

LINDALE INDEPENDENT SCHOOL DISTRICT STUDENT CODE OF CONDUCT

THE PURPOSE OF THE STUDENT CODE OF CONDUCT

Education in this community represents a significant commitment of financial and human 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 Student Code of Conduct that follows is the District's specific responses to requirements of Chapter 37 of the Texas Education Code. The law requires the District to define misconduct that may or must result in a range of specific disciplinary consequences. This Code is an outgrowth of collaboration among District and campus staff, parents, and other community members. This Code, adopted by the Board of Trustees provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct.

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AMENDMENTS TO STUDENT CODE OF CONDUCT

Any amendments to this Student Code of Conduct which may be required by legislative action will be provided to all students.

STANDARDS FOR STUDENT CONDUCT

Behaviors	Consequences
<p>Each student is expected to:</p> <ul style="list-style-type: none"> * Demonstrate courtesy and respect for others. * Behave in a responsible manner. * Attend all classes, regularly and on time. * Prepare for each class; take appropriate materials and assignments to class. * Be well-groomed and dress appropriately * Obey all campus and classroom rules * Respect the rights and privileges of other students and of teachers and other District staff. * Respect the property of others, including District property and facilities. * Cooperate with or assist the school staff in maintaining safety, order, and discipline. * Avoid violations of the Student code of Conduct. 	<p>A student whose behavior shows disrespect for others, including interference with their access to a public education and a safe environment, will be subject to disciplinary action.</p> <p>School rules and the authority of the District to administer discipline apply whenever the interest of the school 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"> 1. During the regular school day and while the student is going to and from school on District transportation; 2. While the student is participating in any activity during the school day on school grounds; 3. While the student is in attendance at any school-related activity, regardless of time or location; 4. For any school-related misconduct, regardless of time or location; 5. When relation against a school employee is involved, either on or off school property; 6. When the student commits a felony, as provided by Texas Education Code 37.006; 7. When criminal mischief is committed on or off school property or at a school-related event. <p>In general, discipline will be designed to correct the misconduct and to encourage adherence by all students to adhere to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the students attitude, the effect of the misconduct on the school environment, and statutory requirements. Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.</p>
<p>-----</p> <p>The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be listed in the student handbook or posted in classrooms and may or may not constitute violations of the Student Code of Conduct.</p>	<p>A student who violated campus or classroom rules that are not student Code of Conduct violations may be disciplined by one or more of the discipline management techniques. For these violations, the teacher is</p>

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not required to make a Student Code of Conduct violation report, and the principal is not required to notify parents.

The following discipline management techniques may be used alone or in combination for Student Code of Conduct and non-Student Code of Conduct violations:

- * Oral correction.
- * Cooling-off time or "time-out."
- * Seating changes in the classroom.
- * Counseling by teachers, counselors, or administrative personnel.
- * Parent-teacher conferences.
- * Temporary confiscation of items that disrupt the educational process.
- * Grade reductions as permitted by policy. (Grade reductions are most commonly associated with cheating, plagiarism, and late work.)
- * Rewards or demerits
- * Behavioral contracts.
- * Sending the student to the office or other assigned area, or to on-campus suspension.
- * Detention.
- * Assigned school duties other than class tasks
- * Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices.
- * Techniques or penalties identified in individual student organizations codes of conduct.
- * Withdrawing or restricting bus privileges.
- * School-assessed and school-administered probation.
- * Corporal punishment.
- * Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- * Other strategies and consequences as specified by the Student Code of Conduct.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or

GENERAL MISCONDUCT VIOLATIONS

Behaviors	Consequences
<p>Students are prohibited from:</p> <ul style="list-style-type: none"> * Bullying * Cheating or copying the work of another. * Throwing objects that can cause bodily injury or property damage. * Leaving the school building for any reason during school hours without permission of a principal. * Directing profanity, vulgar language, or obscene gestures toward other students or District employees. * Taking or being under the influence of any mind-altering medications such as over the counter meds, diet pills or energy pills. * Scuffling or fighting. * Stealing from students, staff, or the school. * Damaging or vandalizing property owned by others. * Hazing. * Failing to comply with directives given by school personnel. * Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force. * Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed later in the Student Code of Conduct.) * Name-calling, ethnic or racial slurs, or derogatory statements that school officials have reason to believe will substantially disrupt the school program or incite violence. * Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence. * Engaging in inappropriate physical or sexual conduct. * Engaging in conduct that constitute sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors. * Possessing empty alcohol beverage containers on school property. * Possessing or using matches or a lighter. * Possessing, smoking, or using tobacco prod- 	<p>General misconduct identified on the left will result in application of one or more discipline management techniques listed in the previous section (pages 2-3). State law requires that the violation be reported to the principal or other appropriate administrator who must send notification to the parents or guardian within 24 hours of receiving the report.</p> <p style="text-align: center;">DISCRETIONARY REMOVAL</p> <p>General misconduct violations will not necessarily result in the formal removal of the student from class or another placement, but may result in a routine referral, formal removal, or the use of any other discipline management technique.</p> <p style="text-align: center;">FORMAL REMOVAL</p> <p>Formal removal will result if the student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or the behavior is so unruly, disruptive, or abusive that the teacher cannot teach.</p> <p>Any removal of a student by a teacher requires that a Student Code of Conduct violation report be made by the teacher if the student's conduct is a violation of this Code. The principal or appropriate administrator must send a copy of the report to the student's parent or guardian within 24 hours of receiving the teacher's report.</p> <p>A teacher or administrator may also remove a student from class for an offense for which a student may be suspended and/or placed in a disciplinary Alternative Education Program.</p> <p>If the violation results in formal removal, the principal will schedule a conference within three school days with the student's parent, the teacher, and the student.</p> <p>After the conference, the principal will notify the student of the consequences of the Student Code of Conduct violation.</p>

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- * Possessing or selling look-alike drugs or items attempted to be passed off as drugs and contraband.
- * Behaving in any way that disrupts the school environment or educational process.
- * Violating safety rules.

When a student is removed from the regular classroom and a hearing is pending, the principal may place a student in:

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

When a student has been formally removed from class, the principal may not return the student to the teacher's class without the teacher's consent unless the placement review committee determines that the teacher's class is the best or only alternative available.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy FNG (LOCAL).

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING

SUSPENSION AND/OR PLACEMENT IN AN ALTERNATIVE EDUCATION PROGRAM

Behaviors	Consequences
<p>Students may be suspended for any reason that also requires placement in a disciplinary alternative education program.</p> <p>The Board or an educator will recommend placing students in a disciplinary Alternative Education Program who are found to be:</p> <ul style="list-style-type: none"> * Involved in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang. * Involved 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, or secret society. <p>A student must be placed in a disciplinary Alternative Education Program if the student commits any of the following offenses on school property or while attending a school-sponsored or school-related activity on or off of school property unless otherwise stated. The student may be suspended pending a hearing for:</p> <ul style="list-style-type: none"> * Committing an assault. * Making a terroristic threat * Selling, giving, delivering, possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug if such conduct is not punishable as a felony offense. (School-related felony drug offenses are addressed in the expulsion section in this Student Code of Conduct.) * Possessing, selling, giving, or delivering an alcoholic beverage; committing a serious act or offense while under the influence of alcohol, if such conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the expulsion section in this Student Code of Conduct.) 	<p>SUSPENSION</p> <p>State law allows a student to be suspended for up to three school days per offense with no limit on the number of times a student may be suspended in a semester or school year.</p> <p>A student who is to be suspended will be given an informal hearing by the principal or appropriate administrator advising the student of the conduct with which he or she is charged and giving the student the opportunity to explain his or her version of the incident.</p> <p>The duration of a student's suspension, which cannot exceed three school days will be determined by the principal or other appropriate administrator.</p> <p>Any restrictions on participation in school-sponsored or school-related extracurricular and noncurricular activities will be determined by the principal or other appropriate administrator.</p> <p>REMOVAL TO AN ALTERNATIVE EDUCATION PROGRAM</p> <p>The Board delegates to the principal the authority to remove a student to a disciplinary Alternative Education Program.</p> <p>A teacher may remove a student from class for an offense for which a student may be suspended and/or placed in a disciplinary Alternative Education Program.</p> <p>Within three school days of receiving the Student Code of conduct violation report, the principal will schedule a hearing with the student's parent, teacher, and the student.</p> <p>An administrator may remove a student and recommend placement in the disciplinary Alternative Education Program. The principal will schedule a hearing with the student's parent and the student.</p> <p>Until a hearing can be held as a result of a formal teacher removal or administrator removal, the principal may place a student in:</p>

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<ul style="list-style-type: none"> * Behaving in a manner that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals. * Behaving in a manner that contains the elements of the offense of public lewdness. * Behaving in a manner that contains the elements of the offense of indecent exposure. 	<ul style="list-style-type: none"> * Another appropriate classroom. * On-campus suspension * A disciplinary Alternative Education Program in which the student must be separate from the other students for the entire school program day and will be provided instruction in the core subjects. Counseling will also be provided to the student. <p>At the hearing, the principal will explain the allegations against the student and give the student an opportunity to explain his or her version of the incident.</p>
<p>A student must be placed in a disciplinary Alternative Education Program and may be suspended pending a hearing if the student:</p> <ul style="list-style-type: none"> * Engages in conduct punishable as a felony regardless of where or when the conduct occurs. (Certain felony offenses committed on school property or at school-related activities are expellable offenses and are addressed in the expulsion section of this Student Code of Conduct.) * Engages in conduct that contains the elements of the offense of retaliation against any school employee, regardless of where or when the conduct occurs. (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.) 	<p>Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy FNG (LOCAL).</p> <p>State law does NOT permit students who are in a disciplinary Alternative Education Program as a result of committing a violation, according to state law, requiring placement in an Alternative Education Program to participate in any school-sponsored or school-related extracurricular and noncurricular activities.</p> <p>If placement in a disciplinary Alternative Education Program extends beyond the end of the next grading period, the student and/or the student's parent or guardian will be given notice and the opportunity to participate in a proceeding before the Superintendent. Any decision made on a student's appeal by the Superintendent cannot be appealed.</p>
<p>In an emergency, the principal or the principal's designee may order the immediate placement of a student for the following reasons:</p> <ul style="list-style-type: none"> * Emergency placement when a student is unruly, disruptive, or abusive that the student's presence seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity. 	<p>A student placed in a disciplinary Alternative Education Program will be provided a review of the student's status by the Superintendent at intervals not to exceed 120 days. At the review, the student or the student's parent or guardian must 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 the teacher who removed the student without that teacher's consent.</p> <p>For placement in a disciplinary Alternative Education Program to extend beyond the end of the school year, the Superintendent must determine that:</p> <ol style="list-style-type: none"> 1. The student's presence in the regular classroom or campus presents a danger of physical harm to students or others. 2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

EXPULSION

Behaviors	Consequences
<p>At the District's discretion, a student may be expelled for:</p>	<p>The Board Delegates to the Superintendent the authority to expel students.</p>
<ul style="list-style-type: none"> * Criminal mischief, if punishable as a felony whether committed on or off school property or at a school-related event. 	<p>The principal or other appropriate administrator will schedule a hearing within a reasonable time with the student's parents, the teacher, and the student. The student's parent or guardian will be invited in writing to attend the hearing.</p>
<ul style="list-style-type: none"> * Serious or persistent misbehavior if a student is already in a disciplinary Alternative Education Program and continues to violate the District's Student Code of Conduct. 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. Serious offenses include, but are not limited to, the following: 	<p>Until a hearing can be held, the principal may place the student in:</p> <ul style="list-style-type: none"> * Another appropriate classroom. * On-campus suspension. * A disciplinary Alternative Education Program
<ol style="list-style-type: none"> 1. Assault of a teacher or other individual 2. Retaliation against a school employee. 3. Murder, capital murder, or criminal attempt to commit murder. 4. Indecency with a child. 5. Kidnapping. 6. Arson. 7. Possession of a firearm. 8. Possession of a prohibited knife, including a pocket knife. 9. Possession of a club. 10. Possession of a prohibited weapon. 11. The use, gift, sale, delivery, possession, or being under the influence of alcohol, marijuana, other controlled substances, dangerous drugs, or abusable glue or volatile chemicals. 12. Engaging in conduct that constitutes criminal mischief. 13. Vandalism. 	<p>A student facing expulsion will be given appropriate due process as required by the federal constitution. The student is entitled to:</p> <ol style="list-style-type: none"> 1. The right to an adult representative who is not a District employee or legal counsel who can provide guidance to the student. 2. An opportunity to testify and to present evidence and witnesses in the student's defense. 3. An opportunity to question the District's witnesses. <p>Not later than the second business day after the hearing, the Board's designee will deliver to the juvenile court a copy of the order expelling the student and information required by Section 52.04 of the Family Code.</p> <p>Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.</p> <p>No District academic credit will be earned for work missed during the period of expulsion [unless the student is enrolled in a Juvenile Justice Alternative Education Program].</p>

Behaviors	Consequences
<p>14. Robbery or theft.</p> <p>15. Extortion, coercion, or blackmail.</p> <p>16. Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.</p> <p>17. Hazing.</p> <p>18. Insubordination.</p> <p>19. Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.</p> <p>20. Fighting, committing physical abuse, or threatening physical abuse.</p> <p>21. Sexual harassment of a student or District employee.</p> <p>22. Possession of or conspiring to possess of any explosive or explosive device, including firecrackers, etc.</p> <p>23. Falsification of records, passes, or other school-related documents.</p> <p>24. Possession or distribution of pornographic materials.</p> <p>25. Leaving school grounds without permission.</p> <p>26. Making or assisting in making threats, including threats against individuals and bomb threats.</p> <p>27. Refusal to accept discipline management techniques proposed by the teacher or principal.</p>	
<p>A student must be expelled for any of the following offenses if committed on school property or while attending a school sponsored or school-related activity on or off school property:</p> <p>* A firearm violation, as defined by federal law. Firearm under federal law includes:</p> <ol style="list-style-type: none"> a. Any weapon (including a starter gun), which will or is designed to or which may 	<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 other appropriate administrator may modify the length of the expulsion on a case-by-case basis. The District may provide educational services to the expelled student in a disciplinary Alternative Education Program.</p>

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readily be converted to expel a projectile by the action of an explosive.

- b. The frame or receiver of any such weapon.
- c. Any firearm muffler or firearm weapon.
- d. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade.

* Use, exhibition, or possession of the following, under the Texas Penal Code:

- 1. A firearm.
- 2. An illegal knife, such as a knife with a blade over 5 1/2 inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- 3. A club.
- 4. A prohibited weapon, such as an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; a switchblade knife; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun.

* Behavior containing the elements of the following under the Texas Penal Code:

- 1. Aggravated assault, sexual assault, or aggravated sexual assault.
- 2. Arson
- 3. Murder, capital murder, or criminal attempt to commit murder.
- 4. Indecency with a child.
- 5. Aggravated kidnapping
- 6. Behavior related to an alcohol or drug offense that could be punishable as a felony.
- 7. Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

In an emergency, the principal or the principal's designee may order the immediate removal of a student for the following reasons:

- * Emergency expulsion when people or property are in imminent harm.
- * Emergency removal. A student who exhibits certain conditions or behaviors may be removed from the regular classroom, campus, or disciplinary Alternative Education Program.

When an emergency expulsion occurs, the student will be given oral notice of the reason for the action. Within a reasonable amount of time after the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion. If emergency expulsion involves a student with disabilities who receives special education services, the term of the student's emergency expulsion is subject to the requirements of federal law.

A student who is removed for emergency removal will be released to the student's parent, parent's representative, medical providers, or law enforcement authorities. The removal will be limited to no more than five

Behaviors	Consequences
<p>Such conditions may include:</p> <ol style="list-style-type: none">1. Being under the influence of alcohol or drugs.2. Being highly agitated.3. Suffering from any other condition that temporarily threatens the student's welfare, other individuals' welfare, or the efficient operation of the school.	

PLACEMENT IN A JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

The Board of Trustees has entered into an agreement with the county juvenile board outlining the juvenile board's responsibilities concerning the establishment and operation of the Juvenile Justice Alternative Education Program and conditions on payments from the District to the juvenile board. Details of this relationship are defined in agreements available for public inspection upon request to the Superintendent.