



# Student Code of Conduct



2022-2023  
Academic  
School Year



## WHAT IS STOPIT?

- The district has adopted Stopit as their new reporting app and will replace SafeSchools. With **STOPit**, you have the power to protect yourself and others from harmful, inappropriate, or unsafe behavior. Use the STOPit mobile app to anonymously report incidents to your school. Reporting is completely anonymous. You can include text, images or video. It only takes a few seconds. Report incidents such as:
  - Bullying
  - Cyberbullying or cyber abuse
  - Harassment
  - Violence, threats, or weapons possession
  - Alcohol or drug-related issues
  - Hazing
  - Discrimination
  - Ethics violations such as cheating or plagiarism

To get started you can download the app from either the Google Play or Apple App store and obtain your access code from your campus.

## Table of Contents

Statement of Receipt .....	x
Consent to the Use of Student Directory Information .....	xi
Statement of Philosophy .....	12
The Purpose of the Student Code of Conduct .....	12
Accessibility.....	13
School District Authority and Jurisdiction.....	14
<b>Campus Behavior Coordinator (Campus Administrator)</b> .....	14
<b>Removal from the School Bus</b> .....	15
<b>Reporting Crimes</b> .....	15
<b>Revoking Transfers</b> .....	15
<b>Security Personnel</b> .....	15
<b>Participating in Graduation Activities</b> .....	16
<b>Standards for Student Conduct</b> .....	16
<b>Unauthorized Persons</b> .....	17
Discipline Management Techniques.....	17
<b>Students with Disabilities</b> .....	17
<b>Techniques</b> .....	18
Prohibited Aversive Techniques .....	19
<b>Notification</b> .....	19
<b>Appeals</b> .....	20
<b>Disregard for Authority</b> .....	20
Illegal, Prescription, and Over-the-Counter Drugs.....	21
<b>Misellaneous Offenses</b> .....	21
<b>Mistreatment of Others</b> .....	22
<b>Misuse of Technology Resources and the Internet</b> .....	22
<b>Possession of Prohibited Items</b> .....	23
<b>Possession of Telecommunications or Other Electronic Devices</b> .....	24
<b>Property Offenses</b> .....	24
<b>Safety Transgressions</b> .....	24
Removal from the Regular Educational Setting.....	25
<b>Routine Removal</b> .....	25
<b>Formal Removal</b> .....	25
<b>Returning Student to Classroom</b> .....	26
In School Suspension .....	26

<b>Reasons for ISS .....</b>	26
<b>Procedure for ISS.....</b>	26
<b>Out-of-School Suspension.....</b>	26
<b>Misconduct.....</b>	26
<b>Process.....</b>	27
<b>Disciplinary Alternative Education Program (DAEP) Placement.....</b>	28
<b>    Restrictions During Placement .....</b>	28
<b>    Discretionary Placement: Misconduct That May Result in DAEP Placement .....</b>	28
<b>        Misconduct Identified in State Law .....</b>	29
<b>        Off Campus .....</b>	29
<b>    Mandatory Placement: Misconduct That Requires DAEP Placement .....</b>	29
<b>        Sexual Assault and Campus Assignments .....</b>	30
<b>        Process .....</b>	31
<b>        Conference .....</b>	31
<b>        Consideration of Mitigating Factors .....</b>	31
<b>        Placement Order .....</b>	31
<b>        Coursework Notice.....</b>	32
<b>        Length of Placement .....</b>	32
<b>            Exceeds One Year .....</b>	32
<b>            Exceeds School Year.....</b>	32
<b>            Exceeds 60 Days .....</b>	33
<b>            Appeals .....</b>	33
<b>            Placement Review.....</b>	33
<b>            Additional Misconduct.....</b>	33
<b>            Notice of Criminal Proceedings.....</b>	33
<b>            Withdrawal during Process.....</b>	34
<b>            Newly Enrolled Students.....</b>	34
<b>            Emergency Placement Procedure.....</b>	35
<b>            Transition Services .....</b>	35
<b>        Other DAEP Issues.....</b>	35
<b>            No Participation in Activities While in DAEP.....</b>	35
<b>            Impact on Graduation .....</b>	35
<b>            Transportation.....</b>	35
<b>    Particular Rules for Registered Sex Offenders.....</b>	36
<b>    Review Committee.....</b>	36
<b>    Newly Enrolled Student .....</b>	36

<b>Appeal</b> .....	36
<b>Expulsion</b> .....	37
<b>Discretionary Expulsion: Misconduct That May Result in Expulsion</b> .....	37
<b>Regardless of Location</b> .....	37
<b>At School</b> .....	38
<b>Within 300 Feet of School</b> .....	38
<b>Property of another District</b> .....	39
<b>While in DAEP</b> .....	39
<b>Mandatory Expulsion: Misconduct That Requires Expulsion</b> .....	39
<b>Under Federal Law</b> .....	39
<b>Under the Texas Penal Code</b> .....	39
<b>Under Age Ten</b> .....	40
<b>Process</b> .....	40
<b>Hearing</b> .....	41
<b>Board Review of Expulsion</b> .....	41
<b>Expulsion Order</b> .....	41
<b>Length of Expulsion</b> .....	42
<b>Withdrawal during Process</b> .....	42
<b>Additional Misconduct</b> .....	43
<b>Restrictions during Expulsion</b> .....	43
<b>Newly Enrolled Students</b> .....	43
<b>Emergency Expulsion Procedures</b> .....	44
<b>DAEP Placement of Expelled Students</b> .....	44
<b>Transition Services</b> .....	44
<b>Placement in a Juvenile Justice Alternative Education Program</b> .....	44
<b>Students with Disabilities</b> .....	44
<b>Glossary</b> .....	45
<b>Appendix</b> .....	54
<b>Academic Integrity Policy</b> .....	54
<b>Academic Integrity Policy Consequences</b> .....	56
<b>Children's Internet Protection Act (CIPA)</b> .....	59
<b>Children's Online Privacy Protection Act (COPPA)</b> .....	60
<b>Electronic Communication and Data Management Acceptable Use Policy</b> .....	65
<b>Staff Acceptable Use Policy (AUP) [Regarding Students]</b> .....	66
<b>Posting Policies – Student Work, Pictures, Videos, Student Name - Technology</b> .....	66
<b>Social Media Use with Students - Technology</b> .....	66

<b>Electronic Communications Between Educators and Students.....</b>	66
<b>Privacy / Retention / State &amp; Federal Laws .....</b>	67
<b>Electronic Communications Between Educators and Students - Exemption.....</b>	67
<b>Electronic Communications Between Educators and Students - Definitions .....</b>	67
<b>Electronic Communications Between Educators and Students - Parent's Request to Discontinue.....</b>	67
<b>Electronic Communications Between Educators and Students – Misconduct/Dismissal/Arrest .....</b>	67
<b>Student Acceptable Use Policy (AUP).....</b>	68
<b>Training.....</b>	68
<b>Copyrighted Materials .....</b>	68
<b>Internet Safety.....</b>	68
<b>Responsibilities .....</b>	69
<b>Cyberbullying and Harassment.....</b>	69
<b>Vandalism and Abuse.....</b>	69
<b>Email Abuse .....</b>	70
<b>Plagiarism .....</b>	70
<b>Third Party Content.....</b>	70
<b>Revocation of Access.....</b>	70
<b>Disclaimers .....</b>	70
<b>Liability .....</b>	71
<b>Violence Provisions .....</b>	72



Dear Parent and Student:

The Student Code of Conduct is designed to provide each family with information about the procedures that your school and your school district follow. Changes in policy that affect this document will be shared through school newsletters and other parent and student communications (available both printed and electronically). We believe that this document is a useful reference for your family.

The district requires that the school receive a signed statement from each student's parent that the Student and Parent Handbook and the Student Code of Conduct have been received and reviewed. Please review the materials and sign the required form during the online registration process.

We encourage each parent to become an active member of the educational team. We hope that parents will take time to get to know their child's teachers and principal.

Our community has created a quality school system for our students. The investment that parents and the community have made combined with our district's outstanding teachers and staff makes a strong learning environment for students.

Sincerely,

A handwritten signature in black ink that reads "Dr. James K. Wilson, III".

Dr. James K. Wilson, III  
Superintendent of Schools

## **Statement of Receipt**

### **STUDENT AND PARENT HANDBOOK/STUDENT CODE OF CONDUCT**

The Denton Independent School District requires that students and parents indicate by signature that they have accessed and read a copy of the Student and Parent Handbook and Student Code of Conduct including the district's Electronic Communication and Data Management Acceptable Use Policy.

We (student and parent) have received and reviewed the Denton Independent School District Student and Parent Handbook/Student Code of Conduct. We understand that we are expected to become familiar with the policies, procedures, and consequences explained in these documents. We understand that students will be held accountable for the behavior and consequences outlined in the Student Code of Conduct at school and at school-sponsored/ school related activities, including school-sponsored travel, and for any school-related misconduct regardless of time or location. We understand that a lack of knowledge of the policies listed herein will not be an acceptable defense in the event of a policy violation.

We understand that in certain courses my child may be required to identify, use, and apply all laboratory safety procedures and guidelines and to successfully complete a safety assessment. Students will receive detailed information regarding specific safety procedures as they apply to each individual course and will be held accountable for their behavior and safety during these activities.

We understand that the district assumes my consent to display my child's artwork, special projects, photographs taken by my child, and similar work on the district's website, in printed material, in video, or by any other method of mass communication. If I do not wish to give consent, I will notify my child's principal in writing within 10 school days of enrollment.

We have read and discussed the Electronic Communication and Data Management Acceptable Use Policy together and understand that these expectations apply to the use of the district's computers, telephones, and any other communication technology that is used at school including personal devices. We understand that the Internet will be used in class activities and that safeguards have been taken to minimize the chance of accessing inappropriate materials. We know that all students will be expected to follow specific directions regarding the use of the Internet whether during class or leisure time, and that deliberately accessing a site that is unacceptable for a given assignment will subject them to disciplinary action.

We agree to support and promote the goals of the Student Code of Conduct and make every effort to work with school officials to resolve any disciplinary issues that may arise.

I CHOOSE TO ACCESS THE ELECTRONIC FORM OF THE *STUDENT and PARENT HANDBOOK / STUDENT CODE OF CONDUCT* ON-LINE AT [www.dentonisd.org](http://www.dentonisd.org)

I REQUEST TO RECEIVE A PRINTED PAPER COPY OF THE *STUDENT and PARENT HANDBOOK / STUDENT CODE OF CONDUCT*.  
(I understand that the campus will forward a copy to me as quickly as possible upon receipt of this request.)

***Parents and guardians respond to these questions as part of the online student registration process.***

## **Consent to the Use of Student Directory Information**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that school districts, with certain exceptions, obtain a parent's written consent prior to the disclosure of personally identifiable information from your child's educational records. The primary purpose of using limited information is to allow school districts to include this type of information from your child's education records in certain district publications. A written explanation of the provisions of the Family Educational Rights and Privacy Act of 1874 (20 U.S.C. Sec.1232g) can be found in the student handbook.

Denton ISD has designated the following as "directory information" and it will use to promote school programs and student achievements: Student's name, photograph/image, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards received, and the name of schools attended. We use this information for campus and district publicity or recognitions only.

Denton ISD has designated the following as "directory information" for release to third-party requestors: "student name." This information will be released if the request follows proper procedures and is in accordance with the Texas Public Information Act. Section 552.101 of the Texas Public Information Act does not mandate the disclosure of information that other law requires be kept confidential. In addition, the district does not associate a student's full name with their image on public websites or channels unless we check with the parent for permission.

If you do not want Denton ISD to release "directory information" from your child's educational records without your prior written consent, you must notify the district in writing within 10 school days of enrollment by submitting this form electronically with your registration materials.

**Option 1: Yes**, Denton ISD can release **all directory information**.

**Option 2: Yes**, Denton ISD can release **limited directory information** for school-sponsored purposes/recognitions only, including Denton ISD publications (ex: yearbooks, athletic programs, concert programs, playbills, etc.) and Denton ISD media (ex: cable channel, websites, news releases, etc.)

**Option 3: NO**, I do not allow the release of **any directory information**.

**PLEASE NOTE: If you choose this option and deny use of ANY "directory information", Denton ISD will not be able to include your child's photo or information in student directories, student yearbooks, or district publications** including athletic programs, concert programs, commencement programs, group or individual photos, cable news segments, the Denton ISD website, broadcast or print media or district news releases to broadcast student accomplishments, recognitions or events to any media, newspapers, or other publications.

*Parents and guardians respond to these questions as part the online student registration process.*

## **Statement of Philosophy**

We, in the Denton Independent School District, believe that every student should have the opportunity to learn in a safe, orderly and supportive school environment. One of the most important lessons education should teach is that of self-discipline. Self-discipline is the tendency to behave in ways that are mutually beneficial to oneself and others. While it does not appear as a subject, it underlies and supports the entire educational process. It is the training that develops self-control and character and teaches respect and responsibility. Self-discipline is the key to good conduct and proper consideration for other people; discipline is an essential component of the educative process.

Education in this community represents a significant commitment of human and financial resources. The benefits a student derives from this investment depend very much on the student's attitude toward learning and the student's adherence to high standards of behavior.

## **The Purpose of the Student Code of Conduct**

The purpose of this document is to describe the expectations of the Denton Independent School District Board of Trustees, administrators and staff regarding student conduct. The *Student Code of Conduct* is the district's response to the requirements of Chapter 37 of the Texas Education Code. It provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

It is the belief of the school district that the rights of all students can be protected only as long as an atmosphere of organization and cooperation exists in the classrooms and at school-related functions. By respecting student rights and encouraging student and parental responsibility, the district seeks the full development of each student's potential.

Our goal is to provide a cooperative school climate that is free of disruptions where students can pursue their studies in a manner most conducive to learning. In an effort to fully inform students and parents of the expectations of the school district, the following board policies and District rules of conduct have been outlined. Parents are urged to contact the teacher and/or principal/ designee concerning school discipline questions.

*The Student Code of Conduct* has been developed in compliance with relevant law. The law requires the district to define misconduct that may - or must - result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP) or juvenile justice education program (JJAEP), or expulsion from school.

Violation of the statutes, policies, regulations and rules will result in appropriate behavior management methods as outlined under this Code. Serious and/or persistent violations of the statute, policies, regulations and rules will ultimately result in a student being subject to increasingly more serious penalties.

This *Student Code of Conduct* has been adopted by the Denton ISD Board of Trustees and developed with the advice of the district level improvement committee. It remains in effect

during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the board becomes effective for the next school year. It has the force of policy; therefore, in case of conflict between the Code and the Student and Parent Handbook, the Code shall prevail. In accordance with state law, the Code shall be available for review at the office of each campus principal. Additionally, the Code shall be posted on the district's website, [www.dentonisd.org](http://www.dentonisd.org).

## **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact Melissa Green, Web Accessibility Coordinator, 940-369- 0180.

## School District Authority and Jurisdiction

<b>Campus Behavior Coordinator (Campus Administrator)</b>	<p>As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the campus principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district maintains a current list of the persons serving as a campus behavior coordinator on the district's website. Campus administrator represents campus behavior coordinator when stated as such within the Student Code of Conduct. 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.</p> <p>The district has disciplinary authority over a student:</p> <ol style="list-style-type: none"><li>1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity on district transportation;</li><li>2. During lunch periods in which a student is allowed to leave campus;</li><li>3. While the student is in attendance at any school-related activity, regardless of time or location;</li><li>4. For any school-related misconduct, regardless of time or location;</li><li>5. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;</li><li>6. When a student engages in cyberbullying, as provided by Education Code 37.0832;</li><li>7. When criminal mischief is committed on or off school property or at a school-related event;</li><li>8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;</li><li>9. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;</li><li>10. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and</li><li>11. When the student is required to register as a sex offender.</li></ol>
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	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ The district has the right to search students and their belongings when there is reasonable cause to believe it contains articles or materials prohibited by the district.</li> <li>▪ The district has the right to search, including use of trained dogs, classrooms and other common areas at any time when students are not present.</li> <li>▪ Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.</li> </ul>
<b>Removal from the School Bus</b>	<p>A bus driver may refer a student to the principal's office, campus behavior coordinator, or to the district's transportation department to maintain effective discipline on the bus. The campus principal or transportation administrator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.</p> <p>Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal, campus behavior coordinator, or transportation department administrator may restrict or revoke a student's transportation privileges, in accordance with law.</p>
<b>Reporting Crimes</b>	<p>The campus principal, campus behavior coordinator and other school administrators as appropriate, shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.</p>
<b>Revoking Transfers</b>	<p>The district has the right to revoke the transfer of a resident or nonresident student for violating the district's Code of Conduct during either the fall, spring semester, or summer school.</p>
<b>Security Personnel</b>	<p>To ensure sufficient security and protection of students, staff, and property, the board employs [school resource officers (SROs), and/or security personnel]. In accordance with law, the board has coordinated with the campus behavior coordinator and other</p>

	<p>district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).</p>
<p><b>Participating in Graduation Activities</b></p>	<p>The district has the right to limit a student's participation in graduation activities for violating the district's Code of Conduct. Participation might include a speaking role, as established by district policy and procedures.</p> <p>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 and closing remarks, a student shall not have engaged in any misconduct in violation of the district's Code of Conduct resulting in an out-of-school suspension, removal to the DAEP, or expulsion during the semester immediately preceding graduation.</p> <p>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.</p> <p>See DAEP – Restrictions During Placement for information regarding a student assigned to DAEP at the time of graduation.</p>
<p><b>Standards for Student Conduct</b></p>	<p>Each student is expected to:</p> <ul style="list-style-type: none"> <li>• Demonstrate courtesy, even when others do not.</li> <li>• Behave in a responsible manner, always exercising self-discipline.</li> <li>• Attend all classes, regularly and on time.</li> <li>• Prepare for each class; take appropriate materials and assignments to class.</li> <li>• Meet district and campus standards of grooming and dress.</li> <li>• Obey all campus and classroom rules.</li> <li>• Students will follow staff directives.</li> <li>• Respect the rights and privileges of students, teachers, and other district staff and volunteers.</li> <li>• Respect the property of others, including district property and facilities.</li> </ul>

	<ul style="list-style-type: none"> <li>• Cooperate with and assist the school staff in maintaining safety, order, and discipline.</li> <li>• Adhere to the requirements of the Student Code of Conduct.</li> </ul>
<b>Unauthorized Persons</b>	<p>In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police 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:</p> <ol style="list-style-type: none"> <li>1. The person poses a substantial risk of harm to any person; or</li> <li>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.</li> </ol> <p>Appeals regarding refusal of entry or ejection from district property may be filed in accordance with FNG(LOCAL) or GF(LOCAL), as appropriate.</p>

## **Discipline Management Techniques**

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

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

<b>Students with Disabilities</b>	<p>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.</p> <p>In accordance with the Texas 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 Admission, Review and Dismissal (ARD) committee meeting has been held to review the conduct.</p>
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	<p>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.</p>
<p><b>Techniques</b></p>	<p>The following discipline management techniques may be used—alone, in combination, or as part of progressive interventions - for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:</p> <ul style="list-style-type: none"> <li>• Verbal correction, oral or written.</li> <li>• Cooling-off time or “time-out.”</li> <li>• Seating changes within the classroom or vehicles owned or operated by the district.</li> <li>• Temporary confiscation of items that disrupt the educational process.</li> <li>• Rewards, demerits or behavioral contracts.</li> <li>• Counseling by teachers, school counselors, or administrative personnel.</li> <li>• Parent-teacher conferences.</li> <li>• Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.</li> <li>• Detention, including outside regular school hours.</li> <li>• Sending the student to the office or other assigned area, or to in-school suspension.</li> <li>• Assignment of school duties such as cleaning or picking up litter.</li> <li>• Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.</li> <li>• Penalties identified in individual student organizations' extracurricular standards of behavior.</li> <li>• Restriction or revocation of district transportation privileges.</li> <li>• School-assessed and school-administered probation.</li> <li>• Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.</li> <li>• Placement in the DAEP, as specified in the DAEP section of this Code.</li> <li>• Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Offenses section of this Code.</li> <li>• Expulsion, as specified in the Expulsion section of this Code.</li> </ul>

	<ul style="list-style-type: none"> <li>• Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.</li> <li>• Other strategies and consequences as determined by school officials.</li> </ul>
<b>Prohibited Aversive Techniques</b>	<p>Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:</p> <ul style="list-style-type: none"> <li>• Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]</li> <li>• Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.</li> <li>• Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.</li> <li>• Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.</li> <li>• Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.</li> <li>• Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.</li> <li>• Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.</li> <li>• Restricting the student's circulation.</li> <li>• Securing the student to a stationary object while the student is standing or sitting.</li> <li>• Inhibiting, reducing, or hindering the student's ability to communicate.</li> <li>• Using chemical restraints.</li> <li>• Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.</li> <li>• Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).</li> </ul>
<b>Notification</b>	<p>The campus administrator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in the DAEP or JJAEP or expulsion. The campus administrator shall also notify a student's parent if the student is taken into custody by a law enforcement</p>

	<p>officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus administrator shall send written notification by U.S. Mail. If the campus administrator is not able to provide notice to the parent, the campus principal or designee shall provide the notice.</p> <p>Before the campus principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.</p>
<b>Appeals</b>	<p>Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administration. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG (LOCAL). A copy of the policy may be obtained from the campus principal's office or through the district website, <a href="http://www.dentonisd.org">www.dentonisd.org</a>. Consequences shall remain in place while awaiting the FNG complaint.</p>

### **General Types of Prohibited Conduct**

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

<b>Disregard for Authority</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Fail to comply with directives given by school personnel (insubordination).</li> <li>• Leave school grounds or school-sponsored events without permission.</li> <li>• Disobey rules for conduct on district vehicles.</li> <li>• Refuse to accept discipline management techniques assigned by a teacher or campus administrator.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Engage in a persistent misbehavior. The District defines “persistent” to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation.</li> <li>• Truancy or excessive tardiness (see glossary).</li> </ul>
<b>Illegal, Prescription, and Over-the-Counter Drugs</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Possess, use, give, or sell alcohol or an illegal drug. (Also see DAEP Placement and Expulsion for mandatory and permissive consequences under state law.)</li> <li>• Possess or sell seeds or pieces of marijuana.</li> <li>• Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)</li> <li>• Possess, use, abuse or sell look-alike drugs or attempt to pass items off as drugs or contraband.</li> <li>• 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”)</li> <li>• 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”)</li> <li>• Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.</li> </ul>
<b>Miscellaneous Offenses</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Violate dress and grooming standards as communicated in the student handbook.</li> <li>• Cheat or copy the work of another.</li> <li>• Gamble.</li> <li>• Falsify records, passes, or other school-related documents.</li> <li>• Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.</li> <li>• Repeatedly violate other communicated campus or classroom standards of conduct.</li> <li>• Post, sell, circulate or distribute non-school materials without prior approval.</li> </ul> <p>The district may impose campus or classroom rules in addition to those found in the Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.</p>

<b>Mistreatment of Others</b>	<ul style="list-style-type: none"> <li>• Use profanity or vulgar language or make obscene gestures.</li> <li>• Fight or scuffle.</li> <li>• Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.</li> <li>• Engage in bullying, cyberbullying, harassment, or making hit lists.</li> <li>• 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.</li> <li>• Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.</li> <li>• Engage in conduct that constitutes dating violence.</li> <li>• Engage in inappropriate or indecent exposure of private body parts.</li> <li>• Participate in hazing.</li> <li>• Cause an individual to act through the use of or threat of force (coercion).</li> <li>• Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).</li> <li>• Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.</li> <li>• Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.</li> </ul>
<b>Misuse of Technology Resources and the Internet</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources.</li> <li>• Attempt to access or circumvent passwords or other security-related information of the district, students, or employees, or upload or create computer viruses, including off school property if the conduct causes a substantial disruption or infringes on the rights of another student at school.</li> </ul>

	<ul style="list-style-type: none"> <li>• Attempt to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>
<b>Possession of Prohibited Items</b>	<p>Students shall not possess or use:</p> <ul style="list-style-type: none"> <li>• Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;</li> <li>• A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;</li> <li>• A "look-alike" weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;</li> <li>• An air gun or BB gun;</li> <li>• Ammunition;</li> <li>• A hand instrument designed to cut or stab another by being thrown;</li> <li>• Knuckles;</li> <li>• *A location-restricted knife;</li> <li>• *A club;</li> <li>• *A firearm;</li> <li>• *A stun gun;</li> </ul>

	<ul style="list-style-type: none"> <li>• A pocketknife or any other small knife;</li> <li>• Mace or pepper spray;</li> <li>• Pornographic material;</li> <li>• Tobacco products; cigarettes; e-cigarettes; vapes; and any component, part, or accessory for an e-cigarette device;</li> <li>• Matches or a lighter;</li> <li>• A laser pointer for other than an approved use; or</li> <li>• Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.</li> </ul> <p><b>Note:</b> For weapons and firearms, see DAEP Placement and Expulsion. In most circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.</p>
<b>Possession of Telecommunications or Other Electronic Devices</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Use a telecommunications device, including a cellular telephone, or other electronic device in violation of district and campus rules. Please refer to the Student Acceptable Use Policy (AUP) Resource Material reference located in this Student Code of Conduct.</li> </ul>
<b>Property Offenses</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)</li> <li>• Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.</li> <li>• Littering.</li> <li>• Steal from students, staff, or the school.</li> <li>• 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.)</li> </ul>
<b>Safety Transgressions</b>	<p>Students shall not:</p> <ul style="list-style-type: none"> <li>• Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.</li> <li>• Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.</li> <li>• Make false accusations or perpetrate hoaxes regarding school safety.</li> </ul>

	<ul style="list-style-type: none"> <li>• Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.</li> <li>• Throw objects that can cause bodily injury or property damage.</li> <li>• Discharge a fire extinguisher without valid cause.</li> <li>• Interfere with an authorized activity by seizing control of all or part of a building.</li> <li>• Interfere with the movement of people at an exit or entrance to district property.</li> </ul>
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### **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.

<b>Routine Removal</b>	A routine removal occurs when a teacher sends a student to the office of a campus administrator as a discipline management technique. The campus administrator shall then employ additional techniques. A teacher or campus administrator may remove a student from class for a behavior that violates this Code of Conduct to maintain effective discipline in the classroom.
<b>Formal Removal</b>	<p>A teacher or campus administrator <b>may</b> remove a student from class for a behavior that violates this Code of Conduct to maintain effective discipline in the classroom. A teacher <b>may</b> also initiate a formal removal from class if:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.</li> </ol> <p>Within (3) three school days of the formal removal, the campus administrator or other 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 student shall have an opportunity to give his or her version of the incident.</p>

	<p>When a student is removed from the regular classroom by a teacher and a conference is pending, the campus principal may place the student in:</p> <ul style="list-style-type: none"> <li>• Another appropriate classroom.</li> <li>• In-school suspension.</li> <li>• Out-of-school suspension.</li> <li>• DAEP.</li> </ul> <p>A teacher or campus administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.</p>
<b>Returning Student to Classroom</b>	<p>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.</p> <p>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.</p>

### In School Suspension

<b>Reasons for ISS</b>	<p>Students may be placed in ISS for any misconduct listed in any category of the Student Code of Conduct.</p>
<b>Procedure for ISS</b>	<p>The student will be informed of the reason for placement in ISS and be given an opportunity to respond before the administrator's decision is final. While in ISS the student will complete assignments from his or her teacher(s).</p>

### Out-of-School Suspension

<b>Misconduct</b>	<p>Students may be suspended for any behavior listed in the Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.</p> <p>The district shall not use out-of-school suspension for students in grades 2 or below unless the conduct meets the requirements established in law.</p>
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	<p>A student in grades 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:</p> <ul style="list-style-type: none"> <li>• Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;</li> <li>• Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or</li> <li>• 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.</li> </ul>
<p><b>Process</b></p>	<p>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.</p> <p>Before being suspended a student shall have an informal conference with the appropriate campus 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 campus administrator's decision is made.</p> <p>The number of days of a student's suspension shall be determined by the appropriate campus administrator but shall not exceed three school days. In deciding whether to order out-of-school suspension, the campus administrator shall take into consideration:</p> <ol style="list-style-type: none"> <li>1. Self-defense (see glossary),</li> <li>2. Intent or lack of intent at the time the student engaged in the conduct,</li> <li>3. The student's disciplinary history, and</li> <li>4. A disability that substantially impairs the student to appreciate the wrongfulness of the student's conduct.</li> <li>5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or</li> <li>6. A student's status as homeless.</li> </ol>

	<p>Students who are suspended from school are not to be present on any school district property nor are they to attend any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in a school-sponsored club or organization. Presence on any school campus while suspended or otherwise restricted is considered criminal trespass. Violators will be referred for appropriate legal action.</p>
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### **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 classroom 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. However, summer programs provided by the district shall serve students assigned to the 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 the DAEP in addition to the expulsion.

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

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

### **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.

<b>Discretionary Placement: Misconduct That May Result in DAEP Placement</b>	A student <b>may</b> be placed in the DAEP for any behavior prohibited in the General Types of Prohibited Conduct section of this Code. The District defines "persistent" to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation.
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<b>Misconduct Identified in State Law</b>	<p>In accordance with state law, a student <b>may</b> be placed in the DAEP for any one of the following offenses:</p> <ul style="list-style-type: none"> <li>• Engaging in bullying that encourages a student to commit or attempt to commit suicide.</li> <li>• Inciting violence against a student through group bullying.</li> <li>• 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.</li> <li>• 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.)</li> <li>• Involvement in criminal street gang activity. (See glossary)</li> <li>• Any criminal mischief, including a felony.</li> <li>• Assault (no bodily injury) with threat of imminent bodily injury.</li> <li>• Assault by offensive or provocative physical contact.</li> </ul>
<b>Off Campus</b>	<p>In accordance with state law, a student <b>may</b> be placed in the 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 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.</p> <p>The appropriate campus administrator <b>may</b>, but is not required to, place a student in the 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.</p>
<b>Mandatory Placement: Misconduct That Requires DAEP Placement</b>	<p>A student <b>must</b> be placed in the DAEP if the student:</p> <ul style="list-style-type: none"> <li>• Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)</li> <li>• 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:</li> </ul>

	<ul style="list-style-type: none"> <li>○ Engages in conduct punishable as a felony.</li> <li>○ Commits an assault (see glossary) under Texas Penal Code 22.01(a) (1).</li> <li>○ Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the Expulsion section) (See glossary for “under the influence”)</li> <li>○ 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)</li> <li>○ Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.</li> <li>○ Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.</li> <li>● Engages in expellable conduct.</li> <li>● Commits a federal firearms violation.</li> <li>● 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)</li> <li>● 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: <ul style="list-style-type: none"> <li>1. The student receives deferred prosecution (see glossary),</li> <li>2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or</li> <li>3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.</li> </ul> </li> </ul>
<b>Sexual Assault and Campus Assignments</b>	<p>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</p>

	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 the DAEP.
<b>Process</b>	Removals to the DAEP shall be made by the campus administrator.
<b>Conference</b>	<p>When a student is removed from class for the DAEP offense, the campus 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.</p> <p>At the conference, the campus administrator shall inform the student and the parent, 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.</p> <p>Following valid and documented 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.</p>
<b>Consideration of Mitigating Factors</b>	<p>In deciding whether to place a student in the DAEP, regardless of whether the action is mandatory or discretionary, the campus administrator shall take into consideration:</p> <ol style="list-style-type: none"> <li>1. Self-defense (see glossary),</li> <li>2. Intent or lack of intent at the time the student engaged in the conduct,</li> <li>3. The student's disciplinary history, and</li> <li>4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.</li> <li>5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or</li> <li>6. A student's status as homeless.</li> </ol>
<b>Placement Order</b>	After the conference, if the student is placed in the DAEP, the campus administrator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

	<p>Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.</p> <p>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.</p>
<b>Coursework Notice</b>	<p>The parent or guardian of a student placed in the DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.</p>
<b>Length of Placement</b>	<p>The duration of a student's placement in the DAEP shall be determined by the campus administrator. The duration of a student's placement shall be determined on a case-by-case basis. DAEP placement shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.</p> <p>The maximum period of DAEP placement shall be one calendar year except as provided below.</p> <p>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.</p>
<b>Exceeds One Year</b>	<p>Placement in the DAEP may exceed one year when a review by the district determines that:</p> <ol style="list-style-type: none"> <li>1. The student is a threat to the safety of other students or to district employees, or</li> <li>2. Extended placement is in the best interest of the student.</li> </ol> <p>The statutory limitations (Texas Education Code Chapter 37) on the length of the 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.</p>
<b>Exceeds School Year</b>	<p>Students who commit offenses requiring placement in the 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.</p>

	<p>For placement in the DAEP to extend beyond the end of the school year, the campus administrator must determine that:</p> <ol style="list-style-type: none"> <li>1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or</li> <li>2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.</li> </ol>
<b>Exceeds 60 Days</b>	<p>For placement in the DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board's designee.</p>
<b>Appeals</b>	<p>Questions from parents regarding disciplinary measures should be addressed to the campus administration. Student or parent appeals regarding the decision to place a student in the DAEP should be addressed to the campus principal in accordance with policy FNG. A copy of this policy may be obtained from the principal's office or through the district's website, <a href="http://www.dentonisd.org">www.dentonisd.org</a>.</p> <p>Appeals shall begin at Level One with the campus principal and the decision to place a student in the DAEP cannot be appealed beyond the campus principal. Consequences shall remain in place pending the outcome of the FNG (Local) complaint.</p>
<b>Placement Review</b>	<p>A student placed in the DAEP shall be provided a review of his or her status, including academic status, by the campus administrator or campus principal 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.</p>
<b>Additional Misconduct</b>	<p>If during the term of placement in the DAEP the student engages in additional misconduct for which placement in the DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate campus administrator may enter an additional disciplinary order as a result of those proceedings.</p>
<b>Notice of Criminal Proceedings</b>	<p>When a student is placed in the DAEP for certain offenses the office of the prosecuting attorney shall notify the district if:</p>

	<p>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</p> <p>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.</p> <p>If a student was placed in the DAEP for such conduct, on receiving the notice from the prosecutor, campus administrator shall review the student's placement and schedule a review with the student's parent not later than the third day after receiving notice from the prosecutor. The student may not be returned to the regular classroom pending the review.</p> <p>After reviewing the notice and receiving information from the student's parent, the campus administrator 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.</p>
<b>Withdrawal during Process</b>	<p>When a student violates the district's Code of Conduct in a way that requires or permits the student to be placed in the DAEP and the student withdraws from the district before a placement order is completed, the campus administrator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus administrator or campus principal 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.</p>
<b>Newly Enrolled Students</b>	<p>The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to the DAEP in an open-enrollment charter school or another district.</p> <p>A newly enrolled student with the 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.</p>

	If the student was placed in the 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.
<b>Emergency Placement Procedure</b>	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 the DAEP.
<b>Transition Services</b>	In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP.

### Other DAEP Issues

<b>No Participation in Activities While in DAEP</b>	The district does not permit a student who is placed in the DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.  Presence on any school campus other than DAEP campus while suspended or otherwise restricted is considered criminal trespass. Violators will be referred for appropriate legal action.
<b>Impact on Graduation</b>	For seniors who are eligible to graduate and are assigned to the DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day. The student's participation in the graduation ceremony and related graduation activities is subject to review by the campus principal as specified in the DAEP placement order.
<b>Transportation</b>	The district shall provide transportation to students assigned to the DAEP.

### **Particular Rules for Registered Sex Offenders**

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the campus 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.

<b>Review Committee</b>	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. The placement review of a student with a disability who receives special education services must be made by the Admission, Review and Dismissal (ARD) committee.
<b>Newly Enrolled Student</b>	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.
<b>Appeal</b>	A student or the student's parent may appeal the placement by requesting a conference between the campus administrator, 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 campus administrator under this section is final and may not be appealed.

## Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, 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,
3. The student's disciplinary history, and
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

<b>Discretionary Expulsion: Misconduct That May Result in Expulsion</b>	Some of the following types of misconduct may result in mandatory placement in the DAEP, whether or not a student is expelled. (See DAEP Placement)
<b>Regardless of Location</b>	<p>A student <b>may</b> be expelled for:</p> <ul style="list-style-type: none"><li>• Engaging in bullying that encourages a student to commit or attempt to commit suicide.</li><li>• Inciting violence against a student through group bullying.</li><li>• 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.</li><li>• Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.</li><li>• Criminal mischief, if punishable as a felony.</li><li>• Engaging in conduct that contains the elements of one of the following offenses against another student:<ul style="list-style-type: none"><li>○ Aggravated assault.</li><li>○ Sexual assault.</li><li>○ Aggravated sexual assault.</li><li>○ Murder.</li><li>○ Capital murder.</li><li>○ Criminal attempt to commit murder or capital murder.</li><li>○ Aggravated robbery.</li></ul></li><li>• Breach of computer security. (See glossary)</li><li>• Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.</li></ul>

<b>At School</b>	<p>A student <b>may</b> 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:</p> <ul style="list-style-type: none"> <li>▪ 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. This section applies with exception to what is authorized by Chapter 487 of the Health and Safety Code. (See glossary for "under the influence")</li> <li>▪ 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.</li> <li>▪ Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.</li> <li>▪ Engaging in conduct that contains the elements of assault under Section 22.01(a) (1) against an employee or a volunteer.</li> <li>▪ Engaging in deadly conduct. (See glossary)</li> </ul>
<b>Within 300 Feet of School</b>	<p>A student <b>may</b> 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:</p> <ul style="list-style-type: none"> <li>• Aggravated assault, sexual assault, or aggravated sexual assault.</li> <li>• Arson. (See glossary)</li> <li>• Murder, capital murder, or criminal attempt to commit murder or capital murder.</li> <li>• Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.</li> <li>• Continuous sexual abuse of a young child or children.</li> <li>• Felony drug- or alcohol-related offense.</li> <li>• Carrying on or about the student's person a handgun, a location-restricted knife, or a club as these terms are defined by state law. (See glossary)</li> <li>• Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon as defined by state law. (See glossary)</li> <li>• Possession of firearms defined by federal law. (See glossary)</li> </ul>

<b>Property of another District</b>	A student <b>may</b> 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.
<b>While in DAEP</b>	A student <b>may</b> be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means: <ol style="list-style-type: none"> <li>1. Deliberate violent behavior that poses a direct threat to the health or safety of others;</li> <li>2. Extortion, meaning the gaining of money or other property by force or threat;</li> <li>3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or</li> <li>4. Conduct that constitutes the offense of: <ol style="list-style-type: none"> <li>a. Public lewdness under Section 21.07, Penal Code;</li> <li>b. Indecent exposure under Section 21.08, Penal Code;</li> <li>c. Criminal mischief under Section 28.03, Penal Code;</li> <li>d. Personal hazing under Section 37.152; or</li> <li>e. Harassment under Section 42.07(a) (1), Penal Code, of a student or district employee.</li> </ol> </li> </ol>
<b>Mandatory Expulsion: Misconduct That Requires Expulsion</b>	A student <b>must</b> be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:
<b>Under Federal Law</b>	Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law.
<b>Under the Texas Penal Code</b>	Carrying on or about the "student's" person following as defined by the Texas Penal Code: <ul style="list-style-type: none"> <li>• A handgun defined by state law as any firearm designed, made or adapted to be used with one hand (see glossary).</li> <li>• Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department [See FNGC (Legal)].</li> </ul>

	<ul style="list-style-type: none"> <li>○ A location-restricted knife as defined by state law. (See glossary)</li> <li>○ A club as defined by state law. (See glossary)</li> <li>○ Possessing, manufacturing, transporting, repairing or selling a prohibited weapon as defined in state law. (See glossary)</li> <li>● Behaving in a manner that contains elements of the following offenses under the Texas Penal Code: <ul style="list-style-type: none"> <li>○ Aggravated assault, sexual assault, or aggravated sexual assault.</li> <li>○ Arson. (See glossary)</li> <li>○ Murder, capital murder, or criminal attempt to commit murder or capital murder.</li> <li>○ Indecency with a child.</li> <li>○ Aggravated kidnapping.</li> <li>○ Aggravated robbery.</li> <li>○ Manslaughter.</li> <li>○ Criminally negligent homicide.</li> <li>○ Continuous sexual abuse of a young child or children.</li> <li>○ 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.</li> </ul> </li> <li>● Engaging in retaliation against a school employee or volunteer when combined with one of the above-listed mandatory expulsion offenses.</li> </ul>
<b>Under Age Ten</b>	<p>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.</p>
<b>Process</b>	<p>If a student is believed to have committed an expellable offense, the campus administrator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing. Until a hearing can be held, the campus principal may place the student in:</p> <ul style="list-style-type: none"> <li>● Another appropriate classroom.</li> <li>● In-school suspension.</li> <li>● Out-of-school suspension.</li> <li>● DAEP.</li> </ul>

<b>Hearing</b>	<p>A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:</p> <ol style="list-style-type: none"> <li>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,</li> <li>2. An opportunity to testify and to present evidence and witnesses in the student's defense, and</li> <li>3. An opportunity to question the witnesses called by the district at the hearing.</li> <li>4. 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.</li> </ol> <p>The board of trustees' delegates to the campus administrator authority to conduct hearings and expel students.</p>
<b>Board Review of Expulsion</b>	<p>After the due process hearing, the expelled student may request review of 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 Area Superintendent will hold a review within 10 business days of receipt of the request.</p> <p>If the parent is not in agreement with the outcome of this review, the parent may request a board review of the expulsion decision. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision of the Area Superintendent. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision. The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee. The board shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. 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.</p>
<b>Expulsion Order</b>	<p>Before ordering the expulsion, the campus administrator shall take into consideration:</p> <ol style="list-style-type: none"> <li>1. Self-defense (see glossary),</li> <li>2. Intent or lack of intent at the time the student engaged in the conduct,</li> <li>3. The student's disciplinary history, and</li> <li>4. A disability that substantially impairs the student's capacity</li> </ol>

	<p>to appreciate the wrongfulness of the student's conduct.</p> <ol style="list-style-type: none"> <li>5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or</li> <li>6. A student's status as homeless.</li> </ol> <p>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 campus administrator shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.</p> <p>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.</p>
<b>Length of Expulsion</b>	<p>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.</p> <p>The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year except as provided below:</p> <p>An expulsion may not exceed one year unless, after review, the district determines that:</p> <ol style="list-style-type: none"> <li>1. The student is a threat to the safety of other students or to district employees, or</li> <li>2. Extended expulsion is in the best interest of the student.</li> </ol> <p>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 designee may modify the length of the expulsion on a case-by-case basis.</p> <p>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.</p>
<b>Withdrawal during Process</b>	<p>When a student has violated the district's Code of Conduct 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 will conduct the hearing after sending written notice to the parent and student.</p> <p>If the student then re-enrolls in the district during the same or</p>

	<p>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.</p> <p>If the campus administrator fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.</p>
<b>Additional Misconduct</b>	<p>If during the expulsion, the student engages in additional conduct for which placement in the DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate campus administrator may issue an additional disciplinary order as a result of those proceedings.</p>
<b>Restrictions during Expulsion</b>	<p>The district does not permit a student who is expelled to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or memberships in school-sponsored clubs and organizations. Students are not to be present on any school district property. Presence on any school campus while suspended or otherwise restricted is considered criminal trespass. Violators will be referred for appropriate legal action.</p> <p>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.</p>
<b>Newly Enrolled Students</b>	<p>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.</p> <p>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:</p> <ol style="list-style-type: none"> <li>1. The out-of-state district provides the district with a copy of the expulsion order, and</li> <li>2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.</li> </ol> <p>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</p>

	<p>exceed one year, unless after a review it is determined that:</p> <ol style="list-style-type: none"> <li>1. The student is a threat to the safety of other students or district employees, or Extended placement is in the best interest of the student.</li> </ol>
<b>Emergency Expulsion Procedures</b>	<ol style="list-style-type: none"> <li>2. At the time of an emergency placement or expulsion, the student shall be given oral notice of the reason for the action. The reason must be a reason for which placement in a disciplinary alternative education program or expulsion may be made on a nonemergency basis. Within a reasonable time after the emergency placement or expulsion, but not later than the 10th day after the date of the placement or expulsion, the student shall be accorded the appropriate due process as required under Section 37.009.</li> </ol>
<b>DAEP Placement of Expelled Students</b>	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.
<b>Transition Services</b>	In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education.
<b>Placement in a Juvenile Justice Alternative Education Program</b>	The Board of Trustees has entered into a Joint Memorandum of Understanding with the county juvenile board, outlining all issues pertinent to the interaction between the juvenile board and the school district in operation of the Juvenile Justice Alternative Education Program. Details of this relationship are defined in agreement available for public inspection upon request to the Superintendent of Schools.
<b>Students with Disabilities</b>	<p>A student with a disability under IDEA may be suspended, removed to an alternative educational placement, or expelled for engaging in violations of the student code of conduct that would warrant such action for a nondisabled student.</p> <p>If a student with a disability under IDEA is removed for disciplinary reasons for 10 days or more an Admission, Review, Dismissal (ARD) committee shall meet before the removals reach the 11<sup>th</sup> day. The ARD committee shall determine if the conduct is related to the disabling condition, inappropriate placement or failure to implement the student's IEP. Regardless of the discretionary or mandatory nature of the placement, the decision concerning disciplinary sanctions will be made by the student's ARD committee consistent with state and federal law.</p>

## **Glossary**

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

**Abuse** is improper or excessive use.

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

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

**Armor-piercing ammunition** is 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; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or

knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

**Dangerous drug** is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

**Dating violence** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

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

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

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

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

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

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

**Excessive tardiness** is four or more tardies in one semester.

**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.

**Firearm** is defined by federal law [18USC 921 (a)] as:

1. Any weapon (including starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm weapons.
4. Any destructive device, such as any explosive, incendiary, poison gas bomb or grenade; such terms do not include an antique firearm.

**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, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Handgun** is defined by Texas Penal Code 46.01(5) 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.
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
  - a) Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;

- b) Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
- c) Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; and
- d) Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

**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, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

**Hit list** is defined in 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 21.08 as an offense that occurs when a person exposes his or her anus or any part of his or her genitals with intent to arouse or gratify the sexual desire of any person and is reckless about whether another is present who will be offended or alarmed by the act.

**In-school suspension (ISS)** is a form of student discipline. ISS requires a student to report to a designated room on the school campus other than the student's assigned classroom(s).

**Intimate visual material** is defined by Texas Civil Practices 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.

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

**Knuckles** as defined by Texas Penal Code 46.01 are any instruments 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.

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

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

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

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

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

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

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement 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. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device;
6. An improvised explosive device; or
7. 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. For purposes of the Denton ISD Code of Conduct, Public Lewdness also includes any sex acts or acts of sexual intercourse occurring on Denton ISD property.

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

**Reasonable belief** is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

**Self-defense (Texas Penal Code 9.31)** is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

**Serious misbehavior means:**

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - Public lewdness under Section 21.07, Penal Code;
  - Indecent exposure under Section 21.08; Penal Code;
  - Criminal mischief under Section 28.03, Penal Code;
  - Personal hazing under Section 37.152; or
  - Harassment under Section 42.07(a) (1), Penal Code, of a student or district employee.

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

1. Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
2. Behavior identified by the district as grounds for discretionary DAEP placement.
3. Actions or demonstrations that substantially disrupt or materially interfere with school activities, including after school, extra-curricular and co-curricular activities.
4. Refusal to attempt or complete schoolwork as assigned.
5. Insubordination.
6. Profanity, vulgar language, or obscene gestures.
7. Leaving school grounds without permission.
8. Falsification of records, passes, or other school-related documents.
9. Refusal to accept discipline assigned by the teacher or campus 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.

**Terroristic threat** is defined by Texas Penal Code 22.07 as is a threat of violence to any person or property with intent to:

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

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

**Title 5 felonies** are those 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;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05 – .06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or children under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;

- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[See FOC(EXHIBIT).]

**Truancy** is any voluntary unexcused absence for all or part of a school day. Excessive truancy, more than 4 voluntary unexcused absences in a four-week period or 10 or more in a six-month period, may result in a legal complaint being filed against the parent and/or student.

**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.



## **DIVISION OF ACADEMIC PROGRAMS**

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# **Student Code of Conduct**

## **Appendix**

- Academic Integrity Policy
- Academic Integrity Policy Consequences
- Children's Internet Protection Act (CIPA)
- Children's Online Privacy Protection Act (COPPA)
- Electronic Communication and Data Management Acceptable Use Policy
- Staff Acceptable Use Policy (AUP) [Regarding Students]
- Student Acceptable Use Policy (AUP)
- Violence Provisions

### **Academic Integrity Policy**

Academic integrity is an essential element to the Denton Independent School District's philosophy and practice of promoting academic excellence. For an academic institution to be successful, an honor code and consequences for violating the honor code must be established. Indeed, once the student is in a university, college, or workplace, any form of dishonesty will result in serious penalties, including automatic course failure and expulsion, losing your job, etc. Cheating, dishonesty, and plagiarism will not be tolerated in Denton Independent School District.

Cheating includes, but is not limited to, the following examples:

- Taking, stealing, and/or using an assignment from someone else and submitting it as one's own.
- Allowing another to take and/or use an assignment to submit as his/her own.
- Looking at another's test or essay with or without his consent for the purpose of duplicating that work and submitting it as one's own.
- Representing as one's own the work or words of a parent, sibling, friend, or anyone else.
- Discussing or revealing the contents of a test or quiz with students who have not completed the assessment.

- Unauthorized use of teacher test materials, answer sheets, computer files, or grading programs.
- Using any type of “crib/cliff notes” on your person, an object, or programmed within graphing calculators, cell phones, or other electronic devices without teacher permission.
- Receiving answers for assignments or exams from any unauthorized source.
- Working on assignments with others when not authorized by the instructor.
- Copying from other students during an exam.
- Giving answers to another student for an assignment or exam.

Dishonesty includes, but is not limited to, the following examples:

- Agreeing with other students to commit academic dishonesty.
- Falsification of results from research or laboratory experiments.
- Written or oral presentation of results from research, which was never performed.

Plagiarism includes, but is not limited to the following examples:

- Directly quoting or paraphrasing all or part of another’s written or spoken words without notes or documentation in the body of a work.
- Presenting an idea, theory, or formula originated by another person as the original work of the person submitting that work.
- Purchasing or receiving in any other manner a term paper or other assignment that is the work of another person and submitting that assignment as the student’s own work.
- Repeating information, such as statistics or demographics, which is not common knowledge, and which was originally compiled by another person.

**Plagiarism** is defined in *Webster’s New International Dictionary of the English Language* as:

*“To steal or purloin and pass off as one’s own the ideas, words, artistic productions of another; to use without due credit the ideas, expressions or productions of another.”*

The **MLA Style Manual and Guide to Scholarly Publishing** further defines plagiarism as:

“Forms of plagiarism include the failure to give appropriate acknowledgments when repeating another’s wording or particularly apt phrase, paraphrasing another’s argument, and presenting another’s line of thinking. You may certainly use other person’s words and thoughts, but the borrowed material must not appear to be your creation. In your writing, then, you must document everything you borrow; not only direct quotations and paraphrases, but also information and ideas.”

Gibaldi, Joseph. MLA Style Manual and Guide to Scholarly Publishing. New York: The Modern Language Association of America, 1998.

**Plagiarism.org** indicates:

*“Plagiarism is the improper use of, or failure to give credit to another person’s writing, visual or musical representation, or ideas. It can be an act as subtle as inadvertently neglecting to use quotation marks or references when using another source or as blatant as knowingly copying an entire paper, or parts of a paper, and claiming it as your own.”*

Academic Integrity Policy Consequences			
Offense	Process	Person Responsible	Consequence(s)
1 <sup>st</sup>	1. Document suspected or observed cheating/dishonesty/plagiarism.	Classroom Teacher	
	2. Conference with student and determine whether or not cheating/plagiarism has occurred.	Classroom Teacher	
	If the teacher concludes that cheating/plagiarism has occurred: 3. Mandatory contact with parent <ul style="list-style-type: none"><li>• Document the contact</li><li>• Identify consequences administered</li><li>• Campus administration will be informed depending on the weight of grade (major/minor) and severity of the infraction</li></ul>	Classroom Teacher  Campus Administrator	<ul style="list-style-type: none"><li>• Mandatory resubmission of assignment or assessment after meeting specific criteria in order to qualify to resubmit or reassess.</li><li>• Possible 1 day in ISSC</li><li>• Teacher will document violation of academic integrity within classroom and/or administrator will document in eSchool or document locally</li></ul>
	4. Inform the following campus staff: <ul style="list-style-type: none"><li>• Academic Instructional Leader (Department Chair)</li><li>• Student's assigned assistant principal</li><li>• Coach(s) – specific to student's involvement</li><li>• Sponsor(s) – specific to student's involvement</li><li>• National Honor Society</li></ul>	Classroom Teacher	
	5. Place documentation in the student's <i>Academic Integrity Folder</i> until the end of the academic school year.	Classroom Teacher	

Offense	Process	Person Responsible	Consequence(s)
2nd	1. Document suspected or observed cheating/dishonesty/plagiarism.	Classroom Teacher	
	2. Conference with student and determine whether or not cheating/plagiarism has occurred.	Classroom Teacher	
	If the teacher concludes that cheating/plagiarism has occurred: 3. Mandatory contact with parent <ul style="list-style-type: none"><li>• Document the contact</li><li>• Set up a meeting</li></ul>	Classroom Teacher	
	4. Mandatory meeting; bring copies of <ul style="list-style-type: none"><li>• Documentation of work in question</li><li>• DISD Academic Integrity Policy</li></ul>	Classroom Teacher Department Chair Parent Student Assistant Principal Counselor	<ul style="list-style-type: none"><li>• Mandatory resubmission</li><li>• Additional days in ISSC</li><li>• Possible removal from</li><li>• Pre-AP/AP course in which the offense occurred</li><li>• Teacher will document violation of academic integrity within classroom and/or administrator will document in eSchool or document locally</li></ul>
	5. Inform the following campus staff: <ul style="list-style-type: none"><li>• Coach(s) – specific to student's involvement</li><li>• Sponsor(s) – specific to student's involvement</li><li>• National Honor Society</li></ul>	Classroom Teacher	
	6. Place documentation in the student's <i>Academic Integrity Folder</i> until the end of the academic school year.	Classroom Teacher	

Offense	Process	Person Responsible	Consequence(s)
3rd	1. Compile evidence of suspected or observed cheating/plagiarism.	Classroom Teacher	
	2. Conference with student and determine whether or not cheating/plagiarism has occurred.	Classroom Teacher	
	If the teacher concludes that cheating/plagiarism has occurred: 3. Mandatory contact with parent <ul style="list-style-type: none"><li>• Document the contact</li><li>• Set up a meeting</li></ul>	Classroom Teacher	
	4. Mandatory meeting; bring copies of <ul style="list-style-type: none"><li>• Documentation of work in question,</li><li>• DISD Academic Integrity Policy, and</li><li>• Consequences to be administered</li></ul>	Classroom Teacher Department Chair Parent Student Assistant Counselor Principal	<ul style="list-style-type: none"><li>• Mandatory resubmission</li><li>• Suspension</li><li>• Removal from Pre-AP/AP course in which the offense occurred</li><li>• Possible ineligibility for any extra-curricular activities</li><li>• Teacher will document violation of academic integrity within classroom and/or administrator will document in eSchool or document locally</li></ul>
	5. Inform the following campus staff: <ul style="list-style-type: none"><li>• Coach(s) – specific to student's involvement</li><li>• Sponsor(s) – specific to student's involvement</li><li>• National Honor Society</li></ul>	Classroom Teacher	
	6. Place documentation in the student's <i>Academic Integrity Folder</i>	Classroom Teacher	

#### References

This document was compiled based upon the honor codes and definitions of academic integrity from the following:

*Academic Integrity: What Every Aggie Needs To Know.* Texas A&M University. 25 Oct 1996. 7 Feb 2004.  
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Tipton High School. *Tipton High School: Honor Code.* 7 Feb 2004.  
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## Children's Internet Protection Act (CIPA)

The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the Internet. CIPA imposes certain requirements on schools or libraries that may receive discounts for Internet access or internal connections through the E-rate program – a program that makes certain communications services and products more affordable for eligible schools and libraries. In early 2001, the FCC issued rules implementing CIPA and provided updates to those rules in 2011.

### What CIPA Requires

Schools and libraries subject to CIPA may not receive the discounts offered by the E-rate program unless they certify that they have an Internet safety policy that includes technology protection measures. The protection measures must block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors. Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.

Schools subject to CIPA have two additional certification requirements: 1) their Internet safety policies must include monitoring the online activities of minors; and 2) as required by the Protecting Children in the 21st Century Act, they must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Schools and libraries subject to CIPA are required to adopt and implement an Internet safety policy addressing:

- a) access by minors to inappropriate matter on the Internet;
- b) the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
- c) unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- e) measures designed to restrict minors' access to material harmful to minors.

Schools and libraries must certify they are in compliance with CIPA before they can receive E-rate funding. However, CIPA does not apply to schools and libraries receiving discounts for telecommunications service only. CIPA does allow for an authorized person to disable the blocking or filtering measure during use by an adult to enable access for bona fide research or other lawful purposes and it does not require the tracking of Internet use by minors or adults.

Denton ISD complies with all CIPA requirements as found in the AUP, Board Policy CQ Local, and CQ Legal.

### **Children's Online Privacy Protection Act (COPPA)**

Congress enacted the Children's Online Privacy Protection Act (COPPA) in 1998. COPPA required the Federal Trade Commission to issue and enforce regulations concerning children's online privacy. The primary goal of COPPA is to place parents in control over what information is collected from their young children online.

The Rule was designed to protect children under age 13 while accounting for the dynamic nature of the Internet. The Rule applies to operators of commercial websites and online services (including mobile apps) directed to children under 13 that collect, use, or disclose personal information from children, and operators of general audience websites or online services with actual knowledge that they are collecting, using, or disclosing personal information from children under 13.

COPPA does not preclude schools from acting as intermediaries between operators and parents in the notice and consent process, or from serving as the parent's agent in the process of collecting personal information online from students in the school context.

For more information regarding COPPA, please visit <http://www.ftc.gov/> and search for COPPA.

### **Monitored Use**

Electronic mail transmissions and any other use of the electronic communications system by students are not confidential and may be monitored at any time by designated District staff to ensure appropriate use for educational purposes.

The district filters the Internet for objectionable material. However, families should be aware that some material might still contain items that are illegal, defamatory, inaccurate, or potentially offensive. While the intentions of the district are to use Internet resources for constructive, educational goals, students may find ways to access other materials. Inappropriate use will be handled by campus administration. We believe the educational benefits, access to informational resources, and opportunities for global collaboration exceed the disadvantages. The district considers computer and guided Internet use a part of the instructional program just like a textbook.

### **Bring Your Own Device**

For instructional and safety purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off during the instructional day, including during all testing, unless they are being used for approved instructional purposes.

A student must have administrative or teacher approval to possess personal telecommunications devices on campus such as laptops, tablets, or other portable computers, or smart watches. The use of mobile telephones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

Except when being used for principal or teacher approved purposes, telecommunication and electronic devices shall not be visible, audible, or used during school hours as determined by the principal.

If a student uses a telecommunications device without authorization during the school day, a district employee may confiscate the device. The parent may pick up the confiscated telecommunications device from the principal's office for a fee of \$15.

Confiscated telecommunications devices that are not retrieved by the student or the student's parent will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** and policy FNF.]

Any disciplinary action will be in accordance with the Student Code of Conduct. The district is not responsible for damaged, lost, or stolen telecommunications devices.

### **Login Security**

It is the responsibility of the student to keep their district issued network and email account safe and secure. Do not share usernames, passwords or other account information. Report any suspected unauthorized use of their account to a teacher or district official immediately. Cyber- bullying and harassment will not be tolerated. Report any suspicious or threatening communication to a teacher or other district official immediately.

### **Student Email**

Email is a vital form of communication in the modern school, business world, and home. Denton ISD will provide all students with a monitored, filtered, school email account.

Denton ISD student email complies with the Children's Internet Protection Act through the use of active content filtering and faculty monitoring. District issued email accounts are for educational purposes only.

Failure to comply with the AUP of Denton ISD can result in restrictions being placed upon the accounts, loss of access, and possible disciplinary consequences. Parents can opt out by written request to campus administration.

### **Student Email Use Guidelines**

Student email accounts are to be used for the following purposes only:

- Teacher-student correspondence
- Accessing/submission of classroom assignments or materials
- Creation of accounts for classroom web-based tools, such as blogs, wikis, podcasts, etc.
- Correspondence with students/partners in collaborative class activities such as pen pals

Student email accounts should not be used for:

- Unauthorized personal communication
- Bullying or harassment of other students

- Forwarding chain mail, spam or commercial content
- Sending inappropriate or immoral content or language
- Registering for any personal Internet account

### **Email Privacy**

District issued email accounts are the property of Denton ISD. All email is monitored and filtered at all times. Students should not expect their email to be private.

### **Social Media in the Classroom**

Online communication is critical to students' learning of 21st Century Skills and tools such as blogging and podcasting offer an authentic, real-world vehicle for student expression. The use of blogs, wikis, chat rooms, podcasts or other web 2.0 tools is an extension of a classroom and school. What is inappropriate in the classroom is inappropriate online.

1. Be aware of what you post online. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, enemies, parents, teachers, or a future employer to see.
2. Follow the Denton ISD Student Code of Conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way.
3. Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone.
4. Do your own work! Do not use other people's intellectual property without their permission. *It is a violation of copyright law to copy and paste other's works.*
5. Be aware that pictures may also be protected under copyright laws. Verify you have permission to use the image or it is under Creative Commons attribution.
6. How you represent yourself online is an extension of yourself.
7. If you run across inappropriate material, material that makes you feel uncomfortable, or is not respectful, tell your teacher or other district personnel immediately.
8. For your safety and protection, we encourage you to follow these Social Media guidelines outside of school as well as during the school day.

### **Posting Policies**

Denton ISD teachers or administrators may post the following with written parental/guardian and student approval to the campus principal:

- Student authored work
- Pictures, audio or video of student (alone or in a group)
- Student first and last name

### **Inappropriate Materials or Language**

A good rule to follow is never view, send, or access materials, which you would not want your teachers, parents or administrators to see. Should students encounter profane, objectionable material by accident, they should report it to their teacher or administrator immediately. Any assumed violation will be reported to the appropriate district administrator and the user's privilege revoked until the violation is reviewed by the appropriate district administrator.

## **General Guidelines for Using Technology**

1. I understand the Denton ISD Student Code of Conduct applies to electronic interaction, just as it would in any face to face interaction. What is inappropriate in the classroom is inappropriate online.
2. I understand that passwords are private. I will not allow others to use my account name and password, nor will I use other account names and passwords.
3. I will be polite and use appropriate language in my electronic mail messages, multiuser role-playing and/or virtual learning environments, online postings, and other digital communications with others. I will refrain from using profanity, vulgarities, or any other inappropriate language as determined by school administrators.
4. I will use electronic mail and other means of communications such as blogs, wikis, podcasting, chat, instant-messaging, discussion boards, and virtual learning environments responsibly. I will not use computers, handheld computers, digital audio players, cell phones, personal digital devices or the Internet to send or post hate or harassing mail, pornography, make discriminatory or derogatory remarks about others, or engage in bullying, harassment, or other antisocial behaviors either at school or at home.
5. I understand that I represent the school district in all my online activities. I understand that what I do on social media websites such as Facebook, Instagram, Twitter, and etc., should not reflect negatively on my fellow students, teachers, or on the District.
6. I understand that masquerading, spoofing, or pretending to be someone else is forbidden. This includes, but is not limited to, sending out e-mail, creating accounts, or posting messages or other online content (e.g. text, images, audio or video) in someone else's name.
7. I will use technology resources responsibly. I will not retrieve, save, or display hate- based, offensive or sexually explicit material. I am responsible for not pursuing material that could be considered offensive. I understand that I am to notify a teacher or administrator immediately if I encounter materials which violate appropriate use.
8. I will use technology resources productively and responsibly for school-related purposes.
9. I will refrain from attempting to bypass, hack, or circumvent security settings or Internet filters, or interfere with the operation of the network by installing software or web-based services.
10. I understand that vandalism is prohibited. This includes but is not limited to modifying or destroying equipment, programs, files, or settings on any computer or other technology resource.
11. I will respect the intellectual property of other users and information providers. I will obey copyright guidelines. I will not plagiarize or use other's work without proper citation and permission.
12. I will refrain from the use of or access of files, software, or other resources owned by others without the owner's permission. I will use only those school network directories that are designated for my use and for the purpose designated by my teacher.
13. I will follow all guidelines set forth by the District and/or my teachers when publishing schoolwork online such as a website, blog, wiki, discussion board, podcasting or video server.
14. I understand the Internet is a source for information that is both true and false and that the school is not responsible for inaccurate information obtained from the Internet.

15. I understand that district and/or campus administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.
16. I agree to abide by all Internet safety guidelines that are provided by the school and to complete all assignments related to Internet safety.
17. I understand and agree that Denton ISD may access my web-enabled device at any time to determine whether there has been a violation of the AUP.
18. I understand that any reported assumed violation of the Student Acceptable Use Policy will be judged by the appropriate district administrator. I also understand that any or all of my privileges may be revoked at any time until the appropriate administrator reviews the concern or violation and makes a ruling.
19. Students should never download or install any software or applications onto network drives or disks. Any assumed violation will be reported to the appropriate district administrator and the user's privilege revoked until the concern of violation is reviewed by the appropriate district administrator.
20. I understand that any dispute involving the Acceptable Use Policy will be settled at the discretion of the school or district administrator that is responsible for student discipline. Failure to abide by Denton ISD's Acceptable Use Policy could result in suspending online privileges and district issued accounts, disciplinary and/or legal action.

#### **Disclaimer of Liability**

The district shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, inappropriate use of third-party sites or costs incurred by the user. The District shall not be responsible for ensuring the accuracy or usability of any information found on the Internet. The District does not warrant that the functions or services performed by, or that the information or software contained on, the system will meet the system users' requirements, or the system will be uninterrupted or error-free. The district shall not be liable for lost, stolen or damaged devices brought from home.

Any dispute involving Acceptable Use of district or personal resources will be settled at the discretion of district personnel.

## Electronic Communication and Data Management Acceptable Use Policy

The Denton ISD Acceptable Use Policy applies to all users of Denton ISD's Electronic Communications Systems. Users include:

- Denton ISD employees
- Denton ISD students
- Contractors
- Consultants
- Student Teachers
- Temporary workers
- Any third parties that use the system

Denton ISD is pleased to offer students access to a computer network for file sharing, storage, printing, electronic mail and the Internet while at school. Additionally, the district provides online and cloud-based resources such as Google Apps and Microsoft Office365.

Access to the Internet will allow students access to available online textbooks, to explore thousands of libraries, databases, museums, and other repositories of information, and to collaborate with other students and classrooms both locally and globally.

Parents who prefer their child not to have computer access should send a request in writing to the campus principal. Educating minors about appropriate online behavior such as ethical use of information, interacting with other individuals on social networking websites, chat rooms and cyber bullying is required by law and will be addressed by Denton ISD campus staff such as Instructional Technology Specialists, Librarians, teachers and counselors.

The Denton ISD Student Code of Conduct applies to electronic interaction, just as it would in any face-to-face interaction. What is inappropriate in the classroom will be deemed inappropriate online.

It is expected that users will comply with district standards and the specific rules set forth below. The use of the network is a privilege, not a right, and may be revoked if abused. The user is personally responsible for his/her actions in accessing and utilizing the school's computer resources or personal computer resources used on district property. The students are advised never to access, keep, or send anything that they would not want their parents, teachers, or administrators to see.

## Staff Acceptable Use Policy (AUP) [Regarding Students]

### Posting Policies – Student Work, Pictures, Videos, Student Name - Technology

Denton ISD teachers or administrators may post the following with written parental/guardian and/or student approval to the principal:

- Student authored work
- Pictures, audio or video of student (alone or in a group)
- Student first and last names

### Social Media Use with Students - Technology

- Read and follow all District policies.
- Read and follow the Terms of Use for all sites. For example, if the site says, “you must be 13 to use this site,” then it should not be used by students under 13
- Ensure that privacy settings protect students, faculty and the district.
- Do not share personally identifying information on education sites. (personal address, personal telephone number, personal pictures.)
- Instruct students in how to use the site for educational purposes
- Abide by AUP and Terms of Use for all Internet sites
- Report illegal, abusive, bullying, and other negative dangerous behaviors
- When setting up student accounts, do not use last names. Example: Use student’s first name with the teacher’s name. Example: Student Jenny in Ms. Taylor’s class would use Jenny Taylor for name.
- Do not allow non-district users to participate on any classroom instructional site without administrative approval
- Invite administrator’s access to the site being used
- Monitor student use of the site
- Delete all sites that are no longer in use

### Electronic Communications Between Educators and Students

**Allowed:** The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

**Prohibited:** The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students.

**Hours Allowed:** An employee may make public posts to an employee's social network site, blog, or similar application at any time.

**Hours Prohibited:** The employee shall not communicate directly with any student between the hours of midnight and 5:00 a.m.

## Privacy / Retention / State & Federal Laws

- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
- Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records

## Electronic Communications Between Educators and Students - Exemption

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

## Electronic Communications Between Educators and Students - Definitions

The following definitions apply for the use of electronic media with students:

- **Electronic media** includes all forms of social media, such as text messaging, instant messaging, e-mail), Web logs/blogs, wikis, electronic forums/chat rooms, video-sharing Web sites, editorial comments posted on the Internet, and social network sites. Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- **Communicate means** to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a communication: however, the employee may be subject to district regulations on personal electronic communications. Unsolicited contact from a student through electronic means is not a communication.

## Electronic Communications Between Educators and Students - Parent's Request to Discontinue

Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

## Electronic Communications Between Educators and Students – Misconduct/Dismissal/Arrest

All employees are prohibited from soliciting or engaging in sexual conduct or a romantic relationship with a student.

## **Student Acceptable Use Policy (AUP)**

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

Access to the District's electronic communications system, including the Internet, shall be made available to students and employees in accordance with administrative regulations. Access to the District's electronic communications system is a privilege, not a right.

All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to comply with such regulations and guidelines. Noncompliance with applicable regulations and guidelines may result in suspension or termination of privileges and other disciplinary action consistent with District Policies. [See DH, FNC, CQ, FO, and the Student Code of Conduct]

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements, consistent with the purposes and mission of the District and with law and policy governing copyright. [See CQ]

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by designated District staff.

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. The District shall not be responsible for ensuring the accuracy or usability of any information found on the Internet.

### **Training**

Denton ISD will provide training to users in proper use of the system and will provide all users with copies of the Denton ISD Acceptable Use Policy. All Denton ISD training for the system will emphasize its ethical use.

### **Copyrighted Materials**

Copyrighted software or data may not be installed on the system without permission from the holder of the copyright. Only the owner of the copyright (or individuals the owner specifically authorizes in writing) may upload copyrighted material to the system.

### **Internet Safety**

Denton ISD will use technology protection measures to prevent users and students from accessing pornography or other material deemed harmful to minors. Technology Protection Measures are defined as specific technologies that block or filter Internet access to inappropriate content.

Inappropriate content is defined as:

- Obscene, as defined in section 1460 of title 18, United States Code.
- Child pornography, as defined in section 2256 of title 18, United States Code.

- Harmful to minors (including websites about violence, racism/hate).
- Disruptive to learning in the classroom (including sites with non-educational games).
- Inappropriate for minors (including websites that contain hacking instructions, Web email, Adware, Spyware, SPAM Internet fraud and scams and any other areas deemed inappropriate as determined by the campus administrator).
- Harmful to the technology protection measure (including websites with proxy servers that can be used to bypass the filters).
- Illegal (including piracy websites).
- Personal Web spaces should not identify the user's relationship to Denton ISD.
- Controls on the technology protection measures may be updated daily. Sometimes the controls may prevent access to sites needed for educational or administrative use. If a user needs to access a blocked site, they may submit a HEAT ticket to have the website reviewed.

### Responsibilities

The Superintendent will designate a district-level administrator to:

- Disseminate and enforce acceptable use policies and guidelines at the district level.
- Ensure that all users read and sign an agreement to abide by Denton ISD's policies and guidelines regarding use of the system.
- Have campus personnel store student signed agreements (electronic or handwritten).
- Monitor activity on the system (as needed).
- Establish a retention schedule for messages on any electronic bulletin board. Remove local messages that are inappropriate.
- Set limits for disk utilization and mailbox sizes on Denton ISD's system.

Campus principals will designate campus-level coordinators to:

- Disseminate and enforce acceptable use policies and guidelines at the campus level.
- Ensure that teachers adequately supervise their students and are responsible for their students' use of the system.
- Ensure that teachers who supervise students provide training to students that emphasize appropriate use of the system.

### Cyberbullying and Harassment

Threatening, harassing, and/or **bullying** others using electronic means to include the Internet and/or mobile technology is strictly prohibited.

### Vandalism and Abuse

Vandalism is activity that intends to harm or destroy any part of the system, another user's data, or any agencies or network connected to the Internet or using any means to possess vandalism tools on network drives, pen drives, removable media, or the local computer.

Vandalism includes deliberate attempts to degrade or disrupt system performance. Vandalism includes, but is not limited to:

- Denials of Service (DOS) attacks
- Distributed Denial of Service (DDoS) attacks

- Uploading or creating viruses
- Using keystroke recording systems
- Loading Spyware or Adware
- Using port scanners or other tools to do network reconnaissance
- IP spoofing
- Man-in-the-Middle attacks
- Traffic sniffing
- Using any other tools to hack into or spy on the system

Vandalism is strictly prohibited, and vandals will lose access to the system and must provide restitution for hardware and software costs associated with system restoration. Vandals may be prosecuted under applicable state and federal laws. Denton ISD will cooperate fully with local, state, or federal officials in any investigation concerning or relating to vandalism of Denton ISD's system, any other system or any investigation of misuse.

#### Email Abuse

Attempts to read, delete, copy, or modify the electronic mail of other users or deliberate interference with the ability of other system users to send/receive email is prohibited. Forgery or attempted forgery of email is prohibited.

#### Plagiarism

Copying any content from the Internet or the system that doesn't belong to the user and claiming that the content is the property of the user is prohibited. Users must cite the source when including content from the Internet or the system.

#### Third Party Content

Users and parents of students with access to the system should be aware that users and students might access other systems in the global network that may contain inaccurate and/or objectionable material. Any student or employee who brings prohibited materials into the system is subject to suspension, revocation of access, and is subject to disciplinary action in accordance with the Student Code of Conduct.

#### Revocation of Access

If any user violates the Acceptable Use Policy, Denton ISD may suspend the user's access to the system. Denton ISD will terminate the user's accounts on the date the campus principal or Denton ISD administrator receives notice of student withdrawal or revocation of system privileges, or on a future date if specified in the notice.

#### Disclaimers

**System Access:** Access to the system is provided on an "as is, available" basis. Denton ISD does not make any warranties with respect to any services provided by the system and about any information or software contained on the system. Denton ISD does not guarantee that the functions or services performed by, or that the information or software contained on the system will meet the user's requirements, or that the system will be uninterrupted or error-free, or that defects will be corrected.

**User Information:** Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system belong to the providers and not Denton ISD.

#### **Liability**

Denton ISD is not liable for inappropriate use of Denton ISD's system or violations of copyright restrictions, mistakes or negligence caused directly or indirectly by users, or costs that users incur.

Denton ISD is not responsible for ensuring the accuracy or usability of any information on the Internet.

## **Violence Provisions**

In an effort to eliminate violence from the Denton Independent School District, the Board of Trustees approved this Violence Provision for all students age ten (10) and older.

Violence Provisions govern any form of violence, fighting and/ or physical altercations, abusive language, and threats among students as defined by the Texas Penal Code will be reported to the local police as a violation of the following penal codes: Disorderly Conduct and Assault.

### **Penal Code 42.01 Disorderly Conduct**

A person commits an offense if he intentionally or knowingly:

- 1) uses abusive, indecent, profane, or vulgar language in a public place, and the language by its very utterance tends to incite an immediate breach of the peace;
- 2) makes an offensive gesture or display in a public place, and the gesture or display tends to incite an immediate breach of the peace;
- 3) creates, by-chemical means, a noxious and unreasonable odor in a public place;
- 4) abuses or threatens a person in a public place in an obviously offensive manner;
- 5) makes unreasonable noise in a public place other than a sport shooting range, as defined by Section 250.001, Local Government Code, or in or near a private residence that he has no right to occupy;
- 6) fights with another in a public place.

### **Penal Code 22.01 Assault**

A person commits an offense if the person:

- 1) Intentionally, knowingly, or recklessly cause bodily injury to another;
- 2) Intentionally or knowingly threatens another with imminent bodily injury;
- 3) Intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

**School Procedure**—In the event of student conduct that violates local policy including violent acts, fighting and/or physical altercations, abusive language, and threats between two or more students, the procedures listed below will be followed:

1. Students are referred to the campus principal or the principal's designee who decides whether to report the incident to police.
  - If an incident is not reported, the District's Discipline Management Plan is followed and punishment is administered according to policy (for example, scuffling, profanity, etc. may merit only suspensions).
  - If incident is reported, the following sequence of events will occur:
    - a. Police will be notified according to local policy;
    - b. Parents will be notified by either the administrator or the police and told where the student will be detained;
    - c. Students may be removed from campus by police with possibility of citation and a

hearing before the municipal judge within ten (10) days, or if the offense is serious enough, the student may be incarcerated according to state law and will be prosecuted to the fullest extent of the law;

- d. Students shall be suspended from school for a maximum of three (3) days;
- e. Parents must initiate a meeting with the campus principal or the principal's designee during the term of the suspension.

2. Violations for fighting include an immediate three-day suspension from school.
3. Persistent offenses may result in suspension and recommendation for assignment to an Alternative Educational Placement in accordance with state statutes, state regulations, and district policies.
4. Persistent offenses (two or more previous suspensions) for fighting (42.01, 6) will result in DAEP placement.
5. Offenses for assault will result in a 3-day suspension and a DAEP placement (Ch. 37).

Our hope is that the establishment of the above procedure will curtail the frequency of violence of any form at school and will provide all students a safe, threat-free environment which they deserve.

In summary, if your son or daughter is involved in a fight or engages in a physical altercation, abusive language, or threats during school hours, on school property, or during a school-related event, the school principal or designee responsible for discipline will consider the circumstances and the parents will be notified by either the administrator OR the police. Your child will be released into the custody of the police. The police will have the option of citing any student offender(s) with disorderly conduct and/or assault. Parents and/or student offender(s) may be responsible for fines up to (\$500) five hundred dollars.