

Student Code of Conduct

2007 – 2008



*Burlison Independent School
District*

Includes Sample Documents

Revised: July 2007

ACKNOWLEDGMENT

Student Code of Conduct Acknowledgment

Dear Student and Parent:

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

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator. A copy of this document is posted on our website and available at any campus.

The single sheet at the end of this document is to be completed and turned in to the school.

Thank you.

Mark Jackson, Superintendent

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STUDENT CODE OF CONDUCT

Purpose

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

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

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences including removal from a regular classroom or campus, suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Burleson Independent School District Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code will be posted at each school campus or will be available for review at the office of the campus principal. Parents will be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

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

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

School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

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

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

Reporting Crimes

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.


Revoking Transfers

A student’s transfer may be revoked for violating the Student Code of Conduct.

Standards for Student Conduct

This Code is not an attempt to describe every possible misbehavior. Therefore, some misbehavior will not be listed in this document. This means that appropriate consequences will be assessed for behaviors listed as well as those not listed in this document. For misbehavior clearly not covered in the Code, teachers are not required to report a Code violation and the principal is not required to notify parents.

Extracurricular Activities and Honors

Student misbehavior has an effect on student activities and honorary positions. For some Code violations and every serious violation, a student shall be restricted or prohibited from participating in school-sponsored or school-related extracurricular and noncurricular activities until the consequences are fulfilled. For those General Conduct Violations denoted by the icon , students shall lose and be ineligible to seek or hold honorary positions for one calendar year. For all offenses where removal from school is warranted, students shall lose and be ineligible to seek or hold honorary positions in the BISD; however, after one calendar year, the student may appeal this consequence to the Principal in writing. Some examples of honorary positions include leadership positions such as an officer in an extracurricular organization or membership in honorary organizations such as the National Honor Society. Student organizations may develop documents describing stricter student behavior expectations for continued membership; however, the expectations may not be more lenient.

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Turn in assignments, reports, projects, and tests that are the student's own work.
- Be truthful with school personnel.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.

- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.
- Adhere to the expectations and requirements for the use of BISD technology.

General Conduct Violations

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

Students shall not:

Disregard for Authority

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

Mistreatment of Others

- ☐ Use profanity or vulgar language or make obscene gestures.
- Fight, scuffle, encourage or watch others fight (For assault see DAEP Placement and Expulsion)
- ☐ Threaten a student, district employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- ☐ Engage in bullying, harassment, or making hit lists. (See glossary for all three terms)
- ☐ Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, toward another person, including a district student, employee, or volunteer.
- ☐ Engage in inappropriate or indecent exposure of private body parts.
- ☐ Participate in hazing. (See glossary)
- ☐ Cause an individual to act through the use of or threat of force (coercion).

- ❑ Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- ❑ Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a student, district employee, or volunteer.
- ❑ Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

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

Possession of Prohibited Items

- Possess or use:
 - ❑ fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
 - ❑ a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
 - ❑ a “look-alike” weapon;
 - ❑ an air gun or BB gun;
 - ammunition;
 - ❑ a stun gun;
 - a pocketknife or any other small knife;
 - mace or pepper spray;
 - ❑ pornographic material;
 - tobacco products;
 - matches or a lighter;
 - a laser pointer for other than an approved use; or
 - ❑ any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion)

Possession of Telecommunications Devices

- Display, turn on, or use a cellular telephone or other telecommunications device on school property during the school day.

Students may be assessed an administrative fee of \$15.00 for the return of a confiscated electronic device.

Illegal and Prescription Drugs and Over-the-Counter Drugs

- ☐ Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion)
- ☐ Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)
- ☐ Possess or sell look-alike drugs or attempt to pass off items as drugs or contraband.
- ☐ Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See glossary for “abuse”)
- ☐ Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.
- ☐ 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”)

Misuse of Computers and the Internet

- ☐ Violate computer use policies, rules, or agreements signed by the student or the student’s parent.
- ☐ Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- ☐ Attempt to alter, destroy, or disable district computer equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- ☐ Use the Internet or other electronic communications to threaten another, including students, employees, or volunteers, including off school property if the conduct causes a disruption to the educational environment.
- ☐ Send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment.
- ☐ Use e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

Safety Transgressions

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

Miscellaneous Offenses

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

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

Discipline Management Techniques

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

Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

Students with Disabilities

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

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

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

Techniques

The following discipline management techniques may be used—alone or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Oral or written correction.
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions as permitted by policy.
- Detention.

- Sending the student to the office or other assigned area, or to in-school suspension (ISS) – students will not be allowed to participate in extra-curricular activities with ISS.
- Assignment of school duties such as cleaning or picking up litter.
- Assignment of physical activity that is safe, reasonable, and age appropriate.
- Restitution
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment.
- Out-of-school suspension (OSS), as specified in the Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Notification

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in a suspension, placement in a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with the Board Policy on complaints. A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address:
www.burlesonisd.net.

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

Removal from the Regular Educational Setting

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

Routine Referral

A routine referral occurs when a teacher sends a student to the principal's office as a discipline management technique. The principal may then employ additional techniques.

Formal Removal

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

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

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will 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 will inform the student of the misconduct for which he or she is charged and the consequences. The administrator will give the student an opportunity to give his or her version of the incident.

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

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

Returning Student to Classroom

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

Removal from the Regular Educational Setting

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.

Suspension

Misconduct

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

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

1. Intent or lack of intent at the time the student engaged in the conduct, and
2. The student's disciplinary history.

In deciding whether to order suspension, the district will not take self-defense (see glossary) into consideration.

Process

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

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

The number of days of a student's suspension will be determined by the appropriate administrator, but will not exceed three school days.

The appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Disciplinary Alternative Education Program (DAEP) Placement

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

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

1. Intent or lack of intent at the time the student engaged in the conduct, and
2. The student's disciplinary history.

In deciding whether to order placement in a DAEP, the district will not take self-defense (see glossary) into consideration:

Discretionary Placement Misconduct That May Result in DAEP Placement

A student **may** be placed in a DAEP for the following conduct violations:

- Behaviors prohibited in the General Conduct Violations section of this Code.
- Involvement in activity that can be gang related, including participating as a member or pledge, or soliciting another person to become a pledge or member of a group espousing or committing illegal activities.
- 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.
- Threatening bodily harm through sexual harassment.
- Disrupting the school environment in serious fights.
- Making a terroristic threat to a person, including student, teacher, staff, or volunteer.
- A significant violation or continuous violations of the Student Code of Conduct or campus rules, at the discretion of the Principal.
- Any criminal mischief.
- Interfering with or threatening to interfere with the operation of school or school-sponsored activities.
- If the Superintendent or designee has a reasonable belief that the student has engaged in conduct away from school which is defined as a felony other than those listed as offenses involving injury to a person in Title 5 of the Penal Code, and the Superintendent determines that the continued presence of the student in the regular

classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

- A Federal firearms violation for a student six years of age or younger.

Misconduct Identified in State Law

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

- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- 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, or secret society.
- Any criminal mischief, including a felony.

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense.

(School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for “under the influence”)

- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as 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:
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

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

Emergencies

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

Process

Removals to a DAEP will be made by the campus principal.

Conference

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

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

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

Placement Order

After the conference, if the student is placed in the DAEP, the appropriate administrator will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

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

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

Length of Placement

The duration of a student's placement in a DAEP will be determined by the campus principal.

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

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

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that:

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

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

Exceeds School Year

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

For placement in a DAEP to extend beyond the end of the school year, the superintendent must determine that:

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

Exceeds 60 Days

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

Appeals

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: www.burlesonisd.net.

Disciplinary consequences will not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

Restrictions during Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

For seniors assigned to a DAEP who are eligible to graduate, the placement in the program will continue through graduation, and the student will not be allowed to participate in the graduation ceremony and related graduation activities.

Placement Review

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the DAEP 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 will also be reviewed. At the review, the student or the student's parent will be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee will review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

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

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

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

Withdrawal during Process

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

Newly Enrolled Students

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

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

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

Emergency Placement Procedure

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

Placement and/or Expulsion for Certain Serious Offenses

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

Registered Sex Offenders

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

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement will 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 staff;
2. Will be detrimental to the educational process; or
3. Is not in the best interests of the district's students.

Review Committee

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

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in

accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

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

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

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

***Hearing and
Required Findings***

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

7. Threatens the safety of other students or teachers;
8. Will be detrimental to the educational process; or
9. Is not in the best interest of the district's students.

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

Length of Placement

The student is subject to the placement until:

10. The student graduates from high school;
11. The charges are dismissed or reduced to a misdemeanor offense; or
12. The student completes the term of the placement or is assigned to another program.

***Newly Enrolled
Students***

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

Expulsion

In deciding whether to order expulsion, the district will take into consideration:

1. Intent or lack of intent at the time the student engaged in the conduct, and
2. The student's disciplinary history.

In deciding whether to order expulsion, the district will not take self-defense (see glossary), into consideration:

A student **may** be expelled for:

**Discretionary
Expulsion:
Misconduct That
May Result in
Expulsion
Any Location**

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

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

Within 300 Feet of School

- Continue engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary)
- Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson.
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
 - Continuous sexual abuse of a young child or children.
 - Felony drug- or alcohol-related offense.
 - Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

Property of Another District

- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in DAEP

- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled 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:

Federal Law

- Bringing to school a firearm, as defined by federal law. "Firearm" under federal law includes:
 - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm weapon.
 - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Texas Penal Code

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
 - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
 - An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
 - A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
 - A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

Under Age Ten	When a student under the age of ten engages in behavior that is expellable behavior, the student will not be expelled, but will be placed in a DAEP. A student under age six will not be removed from class or placed in a DAEP unless the student commits a federal firearm offense.
Emergency	In an emergency, the principal or the principal's designee may order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis.
Process	<p>If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time. The student's parent will be invited in writing to attend the hearing.</p> <p>Until a hearing can be held, the principal may place the student in:</p> <ul style="list-style-type: none"> • Another appropriate classroom • In-school suspension • Out-of-school suspension • DAEP
Hearing	<p>A student facing expulsion will be given a hearing with appropriate due process. The student is entitled to:</p> <ol style="list-style-type: none"> 1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district; 2. An opportunity to testify and to present evidence and witnesses in the student's defense; and 3. An opportunity to question the district's witnesses. <p>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.</p> <p>The board of trustees delegates to the campus principal authority to conduct hearings and expel students.</p>
Board Review of Expulsion	<p>After the due process hearing and appeal, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.</p> <p>The board will 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.</p>

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

Expulsion Order

After the due process hearing, if the student is expelled, the board or its designee will 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 principal will deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

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

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

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

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

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

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

Withdrawal during Process

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

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

If the appropriate administrator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

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

Restrictions during Expulsion

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

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

Newly Enrolled Students

The district will continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

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

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

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

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

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.

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

Arson is a crime that involves starting a fire or causing an explosion with intent to destroy or damage:

1. Any vegetation, fence, or structure on open-space land; or
2. Any building, habitation, or vehicle:
 - a. Knowing that it is within the limits of an incorporated city or town;
 - b. Knowing that it is insured against damage or destruction;
 - c. Knowing that it is subject to a mortgage or other security interest;
 - d. Knowing that it is located on property belonging to another;
 - e. Knowing that it has located within it property belonging to another; or
 - f. 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.

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

Bullying is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:

1. To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

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

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

Criminal 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.

Dating violence is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

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

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

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

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

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

Explosive weapon is 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.

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

Harassment is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another 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.

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

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

Knuckles is any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

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.

Persistent misbehavior is two or more violations of the Code in general or repeated occurrences of the same violation.

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; or any other school property used by the student, including but not limited to a locker or desk.

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 students. Educational organizations listed in Section 37.121(d) of the Education Code are excepted from this definition.

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

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

Serious offenses include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.

- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.
- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

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

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

Title 5 offenses are those that involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [See FOC(EXHIBIT)]

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

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

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

What is the Right Turn Discipline Center?

The Right Turn Discipline Center (RTDC) is a behavior modification program designed to serve students who have been removed from their home campus and assigned to alternative placement for violating the BISD Code of Conduct or students in the BISD who have been charged with a felony offense. The RTDC program includes the following components:

- Behavior Management
- Academics
- Life Skills
- Individual and group counseling
- A structured environment

All students on the Right Turn campus follow the same general guidelines.

IMPORTANT INFORMATION FOR PARENTS

Once your child has been assigned to RTDC:

- Parent and student must attend an In-Take Meeting.
- Call (817) 447-5890 as soon as possible to make an In-Take Meeting appointment.

NOTE: Parents MUST notify Right Turn prior to attending an In-Take Meeting.

- ◆ Attend the In-Take Meeting, with your child, which will be scheduled on **Monday or Wednesday afternoon (3:00 p.m.), or Tuesday or Thursday morning (8:00 a.m.).** *In-Take Meetings generally last about 45 minutes.*
- ◆ Mon. and Tues. In-take students will start RTDC on Wednesday.

- ◆ Wed. and Thurs. In-take students will start RTDC on Friday.
- ◆ The school day for RTDC is 7:35 a.m. – 2:35 p.m., Monday thru Friday.
- ◆ ***Transportation will not be provided by BISD.***
- ◆ **A parent or guardian will be required to keep their child in their car until he/she is received by an RTDC staff member each morning.**
- ◆ **STUDENTS MAY NOT BE "DROPPED-OFF" AT RTDC AND/OR LEFT UNATTENDED AT ANY TIME.**

STUDENT RESPONSIBILITIES

Once you have been assigned to RTDC:

- ✓ You must attend a scheduled In-Take Meeting with your parent.
- ✓ On the first day of school bring the following items:
 - 1 package of pencils
 - notebook paper
 - 1 package of copy paper
 - lunch in a clear plastic bag
- ✓ **You must be in dress code.**
- ✓ You will walk through a hand-held metal detector when entering the building each day.
- ✓ **Be prepared to work.**

Students will receive instruction in the four core classes: English, math, science, and social studies. Students are expected to stay on task, working on assignments at all times during the school day. Students assigned to RTDC are not allowed to return to their home campus, nor to any other BISD campus or location where BISD activities are taking place during the term of their assignment to the Right Turn Discipline Center.

GENERAL DRESS CODE INFORMATION

(Dress Code will be reviewed in detail at the In-Take Meeting. The BISD Dress Code will be enforced along with additional restrictions in the Right Turn Discipline Center Dress Code. Students will not be allowed to attend class until dress code standards are met.)

SHIRTS:

- **Solid white crew neck t-shirt or collared shirt buttoned to the top ONLY**
- Tucked in so waist of pants is visible

PANTS:

- Solid in color...black, khaki, or blue pants or jeans only
- *Must fit at waist and stay above hipbone*
- No oversized pants

SHOES:

- **Must cover the entire foot and be primarily white, black, or brown**
- Shoelaces may **only** be black, brown, or white

HAIR:

- No distracting hair styles or colors
- Must not conceal or cover the eyes at any time

GENERAL:

- **No jewelry or watches**
- **No make-up of any kind**
- No nail polish
- No inappropriate or unnecessary items

Please do not hesitate to call if you have any questions regarding information in this brochure.

We look forward to working with you!

Right Turn Discipline Center
Faculty and Staff

Sample Parent Signature Forms and Information

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Release of Directory Information

Regarding student records, I understand that certain information about my student is considered directory information. Directory information includes: student name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended. Directory information will be released by the District to anyone who requests it unless I object in writing to the release of any or all of this information within 10 school days of the time the student handbook was issued to my student.

As a parent, my choices are to make directory information about my student(s):

- Option 1: Yes No Available for Military or Higher Education Use and/or
- Option 2: Yes No Available for Public Use (any request for student information) and/or
- Option 3: Yes No Available for School Related Use (yearbook, newspaper, athletic programs)

Parents may change their decision at any time by contacting the school office(s).

Video/Audio Taping Regulations

According to 1999 legislation (Senate Bill 1, Sec. 26.009) school children may not be videotaped or audiotaped without written parental consent **except** for the following reasons: 1) Purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses, 2) A purpose related to a cocurricular or extracurricular activity (this means football games, musical performances, PTO programs, campus field days, etc.), 3) A purpose related to regular classroom instruction, or 4) Media coverage of the school. This means that parents who want to bring a video camera on school grounds to record their son or daughter's "first day of school," **may not record** students other than their own children unless the district has **written consent** from the other child/children's parent. Even if one parent wanted to give permission to let another parent videotape their student, we cannot efficiently keep up with who is and who is not to be videotaped. Therefore, please do not bring a video camera to an event other than for cocurricular activities. A still camera is not regulated in this manner.

I have read the audiotape and/or videotape regulations for activities during school hours.

Texas Prevention Impact Index

Student Survey

Dear Parents,

This fall Burleson ISD will once again be administering the Texas Prevention Impact Index (TPII) student survey. This survey will assist the district in collecting data on the incidence of student drug use and violence, attitudes and perceptions of students regarding drug use, attitudes of staff regarding prevention programs, and program specific information.

Sample questions from the survey include: How many times, if any, did you drink alcohol such as beer, wine, wine coolers, or hard liquor? Do you plan to smoke cigarettes in the future? At what age, if ever, did you first try each of the following drugs.....

The information gathered through the survey will be used in the District's needs assessment and to improve programs, policies, and practices in ways that lead to less violence and drug use among students. Student surveys will be **anonymous**, optional, and will be administered to students in grades 6, 8, 9, and 12.

We would appreciate your support in helping us gather this information by giving us your permission to administer the student survey to your child. In each principal's office, copies of the survey are available for parent review. If you have questions regarding the survey, please contact Special Programs Office, at 817-447-5730

Burleson ISD Network/Internet Acceptable Use Policy

Network/Internet access is available to students and teachers in Burleson ISD. The Internet is a network of networks connecting millions of computer users all over the world. The Internet enables worldwide connection to electronic mail, discussion groups, databases, software, and other information sources, such as libraries and museums. Burleson ISD provides network/Internet access to promote educational excellence in Burleson ISD schools by facilitating resource sharing, innovation, and communication. Burleson ISD firmly believes that the value of information and interaction available on the network/Internet far outweighs the possibility that users may obtain material that is not consistent with the educational goals of Burleson ISD.

Philosophy

Risk. Controlling all materials on the network/Internet is impossible. Sites available via the network/Internet may contain material that is illegal, defamatory, inaccurate, or controversial. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting.

User Responsibility. Network/Internet users, like traditional library users, are responsible for their actions in accessing available resources.

District Responsibility. Burleson ISD is responsible for educating students about acceptable use of the network/Internet. Additionally, Burleson ISD personnel are responsible for monitoring all network/Internet activity.

Network/Internet – Terms and Conditions

Acceptable Use. Burleson ISD network/Internet access may be used to improve learning and teaching consistent with the educational goals of Burleson ISD. Burleson ISD expects legal, ethical, and efficient use the network/Internet.

Privilege. Use of a Burleson ISD network/Internet account is a privilege, not a right.

Voluntary. Use of a Burleson ISD network/Internet account is voluntary on the part of the student or teacher.

Subject to System Administration. All Burleson ISD network/Internet account usage is subject to the Director of Technology and/or network manager's perusal for virus scanning or inappropriate use.

Inappropriate Use. Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically names as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of this or any networks connected to the network/Internet.

Violation of Law. Transmission of any material in violation of U.S. or state law is prohibited. This includes, but is not limited to the following: copyrighted material; threatening, harassing, or obscene material; or material protected by trade secret. Any attempt to break the law using a Burleson ISD network/Internet account may result in litigation against the offender by the proper authorities. If such an event should occur, Burleson ISD will fully comply with the authorities to provide any information necessary for the litigation process.

Commercial Use. Use of commercial, income generating or “for profit” activities, product advertisement, or political lobbying is prohibited. Sending unsolicited junk mail or chain letters is prohibited.

Internet Filter/Proxy. Attempts to avoid or disable the Internet filter through proxy bypass sites or http tunneling is prohibited. Sending nuisance and/or vulgar email to the network administrator is prohibited.

Vandalism/Mischief. Vandalism and mischief are prohibited. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the network/Internet, or any networks that are connected to the network/Internet. This includes, but is not limited to, the creation or propagation of computer viruses. Any interference with the work of other users, with or without malicious intent, is construed as mischief and is strictly prohibited.

Electronic Mail Violations. Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users is prohibited.

File/Data Violations. Deleting, examining, copying, and/or modifying files and/or data that belong to other users are prohibited.

System Interference/Alteration. Attempts to exceed, evade, or change resource quotas is prohibited. Creating network congestion through mass consumption of system resources is prohibited.

Consequences of Agreement Violation. Any attempt to violate the provisions of this agreement will result in the revocation of the user’s access privilege, regardless of the success or failure of the attempt. In addition, school disciplinary action and/or appropriate legal action may be taken.

Final Determination. The Director of Technology and/or the District Superintendent will make final determination as to what constitutes inappropriate use.

Denial, Revocation, or Suspension of Access. The Director of Technology and/or building principal, in accordance with Burleson ISD disciplinary procedures, may deny, revoke, or suspend access as required.

Security

High Priority. Security on any computer system is a high priority, especially when the system involves many users.

Reporting Security Problems. If a user identifies or has knowledge of a security problem on the network/Internet, the user must notify a system administrator or the Burleson ISD Director of Technology. The security problem should not be shown to other users.

Impersonation. Attempts to log on to the network/Internet as a system administrator or BISD employee or student will result in cancellation of network/Internet access.

Security Risks Denied Access. Any user identifies as a security risk or having a history of problems with other computer systems may be denied access to the network/Internet.

Disclaimer

This agreement applies to stand-alone units as well as units connected to the network/Internet. Burleson ISD makes no warranties of any kind, whether expressed or implied, for the service it is providing. Burleson ISD is not responsible for any damages suffered by users. This includes the loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its negligence or user errors or omissions. Burleson ISD is not responsible for phone/credit card bills or any other charges incurred by users. Use of any information obtained via the network/Internet is at the user's own risk. Burleson ISD specifically denies any responsibility for the accuracy of quality of information obtained through its services.



Web Publishing Permission

As part of the educational experience in BISD, your child has the opportunity to publish and share his/her work on the Internet. Web publication offers your child a unique learning opportunity and includes the following benefits:

- a. Makes class work engaging and exciting.
- b. Allows them to receive feedback from other students and teachers outside of their class.
- c. Enables students to practice and refine their communication skills.

Classes, throughout the school year, could publish student work on the Internet. These publications may be shared in a variety of ways, including the following:

- a. Writing
- b. Hand-drawn or computer-generated artwork
- c. Voice recordings
- d. Photos
- e. Videos

YOUR CHILD'S PRIVACY

All efforts will be made to protect your child's privacy:

- No personal information about the student, such as home address or telephone number will be published.
- In some cases, the student's first name will be used.

To publish individual student writing, photos, voice and artwork on the internet, parent or legal guardian permission is required.

I give permission for my child's writing, artwork, project, and/or class photo to be published on the Internet.

Parent Signature Form – All Options on Single Sheet

Please circle the appropriate statement on the left for each item...

Decision	Item needing parent attention at the beginning of the school year.
Agree	We acknowledge that we have received a copy of the Burleson ISD Student Code of Conduct for the 2007-08 school year and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code. I also understand that my child will be held accountable for the behavior and consequences outlined in the Student Code of Conduct at school, school-sponsored activities, school-related activities, school-sponsored travel, and for any school-related misconduct, regardless of time or location. I understand that any student who violates the BISD Student Code of Conduct is subject to disciplinary action, up to and including referral for criminal prosecution for violations of law. <i style="text-align: right;">See information on opening page</i>
Opt. 1 Y N	I understand that certain information about my student is considered directory information. Directory information includes: student name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended. Directory information will be released by the District to anyone who requests it unless I object in writing to the release of any or all of this information within 10 school days of the time the student handbook was issued to my student.
Opt. 2 Y N	<i style="text-align: center;">See information on page 35</i>
Opt. 3 Y N	<i style="text-align: center;">See information on page 35</i>
Agree	Many times, parents want to bring a video camera on school grounds to record their son or daughter's "first day of school," however, parents may not record students other than their own child(ren) unless the district has written consent from the other child/children's parent. Even if one parent wanted to give permission to let another parent videotape their student, we cannot efficiently keep up with who is and who is not to be videotaped. Therefore, please do not bring a video camera to school, other than for public events such as cocurricular or extracurricular activities. A still camera is not regulated in this manner. <i style="text-align: center;">See information on page 35</i>
Agree Object	This fall Burleson ISD will once again be administering the Texas Prevention Impact Index (TPII) student survey. This survey will assist the district in collecting data on the incidence of student drug use and violence, attitudes and perceptions of students regarding drug use, attitudes of staff regarding prevention programs, and program specific information. Student surveys will be anonymous , optional, and will be administered to students in grades 6, 8, 9, and 12. <i style="text-align: center;">See information on page 37</i>
Agree Object	I understand and will abide by the Technology Acceptable Use Policy as outlined in this document. I give permission to have my child participate in distance education classes and that participation in these events will not be a violation of his/her rights and hereby release any claims for use of such. <i style="text-align: center;">See information on pages 36 through 40</i>
Agree Object	I give permission for my child's writing, artwork, project, and/or class photo to be published on the Internet according to the Web Publishing Permission information. <i style="text-align: center;">See information on page 41</i>

Parent Signature

Student Name

Class/Homeroom