responsible Use Policy and FISSD Cellular Phone Policy located in the Administrative Procedures section.

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

Students shall not:

- Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion)
- Possess, use, give, or sell alcohol or an illegal drug. (Also see DAEP Placement and Expulsion for mandatory and permissive consequences under state law.)
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)
- Possess 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.
- 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 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 disruption to the educational environment.
- Use the Internet or other electronic communications to threaten district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, 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 or infringes on the rights of another student at school.
- Use the Internet or other electronic communication 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 or infringes on the rights of another student at school.

## **Safety Issues**

Students shall not:

- Possess published 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 may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

## **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. 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 (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 is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, cyberbullying, 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 or in combination—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

- 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 defined under the cheating policy in the Administrative Procedures section
- Detention
- 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
- Withdrawal or restriction of bus privileges
- School-assessed and school-administered probation
- Out-of-school suspension, as specified in the 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 Serious 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
- Restitution
- Other strategies and consequences as determined by school officials

## **Notification**

The principal or appropriate administrator shall notify a student's parent by phone within one day or in writing within three days, of any violation that may result in a suspension, placement in a DAEP, or expulsion.

## **Appeals**

The decision to place a student in detention, Saturday detention, in school suspension, out of school suspension, or assign any other disciplinary measures with the exception of expulsion cannot be appealed beyond the superintendent or superintendent's designee.

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 principal's office as a discipline management technique. The principal may then employ additional techniques.

### Formal Removal

A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. 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.

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 will be followed. Otherwise, within three school days of the formal removal, the 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 appropriate administrator shall inform the student of the misconduct for which he or she is charged and the consequences. The administrator shall give the student an opportunity to give his or her version of the incident.

When a teacher removes a student from the regular classroom and a conference is pending, the principal may place the student in:

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

### 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.

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student in grade 2 or below shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

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

In deciding whether to order suspension, the district shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

### **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 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 appropriate administrator, but shall not exceed three school days.

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

### **Notification**

The principal or appropriate administrator will notify a student's parent by phone within one day or in writing within three days, of any violation that may result in a suspension, placement in a DAEP, or expulsion.



## **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 shall serve students assigned to DAEP in conjunction with other students.

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

In deciding whether to order placement in a DAEP, the district shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

## **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.

### **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:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- 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)
- Criminal mischief, not punishable as a felony.

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 appropriate administrator **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. (See glossary)
- 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. This includes designer or synthetic drugs such as synthetic cannabis (spice, K2). (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.)
- 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:
  - The student receives deferred prosecution (see glossary),

- A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
- The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

## **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 principal.

## **Conference**

When a student is removed from class for a DAEP offense, the 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 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.

## **Placement Order**

After the conference, if the student is placed in the DAEP, the appropriate administrator 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, principal or principal'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 coursework 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 principal shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined on a case-by-case basis. Placement in DAEP shall be for a minimum of 45 school days. *A student has the ability to reduce to 30 days with certain positive behaviors.* DAEP placement will 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.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

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:

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

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.

For placement in a DAEP to extend beyond the end of the school year, the campus principal 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 superintendent's designee.

## **Appeals**

Questions or complaints from parents regarding disciplinary measures relating to placement in a DAEP should be addressed to the campus administration, in accordance with policy FOC (LEGAL). 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.myfisd.com](http://www.myfisd.com).

Disciplinary consequences shall not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the superintendent's designee.

## **Restrictions during Placement**

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities. The student will also be prohibited from coming on school district grounds at any FISD campus or facility unless scheduled through the principal's office.

The district shall provide transportation to students in a DAEP.

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.

## **Placement Review**

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus principal or designee 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 appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

## **Notice of Criminal Proceedings**

When a student is placed in DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was 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 found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the 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.

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 district 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 appropriate administrator 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. Students who withdraw during DAEP process or do not complete DAEP assignment will be prohibited from coming on school district property or grounds unless approved by principal.

## **Newly Enrolled Students**

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to DAEP in an open-enrollment charter school or another district.

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 is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, 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 Serious Offenses**

This section includes two categories of serious 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 student'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 any new information, the board or its designee must follow the committee's recommendation.

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

### **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.

### **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.

## **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, charter school, private school or home school must complete the term of the placement.

## **Expulsion**

In deciding whether to order expulsion, regardless of whether the conduct requires a mandatory or discretionary placement the district will take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

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

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See DAEP Placement)

### **Any Location**

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

- A student may be expelled for engaging in serious offenses or persistent misbehavior (see glossary) that violates the district’s Code, while placed in a DAEP.
- 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:
  - Aggravated assault
  - Sexual assault
  - Aggravated sexual assault
  - Murder
  - Capital murder
  - Criminal attempt to commit murder or capital murder
  - Aggravated robbery
  - Breach of computer security (see glossary)
- 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 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. (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
- 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
- Use, exhibition, or possession of a firearm (as defined by state law), a location-restricted knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law)

### **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.

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

A student **must** be expelled for bringing to school a firearm, as defined by federal law, when the offense occurs on school property or while attending a school-sponsored or school-related activity on or off school property. “Firearm” under federal law includes:

#### **Federal Law**

- Bringing to school a firearm, as defined by federal law, ‘Firearm’ under federal law includes:
  - 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.
  - The frame or receiver of any such weapon.
  - Any firearm muffler or firearm weapon.
  - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

#### **Texas Penal Code**

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
  - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use). Unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility 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.

- An illegal knife, such as a knife with a blade over 5 1/2 inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, a zip gun, or a tire deflation device. (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.

## **Process**

If a student is believed to have committed an expellable offense, the principal or other appropriate administrator shall schedule a hearing not later than the tenth day after the date of notification or within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the principal 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.

The board of trustees' delegates to the superintendent or the superintendent's designee authority to conduct hearings and expel students.

### **Expulsion Proceedings**

Before a student may be expelled, the board or its designee shall provide the student a hearing at which the student is afforded appropriate due process.

### **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 will base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

### **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 superintendent or the superintendent's designee 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.

## **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 period of expulsion is for a minimum of seventy-five days. 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 or other appropriate administrator 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.

## **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 appropriate administrator, the board or its designee 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 appropriate administrator, the board or its 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 continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

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 is necessary to protect persons or property from imminent harm, 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; however, educational services in the DAEP must be provided if the student is less than ten years of age.

# **FISD Administrative Procedures**



## **ATTENDANCE AND PUNCTUALITY**

Texas law requires regular attendance, and necessary if satisfactory schoolwork is to be done. Pupils should not stay out of school for trivial reasons. The education of youth is far too important to be put in second place. The school is held accountable for students residing within its district boundaries and must submit reports of attendance regularly to the Texas Education Agency.

Parents should only contact the school to inform the attendance office when his/her child is absent if the child is going to miss, or has missed, 3 or more days consecutively.

Following any absence from school, the student must bring a written statement from the parent, medical professional, or court explaining the absence. The written statement from the parent/guardian, medical professional, or court must be presented to the attendance office within three (3) days of the students return to school. If the written statement is not brought by the third day, the absence will be considered unexcused. Notes turned in after the three (3) day time limit will be dated and kept on file, but the absence will remain unexcused unless the principal excuses the absence because of extenuating circumstances.

## **COMPULSORY SCHOOL ATTENDANCE/FAILURE TO ATTEND SCHOOL**

*Unless specifically exempted by the Texas Education Code Section 25.086, a child who is at least 6 years of age and who has not yet reached the child's 18<sup>th</sup> birthday shall attend school each school day for the entire period the program of instruction is offered. See Texas Education Code Section 25.094.*

*Truancy is the unlawful absence from school. A child who is required to attend school commits an offense, if the child fails to attend school for ten (10) or more days or parts of days in a six-month period or three (3) or more days or parts of days in a four-week period of time without medical documentation, court documentation and/or an excuse from a parent or person standing in parental relation to the child having been timely turned in to the school. See Texas Education Code Section 25.094.*

*A person who voluntarily enrolls in school or voluntarily attends school after the person's 18<sup>th</sup> birthday shall attend school each school day for the entire period that the program of instruction is offered and must attend school until the end of the school year. Such students may be prosecuted for failing to attend school under the Texas Education Code Section 25.094. Additionally, the school district may revoke for the remainder of the school year the enrollment of a person who has more than five (5) absences in a semester that are not excused absences. See Texas Education Code Section 25.085.*

*Under §25.085(d), compulsory attendance applies to certain extended-year programs, tutorial classes, accelerated reading instruction programs, accelerated instruction programs, basic skills programs, and summer programs for students' subject to certain disciplinary removals. Under §25.085(c). It also applies to students below the age for compulsory attendance during any period that the student is voluntarily enrolled in pre-kindergarten or kindergarten.*

## THWARTING COMPULSORY ATTENDANCE OF A CHILD

*It is the parent or legal guardian's duty to monitor the student's school attendance and require the student to attend school. A parent or person standing in parental relation to a child commits an offense, if the parent fails to require a child of compulsory school age to attend school, i.e., the child misses ten (10) or more days or parts of days within a six-month period in the same school year or the child misses three (3) or more days or parts of days within a four-week period. See Texas Education Code Sections 25.093 and 25.95. This offense may be prosecuted in the justice court for the precinct in which the child resides or in which the school is located.*

## EXCUSED ABSENCES

A person required to attend school, may be excused for temporary absence resulting from any cause acceptable to the principal, teacher, or superintendent of the school in which the person is enrolled. A school district shall excuse a student from attending school for the following purposes, including travel for those purposes: Observing religious holidays; or attending a required court appearance or a temporary absence resulting from health care professionals if that student commences classes or returns to school on the same day of the appointment. *Texas Education Code Section 25.087(b).*

The following are recognized by the school administration as proper reasons for an excused absence:

1. Sickness of pupil
2. Sickness or death in the immediate family
3. Quarantine
4. Weather or road conditions making traveling dangerous
5. Religious holidays (make-up work in advance)
6. Assignment to other duties by principal
7. Days of suspension
8. Imperative necessity as determined by principal. This must be approved in advance of absence.
9. Court appearances

## PROCEDURE FOR DOCUMENTING MEDICAL/ILLNESS ABSENCES

Each time a student is absent for any part of a day, one, two or three days for illness/medical reasons, the student must bring a note signed by a parent or guardian (or a medical professional) and turn the note in to the attendance office on the day he/she returns. **If a note is not provided within three (3) days of the student's return to school, the absence will remain unexcused.** If a student is absent for more than three consecutive days, the student must provide medical documentation from a health care professional stating the date and time of appointment as well as a statement from the health care professional requesting that the student refrain from attending school for X days. This documentation must also be presented to the attendance office within three (3) days of the student's return to school.

Notes turned in after the three (3) day time limit will be dated and kept on file, but the absence will remain unexcused unless the principal gives his/her approval to accept the late note as an excused absence because of extenuating circumstances.

A student absent from school for any portion of a school day shall provide a note that describes the reason for the absence. The student's parent, legal guardian, or a student who is legally emancipated shall sign the note. The emancipation order must be filed with the school.

### **ATTENDANCE FOR CREDIT**

Except as provided below, a student shall not be given credit for a class unless the student is in attendance 90 percent of the days the class is offered. This restriction does not affect a student's right to excused absences to observe religious holy days. (FEB LEGAL). A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. An attendance committee at each campus may grant credit to a student based on the existence of extenuating circumstances. Credit may also be awarded based on successfully meeting specific conditions as determined by the attendance committee. (See FEC LOCAL and FEC LEGAL)

## **Responsible Use Policy Student Guidelines**

Friendswood Independent School District provides a variety of electronic resources for educational purposes. District electronic resources are defined as the District's network (including the wireless network), servers, computer workstations, mobile technologies, peripherals, applications, databases, online resources, Internet access, email, and any other technology designated for use by students, including all new technologies as they become available. This also includes any access to Friendswood ISD electronic resources while on or near school property, in school vehicles and at school-sponsored activities, and includes the appropriate use of district technology resources via off-campus remote access. Please note that the Internet is a network of many types of communication and information networks, including Web 2.0 resources (Blogs, Wikis, Podcasts, etc.), and is part of the district's electronic resources. Web 2.0 applications offer a variety of 21st Century communication, collaboration, and educational creativity opportunities. In a 21st Century school system, technologies, the Internet, and Web 2.0 tools are essential.

In accordance with the Children's Internet Protection Act, Friendswood Independent School District educates staff and students regarding appropriate online behavior to insure Internet safety, including use of email and Web 2.0 resources, and has deployed filtering technology and protection measures to restrict access to inappropriate content such as those that are illegal, harmful, or contain potentially offensive information. While every effort is made to provide the most secure and optimal learning environment, it is not possible to absolutely prevent access (accidental or otherwise) to inappropriate content. **It is each student's responsibility to follow the guidelines for appropriate and responsible use.**

### **SOME GUIDELINES FOR RESPONSIBLE USE**

- Students must only open, view, modify, and delete their own computer files.
- Internet use at school must be directly related to school assignments and projects.
- Students may be assigned individual email and network accounts and must use only those accounts and passwords that they have been granted permission by the district to use. All account activity should be for educational purposes only.
- Students must immediately report threatening messages or discomfoting Internet files/sites to a teacher.
- Students must at all times use the district's electronic resources, including email, wireless network access, and Web 2.0 tools/resources to communicate only in ways that are kind and respectful.
- Students are responsible at all times for their use of the district's electronic resources and must assume personal responsibility to behave ethically and responsibly, even when technology provides them freedom to do otherwise.

### **SOME EXAMPLES OF INAPPROPRIATE USE**

- Using any electronic resource for illegal purposes including, but not limited to, cyberbullying, gambling, pornography, and computer hacking.
- Disabling or attempting to disable any system monitoring or filtering or security measures.
- Sharing usernames and passwords with others; and/or borrowing someone else's username, password, or account access.

- Purposefully opening, viewing, using or deleting files belonging to another system user without permission.
- Electronically posting personal information about one's self or others that is inappropriate or too revealing.
- Downloading or plagiarizing copyrighted information without permission from the copyright holder.
- Intentionally introducing a virus or other malicious programs onto the district's system.
- Electronically posting media or accessing materials that are abusive, obscene, sexually oriented, threatening, racist, harassing, illegal or damaging to another's reputation.
- Electronically lobbying for political purposes.
- Wasting or abusing school resources through unauthorized system use (e.g., playing online games, downloading software or music, watching video broadcast, participating in chat rooms, etc.).
- Gaining unauthorized access to restricted information or network resources.
- Purposefully utilizing the district's electronic resources in any way that disrupts the use of any computers or networks by others.
- Using any device that permits recording the voice or image of another in any way that either disrupts the educational environment, invades the privacy of others, or is made without the prior consent of the individual(s) being recorded or photographed is prohibited.

#### **EMAIL**

- Friendswood ISD staff may arrange for electronic communications, and electronic storage accounts for students on a limited basis for instructional purposes only. As the district provides these accounts, they are considered to be district accounts not personal accounts, and therefore governed by applicable district policies. All communications and data accessible from these accounts are not considered to be private and shall be monitored by district staff.
- Messages and data in violation of this or other district policies may be archived and/or deleted without notification.
- All users of any electronic mail either provided by the District or transmitted through the District's technology resources are required to comply with this Responsible Use Policy.
- Never assume electronic mail is private. Messages relating to or in support of illegal activities must be reported to the authorities and the District will comply with state and federal laws, as well as court orders or subpoenas that will require disclosure.

#### **SPECIAL NOTE: CYBERBULLYING**

Cyberbullying is defined as the use of any Internet-connected device for the purpose of bullying, harassing, or intimidating another student. This includes, but may not be limited to:

- Sending abusive text messages to cell phones, computers, or Internet-connected game consoles.
- Posting abusive comments on someone's blog or social networking site (e.g., Facebook, Instagram or Twitter)
- Creating a social networking site or web page that masquerades as the victim's personal site and using it to embarrass him or her.
- Making it appear that the victim is posting malicious comments about friends to isolate him or her from friends.
- Posting the victim's personally identifiable information on a site to put them at greater risk of contact by predators.
- Sending abusive comments while playing interactive games.
- Acquiring and/or sharing media, sometimes manipulating it to embarrass the target.

## **CONSEQUENCES FOR INAPPROPRIATE USE**

- Appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws including monetary damages.
- Suspension of access to the district's electronic resources.
- Revocation of the district's electronic account(s); and/or
- Termination of System User Account: The district may deny, revoke, or suspend specific user's access to the district's system with or without cause or notice for lack of use, violation of policy or regulations regarding acceptable network use, or as a result of disciplinary actions against user.
- Possible criminal action.

## **ELECTRONIC PERSONAL MOBILE DEVICES**

An **electronic personal mobile** device is any personally owned device used to communicate, access, create or share media via the internet or an individual's personal data plan. It is our goal that students and teachers collaborate in rich, engaging learning experiences using technology.

### **FHS & FJH**

Students attending FHS & FJH will be allowed to bring an electronic personal mobile device to school and log on to the student wireless network, only. Devices may be used in the classroom upon teacher approval.

### **Elementary and Intermediate Campuses**

Students may bring their own electronic personal mobile device to their classroom when the teacher deems them appropriate for educational purposes. These devices will not be allowed to access Internet content through the district's wireless network while at school.

## **ALL PERSONAL DEVICES SHOULD BE CLEARLY LABELED WITH STUDENT'S FULL NAME. Students are responsible for personal property brought to school and should keep personal items with self or in a locked space.**

Devices should be charged prior to bringing to school. Devices brought by students are not eligible for technical support and must adhere to these responsible use guidelines while on school grounds. The school is not responsible for students who bring their own Internet connectivity via air-cards or data-plan on a mobile device. In the event the technology is used inappropriately; normal disciplinary consequences may occur.

### **Disclaimers**

1. Friendswood ISD and its individual schools, administrators, faculty, and staff thereof, make no warranties of any kind for the service provided and will not be held responsible for any damage suffered by users. This includes the loss of data resulting from delays, non-deliveries, miss-deliveries, and intrusion by computer virus, or service interruption
2. Use of any information obtained via network access is at the risk of the user, and Friendswood ISD specifically denies any responsibility for the accuracy or quality of the information obtained.
3. Friendswood ISD cannot guarantee complete protection from inappropriate material. Furthermore, it is impossible for the district or content filter to reflect each individual or family's opinions of what constitutes "inappropriate material." If a student mistakenly accesses inappropriate information, he/she should immediately notify a district staff member.
4. Friendswood ISD is not liable for an individual's inappropriate use of district's electronic resources or violations of copyright restrictions or other laws, or for costs incurred by users through use of Friendswood ISD's electronic resources.
5. Friendswood ISD is not liable for any individual's personal device lost, stolen or damaged while at school or on school property.
6. The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic resources.

**Friendswood Independent School District  
Policy for Responsible Use of Computers and Networks  
Student's Agreement**

By signing this form, I acknowledge receipt of, understand, and agree to abide by the rules and standards set forth in the Friendswood Independent School District Policy for Responsible Use of Computers and Networks. I understand that to gain access to the Friendswood ISD electronic resources, I must return this form signed by me and my parent or legal guardian. I further understand that any violation of the Policy for Responsible Use of Computers and Networks is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, monetary liability may be incurred, school disciplinary and/or appropriate legal action may be taken. I understand that this agreement will be in effect for one school year and must be re-signed in subsequent years.

PRINTED Student Name \_\_\_\_\_

Student Signature \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_/\_\_\_/\_\_\_ Grade \_\_\_\_\_

**Friendswood Independent School District  
Policy for Responsible Use of Computers and Networks  
Parent or Legal Guardian's Agreement**

I have read, understand, and agree with the Friendswood Independent School District Policy for Responsible Use of Computers and Networks. I understand that by signing this form I give permission for Friendswood ISD to grant access to district electronic resources, including the Internet. I understand that this access is designed for educational purposes. I understand that Friendswood ISD has taken reasonable precautions to eliminate access to inappropriate material and I will not hold the district or staff members responsible if inappropriate material is inadvertently accessed. I understand that this agreement will be in effect for one school year and must be re-signed in subsequent years.

PRINTED Parent Name \_\_\_\_\_

Parent Signature \_\_\_\_\_

Date \_\_\_/\_\_\_/\_\_\_

## **Elementary Student Contract for Responsible Use of Technology**

Friendswood Independent School District provides access to many types of technology for students to use in school. The Children's Internet Protection Act states that FISD must educate students on appropriate online behavior to insure Internet safety. It is each student's responsibility to follow the guidelines for appropriate and responsible use.

### **I WILL BE RESPONSIBLE**

- I will only open, change, and delete my own files.
- I will use the Internet at school to work on school projects and assignments.
- I will only use email and network accounts that my teacher has given me permission to use.
- I will tell my teacher if I see anything on the Internet that makes me feel uncomfortable.
- I will use the technology at school in ways that are kind and respectful.
- I will behave responsibly at all times when using the technology at school.
- I will not do anything illegal: including cyberbullying, posting inappropriate pictures, or trying to hack into somebody else's computer.
- I will not share my user name or password with anybody.
- I will not use anybody else's user name or password.
- I will not open, look at, use, or delete anybody's files without their permission.
- I will not post my personal information. This includes my address, phone number, and pictures.
- I will not download or copy copyrighted information without permission from the copyright holder.
- I will not post messages or information that is mean or inappropriate.
- I will not play online games, download software or music, watch videos, or participate in chat rooms unless given permission by my teacher for schoolwork.
- I will not use the district's technology in any way that disrupts the use of any computers or networks.

### **EMAIL**

1. My student email is to be used for school. It is not a personal email and will be monitored by my teacher.
2. Any messages that are not following the rules may be saved and or deleted at any time.
3. I must follow the guidelines of the Responsible Use Policy when using my email.
4. My messages will not be private and anything inappropriate will be reported to the principal.

### **SPECIAL NOTE: CYBERBULLYING**

1. I will not send mean or ugly text message to cell phones, computers, or games.
2. I will not post mean or ugly comments on someone's blog or social network.
3. I will not create a website pretending to be someone else.
4. I will not post another person's pictures or their personal information.
5. I will not take embarrassing photos with my cell phone or other digital device and post them.



**CONSEQUENCES FOR INAPPROPRIATE USE**

- I may be sent to the principal.
- I may not be able to log onto the network.
- I may lose my FISD accounts and their access.

**PERSONAL ELECTRONIC MOBILE DEVICES**

1. I may bring electronic devices to school to work on school projects when my teacher gives me permission.
2. I may bring notebooks, smart phones, iPhones, iPads, iPods, mp3 players and eReaders.
3. I need to make sure that all of my devices have my first and last name on them.
4. I am responsible for my own device and I should put it in a safe place while it is at school.
5. I need to make sure that my device is already charged before I bring it to school.
6. I need to already know how to use my device that I bring. There will not be technical support for any personal devices.

By signing I understand, and will follow the rules in this contract. I know I must sign this in order to use district technology. I also understand if I break any of the rules, I may not be allowed to use the technology, my parents may have to pay money for repairs, and I could have disciplinary consequences. I understand that this contract is good for one school year and must be re-signed each year.

Student

Signature \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Grade

## **DISTRICT ELECTRONIC DEVICE POLICY**

Students bringing electronic devices will be required to follow the Responsible Use Policy and the Bring Your Own Device Policy/Procedures located in the FISD Administrative Policy section of this manual. Included in the Responsible Use Policy are examples of appropriate and inappropriate use of cellular phones. A school telephone is available for students to use during regular school hours. Any violation of this policy during school hours will result in the following discipline:

First Offense:

- ❖ Electronic device confiscated and returned to parent.

Second Offense:

- ❖ Electronic device confiscated and returned to parent after 3 school days.

Third Offense:

- ❖ Electronic device confiscated and returned to parent after 5 school days.

Fourth Offense and All Subsequent Offenses:

- ❖ Subject to above and additional disciplinary action as determined by the designated administrator.
- 
- Unclaimed electronic devices will be disposed of at the end of the school year.
  - The District is not responsible for missing or lost equipment.

Students will be disciplined for insubordination if, upon confiscation of the electronic device, the student refuses to give the device to school personnel or the student attempts to remove the SIM card, the battery, or erase data before handing over the electronic device. School personnel may review data on a confiscated electronic device if a student is involved in an administrative investigation and the administrator has a reasonable suspicion that a search of the electronic device data will turn up evidence that the student has violated the law or school Code of Student Conduct. Failure to provide an access code, any of the components, or anything else needed to view the necessary data will be considered insubordination.

## **SCHOOL BUS SAFETY REGULATIONS**

### **"Bus Rider Rules and Regulations Agreement"**

The Friendswood Independent School District has a legal responsibility to provide safe and efficient transportation to and from school. In order to provide for more effective bus safety, the superintendent or his designee is hereby directed to publish rules of conduct for pupils riding school buses and deliver this communication to parents advising of the policy and established rules of conduct for bus riders.

Students shall observe the following school bus rules of conduct in addition to appropriate behavioral expectations the schools require. Any violation of these rules, such as serious or continuing misconduct, can result in a student's suspension from the bus.

The Transportation Director manages bus safety and discipline issues. Any questions or concerns in reference to student safety or discipline should be addressed to the transportation center.

#### **GENERAL RULES**

1. The driver is in full charge of the bus and its occupants. Pupils must obey the driver promptly. Disobedience and disrespect will not be tolerated.
2. The driver has the authority to seat students in assigned seats and to change their assignments, as needed.
3. The possession of a weapon/knife or any dangerous instrument is prohibited.
4. The possession of alcoholic beverages, tobacco products or illicit narcotics is not allowed.
5. The use of obscene, profane speech or gestures is prohibited.

#### **RULES FOR LOADING THE BUS**

1. Be at the designated school bus stop 5 minutes before the scheduled bus arrival time. The driver is on a time schedule and cannot wait for students who are late.
2. Students should wait in view of the driver, but off of the roadway for the bus where possible.
3. Students are not to move toward the bus or attempt to enter the bus until the bus comes to a complete stop and the door is opened.

4. Students shall enter the bus only when the driver is present and has given permission. After entering the bus, the student must stay on the bus because of safety considerations for the other students who are boarding the bus. If the bus driver determines that it is necessary for the student to exit the bus, then the bus driver will give permission to the student to leave the bus.
5. Students may ride the school bus to and from their designated bus stop only. According to state law, students may only be picked up or dropped off at the scheduled bus stop closest to their residence, the residence of a grandparent, or a licensed child-care facility. Parents should designate the scheduled bus stop. For the security, safety and protection of our students we will not accept requests to either pick up or drop off a student at a different bus stop. The only exception to this is that the parent may provide an advance written request to the Transportation Office (not the bus driver) to have a student either picked up and/or dropped off at a different location at a designated bus stop on the same bus route.
6. For the safety of our students, when the bus doors are closed at the schools, then the bus doors will not be reopened unless authorized by an FISD representative.

#### **RULES FOR STUDENTS WHILE ON THE BUS**

1. While on the bus, classroom conduct shall be followed except for conversation in ordinary tones.
2. Students must load and unload from the front door only. The use of the Emergency Exit Door shall only be used when directed by the driver.
3. Students must sit down in assigned seat as soon as they board the bus.
4. Students must sit in their assigned seat each day. The driver may change the seating arrangement at any time, as he/she deems necessary.
5. The Transportation Department follows District guidelines regarding use of electronic devices. Uses of these devices are permitted on FISD buses. The devices may not be used in a manner, which creates a distraction or records audio, video, or still pictures while on the bus. **See District Electronic Device Policy/Responsible Use Policy**
6. Students must keep all parts of their body inside the bus and feet on the floor.
7. Students shall treat bus equipment appropriately. Damage to seats or other equipment must be paid for by the person(s) responsible.
8. Students must keep the aisle clear of books, packages, band instruments, etc.

9. Students will not throw anything onto or out of the bus.
10. Students are not allowed to eat or drink while on the bus. (Cans, bottles, and cups are not allowed on the bus unless part of a lunch container.)
11. Students are not allowed to have gum while on the bus. This will eliminate gum being stuck on the seats, on the floor and other places on the bus.
12. Students must remain seated while the bus is in motion.
13. Students shall not talk with the driver while the bus is in motion, except when necessary.
14. Students must be absolutely quiet while approaching and while stopped at a railroad crossing.
15. In the event of a road emergency, students must remain in the bus unless directed by the driver to leave the bus and then students shall follow the instructions of the driver.
16. The Transportation Department follows the District guidelines regarding the use of electronic devices.

#### **RULES AFTER UNLOADING THE BUS**

1. Cross the road in front of the bus only after checking traffic and after receiving a signal from the driver to proceed.
2. Do not attempt to re-board the bus after unloading.
3. Be alert for the danger signal from the driver.
4. For the safety of our students, the driver is not permitted to let students off the bus at any other place than their designated bus stops. If an emergency arises, then the parent must contact both the school and the Transportation Office in order to remove a student from the bus.

#### **RULES FOR EXTRA-CURRICULAR TRIPS**

1. The aforementioned rules and regulations apply to any school-sponsored trip.
2. The bus driver is charged with the full responsibility for the safe operation of the bus while on extra trips and is to follow the assigned route for the trip.
3. The driver will expect the full cooperation and assistance of assigned sponsors and students

## **PROCEDURES FOR DEALING WITH MISBEHAVIOR**

By and large, the majority of our students will act within the established rules. There are, of course, some who will misbehave and require some type of response or action from the driver.

When a student's behavior interferes with safe transportation (physical or emotional) and it is not a serious offense, then the driver will go by the following procedures:

1. Hold a conference with the student. Inform the student of the behavior that needs to be corrected. Give the student an opportunity to correct the behavior. If the conference with the student does not result in the expected behavior, then go to step 2.
2. Reassign the student's seat for a limited period of time. If possible, the first two seats at the front of the bus should be available for the reassignment. If the seat reassignment does not result in the expected behavior, then go to step 3.
3. Contact a parent and inform the parent of their student's behavior that is interfering with safe transportation. If the contact with the parent does not work, then go to step 4.
4. Hold a meeting with the Safety Coordinator at which both the lead driver and you are present. The Safety Coordinator will contact the parent, explain why the student's behavior is interfering with safe transportation, and inform the parent that the next step by the driver will be to complete a School Bus Safety Report. If the Safety Coordinator's contact with the parent does not result in the expected behavior, then go to step 5.
5. Complete and follow the procedures for a School Bus Safety Report.

## **SCHOOL BUS SAFETY REPORT**

The bus driver is hereby authorized to issue "Bus Safety Reports" for rider violations. The following are penalties that may be invoked for serious and/or continuing misconduct in violation of established rules. When a student receives a "Bus Safety Report", he/she must have the notice signed by the parent or legal guardian and return it to the bus driver on the next date the student rides the bus in order for bus rider privileges to be restored.

1<sup>st</sup> Offense – Warning and/or bus probation

2<sup>nd</sup> Offense – 3 day suspension of riding privileges

3<sup>rd</sup> Offense – 5 day suspension of riding privileges

4<sup>th</sup> Offense – 10 day suspension of riding privileges

5<sup>th</sup> Offense – Suspension of riding privileges for remainder of the school year

SEVERE DISRUPTION – If any student is involved in a severe disruption that jeopardizes or threatens the safety of others, any subsequent step may be ignored and immediate suspension of bus privileges may be initiated by either the Transportation Director or the Transportation Safety Coordinator.

### **APPEAL PROCEDURES (SUSPENSIONS)**

Either the Transportation Director or the Transportation Safety Coordinator shall report each bus suspension to the parent(s) and the appropriate Assistant Principal. In the event a parent believes the punishment is unjust, the parent should use the following procedure:

1. Discuss the incident with the Transportation Safety Coordinator for a full account of the circumstances.
2. If the parent, after discussion with the Transportation Safety Coordinator, is not satisfied with the results then the parent can request a conference with the Transportation Director to resolve the matter.

### **FISD DISTRICT DRESS CODE**

The Friendswood Independent School District (FISD) maintains dress and grooming standards because students should dress and groom themselves in a manner considered acceptable and appropriate by the community. FISD believes the business of school is learning, and school dress and grooming standards should support the learning environment, along with promoting a safe, orderly learning environment. The FISD Dress Code is also established to teach grooming, hygiene, instill discipline and modesty, teach respect for authority, and prepare students for the future. School is a place of business; therefore, the dress and grooming of a student should reflect the serious intent of one who is going to work. Accordingly, dress and grooming standards should promote a business-like atmosphere, which is comfortable, but not too casual, free from disruption, and easily enforced by teachers and administrators.

The parent and student shall be responsible for ensuring the student is in compliance with all aspects of the Dress Code when the student enters the school premises, and during the time the student is on school premises during school hours. Each student and parent shall be responsible for ensuring compliance with the standards presented in the campus Manual/Handbook. Failure to comply will result in the student being required to change clothes, and/or correct the infraction to meet the standards. Any clothing deemed inappropriate for the educational setting by the administration; along with the ruling of the building principal regarding compliance or non-compliance with the Dress code and the corresponding consequences assigned for the violation are final. Students whose religious beliefs require exemptions from the District's Dress Code in any way may be granted an exemption, provided the student presents a written statement, expressing a religious objection to the Dress Code which the District determines valid.

The student and parent may determine the student's personal dress and grooming, provided the following standards are met:

1. Hair must be a color that can be grown naturally, neat and well groomed. Mohawk type haircuts, distracting styles, hair carvings, shaved designs or lines are not permitted.
2. Hats, caps, sport-type headbands, or any other types of head covering garments are not to be worn on campuses during school hours. No hooded sweatshirts should be worn with the hood on inside the building. Bandanas may not be worn or carried.
3. Students must be clean-shaven. Goatees, beards and moustaches or any other facial hair are prohibited.
4. A modest appearance must be maintained when standing, sitting, or bending.
5. Inappropriate clothing includes, but is not limited to strapless garments, spaghetti straps, low-cut shirts, tube tops, open underarm shirts, see-through/fishnet shirts, tank tops, pajama tops or bottoms, boxer shorts, and clothes which exposes the midriff or the underarm. *At the Pre-Kinder through 5th grade levels, tank tops are acceptable with straps wider than a 3-finger width strap. At the 6th through 12th grade levels, all shirts/blouses/dresses are to have fully attached sleeves; shoulders must be covered at all times.*
6. Pants or shorts shall be appropriately sized and worn at the natural waist with or without a belt. Oversized or excessively baggy clothes are not permitted.
7. Shorts, skirts, or dresses, to include top of slit on short, skirt or dress, must be middle fingertip length.
8. Cut-offs and jeans with tears above the knee are not permitted.
9. Leggings, yoga pants, spandex, biking shorts, or similar material (except those that are worn in a school sponsored activity) cannot be worn unless they are covered by shorts, a skirt/dress or shirt, which meets the middle fingertip length.
10. Appropriate undergarments must be worn, and must not be visible at any time.
11. Full-length coats, such as those commonly referred to as “trench” coats are not permitted.
12. Non-wheeled shoes are to be worn at all times. House shoes/slippers are not permitted.
13. Permanent or non-permanent tattoos, along with writing, drawing or stamping on the skin cannot be visible.
14. Body piercings are limited to the ear. Plugs, tunnels, and spacers are not permitted, along with eyebrow, nose and tongue rings.
15. Jewelry, heavy chains or trinkets may not be noisy or distracting. Any accessory which could be deemed unsafe, to include, but not limited to spiked bracelets/chokers/watch-bands, dog collars, or locks.
16. Any clothing or accessories which may be deemed to represent gang affiliation (real or implied) are not permitted, along with any clothing or accessory, which may be deemed to be offensive or degrade any student population. This includes Gothic style dress.
17. Any clothing or accessory which advertises or is related to alcohol, tobacco, drugs, sex, or any other substances students are prohibited from having at school, are not permitted. Students may not wear suggestive or inappropriately located decorative patches, insignia, or clothing with improper advertising, pictures, slogans or statements.
18. Clothing or accessories that in any way suggest disrespect for the American flag are not permitted. Slogans or drawings representing local, country, state or federal detentions are not permitted.



## 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;
  - b. A disabled person.

**Armor-piercing ammunition** is defined by Texas Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is defined in part by Texas Penal Code 28.02 as:

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

**Assault** is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.

**Breach of Computer Security** includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Texas Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property of information; or commits a breach of any other computer, computer network, or computer system.

**Bullying** is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

**Bullying includes cyberbullying.** (See below) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

**Chemical dispensing device** is defined by Texas Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

**Club** is defined by Texas Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

**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 or e-bullying** is defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic device, including through the use of a cellular or other type of telephone, a computer, camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

This includes, but is not limited to the following: spreading rumors or posting embarrassing photos, making rude or threatening comments, forwarding something that was meant to be private, or pretending to be someone else.

**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.

**Explosive weapon** is defined by Texas Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

**False Alarm or Report** 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.

**Fighting**: Physical conflict between two or more individuals.

**Firearm silencer** is defined by Texas Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

**Graffiti** are markings with paint, an indelible pen or marker on tangible property without

the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Handgun** is defined by Texas Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

**Harassment** 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 student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b)(2) of the Education Code.

**Hazing** is defined by Section 37.151 of the Education Code as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, 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 defined by Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

**Improvised explosive device** is defined by Texas Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

**Indecent exposure** is defined by Texas Penal Code 46.01 as an offense that occurs when a person exposes his or her anus or any part of his or her genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

**Intimate visual material** is defined by Texas Civil Practice and Remedies Code 98B.001 and Texas Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed, or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

**Insubordination** is the failure or refusal to follow directives of a staff member.

**Knuckles** is defined by Texas Penal Code 46.01 as 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.

**Location-restricted knife** is defined by Texas Penal Code 46.01 as a knife with a blade over five and one-half inches.

**Look-alike weapon** means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

**Machine gun** as defined by Texas Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

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

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

**Possession** means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any 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. The following unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration or unless the item is classified as a curio or relic by the U.S. Department of Justice:
  - a. An explosive weapon;
  - b. A machine gun;
  - c. A short-barrel firearm;
2. Knuckles;
3. Armor-piercing ammunition;
4. A chemical dispensing device;
5. A zip gun;
6. A tire deflation device;
7. An improvised explosive device; or
8. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

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

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

**Serious or persistent misbehavior** include but is not limited to:

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

**Short-barrel firearm** is defined by Texas Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

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

- Murder, manslaughter, or homicide under Sections 19.02, - .05, Texas Penal Code;
- Kidnapping under Section 20.03, Texas Penal Code;
- Trafficking of persons under Section 20A.02, Texas Penal Code;
- Smuggling or continuous smuggling of persons under Sections 20.05 - .06, Texas Penal Code;
- Unlawful restraint under Section 20.02, Texas Penal Code;
- Assault under Section 22.01, Texas Penal Code;
- Aggravated assault under Section 22.02, Texas Penal Code;
- Sexual assault under Section 22.011, Texas Penal Code;
- Aggravated sexual assault under Section 22.021, Texas Penal Code;
- Continuous sexual abuse of a young child or children under Section 21.02, Texas Penal Code;
- Bestiality under Section 21.09, Texas Penal Code;
- Improper relationship between educator and student under Section 21.12, Texas Penal Code;
- Voyeurism under Section 21.17, Penal Code;
- Indecency with a child under Section 21.11, Texas Penal Code;
- Invasive visual recording under Section 21.15, Texas Penal Code;
- Disclosure or promotion of intimate visual material under Section 21.16, Texas Penal Code;
- Sexual coercion under Section 21.18, Texas Penal Code;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04, Texas Penal Code;

- Abandoning or endangering a child under Section 22.041, Texas Penal Code;
- Deadly conduct under Section 22.05, Texas Penal Code;
- Aiding a person to commit suicide under Section 22.08, Texas Penal Code; and
- Tampering with a consumer product under Section 22.09, Texas Penal Code.
- Coercing, soliciting, or inducting gang membership if it causes bodily injury to a child: [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 defined by Texas Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.



*ADMINISTRATIVE PROCEDURES*



**FRIENDSWOOD HIGH SCHOOL**

**2017 -2018**

**FRIENDSWOOD ISD**

**\*website address\***

**[www.myfisd.com](http://www.myfisd.com)**

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## **STUDENTS' RIGHTS AND RESPONSIBILITIES**

### **JURISDICTION**

The district has jurisdiction over its students during the regular school day and while going to and from school on district transportation. The district's jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity and any school-related misconduct, regardless of time or location. The district has jurisdiction to remove a student to a DAEP in accordance with Texas Education Code Section 37.006 if the student engages in certain conduct under certain circumstances regardless of time or location. Additionally, the district has jurisdiction to place a student in the DAEP for certain conduct that occurs within 300 feet of school property. A description of the misconduct that may or shall result in placement in the DAEP is described in other sections of this Code of Conduct.

### **PUBLICATIONS**

Students have the right to possess any forms of literature that do not disrupt or interfere with the educational process, including, but not limited to, newspapers, magazines, leaflets, and pamphlets. All written material over which the school does not exercise editorial control that is intended for distribution to students shall be submitted to the building principal for review, who may take up to one working day for the purpose of reviewing the publication, before it is posted or distributed on campus.

All publications edited, printed or distributed in the name of or within Friendswood High School shall be under the control of the school administration and the Board.

Students have the responsibility to use only those bulletin boards or wall areas designated for use by students and student organizations, and must also accept responsibility for the effect that the posting publication, or distribution of this literature might have on the normal activities of the school.

### **SCHOOL ORGANIZATIONS**

Students shall not be denied the privilege of participating in extra-curricular organizations as long as they meet U.I.L. requirements and requirements set by the administration and approved by the Board.

Students are expected to abide by the by-laws of these organizations as long as they do not conflict with the Standards.

### **SEARCHES AND INTERROGATIONS**

School officials may search a student or a student's property with reasonable suspicion or the student's free and voluntary consent. However, consent obtained through threat of contacting the police authorities is not considered to be freely and voluntarily given. Vehicles on school property are also subject to search.

Areas such as lockers and desks, which are owned and jointly controlled by the district, may be searched at any time. Students have no expectation of privacy in the lockers assigned to them.

Students shall not place, keep, or maintain any article or material in school-owned lockers or desks that is forbidden by district policy or that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function.

School officials may search a student's clothing and pockets if they have reasonable suspicion to believe that the student has violated a school rule or possesses contraband. Administrators and teachers have the right to question students regarding their conduct or the conduct of others.

## **SEXUAL HARASSMENT**

Sexual harassment is defined as offensive and unwelcome conduct of a sexual nature directed toward a student or other person or offensive and unwelcome conduct aimed at another solely because of his or her gender. If a student believes he or she has been sexually harassed, the student or the student's parents should report the incident to any of the following: administrators, counselors, school nurse, or the District Title IX Coordinator. If a student's conduct is offensive and unwelcome, the conduct should be punished in accordance with the District's discipline management plan.

## **HARASSMENT**

See the glossary for a definition of harassment. Any allegations of harassment or sexual harassment of students shall be investigated and addressed promptly. Oral complaints shall be reduced to writing to assist in the district's investigation. To the greatest extent possible, complaints shall be treated as confidential. However, limited disclosure may be necessary to complete a thorough investigation. A parent or student may appeal the decision of the principal regarding the outcome of the investigation into the allegations in accordance with Board Policy FNG (local).

## **DISCIPLINARY PROCEDURES**

The Friendswood Independent School District has the responsibility to maintain a high-quality educational program for its students. To achieve this objective, District personnel must create an atmosphere for the development, exchange and application of ideas, an atmosphere free from disruptions and distractions that will materially interfere with or intrude upon the work of the school and its students. Many disciplinary options or alternatives are open to the principal, assistant principal and designated members of the staff for dealing with students whose behavior interferes with the school's objectives. The individual needs of students are assessed by the student care team; a group of school personnel who meet regularly to recommend guidance alternatives.

The following explanation of disciplinary procedures and alternatives indicates variety in the severity of both the offense and the disciplinary action taken. In some schools there are circumstances, which prevent the use of some of these alternatives. Different and equally acceptable alternatives may be used. Many of these alternatives are preventive and guidance oriented in nature, approaches which are certainly preferable but, understandably, not possible in all cases. Other alternatives are punitive in nature. When there is the need for clarification of the disciplinary or preventive measures being taken in any school, the principal of that school should be contacted.

## **PREVENTIVE OR GUIDANCE ALTERNATIVES**

### **CONTRACTS**

Many students respond positively by ceasing disruptive behavior as part of the "contract" negotiated with teachers or administrators.

### **COUNSELING METHODS**

Group and/or individual counseling of both a problem preventing and a problem-solving nature is available to students by professionally trained personnel. Counselors and psychologists are among the personnel available for these services.

### **PARENT CONFERENCES**

Conferences with parents of students who seem to be having unusual difficulties are beneficial. The parents, the principal, the teacher or the counselor may request these conferences.

### **REFERRAL FOR COMMUNITY PROFESSIONAL HELP**

Crisis Hotline-Bay Area, (281) 461-9992; Crisis Teenline, (713) 529-TEEN; Youth Crisis and Runaway Hotline, (800) 448-4663;

National Council on Child Abuse and Family Violence, (800) 422-4453; Galveston County Juvenile Department, (409) 770- 5900. A list of counseling referrals is also available upon request.

### **REFERRAL FOR IN-DISTRICT PROFESSIONAL HELP**

The District provides many professionals who may be called upon by principals and parents for help: visiting teachers, school psychologists, reading clinicians, specialists in learning disabilities, and other agencies as needed.

### **FORMAL REMOVAL**

Formal removal will result if 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 the behavior is so unruly, disruptive, or abusive that the teacher cannot teach. Any removal of a student by a teacher requires that the teacher make a Standard of Student Conduct violation report, if the student's conduct is a violation of this code. A teacher or administrator may also remove a student from a class for an offense for which a student may be suspended and/or placed in a Disciplinary Alternative Education Program.

If the violation results in formal removal, the principal will schedule a conference within three school days with the student's parent, the teacher, and the student. After the conference, the principal will notify the student of the consequences of the Standard of Student Conduct violation.

When a student is removed from the regular classroom and a hearing is pending, the principal, at his or her discretion, may place a student in:

- Another appropriate classroom. Counseling will also be provided to the student.
- In-school suspension
- A Disciplinary Alternative Education Program in which the student must be separated from other students for the entire school program day and will be provided instruction in the core subjects.
- Expulsion

When a student has been formally removed from class, the principal may not return the student to the teacher's class without the teacher's consent unless the placement review committee determines that the teacher's class is the best or only alternative available. Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with the policy FNG (LOCAL).

Any decision of a placement review committee convened to consider the placement of a student, who has been removed from a classroom by a teacher in accordance with a formal teacher removal, is subject to the state and federal law and rules related to educating students with disabilities.

### **ALTERNATIVE CLASS PLACEMENT METHODS**

Students may be removed to an alternative educational program if the principal or campus disciplinary person determines either:

- That the student's presence in the regular classroom or home campus presents a danger of physical harm to the student or others; or
- That the student has engaged in serious or persistent misbehavior that violates the previously communicated standards of student conduct.

## **REMOVAL TO ALTERNATIVE EDUCATION PROGRAMS**

Prior to being assigned to an alternative program, a conference is conducted by an administrator. In most cases, the conference will be conducted on the same day or the day after the offense occurred. In talking with the students, they are told the conduct with which they are charged. They are then given the opportunity to explain their version of the incident. If the principal decides alternative placement is appropriate, the parent is then contacted by phone and told when the assignment will begin, how many days it will be, and the nature of the offense. Parents and students are also informed in writing of the rules and regulations of the program.

## **TERM OF REMOVAL**

The principal shall determine the length of removal to disciplinary alternative programs. The length of a DAEP placement or expulsion will not exceed one year unless, after a review, the district determines that the student is a threat to the safety of other students or to district employees, or extended placement is in the best interest of the student. If a student fails to satisfactorily complete the conditions of the assignment, the term of removal may be extended.

There is no limitation on the length of placement of a student in the DAEP if it is determined that the student engaged in sexual assault or aggravated sexual assault against another student.

## **VICTIM'S RIGHTS**

If a student has been 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 or the victim's parents request 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 will be transferred to a DAEP or a JJAEP. If the student is transferred for this reason, there is no limit on the length of the placement.

## **ALTERNATIVE STUDY CENTER**

The Alternative Study Center is a program designed to give school administrators an alternative to out of school suspension. Students will be placed in the program for disciplinary reasons. The facility is located on the high school campus, but away from the main building.

Students may be removed to an alternative educational program if the principal or campus disciplinary person determines either

- That the student's presence in the regular classroom or home campus presents a danger of physical harm to the students or others; or
- That the student has engaged in serious or persistent misbehavior that violates the previously communicated standards of student conduct.

The ASC director will inform each student, during his/her first day, of the rules and procedures of the program. Parents may request the rules and procedures of the program through the assistant principal's office.

Hours for the program are 8:45 am to 3:50pm.

Students will have a 25-minute lunch. They must stay in ASC until all work is completed unless otherwise directed by an administrator. Students assigned to ASC cannot go in the building except by the request or permission of an administrator.

Other guidelines:

- Parents of all students are responsible for transporting his/her child to and from ASC.
- On lengthy assignments (10-20 days) to ASC, it may be beneficial for the parent to have a personal or phone conference with the ASC Coordinator.

- Every student assigned to ASC will have access to private and group counseling.
- The ASC instructor will review all rules and procedures with students.
- Students are not allowed on any campus without permission, and may not attend any school activities, while serving an ASC assignment.
- Misconduct in ASC may result in one or more of the following: days added, (out of school) suspension, contacting the SRO, or DAEP placement

### **SUSPENSION**

State law allows a student, except in grades PreK- 2<sup>nd</sup>, to be suspended for up to three school days per offense, with no limit on the number of times a student may be suspended in a semester or school year.

A student who is to be suspended will be given an informal conference by the principal or appropriate administrator advising the student of the conduct with which he or she is charged and giving the student the opportunity to explain his or her version of the incident.

### **DANGEROUS DRUG LIST**

Mandatory expulsion is required if a student commits one of the drug or alcohol offenses that require removal to DAEP if the student's conduct is punishable as a felony.

Possession on campus of Adderall, Mandrax, Ritalin, Tylenol with codeine, Valium, Vicodin, and Xanax are examples, but not a complete listing of the types of substances that fall into this category.

### **COURSEWORK**

In accordance with state law, the district is not required to provide every course that a student might take on a regular campus in the DAEP or JJAEP. The district is also not required to provide a course necessary to fulfill a student's high school graduation requirements in the DAEP or JJAEP, provided however, that the district will offer a student removed to a DAEP or JJAEP an opportunity to complete coursework before the beginning of the next school year in accordance with state law.

### **DAEP GRADING POLICY**

Students at a DAEP will receive a number grade that will be used in the calculation of a semester or nine-week grade reported on transcripts and report cards. The grade will be calculated by establishing the grades and number of days spent at FHS and at DAEP. Grades will be inputted in the grade book for assignments, tests or quizzes for days spent at FHS. The grade average earned while at DAEP will be inputted for each assignment, test or quiz in the grade book for the specified date range spent at DAEP. These grades will be included in the calculation for class rank and for GPA.

The teacher at FHS who has agreed to provide assignments and assessments in a correspondence study format will give courses, which are not taught at DAEP but are continued, so a student will not lose credit at FHS. DAEP will be responsible for administering assessments and sending and receiving assignments to/from the FHS teacher. These courses will be figured in for class rank and/or GPA.

## **METHODS DEALING WITH MISCONDUCT**

### **INVESTIGATION OF MISCONDUCT**

The campus administrator will conduct an investigation to determine if a student has violated the student code of conduct. If during the investigation, the campus administrator discovers the student may have violated state law, the SRO will be notified. The SRO will conduct his own investigation to determine if the student is in violation of state law.

## **POLICE QUESTIONING OF STUDENTS**

Before the campus administrator permits the questioning of a student by law enforcement officers, other than the SRO, the officer must state the necessity of questioning the student while in school. If the campus administrator permits the questioning to occur, the campus administrator or designee will remain with the student during the conference if their presence is within the guidelines of the police investigation. The questioning officer's name and title shall be obtained and recorded by the SRO or district officials.

## **ARREST/CUSTODY**

Once the police investigation is completed and the law officer's decision is to remove the student from the campus, school officials will make every attempt to notify the parents as soon as possible of the reasons for removal.

Once the law officer(s) finds it necessary to take the student from the building, it becomes the officer's responsibility to notify the parents of information regarding police custody. The officer is liable for the student's welfare and safekeeping.

A student may be taken into custody when:

- He/she violates a law on campus and a law enforcement officer determines it is appropriate to take the student in to custody.
- An officer presents the administrator with a warrant or custody order.
- He/she is so disruptive or uncontrollable that it is necessary to remove him/her from a building to minimize disturbance.

## **PHYSICAL RESTRAINT**

Any district employee may, within the scope of the employee's duties, use and apply physical restraint to a student that the employee reasonably believes is necessary in order to:

- Protect a person, including the person using physical restraint, from physical injury.
- Obtain possession of a weapon or other dangerous object.
- Protect property from serious damage.
- Remove from a specific location a student refusing a lawful command of a school employee, including from a classroom or other school property, in order to restore order or impose disciplinary measures.
- Restrain an irrational student.

## **TEACHER REMOVALS AND RECOMMENDATIONS**

A teacher may send a student to the principal's office in order to maintain effective discipline in the classroom. A teacher may remove from a class a student who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class. Not later than the third class day after the day in which the student is removed from class, the principal shall schedule a conference among the principal or the principal's designee, the parent of the student, the teacher, and the student.

A teacher shall remove from class and send to the principal for investigation of placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in conduct described under DAEP and Expulsion sections of the Code/Standards of Student Conduct. The student may not be returned to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available. If the teacher removed the student from class because the student has engaged in the elements of any offense listed in the Code/Standards of Student Conduct against the teacher, the student may not be returned to the teacher's class without the teacher's consent. The teacher may not be coerced to consent.



Following the conference, whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal shall either: suspend the student for a period not to exceed three school days; remove the student to an alternative education setting; or place the student back in class.

If the teacher removes the student a second time within the same nine weeks, the student may be returned to that class only by action of the superintendent at the principal's request. If the student is removed by the teacher a third or subsequent time within the same semester, the student may be returned to that class only by action of the Board at the request of the Superintendent.

## **NOTIFICATION REQUIREMENTS**

### **Teacher Notification**

A principal or a principal's designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in any violation listed in Section 37.003 of the student's misconduct. Each educator shall keep the information received under this subsection confidential from any person not entitled to the information under this subsection, except that the educator may share the information with the student's parent or guardian as provided for by state or federal law. The State Board for Educator Certification may revoke or suspend the certification of an educator who intentionally violates this subsection.

### **Other School District's Notification**

If a student placed in a disciplinary alternative education program enrolls in another school district before the expiration of the period of placement, the board of trustees of the district requiring the placement shall provide to the district in which the student enrolls, at the same time other records of the student are provided, a copy of the placement order. The district in which the student enrolls may continue the disciplinary alternative education program placement under the terms of the order.

## **TEMPORARY REMOVALS FOR OTHER REASONS**

Students may be removed from regular classes or district premises for non-disciplinary reasons when the principal determines there is a compelling reason such as, but not limited to:

- Being under the influence of alcohol or drugs.
- Being highly agitated.
- Suffering from any other condition that temporarily threatens the student's welfare, other individual's welfare, or the efficient operation of the school.

Any student removed from school for a reason shown above, who is in a condition that threatens his own welfare or the welfare of others, shall be released to the parent, the parent's representative, or other proper authority, including, but not limited to, law enforcement officers and medical personnel. Temporary removal may not exceed 3 days.

Students may be removed from regular classes or school premises pending any hearing required by law.

NOTICE: Before removing a student from school premises for any reason, the student shall be informed of the reason for the removal and have an opportunity to state any objections to such action.

## **WITHDRAWAL OF PRIVILEGES**

If a student displays unacceptable behavior on numerous occasions or severe misconduct on a single occasion, such behavior may result in his/her being denied participation in extracurricular activities by the principal for a designated period of time.

## **OTHER DISCIPLINARY PROCEDURES**

Other alternative disciplinary procedures may be used if, in the professional judgment of the principal, the infraction does not warrant those disciplinary actions cited above.

## **GENERAL GUIDELINES FOR ASSIGNING DISCIPLINARY CONSEQUENCES**

When imposing disciplinary consequences, including assignment to and length of suspension, DAEP and expulsion, administrators may consider the following factors:

- Seriousness of the offense
- Age of the student
- Whether state law requires a particular consequence
- Intent or lack of intent at the time the student engaged in the conduct
- Attitude of the student
- Student's previous disciplinary record
- Whether the length or availability of the placement is mandated by an agreement with the DAEP/ JJAEP.
- Whether the offense is one in which a required length has been established by the district and contained in the code of conduct.
- The date of the offense in relation to the end of the grading period.
- The effect of the misconduct on the school environment.
- Self-defense, only when appropriate. Self-defense may be considered as a mitigating circumstance only when the student has a reasonable belief that the force is immediately necessary to protect himself/herself against the other's use or attempted use of force that could result in serious bodily injury. *Verbal threats or verbal assault is never enough to justify self-defense.* Reasonable belief in the school setting means a belief that would be held by the principal or other appropriate administrator in the same circumstances as the student. Each student is responsible for making every effort to avoid the use of any force and is advised to remove himself or herself from the situation if at all possible. *The district does not condone or authorize students to use force against another individual, even if that individual provokes or instigates a fight or altercation.*

## **ACTS OF MISCONDUCT: GROUP I**

Group I Acts of Misconduct include those student behaviors, which disrupt the orderly educational process in the classroom. These include, but are not limited to, such behaviors as:

- Running and/or making unnecessary noise.
- Tardies
- Leaving the classroom without permission.
- Being improperly dressed.
- Exhibiting any unacceptable physical contact.
- Bringing unauthorized visitors to the classroom.
- Displaying any behavior which is disruptive to the orderly process of classroom instruction such as: excessive/unnecessary talking, laziness/not working, not having required supplies/assignments, name calling, etc.
- Violating posted classroom rules of conduct.
- Failure to sign in or out in the attendance office when coming or leaving school during school hours.
- Littering (cafeteria, halls, grounds, library, etc.).
- Unauthorized parking or use of vehicle during school hours.
- Failure to attend detention hall after signing a warning (see Mandatory Policy).

## **DISCIPLINARY ACTIONS**

Discipline management techniques are always available when assessing penalties or violations of the Standards of Conduct, regardless of the offense. Discipline management techniques may include:

- Counseling by teachers or administrative personnel.
- Teacher/student conference.
- In-class disciplinary action.
- Detention halls.
- Saturday Detention Halls
- Counselor/student conference.
- Administrator/teacher/student conference.
- Parent contact. (Written report, telephone call and/or personal conference).
- Behavioral contracts.
- Assignment of school duties other than classtasks.
- Verbal correction.
- Withdrawal of privileges, including participation in extracurricular activities.
- Loss of privilege to drive vehicle on campus.
- Assignment to a specific area.
- Probation or demerits.
- Community Service work.
- Monetary fine.

## **ACTS OF MISCONDUCT: GROUP II**

Group II Acts of Misconduct include those student behaviors, which disrupt the orderly educational process in the school. These include, but are not limited to, such behaviors as:

- Posting or distributing unauthorized communicative materials on school grounds.
- Interfering with school authorities and programs through boycotts, sit-ins, or trespassing.
- Skipping class (class meeting, homeroom meeting, or assembly) (see Mandatory Policy).
- Smoking and/or possession of tobacco products on school campus and at school activities (Mandatory Policy).
- Use, sale, distribution, and possession of electronic inhalers, such as but not limited to: hookah device, e-cigarette, etc. And use, sale, distribution, possession of any paraphernalia used with these types of devices, such as but not limited to: liquid nicotine, etc.
- Exhibiting any unacceptable physical contact, which could, but does not; result in injury, or agitating to start a fight.
- Failing to abide by rules and regulations at extracurricular and/or co-curricular functions.
- Failing to abide by rules and regulations regarding field trips.
- Using/displaying/communicating profane, obscene, indecent, immoral, or offensive language, acts and/or gestures towards teachers, other employees, or other students; (including through an electronic device such as but not limited to: a smart phone, iPod, iPad, kindle, computer, etc.)
- Displaying disrespect toward school personnel.
- Membership in illegal organizations (fraternities, sororities, or secret societies).
- Misrepresenting, in writing, or verbally, any school record, official document, or other document intending to deceive or misrepresent any fact.
- Leaving campus at lunch without permission.

- Use or possession of any type of fireworks.
- Loitering (in halls during class time, in academic areas during lunch, in parking lot during the school day, during lunch or between classes).
- Displaying disruptive behavior on the bus.
- Defying the authority of school personnel and/or insubordination.
- Unexcused absences.
- Unexcused tardies (Mandatory Policy).
- Displaying any acts of disobedience or disorderly behavior, which may prove detrimental to the school, harmful to health and safety, and inhibiting the rights of others.
- Hazing, which includes any willful act done by a student, whether individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame or disgrace.
- Bringing on the school grounds any unauthorized, disrupting, or distracting item such as: water guns, radios, tape decks, toys, pets, etc.
- Cheating and/or unauthorized distribution of tests or any other teacher's materials (academic sanctions may be administered in addition to disciplinary sanctions).
- Failure to follow administrative directives.
- Running from a school official or school representative.
- Displaying the danger of physical harm to him/herself or to other individuals.
- Unlawful or mischievous destruction of school or personal property.
- Misuse of Internet/violation of Fisd Acceptable Use Policy.
- Violation of district or campus computer procedures.

### **DISCIPLINARY ACTION**

In addition to the Discipline Management Techniques that were listed earlier, these actions may also be appropriate for the above offenses:

- Confiscation of distracting items.
- Restitution or restoration, as applicable.
- Disciplinary reassignment. This might include removal of the student from the classroom, placement in another classroom, assignment to the Alternate Study Center or reassignment to a Disciplinary Alternative Education Placement.
- Summary suspension for up to three school days per offense.  
Placement in DAEP will be for a minimum of 30 school days. The principal may adjust DAEP placements in order to coincide with the end of a grading period or semester. Additional DAEP assignments during a student's high school career may result in longer DAEP placements.

### **ACTS OF MISCONDUCT: Group III**

Group III Acts of Misconduct include those student behaviors, which most seriously disrupt the orderly educational process in the classroom and/or the school. These include, but are not limited to, such behaviors as:

- Gambling which is defined as participating in games of chance for money and/or things of value.
- Vandalism, which is defined as the willful or malicious destruction of school property or the property of others.
- Arson, which is defined as the willful or malicious burning of a building or its contents and/or the personal property of others.
- Sex violations which are defined to include offenses against chastity, common decency, morals, and the like; indecent exposure is included here. Sexual harassment, defined in previous section, is a form of prohibited harassment.

- Bullying or cyber bullying.
- Harassment which is defined as any activity that intimidates or threatens the student with ostracism, that subjects the student to mental stress, shame, or humiliation or that adversely affects the mental health or dignity of the student, including acts motivated by race, color, religion, national origin, or disability and directed toward another student. The term harassment includes unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, or disability that creates an intimidating, hostile, or offensive educational environment. Sexual harassment, defined in a previous section, is a form of prohibited harassment.
- The making of "hit lists", which means a list of people targeted to be harmed using: A firearm, as defined by Section 46.01(3), Penal Code; a knife, as defined by Section 46.01(7), Penal Code; or any other object to be used with intent to cause bodily harm.
- Stealing which is defined as the act of taking and carrying away the personal property of another without the consent of the owner.
- Robbery, which is defined, as the felonious taking of personal property in the possession of another against his or her will, accomplished by means of force or fear.
- Extortion, which is defined as the obtaining of money or information from another by coercion or intimidation.
- Simple assault which is defined as an offer or attempt to do bodily harm to another without physical contact. This includes threats and verbal assaults.
- Fighting which is defined as a physical conflict between two or more individuals.
- Assault and battery, which is defined as an unlawful physical injury to another.
- Aggravated assault, which is defined as assault with a deadly weapon. Weapons are identified in two categories; (1) Articles commonly used or designed to inflict bodily harm and/or to intimidate. Examples are: firearms, "knuckles", switchblades, stun guns, and look-alike guns, knives, chains, clubs, and explosives. Students with such weapons on the school site or at school activities will be disciplined in a manner, which may include suspension or expulsion. (2) Articles designed for other purposes, but which could easily be used to inflict bodily harm and/or intimidate. Examples are: belt and belt buckles, combs, pencils, files, compasses, or metal hair rakes. Students acting in an aggressive or belligerent manner with any article or object similar to those listed above may be administratively judged to be in possession of a weapon. That article or object may then be declared a weapon, and disciplinary action against the student may be taken.
- Possession and/or concealing a deadly weapon is defined as the act of possessing, hiding, or covering an instrument which may produce death or bodily harm.
- Use, sale, distribution, possession, or being under the influence of narcotics, dangerous drugs, controlled substance, alcoholic beverages, or any beverage with alcoholic content.
- Delivery of illegal drugs, which is defined as the act of distributing illegal drugs to others.
- Counterfeiting
- Displaying any other behavior, which is illegal.
- A conduct that disrupts the school environment or educational process.
- Threats against students, teachers, administrators, or any other school personnel.
- Engaging in serious or persistent misbehavior that violates the district's previously communicated standards or student conduct.
- Possession or use of drug paraphernalia.
- Graffiti- Section 28.03 (d) of the Texas Penal Code states that the punishment for graffiti is a state jail felony if the marking is made on a school and the amount of the loss to real property or to tangible personal property is less than \$20,000.

### **DISCIPLINARY ACTIONS FOR ACTS OF MISCONDUCT (Group III)**

In addition to the Discipline Management Techniques, and Disciplinary Action for Acts of Misconduct Group II that were listed earlier, these actions may also be appropriate for the above offenses:

- Please refer to Standards of Student Conduct pages 15-20 for Senate Bill 1 required disciplinary assignments.
- Referral to an outside counseling agency.
- Expulsion.

Placement in DAEP will be for a minimum of 45 days. The principal may adjust DAEP placements in order to coincide with the end of a grading period or semester. Additional DAEP assignments during a student's high school career may result in longer DAEP placements.

### **DISCIPLINARY ALTERNATIVES**

#### **DETENTION HALL**

Detention halls may be assigned to students for disciplinary reasons. Students may also attend tutorials or Mustang APs (an after school tutorial program in the library from 3:45 p.m. to 4:30 p.m. Monday – Thursday) in lieu of detention halls.

Students must bring ID, books, pens and paper with them to study. Students without study material or with improper materials will be dismissed and not receive credit. If students are dismissed from d-hall they will not receive credit and further disciplinary consequences may be assigned. Time Frame for Completion of D-halls + Failure to Complete D-halls:

Students may be assigned d-halls in the amounts of 3 or 5. Students will have 5 school days to serve 3 d-halls and 7 days to serve 5 d-hall.

If a student fails to complete d-halls within the before mentioned time frame he/she will be assigned:

- First offense: Saturday d-hall
- Second offense: Saturday d-hall
- Third offense: Three days of ASC
- Fourth offense: Five days of ASC
- Fifth offense: Three days out-of-school suspension
- Sixth and subsequent offenses: Three days out-of-school suspension each time

Note: All disciplinary detention halls will be dropped once the next disciplinary consequence is served. No tardies to d-hall are allowed.

#### **SATURDAY DETENTION HALL**

Saturday detention halls are held every Saturday. Principals for disciplinary reasons assign these. Once assigned, attendance is mandatory. Students will be given at least one day's notice before attending. Parents will be notified by phone when possible.

Hours will be from 9 a.m. to noon each Saturday. Students will report to the ASC room and must have schoolwork in order to attend. Tardies will not be allowed. Students dismissed from Saturday d-hall for any reason will be:

- First Offense: Reschedule for the next time. If dismissal is for serious misconduct, additional consequences may be assigned.
- Second Offense and all subsequent offenses: This step the student is on for failure

to attend Saturday d-hall will be applied.

### **FAILURE TO ATTEND SATURDAY DETENTION HALL**

Will result in the following action:

- First offense: The Saturday detention hall will be rescheduled.
- Second offense: Three days of ASC
- Third offense: Five days of ASC
- Fourth offense: Three day out-of-school suspension
- Fifth and subsequent offenses: Three days out-of-school suspension each time

Note: Saturday Detention Halls will only be dropped after an assignment to ASC is served.

### **COMMUNITY SERVICE – alternative to short term ASC assignment**

Students may be given the option once each year of choosing community service work in place of short term assignments to the Alternative Study Center. Hours/days would be exchanged in the following manner:

- Three-day assignment to ASC = ten hours of community service work
- Five-day assignment to ASC = fifteen hours of community service work

Community service is defined as “work or service for a non-profit organization verified by other than a family member.” Students will have seven calendar days to complete community service work and bring back proof of said work. Failure to comply with these guidelines, within the designated time frame, will result in an assignment to ASC.

### **MANDATORY POLICY**

#### **CHEATING POLICY**

Cheating shall be defined as academic dishonesty:

- Plagiarism
- Use of prohibited materials on quizzes, tests, exams
- Inappropriate use of cell phone or electronic device
- Activities as defined by individual teachers

Consequences/procedures

- A zero may be given on an assignment as result of cheating, and the student will also lose their standard and AP exemptions (if applicable) for the semester in which the cheating offense occurred.
- If a student is allowed to retake or redo an assignment for a grade, as a result of cheating, the student will also lose their standard and AP exemptions (if applicable) for the semester in which the cheating offense occurred, and disciplinary consequences will be applied in accordance to the step for classroom misconduct-discipline referral the student is on at the time of the infraction (see MISCONDUCT IN CLASS-DISCIPLINE REFERRALS)
- The student who allows copying, cheating, etc. is to be punished in the same manner.
- Semester credit may be denied for repeat offenders
- Infractions are documented with the appropriate administrator and the parent will be notified

#### **FIGHTING**

The following consequences will occur to students involved in fighting:

- First Offense: 10 days ASC and subject to referral to law enforcement agency
- Second Offense: DAEP Assignment and subject to referral to law enforcement agency

### **LEAVING CAMPUS AT LUNCH WITHOUT PERMISSION--CLOSED CAMPUS LUNCH**

Unauthorized students that leave campus at lunchtime will be subject to the following disciplinary action:

- First Offense: 3-day assignment to ASC
- Second Offense and subsequent offenses: 5-day assignment to ASC

### **MISCONDUCT IN CLASS-DISCIPLINE REFERRALS**

The following consequences will occur to students for inappropriate classroom behavior:

- 1st Discipline referral: 3 d-halls
- 2nd Discipline referral: 1 Sat d-hall
- 3rd Discipline referral: 5-day assignment to ASC
- 4th Discipline referral: 10-day assignment to ASC
- 5th Discipline referral: Suspension for 3 days

Severe Clause Serious misconduct may result in a penalty more severe than that stated above, if in the estimation of the administrator the offense warrants it.

Students, whose misconduct has occurred in only one class, may be assigned to ASC for just that class period and not for the entire day.

### **SMOKING/USE OF TOBACCO/POSSESSION OF CONTRABAND**

The consequences for smoking and/or using any tobacco product, and/or possessing tobacco, matches, or lighter, on campus or at school sponsored activity by a student will result in the following disciplinary action:

- First Offense: 3 days ASC and subject to referral to law enforcement agency
- Second Offense: 5 days ASC and subject to referral to law enforcement agency
- Third Offense: 5 days ASC and subject to referral to law enforcement agency
- Fourth Offense: 10 days ASC and subject to referral to law enforcement agency

### **SKIPPING**

Skipping class is defined as missing a scheduled class meeting, homeroom meeting, required assembly, or school day. (This does not include school sponsored functions or extracurricular activities.)

One class (short term) and remains on campus:

First Offense: Saturday d-hall

Second Offense: Saturday d-hall

Third Offense: Saturday d-hall

Fourth Offense: 3 days ASC

Fifth Offense: 5 days ASC

Sixth Offense: 10 days ASC

Seventh Offense: DAEP assignment



One or more classes (long term) or 1 class but leaves campus:

First Offense: 3 days ASC

Second Offense: 3 days ASC

Third Offense: 3 days ASC

Fourth Offense: 5 days ASC

Fifth Offense: 10 days ASC

Sixth Offense: DAEP assignment

### **EXCESSIVE ABSENCES/PETITIONING FOR CREDIT/MAKING UP HOURS**

According to guidelines set forth by the Legislature and the Board of Education, students are required to be in attendance ninety percent (90%) of the time each class is offered during a semester to receive credit for a class. Students who are not in attendance in each class for at least ninety percent (90%) of the total number of school days per semester will not receive credit in that class for that semester regardless of the grade earned unless certain procedures are followed.

A student will be denied credit after the 7th absence during the fall semester, and after the 9th absence in the spring.

**PLEASE NOTE THAT STUDENTS MUST ATTEND SCHOOL NINETY PERCENT (90%) OF THE SCHEDULED NUMBER OF SCHOOL DAYS EACH SEMESTER TO BE ELIGIBLE TO GET A DRIVER'S LICENSE OR TO HAVE A LICENSE RENEWED!**

Students will be notified in writing of their need to make up hours or to petition for credit. An attendance committee has been set up to hear petitions for class credit from students who have extenuating circumstances, and who wish to present documentation that may reduce or eliminate some of the makeup hours. The request will be arranged with the assistant principal. The student will be allowed only one appeal per semester.

It will be the student's responsibility to fulfill the requirements set forth by the assistant principal. If the student fails to fulfill these obligations, or if he/she subsequently fails to attend school, the student will be denied credit in every class in which he/she has excessive absences. If a student is denied credit, the student's permanent record will show his/her actual grade with a notation that credit was denied due to attendance.

### **TARDIES**

When a student is tardy for an unexcused reason he/she reports to class. For the 1<sup>st</sup> three tardies to a class, no immediate consequence is given. For the 4<sup>th</sup> tardy to a class, teacher will notify the office. Consequences may be assigned at the 4<sup>th</sup> and any subsequent tardy. Time for these consequences must be done on campus.

Every 3 tardies a student accrues to a class will be recorded as an absence when determining final exemptions and denial of credit. Students who are more than 10 minutes late to any one class will be considered absent.

### **MAKE UP HOURS**

All make up hours must be done at Friendswood High School or under the supervision of a staff member. If attendance make up hours are not turned in before prom or senior field day, students will not be allowed to participate.

## PROCEDURES FOR REPORTING ALLEGATIONS OF BULLYING

Friendswood ISD prohibits bullying on school property, at school-sponsored or school-related activities, or in any vehicle operated by the district. Texas Education Code Section 37.0832 defines bullying as: A single significant act, or a pattern of acts, by one or more students directed at another student which exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements provided by subsection:

- 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;
- is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student;
- materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- infringes on the rights of the victim at school.

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

Texas Education Code 37 allows for expulsion or DAEP for a student who 1) engages in bullying that encourages suicide; 2) incites violence through group bullying; or 3) releases or threatens to release "intimate visual material" of a minor or an adult student without consent.

The district does not tolerate bullying, and any student or parent of a student who believes a student has engaged in bullying is highly encouraged to immediately report the incident. Retaliation against anyone involved in the complaint process is a violation of district policy and is prohibited. Reports of an alleged bullying incident may be submitted orally or in writing, to a teacher, counselor, principal or other district employee. Reports may also be submitted electronically, either anonymously or non-anonymously through the following website.

<https://asp.schoolmessenger.com/fisd12/quicktip/index.php>

This link can be found on the district website [myfisd.com](http://myfisd.com) under the Parents & Students tab.

**Friendswood ISD encourages you to communicate with your designated campus administrator on any alleged bullying.**