

2010-2011

STUDENT CODE OF CONDUCT



Dallas Independent School District

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WELCOME TO DALLAS ISD!

This handbook contains information that parents and students must know to ensure a successful school year. The Student Code of Conduct is required by state law and is intended to promote a positive learning environment and safe schools. More information regarding district policies and procedures may be found in board policies and the Student Handbook.

Dallas ISD board policies, as well as state and federal law, are legal guidelines that bind the district, its employees, and students. Such policies and laws take precedence over the information in this Student Code of Conduct, and any conflicts between such shall be interpreted and resolved in compliance with and in favor of board policy and/or applicable laws.

Dallas ISD Mission

The district's mission is to prepare all students to graduate with the knowledge and skills to become productive and responsible citizens.

Overview and Purpose

The Dallas Independent School District's 2010-2011 Student Code of Conduct has been revised to comply with state law as delineated in Chapter 37, Safe Schools Act, and Texas Education Code. The revised code is a collaborative effort between central and campus staff, parents/guardians, and other concerned community members. The Student Code of Conduct, as adopted by the Dallas ISD Board of Trustees, articulates specific expectations regarding appropriate conduct to all students, parents/guardians, teachers, and school administrators of the Dallas ISD.

Four key functions of the Student Code of Conduct are to:

- describe behavior that builds a positive environment for learning,
- delineate specific examples of student misconduct,
- define penalties that will be imposed for specific misconduct, and
- provide for district consistency in the matter of student discipline.

The law requires that the District defines and communicates to students and parents/guardians, student behavioral expectations and the various kinds of misconduct that may, or in some cases, must result in disciplinary consequences. The District's Student Code of Conduct categorizes these infractions as Level I, II, III, IV and V Offenses. The code also indicates the disciplinary responses attached to these infractions.

In general, disciplinary actions will be designed not merely to correct misconduct, but to encourage and motivate students to become responsible citizens of the school community. District personnel will be responsible for implementing all prevention and intervention measures accessible prior to taking punitive action. These measures would include a range of District programs and the services of specialized personnel, as well as appropriate community resources that are available to students and families. In all cases prior to a student being removed to a disciplinary alternative education placement, teachers and

administrators will draw from a range of current discipline management techniques and be correlated to the following:

- seriousness of the offense
- student's age
- grade level
- ability and functioning level
- frequency of misbehavior/disciplinary history
- student's attitude
- effect of the misconduct on the school environment
- statutory requirements
- self-defense, as defined in the Student Code of Conduct
- intent or lack of intent at time student engaged in the misconduct

Policies and procedures (rules) regarding student behavior refer to the actions of students while they are on school property, including actions that occur before, during, and after regular school hours. These rules also apply to all school-sponsored/related activities or events, such as field trips, sports, dances, assemblies, or evening school-related events on or off school property. Students and parents/guardians should be aware that the commission of certain felonious offenses, whether at or away from school, will result in the student's placement in an Off-Campus Disciplinary Alternative Education Program (DAEP) or expulsion to either a Disciplinary Alternative Education Program or the Dallas County Juvenile Justice Alternative Education Program (DCJJAEP).

Level V Offenses may mandate interaction with the judicial system. A Memorandum of Understanding (MOU) exists between the Dallas Independent School District and Dallas County Juvenile Board. The MOU must be carefully observed in order to provide a Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) that meets the needs of both the District and the community through the provision of quality, rehabilitative services to the expelled youth of Dallas County.

Process and Standards

The Administrative Discipline Process

It is important for parents/guardians and the community to understand that the Texas Education Code requires school districts to complete what is termed “administrative processes.” These processes are separate and different from what a juvenile or adult court will do when a student breaks the law. To take action, the District has to show only a preponderance of evidence that a student violated the Student Code of Conduct. The District does not have to show proof beyond a reasonable doubt.

When a student is charged by law enforcement with a penal code violation, the District will act on that charge. The District continues the administrative discipline process, even if the following occurs:

- The district attorney decides not to prosecute.
- The case is non-suited, reduced in severity, or cleared by exception.
- The police do not file a report.
- The grand jury no-bills in an adult proceeding.

The District’s Right to Discipline

When students do not show respect for others, whether they are causing problems that disrupt learning or put safety at risk, they are subject to disciplinary action. In other words, when students break the Student Code of Conduct, there will be consequences.

The Dallas Independent School District may discipline a student:

- during the regular school day and while a student is going to and from school on District buses;
- while the student is attending any school-related activity no matter when or where it takes place;
- for certain Level IV and V Offenses that occur within 300 feet of school property as measured from any point on the real property boundary line;
- for any Level V Offense committed while a student is:
 - a. on school property,
 - b. at a school-related event on or off school property,
 - c. on the school property of another Texas school district,
 - d. attending another district’s school-sponsored or school-related activity, or
 - e. off school property
- when a school employee or volunteer is a victim of retaliation no matter when or where it takes place;
- when a felony is committed, as provided in the Texas Education Code 37.006 or 37.0081;
- when criminal mischief is committed on or off school property or at a school-related event (felony level).

Standards of Student Conduct

The District is committed to the rights of students as recognized and protected under state and federal laws. In addition, the District has enumerated certain expectations (responsibilities) regarding student behavior that, when adopted by students, effect a positive influence on the school and community. A proper balance between rights and responsibilities is essential if the District is to provide the kinds of educational experiences that promote self-responsibility and enhance educational opportunities for all students.

Five standards of student conduct are offered as guides to the development of Campus Classroom Rules for each campus, as well as a districtwide model. These standards assert that responsible students should be encouraged and taught to:

- exercise self-control
 - ✧ use courteous language
 - ✧ resolve conflict in a mature manner
 - ✧ be appropriately dressed and groomed
- demonstrate a positive attitude
 - ✧ take a leadership role
 - ✧ be polite
 - ✧ be cooperative
- respect the rights and feelings of others
 - ✧ behave in a manner that does not disrupt others
 - ✧ treat others with courtesy and respect (i.e., put oneself in the place of the other person, whether that person is another student, teacher, parent/guardian, community person, administrator, lunchroom or custodial worker, or any other person on campus)
- take responsibility for school property
 - ✧ respect the building, grounds, and property
 - ✧ keep the campus free from trash and graffiti
- support the learning process
 - ✧ attend all classes regularly and on time
 - ✧ be prepared for class (i.e., bring assignments, books, and supplies)
 - ✧ listen carefully to instructions
 - ✧ participate in class activities

The districtwide plan to promote positive student conduct in conjunction with the campus/classroom rules is designed to maintain order in the school, foster a climate of mutual respect for the rights of others, and teach students that they are responsible for conducting themselves in a manner appropriate to their age and level of maturity.

General Guidelines and Notifications

Disciplinary Action

Disciplinary action is not just to correct bad behavior. It is also to help students become responsible members of the school community and the larger community in which they live.

The District tries to prevent bad behavior before it starts and will intervene to stop bad behavior from getting worse before taking disciplinary action. To keep from having to take disciplinary action, the District uses special programs and trained personnel to help prevent and intervene, and uses community resources that are available to students and their families.

Offensive Language

It is the position of the Board of Trustees of the Dallas Independent School District that the use of offensive language in the school environment is unacceptable and tends to create a hostile work and educational environment. Such language includes, but is not limited to, the use of slurs or offensive language related to race, ethnicity, gender and/or gender orientation, disability and religious beliefs. In order to maintain a safe and appropriate educational environment for students and employees, all district employees are required to report such violations of the Student Code of Conduct to the appropriate campus administrator. The consequences for such behavior are listed under the category of Level I Offenses.

Self-Defense

In accordance with Chapter 37 of the Texas Education Code, prior to suspension, removal to a disciplinary alternative education program or expulsion, school districts must consider self-defense as a factor in the decision to order such removal. Under the Student Code of Conduct self-defense is defined as, "the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself."

False Accusations

Be advised that teachers, administrators, or any district employee, falsely accused may file a criminal complaint against any person making a false police report. If any district employee is harmed by a student's false accusation the victim may seek civil damages from the student/parent/guardian. These are individual rights and do not belong to the school district. Employees shall consult their own attorney for legal advice and counsel in these situations.

Reporting a Crime

A school administrator will report crimes as required by law, including child abuse. A school administrator who suspects that a crime has been committed on campus will call local law enforcement.

Educator-Student Relationships

The Texas Penal Code Subchapter F, Section 9.62 provides that: "The use of force, but not deadly force, against a person is justified: (1) if the actor is entrusted with the care, supervision, or administration of the person for a special purpose; and (2) when and to the degree the actor reasonably believes the force is necessary to further the special purpose or to maintain discipline in a group."

Further, TEC 22.0512 provides that; "A professional employee of a school district may not be subject to disciplinary proceedings for the employee's use of physical force against a student to the extent justified under Section 9.62 of the Penal Code."

Campus Classroom Rules

In order to establish a positive school climate in which every student can achieve his or her potential, each school is required to develop campus classroom rules that address the kinds of minor misbehaviors that impede the educational process in the classroom or school. This plan is developed through a committee comprised of administrators, parents/guardians, teachers, students, support personnel, and community representatives. From the committee's collaborative effort, a consensus regarding minor offenses, student responsibilities, and discipline management techniques for school offenses only is reached. Campus Classroom Rules and the Student Code of Conduct were designed as guidelines for determining behavior expectations and should be disseminated or communicated to the school community.

It should be noted, once an offense has gone beyond the designation of "school" and is listed as a Level I, II, III, IV or V Offense, the regulations (responses) set forth in the District's Student Code of Conduct apply. Campus/Classroom rules are no longer relevant or applicable in this instance. The Student Code of Conduct applies districtwide and cannot be added to, deleted from, changed, or modified without approval of the Board of Trustees. The Student Code of Conduct must be displayed in every school in a location accessible to all students, parents/guardians, or community members.

Parental Questions or Complaints

When parents/guardians have questions or complaints (also called grievances) regarding consequences, they should talk to the teacher or the campus administrator, as appropriate and in accordance with the District Policy FNG (LOCAL). Parents/guardians may get a copy of the policy from the principal's office or the handbook can be accessed on line at www.dallasisd.org. However, the consequence will not be delayed while waiting for the outcome of a grievance.

Safety and Security

School Safety: Everyone Makes a Difference

Reading the Student Code of Conduct is taking the first step toward making all schools a safe and enjoyable place to learn and grow. Sections in the book will explain the various levels of offenses and consequences when students violate the Student Code of Conduct.

The District's Right to Search

The District has the right to search:

1. a student's outer clothing, pockets, or property by establishing reasonable suspicion or with the voluntary consent of the student - Dallas Independent School District Board of Trustees Policy Code FNF (LEGAL)
2. a vehicle driven to school by a student and parked on school property when there is reasonable suspicion to believe the vehicle contains things prohibited by the District - Dallas Independent School District Board of Trustees Policy Code FNF (LOCAL)
3. a student's locker when there is reasonable suspicion to believe it contains items prohibited by the District.

A student may be searched by other noninvasive means.

Our local policy requires students be notified on an annual basis at the beginning of each school year that they may be subject to search by a metal detector on a random or regular basis – or on the basis of individualized reasonable suspicion that the student possesses a weapon.

ID Badges

Secondary students will be required to wear ID badges at all times. The first ID badge will be issued to the student at no charge. There will be a \$5.00 fee charged for each lost or damaged ID badge. A temporary badge will be provided until the replacement badge is issued. Lanyards will be available for students to purchase. Badges are considered a part of the student dress code. Consequently, failure to wear a badge is a Level I Offense.

Electronic Surveillance

Electronic surveillance may be used to monitor student behavior and school-owned property for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses in accordance with Texas Education Code Section 26.009. Student behavior recorded on electronic surveillance equipment may be subject to disciplinary consequences consistent with the Student Code of Conduct.

Registered Sex Offenders

Upon receiving notification that a student committed an offense on or after September 1, 2007, and is currently required to register as a sex offender, the principal must remove the student from the regular classroom and determine appropriate placement unless the court orders DCJJAEP 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 DCJJAEP for at least one semester.

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

- (1) threatens the safety of other students or teachers;
- (2) will be detrimental to the educational process; or
- (3) is not in the best interest of 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 to review the student's placement. The committee must be composed of:

- (1) a teacher from the home school to which the student would be assigned;
- (2) the student's parole or probation officer or, in the case of a student who does not have a parole or probation officer, a representative of the local Juvenile Probation Department;
- (3) an instructor from the DAEP to which the student was assigned;
- (4) a school district designee; and
- (5) a counselor employed by the school district.

The review under Section 37.306 of the placement of a student with a disability who receives special education services may be made only by a duly constituted Admission, Review, and Dismissal (ARD) Committee.

• Newly Enrolled Student

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

• Appeal

A student or the student's parent/guardian may appeal the placement by requesting a conference between the Board of Trustees or its designee, the student, and the student's parent/guardian. The conference is limited to the factual question of whether the student is required by a court order to register as a sex offender. The burden of proof is on the student or student's parent/guardian.

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

Student Removals

Removal by Teacher

Chapter 37.002 - Texas Education Code

The principal shall respond by employing appropriate discipline management techniques consistent with the Dallas ISD Student Code of Conduct.

(a) A teacher may send a student to the principal's office to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques consistent with the Student Code of Conduct adopted under Section 37.001.

(b) A teacher may remove from class a student:

- (1) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn, or
- (2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

(c) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into a disciplinary alternative education program as provided by Section 37.008. The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities.

(d) A teacher shall remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available. If the teacher removed the student from class because the student has engaged in the elements of any offense listed in Section 37.006(a)(2)(B) or Section 37.007(a)(2)(A) or (b)(2)(C) against the teacher, the student may not be returned to the teacher's class without the teacher's consent. The teacher may not be coerced to consent.

In-School Suspension

In-school suspension (ISS) involves the assignment of a student to a specific room on campus for a period of time to be determined by campus administration. The school shall notify the parent/guardian when a student is assigned to ISS. A student assigned to ISS will receive assignments from each classroom teacher and will be expected to complete all work assigned. Students assigned to ISS will not be eligible to participate in extracurricular activities until the ISS assignment has been completed. The student cannot be assigned for more than 30 cumulative days in one school year.

NOTE: The maximum number of 30 cumulative days allowed does not include Emergency Placement in ISS pending DAEP Placement as such days in ISS are credited against days assigned to the DAEP.

Out-of-School Suspension

A student may be suspended for a period not to exceed three school days when that student's behavior violates the District's standards of student conduct. Before suspending a student, other reasonable alternatives will be given consideration; however, it is not necessary that other disciplinary actions precede the use of suspension. During a suspension, the student's absence will be considered excused, if the student satisfactorily completes the assignments for the period of suspension in accordance with the District Policy EIA (REGULATION) in regard to make-up work. Students who have been suspended are not permitted to participate in extracurricular activities or attend school-related activities until they have successfully completed their suspension.

Student Removals (Continued)

Assignment to the Disciplinary Alternative Education Program

Students 6 years of age through fifth grade will be assigned a minimum of 10 through 50 days to a Disciplinary Alternative Education Program. Students in grades sixth through 12th will be assigned a minimum of 20 through 60 days to a Disciplinary Alternative Education Program. While students are in the Disciplinary Alternative Education Program at the high-school level, only four basic courses are offered: English, social studies, math, and science. Electives, honors, and Advanced Placement (AP) courses are not provided. Consequently, students will not receive credit in these classes. The Texas Education Code 37.008 does not require the District to provide those courses while a student is in a Disciplinary Alternative Education Program. The District provides students with assistance in learning how to change the behavior that caused them to be placed in the program.

A student remains in the home school or in-school suspension pending placement in the Disciplinary Alternative Education Program unless he/she is considered a safety threat or continues to violate the Student Code of Conduct. When that happens, the principal may suspend the student from school for up to three days.

A student's four-year graduation plan (minimum, recommended, or distinguished achievement) may not be altered when the student is assigned to a Disciplinary Alternative Education Program. A student must be offered an opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal before the beginning of the next school year, including correspondence or distance learning opportunities or summer school. The district may not charge for a course required under this section.

Continuations to the Disciplinary Alternative Education Program

Level III Assignments for all students will terminate at the end of the school year regardless of the number of days assigned.

Level IV Assignments for all students will terminate at the end of summer school regardless of the number of days assigned. If a student fails to attend summer school to complete their assignment, they must return to the Disciplinary Alternative Education Program at the beginning of the school year to complete the days assigned.

This provision does not apply to students assigned to the Dallas County Juvenile Justice Alternative Education Program for Level V Offenses.

Dallas ISD will honor other school districts' assignments to the Disciplinary Alternative Education Program; however, if the assignment is greater than the time allotted by Dallas ISD for the same offense, the Dallas ISD Student Code of Conduct will prevail. If the student owes less time than the Dallas ISD requires, the other school district's placement will prevail.

DAEP Good Day

Student assignments to Disciplinary Alternative Education Program may be reduced by one day for every full week (Monday-Friday) if they have had perfect attendance with no behavior referrals. This applies to all Disciplinary Alternative Education Programs but not to the Dallas County Juvenile Justice Alternative Education Program.

Assignment to the Dallas County Juvenile Justice Alternative Education Program

When students commit Level V Offenses as listed in the Student Code of Conduct, they are assigned to the Dallas County Juvenile Justice Alternative Education Program 1673 Terre Colony Ct. Dallas, Texas 75212. If students are younger than 10, they are assigned to the District's Disciplinary Alternative Education Program.

The Dallas County Juvenile Justice Alternative Education Program is a school program operated by Dallas County, Monday through Friday. While in the program, students must wear uniforms. Students are transported to and from their homes by bus. Only basic courses are provided as required by Texas Education Code 37. While students are in the Dallas County Juvenile Justice Alternative Education Program at the high-school level, only four basic courses are offered: English, social studies, math, and science. Electives and AP (Advanced Placement) courses are not provided. The program provides students with assistance in learning how to change the behavior that caused them to be assigned to the program.

Students are assigned to the program for 90 good days. However, students whose offenses involve firearms must be assigned to the Dallas County Juvenile Justice Alternative Education Program for one year. Pursuant to Public Law 103-382 Sec. 14601 GUN-FREE REQUIREMENTS, a local educational agency must expel a student from school for a period of not less than one year who is determined to have brought a weapon to a school.

Students assigned to the DCJJAEP shall not be on any public school campus or attend any school activities until the student completes the disciplinary assignment. If a student returns to school, they can be charged with trespassing or a loss of a good day at DCJJAEP.

JJAEP Good Day

A Good Day at Dallas County Juvenile Justice Alternative Education Program (JJAEP) is defined as a student in attendance and in compliance with the behavior standards set forth in the JJAEP Student Code of Conduct.

Level I Offenses and Consequences

In the event of such an offense, parent/guardian will be notified by phone and may be requested to attend a conference with the administrator to discuss the offense and subsequent disciplinary action.

The principal or other appropriate administrator shall schedule the conference within three days. (Texas Education Code Sec. 37.009)

Level I Offenses

- Bus misconduct (not defined as a Level II, III, IV, or V Offense)
- Cheating/copying
- Classroom disruption
- Dress and grooming code violations*
- Leaving school grounds/ events without permission
- Offensive language
- Possessing a laser pointer
- Possession of any electronic devices (i.e., CD players, MP3 players, iPods, Game Boys, Nintendos, or other video, listening or entertainment device) during school hours
- Profanity/obscene gestures toward other students
- Safety rule violation
- Scuffling
- Secret society
- Use of a paging device or cellular phone during the school day

Level I Disciplinary Consequences

- Assignment of school duties such as scrubbing desks or picking up litter
- Behavioral contracts or individually developed behavior management plans
- The cell phone is confiscated and a fee of \$5-\$15 may be charged for the return of the phone. School district is not liable for lost or stolen cell phones. All confiscated phones must be turned in to the principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated.
- Classroom self-management techniques
- Community service
- Cooling-off time or "time-out"
- Counseling by teachers, counselors, or administrative personnel
- Detention before school, lunch, after school or Saturday school
- Electronic devices will be confiscated if used during instructional day. School district is not liable for lost or stolen electronic devices.
- Parent/ guardian contracts to restrict home privileges
- Parent/guardian observations in student's classes
- Parent/guardian conference with teacher or administrator
- Peer mediation
- Placement in another appropriate classroom
- Referral to Student Support Team/outside agency/legal authority/Youth and Family Center
- Restitution/restoration, if applicable
- Demerits
- School-assessed and school-administered probation
- Seating changes within the classroom
- Teacher removal or referral (consistent with Student Code of Conduct)
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior
- Temporary confiscation of items that disrupt the educational process
- Verbal correction
- Voluntary peer mediation/ family management classes community service
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations
- Withdrawal or restriction of bus privileges

*An in-school suspension assignment of one day can be given for dress and grooming code violations or failure to have an ID badge. The student should be removed from ISS, if the parent brings appropriate attire and/or ID badge.

Parent/guardian shall be notified within 24 hours verbally or in writing concerning the alleged act of misconduct for which disciplinary action is being considered.

Cellular Phones



Cellular Phones and Pagers/Beeepers

The District prohibits the use of cellular phones and pagers/beepers at all schools during the instructional school day. Middle school and high school students may possess cellular phones and pagers/beepers. However, such devices shall not be visible and shall remain off during the instructional school day. Elementary students are not allowed to possess cellular phones on campus. Secondary principals, working in consultation with the Site-Based Decision Making Committee (SBDM), Parent Teacher Association (PTA), campus and district level administrative staff, have the option to ban cellular phones from the campus. THIS POLICY WILL BE STRICTLY ENFORCED BY ALL SCHOOL PERSONNEL. All confiscated phones must be turned in to the principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated. - Dallas Independent School District Board of Trustees Policy Code FNCE (LOCAL)

Campus administrators shall have the discretion to determine the appropriate use of cellular phones during the instructional day and for students participating in extracurricular activities while on school property or while attending school-sponsored or school-related activities on or off school property. However, all cellular phones must be turned off during instructional time.

The District is not liable for lost or stolen cell phones. All confiscated phones must be turned in to the principal's office immediately, if possible, or as soon as practicable the day the phone is confiscated. All staff members must place confiscated cell phones in a secure location. Once the cell phone has been confiscated, the following procedure will be used to return the device:

1. The **first time** a cell phone is confiscated, it can be picked up by the student or parent no earlier than the following school day. An administrative fee of \$5 will be charged before the device can be returned.
2. The **second time** a cell phone is confiscated, it can be picked up by the student or parent no earlier than the following Monday. An administrative fee of \$10 will be charged before the device can be returned. Parents will be notified that the student's device has been confiscated for the second time.
3. If a cell phone is confiscated a **third time**, it will be kept for 30 days. An administrative fee of \$15 will be charged before the device can be returned.
4. If a cell phone is confiscated a **fourth time**, it will be kept until the end of the school year. An administrative fee of \$15 will be charged before the device can be returned. Any device not claimed by September 1 following the end of the school year will be disposed of according to District Policy FNCE (LOCAL).
5. Any student refusing to give the device to school personnel will be subject to Level II disciplinary consequences.

Level II Offenses and Consequences

In the event of such an offense, parent/guardian will be notified by phone and may be requested to attend a conference with the administrator to discuss the offense and subsequent disciplinary action.

The principal or other appropriate administrator shall schedule the conference within three days. (Texas Education Code Sec. 37.009)

Level II Offenses

- Computer system violations
- Disrespect of school personnel
- Extortion/blackmail
- Falsification of school records
- Gambling
- Possessing/distributing/exhibiting/transmitting obscene items
- Possessing/selling drugs/dispensing medicine violation
- Possessing/using tobacco or related products
- Sexual harassment/sexual abuse (not defined as a Level III, IV or V Offense)
- Threats (student on student)

Level II Disciplinary Consequences

- Assignment of school duties such as scrubbing desks or picking up litter
- Behavioral contracts or individually developed behavior management plans
- Classroom self-management techniques
- Community service
- Cooling-off time or "time-out"
- Counseling by teachers, counselors, or administrative personnel
- Detention before school, lunch, after school or Saturday school
- In-school suspension maximum of three days
- Out-of-school suspension for up to two days following a conference
- Parent/guardian contracts to restrict home privileges
- Parent/guardian observations in student's classes
- Parent/guardian conference with teacher or administrator
- Peer mediation
- Placement in another appropriate classroom
- Referral to Student Support Team/outside agency/legal authority/Youth and Family Center
- Restitution/restoration, if applicable
- School-assessed and school-administered probation
- Seating changes within the classroom
- Teacher removal or referral
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior
- Temporary confiscation of items that disrupt the educational process
- Verbal correction
- Voluntary peer mediation/family management classes/community service
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations
- Withdrawal or restriction of bus privileges

Level III Offenses and Consequences Discretionary

The offense may have been committed on school property or at a school-sponsored event on or off school property. Parent/guardian will be notified by phone and requested to attend a disciplinary conference with the administrator.

The principal or other appropriate administrator shall schedule the conference/hearing within three days. (Texas Education Code Sec. 37.009)

Level III Offenses

- Assault (Class C) (student on personnel or volunteer) – student may be placed in the DAEP on the first offense.
- Assault Class C (student on student)
- Breach of computer security
- Bullying
- False accusation of conduct that would constitute a misdemeanor or felony
- Fighting
- Gang activity
- Harassment
- Hazing
- Hit list
- Knife possession-not an illegal knife
- Non-Title 5 felony (These are felony offenses committed off campus that are not against another person.) The school is notified by the police.
- Possessing a toy gun, look-alike gun, pellet gun, or stun gun
- Possession or use of fireworks or other explosive devices
- Profanity/obscene gestures toward personnel – (see text box below)
- Repetitive Level II Offenses (Six Level II Offense referrals occurring within a period of 45 rolling school days.) – The Student Support Team is required.
- Stealing/theft
- Suspicious drug activity
- Threats (student on personnel/facility) – (see box on next page)
- Vandalism/criminal mischief not a felony
- Video or audio recording of students or employees for disruptive purposes

Level III Disciplinary Consequences

- Assignment of school duties such as scrubbing desks or picking up litter
- Behavioral contracts or individually developed behavior management plans
- Community service
- Cooling-off time or “time-out”
- Counseling by teachers, counselors, or administrative personnel
- Detention before school, lunch, after school or Saturday school
- Extracurricular activities restriction
- In-school suspension maximum of five days
- Off-Campus Disciplinary Alternative Education Program is permissible for students that commit the same offense more than one time. The student may be removed anytime the offense creates a major school disruption or if the offense is a Class C Assault (student on personnel). The length of disciplinary assignment will be determined by the principal based on the following:
 - seriousness of the offense
 - student’s age
 - grade level
 - ability and functioning level
 - frequency of misbehavior/disciplinary history
 - student’s attitude
 - effect of the misconduct on the school environment
 - statutory requirements
 - self-defense, as defined in the Student Code of Conduct
- intent or lack of intent at time student engaged in the misconduct
- Out-of-school suspension for up to three days (Texas Education Code 37.005). A telephone or in person conference with parent/guardian must be held prior to the suspension.
- Outside social services agency referral
- Parent/guardian contracts to restrict home privileges
- Parent/guardian observations in student’s classes
- Parent/guardian conference with teacher or administrator
- Peer mediation
- Dallas ISD Police and Security Services Department notification
- Restitution/restoration, if applicable
- Demerits
- School-assessed and school-administered probation
- Seating changes within the classroom
- Techniques or penalties identified in individual student organizations’ extracurricular standards of behavior
- Temporary confiscation of items that disrupt the educational process
- Verbal correction
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations
- Withdrawal or restriction of bus privileges

Students age 6 through fifth grade will be assigned a minimum of 10 through 20 days with behavior modifications.

Students in grades sixth through 12th will be assigned a minimum of 20 through 30 days with behavior modifications.

Note: Students under the age of 6 cannot be placed in a Disciplinary Alternative Education Program, (Texas Education Code 37.006).

Level III Offenses and Consequences (Continued) Discretionary

Students committing the following offenses:

- profanity/obscene gestures toward personnel
- threats (student on personnel/facility)

shall be assigned to serve one of the following consequences:

- in-school suspension maximum of five days minimum of three days
- out-of-school suspension for up to three days (Texas Education Code 37.005)
- off-campus Disciplinary Alternative Education Program is permissible for students that commit the same offense more than one time or the offense creates a major school disruption.

In order to help both elementary and secondary students who are assigned to the District's Disciplinary Alternative Education Programs to improve their behavior and include parents/guardians in this process, the District is offering the following optional plan, provided funding is available. Parent/guardian will be informed of this plan at the time of the intake at the Disciplinary Alternative Education Program. Students assigned to the Off-Campus Secondary DAEP can achieve early release from their assignment by earning two days for each Saturday they attend supporting sessions that focus on Developmental Asset Building. Parent/guardian and students must attend sessions together, on time and remain for the entirety. These supporting sessions allow parent/guardian and student to build bridges of communication and expectations of behavior at home, in the community and at school. The student and parent/guardian work separately and then together during these sessions to discover how to resolve disagreements, earn respect, and avoid future incidents of poor behavior at school. Once the parent/guardian and student have completed the Saturday sessions, the DAEP principal will determine compliance and award the number of days earned.

Parent/guardian shall be notified within 24 hours verbally or in writing concerning the alleged act of misconduct for which disciplinary action is being considered.

The length of stay for students age 6 through fifth grade will be a minimum of 10 through 20 days with behavior modifications. The length of stay for students in grades sixth through 12th will be a minimum of 20 through 30 days with behavior modifications for Level III removals. The Disciplinary Alternative Education Program principal shall reduce the date of return based on the plan and/or the perfect attendance good day policy.

A student enrolled in a special education program under Texas Education Code Chapter 29 Subchapter A, may not be disciplined for bullying, harassment or hit list making until a Manifestation Determination, Admission, Review and Dismissal Committee (MD-ARD) has been held to review the conduct. Such review shall be consistent with a MD-ARD as required under the Individuals with Disabilities Education Improvement Act (IDEIA). Consistent with state law, no disciplinary action of any kind may be imposed prior to the MD-ARD Committee meeting, including removals from class or school or change of placement for any period of time. The federal 10-day change of placement rule does not apply for this category of misconduct.

A student who is a victim of bullying may exercise mandatory transfer rights. Dallas Independent School District Board of Trustees Policy Code FDB (LOCAL)

The 300-foot rule does not apply to the Level III Offenses.

Graduating seniors assigned to a Disciplinary Alternative Education Program will complete their assigned placement through graduation, if applicable. The student will not be allowed to attend any senior activities, except graduation rehearsal and the graduation ceremony.

Graduating seniors will be allowed to receive the minimum coursework required for graduation. The home school will provide AP course work and elective courses not taught at the Disciplinary Alternative Education Program.

Level IV Offenses and Consequences Mandatory

The offense can be committed 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 event on or off school property. Parent/guardian will be notified by phone and requested to attend an administrative hearing with the administrator.

The principal or other appropriate administrator shall schedule the conference/hearing within three days. (Texas Education Code Sec. 37.009)

Level IV Offenses

- Alcohol (nonfelony) - This includes possession, delivery, under the influence or use. (See the definition in the glossary for "under the influence" and "use").
- Assault (Class A) (student on student)
- Drugs (nonfelony) (i.e., marijuana, prescription drug) - This includes possession, delivery, under the influence or use. (See the definition in the glossary for "under the influence" and "use").
- Felony conduct (if not expellable)
- Indecent exposure
- Inhalant abuse
- Kidnapping
- Public lewdness
- Retaliation against school employee any place (if not expellable)
- Students enrolling in Dallas ISD from another school district's Disciplinary Alternative Education Program will be assigned to a Disciplinary Alternative Education Program to complete the required assignment. If the time owed is greater than Dallas ISD requirements, the Dallas ISD Student Code of Conduct will prevail.

Level IV Disciplinary Consequences

- Dallas County Juvenile Department referral
- Dallas ISD Police and Security Services Department notification
- Emergency placement to in-school suspension pending an assignment to Off-Campus Disciplinary Alternative Education Program
- Mandatory extracurricular activities restriction
- Outside social services agencies referral
- Restitution/restoration, if applicable
- Student owes time from another district
- Mandatory Off-Campus Disciplinary Alternative Education Program with behavior modifications following a hearing. The length of disciplinary assignment will be determined by the principal based on the following:
 - seriousness of the offense
 - student's age
 - grade level
 - ability and functioning level
 - frequency of misbehavior/disciplinary history
 - student's attitude
 - effect of the misconduct on the school environment
 - statutory requirements
 - self-defense, as defined in the Student Code of Conduct
 - intent or lack of intent at time student engaged in the misconduct

Students age 6 through fifth grade will be assigned a minimum of 20 through 30 days with behavior modification.

Students in grades sixth through 12th will be assigned a minimum of 30 through 60 days with behavior modifications.

Note: Students under the age of 6 cannot be placed in a Disciplinary Alternative Education Program (Texas Education Code 37.006)

Parent/guardian shall be notified within 24 hours verbally or in writing concerning the alleged act of misconduct for which disciplinary action is being considered.

The Disciplinary Alternative Education Program principal will determine the date of return.

A student may be removed for a nonfelony drug offense on the basis of a field test. Subsequent laboratory testing may result in a change of placement consistent with the Student Code of Conduct. If laboratory results are negative, the student may be returned to the campus or remain in an appropriate alternative educational setting consistent with the Student Code of Conduct.

Graduating seniors assigned to a Disciplinary Alternative Education Program prior to the month of May must complete their assigned amount of time through graduation, if applicable. The student will not be allowed to attend any senior activities, except graduation rehearsal and the graduation ceremony.

Graduating seniors, who commit a Level IV Offense after May 15, cannot participate in any graduation activities including graduation rehearsal or the graduation ceremony. The referral must be approved by the Office of Student Discipline.

Students who have been removed for a Level IV Offense may not return to any Dallas ISD facility, including for extracurricular activities, except the alternative school during the assigned term.

Graduating seniors will be allowed to receive the minimum coursework required for graduation. The home school will provide AP course work and elective courses not taught at the Disciplinary Alternative Education Program.

Level V Offenses and Consequences Expellable

The principal or other appropriate administrator shall schedule the conference/hearing within three days. (Texas Education Code Sec. 37.009)

Level V Offenses are either violations of state law or behaviors that seriously disrupt the educational process. Every illegal act will require notification of law enforcement. Students ages 6 through nine are removed from class and placed in a Disciplinary Alternative Education Program for committing expellable offenses.

Expulsions: The offenses listed below shall be Level V Offenses. These offenses may be committed on school property or a school-related event on or off school property or another school district's property. The 300-foot rule applies to these offenses.

Level V Offenses

- Aggravated assault (student on personnel/volunteer)
- Aggravated assault (student on student)
- Aggravated kidnapping
- Aggravated robbery
- Aggravated sexual assault (student on personnel/volunteer)
- Aggravated sexual assault (student on student)
- Alcohol punishable as a felony
- Arson
- Assault with bodily injury (student on personnel/volunteer)
- Attempt to commit murder
- Club
- Criminal mischief (felony = \$1,500+)
- Criminally negligent homicide
- Deadly conduct
- False alarm (Penal Code 42.06)
- Firearm (including starter gun)
- Illegal knife
- Indecency with a child
- Manslaughter
- Murder and capital murder
- Possession of drugs punishable as a felony (i.e., heroin, cocaine, cheese, LSD, methamphetamine, etc.)
- Prohibited weapon
- Retaliation against school employee or volunteer any place in association with one of the above offenses committed on or off school property or at a school-related activity on or off school property
- Serious or persistent misbehavior in an Off-Campus Disciplinary Alternative Education Program (see definition)
- Sexual assault (student on personnel/volunteer)
- Sexual assault (student on student)
- Terroristic threat (Penal Code 22.07)
- Title 5 felonies. A felony offense is committed off campus against another person.

Level V Disciplinary Consequences

- Dallas County Juvenile Department referral
- Dallas ISD Police and Security Services Department notification
- Expulsion and juvenile court referral to the Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) for 90 good days or one year for firearms
- Mandatory restriction from being on school grounds or extracurricular activities.
- Referral to outside social services agencies
- Restitution/restoration, if applicable
- Restriction from attending any public school in the state of Texas until the expulsion period or the obligation to the Off-Campus Disciplinary Alternative Education Program/ Dallas County Juvenile Justice Alternative Education Program is over, except when receiving school district agrees to enroll student

Students age 10 and over will be assigned to the Dallas County Juvenile Justice Alternative Education Program.

Students under the age of 10 will not be expelled for committing Level V Offenses but they will be placed in the Off-Campus Disciplinary Alternative Education Program a minimum of 40 through 50 days or one year for firearms. The length of disciplinary assignment will be determined by the principal based on the following:

TITLE 5 OF THE TEXAS PENAL CODE—OFFENSES AGAINST THE PERSON

Offenses against a person include the following:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Abandoning or endangering a child • Aggravated assault • Aggravated kidnapping • Aggravated robbery - The Dallas ISD considers this a crime against a person. • Aggravated sexual assault • Aiding a suicide • Capital murder • Continuous sexual abuse of a young child or children • Criminally negligent homicide • Deadly conduct • Indecency with a child | <ul style="list-style-type: none"> • Improper relationship between educator and student • Improper photography or visual recording • Injury to a child, elderly individual, or disabled individual • Kidnapping • Manslaughter • Murder • Sexual assault • Tampering with a consumer product • Terroristic threat • Trafficking of persons • Unlawful restraint • Unlawful transport |
|--|--|

- seriousness of the offense
- student's age
- grade level
- ability and functioning level
- frequency of misbehavior/disciplinary history
- student's attitude
- effect of the misconduct on the school environment
- statutory requirements
- self-defense, as defined in the Student Code of Conduct
- intent or lack of intent at time student engaged in the misconduct

Level V Offenses and Consequences (Continued)

Expellable

Note: Students under the age of 6 cannot be placed in a Disciplinary Alternative Education Program, (Texas Education Code 37.006), unless the student commits a federal firearm offense (Public Law 103-382 Sec. 14601).

Graduating seniors assigned to a Dallas County Juvenile Justice Alternative Education Program prior to May 1, must complete their assigned amount of time through graduation, if applicable. The student will not be allowed to attend any senior activities, except graduation rehearsal and the graduation ceremony.

Graduating seniors, who commit a Level V Offense after May 15, cannot participate in any graduation activities, including graduation rehearsal or the graduation ceremony. The referral must be approved by the Office of Student Discipline.

Students who have been expelled are not allowed on campus.

Parent/guardian shall be notified within 24 hours verbally or in writing concerning the alleged act of misconduct for which disciplinary action is being considered.

A student shall be removed for any felony drug offense. If laboratory results performed by or obtained by the school district are negative, the student will be returned to the home campus.

A student who is a victim of sexual assault or aggravated assault may exercise mandatory transfer rights. A student convicted or adjudicated for sexual assault or aggravated assault may be subject to a mandatory transfer at the victim's request. Dallas Independent School District Board of Trustees Policy Code FDB (LOCAL)

Students assigned to the Dallas County Juvenile Justice Alternative Education Program will remain at home until they are notified by the Dallas County Juvenile Justice Alternative Education Program.

Graduating seniors assigned to the Dallas County Juvenile Justice Alternative Education Program will be allowed to receive the minimum coursework required for graduation. The home school will provide AP course work and elective courses not taught at the Dallas County Juvenile Justice Alternative Education Program.

**Appeal Process/Procedure
for
Off-Campus Disciplinary Alternative Education Program (DAEP)/
Dallas County Juvenile Justice Education Program (DCJJAEP)**

A parent/guardian will be provided with a copy of the referral, the appeal process, and an appeal form at the conclusion of the hearing. A parent/guardian has the right to request an appeal within 10 school days following a hearing. The student may be represented by the parent/guardian or another adult representative. The student will continue to serve the assignment at the Disciplinary Alternative Education Program/Dallas County Juvenile Justice Education Program and may not return to the regular classroom pending the appeal. Appeals should be made through the following progression:

- All Off-Campus Disciplinary Alternative Education Program/Dallas County Juvenile Justice Education Program assignments for Level III, IV, and V Offenses shall be appealed in the following order:
 1. Districtwide Student Discipline Hearing Officer
 2. Office of Student Discipline
 3. Board of Trustees - The decision of the Board is final, except for
 4. Level V Offenses, which can be appealed to the State District Court of Dallas County. The decision of the District Court is final.

Students with Disabilities

- The Special Education Appeal Process is used if the parent/guardian disagrees with the disciplinary action decided at the formal hearing. The disciplinary action shall be appealed in the following order:
 1. Districtwide Student Discipline Hearing Officer
 2. Office of Student Discipline
 3. Board of Trustees - The decision of the Board is final except for
 4. Level V Offenses, which can be appealed to the State District Court of Dallas County. The decision of the District Court is final.

- If the parent/guardian disagrees with the Manifestation Determination, Review, and Dismissal (MD-ARD) Committee decision, the parent/guardian has a right to a Texas Education Agency expedited administrative hearing.

MD-ARD Appeal Process

1. Recess MD-ARD for 10 school days for reconsideration of recommendation, or
 2. Request a Texas Education Agency expedited administrative hearing.
 3. Stay put rule does not apply for disciplinary placements.
- Parent/guardian rights regarding the removal of students with disabilities:
 1. The parent/guardian must be notified of the disciplinary decision on the day that the action occurs.
 2. The parent/guardian must receive a copy of "An Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School" upon convening the MD-ARD Committee meeting.
 3. Appropriate educational services must continue in all cases.

If a student withdraws from Dallas ISD, the school district loses its jurisdiction to consider appeals.

Dallas Independent School District Student Code of Conduct Glossary

The terms and definitions are general in nature. The interpretation and application of the terms and definitions are within the sole discretion of the school district.

A

Administrative Hearing - before removal to an Off-Campus Disciplinary Alternative Education Program or expulsion to Dallas County Juvenile Justice Alternative Education Program, each student must be provided a hearing, which includes notice of alleged misconduct and proposed consequences and an opportunity to be heard. Student may be represented by the parent/guardian or another adult representative.

Aggravated Assault - (Penal Code 22.02) causes serious bodily injury to another, including a person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.

Aggravated Robbery - (Penal Code 29.03) a person commits an offense if he/she commits robbery as defined in Section 29.02 and he/she: causes serious bodily injury to another; uses or exhibits a deadly weapon; or causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is: 65 years of age or older or disabled.

Alcohol - any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted. Beer, ale, malt liquor, and liquor are all alcoholic beverages.

Arson - the willful burning or attempt to maliciously burn a structure.

Assault - intentionally, knowingly, or recklessly causing bodily injury to another person; intentionally or knowingly threatening another with imminent bodily injury; intentionally, knowingly, or recklessly causing physical contact with another when the person knows or should reasonably believe that the other would regard the contact as offensive or provocative.

Attempt to commit murder - (Penal Code 15.01) a person commits the offense of criminal attempt to commit murder or capital murder if, with the specific intent to commit the murder or capital murder, the person does an act amounting to more than mere preparation that tends but fails to effect the commission of the offense intended.

B

Battery - the act of battering - unlawfully beating or using force on a person.

Behavior - the way a person acts.

Behavior Contract – is a written agreement between a student and one or more school personnel. The parent/guardian can also be a party in the agreement. The student agrees to meet specific expectations.

Blackmail - obtaining money or other objects of value from an unwilling person or forcing a person to act through the use of force or threat of force.

Boycott - collective action to refuse to have any dealing with an event or activity.

Breach of Computer Security - a student who engages in conduct that contains the elements of a “breach of computer security” may be removed to an Off-Campus Disciplinary Alternative Education Program. A student commits this offense if he/she: knowingly accesses a computer, computer network or computer system without the effective consent of the owner. Intentionally or knowingly gives a password, identifying code, personal identification number, debit card number, bank account number, or other confidential information about a computer security system to another person without the effective consent of the person employing the computer security system to restrict access to a computer, computer network, computer system or data.

Bullying – written/oral expression or physical conduct:

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

C

Class Disruption - any behavior that is consistent with the Level I offenses in the Student Code of Conduct and interferes with the teacher's opportunity to present material or any other student's opportunity to concentrate on the material or their assignments.

Club - an instrument that is specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, or a tomahawk.

Contract - an agreement between two or more people to do something.

Copying – is the action of reproducing the schoolwork of another person with intent to represent it as one's own.

Criminal Mischief - elements of criminal mischief constituting a felony are defined as intentionally or knowingly damaging or destroying the tangible property of an owner, or tampering with such property in a manner which causes pecuniary loss or substantial inconvenience to the owner or a third person, without the effective consent of the owner.

Criminally Negligent Homicide - a person commits an offense if he/she causes the death of an individual by criminal negligence.

D

Deadly Conduct - a person commits an offense if he/she recklessly engages in conduct that places another in imminent danger of serious bodily harm. A person commits an offense if he/she knowingly discharges a firearm at or in the direction of: one of more individuals; a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another vehicle whether or not the actor believed the firearm to be loaded.

Defacing School Property - destroying or damaging school property, including buses, whether during school hours, out-of-school hours, or vacation time.

Detention - a teacher or administrator may detain a student after school hours for disciplinary action according to Dallas Independent School District Board of Trustees Policy Code FO (LOCAL). The period of time for which a student is assigned to detention shall be used for educational purposes. For all students, detention shall not begin until notice has been given to the parents. Parents may be required to provide transportation when the student has been assigned detention.

Disciplinary Alternative Education Program (DAEP) - instruction is provided in a setting other than a student's regular classroom. The location may be on or off a regular school campus, but students who are assigned to the Disciplinary Alternative Education Program are separated from students who are not assigned to the Disciplinary Alternative Education Program. Instruction provides for students' educational and behavioral needs and focuses on English, math, science, history, and self-discipline. Students must be at least 6 years old and have committed an offense that requires removal from the regular education program to a Disciplinary Alternative Education Program. Elementary students are separated from secondary students.

Disruption on School Bus/Private Bus - disobedience or misbehavior on a school or private bus.

Drugs - (felony level) including but not limited to, cheese, methamphetamine, cocaine, LSD, ecstasy, acid, heroin, and marijuana (four ounces or more).

Drugs - (nonfelony level) including but not limited to marijuana (less than four ounces) and prescription drugs.

E

Exhibition of Firearm – a person commits an offense if, in a manner intended to cause alarm or personal injury to another or to damage school property, the person intentionally exhibits, uses, or threatens to exhibit or use a firearm: (1) in or on any property, including a parking lot, parking garage, or other parking area, owned by a private or public school; or (2) on a school bus being used to transport children to or from activities of a private or public school. (Texas Education Code 37.125)

Expulsion - is the most severe consequence of a student's misbehavior at a school, on school property, or at a school-related event on or off school property. Students age 10 and older may be subject to adjudication by district court and assigned to the Dallas County Juvenile Justice Alternative Education Program (DCJJAEP).

Extortion - the act or an instance of obtaining money or other object of value by coercive means, such as threats or intimidation.

F

False Fire Alarms - knowingly making or aiding in the making or sounding of a fire alarm when the alarm is not needed or there is no fire. Emergency vehicles (police or fire) are dispatched and/or building has to be evacuated.

Felony Alcohol - an example would be intoxication manslaughter.

Felony Controlled Substance – examples would include four ounces or more of marijuana, any amount of cocaine, and other controlled substances.

Fighting – fighting is two or more students that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s).

Firearms - any device designed, made, or adapted to expel a projectile through a barrel using the energy generated by an explosion or burning substance or any device readily converted to that use.

Forgery/Forging - imitating an original piece of writing with the intent to deceive.

G

Gang Activity- three or more students having a common identifying sign/symbol or identifiable leadership who constantly or regularly associate in the commission of criminal activity.

Gambling - betting money or any other item of value on the outcome of any event, game, or contest.

Graffiti – (Penal Code 28.08) when a person without consent of the owner intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or painting, on tangible property of the owner with:

1. aerosol paint,
2. an indelible marker, or
3. an etching or engraving device.

H

Harassment – threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

Hazing – 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 or knife as defined in the Penal Code, or any other object to be used with intent to cause bodily injury.

I

Illegal Knife - knife with a blade of five and one half inches or greater; hand instrument designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, poniard, bowie knife, sword; or spear.

Immoral Conduct - lewd, lascivious, or indecent acts including indecent sexual propositions, indecent exposure, or obscene gestures.

Indecent exposure – a person commits an offense if he/she exposes his/her anus or any part of his/her genitals with intent to arouse or gratify the sexual desire of any person, and he/she is reckless about whether another is present who will be offended or alarmed by his/her act.

Indecency with a child - a person commits an offense if, with a child younger than 17 years and not his spouse, whether the child is of the same or opposite sex, he/she: engages in sexual contact with the child or exposes any part of his/her genitals knowing the child is present, with intent to arouse or gratify the sexual desire of any person.

Inhalant abuse - a student commits an offense of this category if the student: inhales, ingests, applies, uses, or possesses glue, aerosol paint, or volatile chemical with intent to inhale, ingest, apply, or use it in a manner contrary to directions for use, cautions, or warnings appearing on a label of a container of the glue or paint and designed to affect the person's central nervous system; create or induce a condition of intoxication, hallucination, or elation or change; or distort or disturb the person's eyesight, thinking process, balance, or coordination.

In-School Suspension - a student is removed from his/her regular education setting to an alternative setting on the campus (not Disciplinary Alternative Education Program).

K

Kidnapping – a person intentionally or knowingly abducts another person.

L

Loitering - lingering about the school premises in an aimless fashion.

M

Major School Disruption – behavior involving three or more students that physically interrupts, delays, or impedes the progress, movement or procedures of the overall campus resulting in displacement of students or discontinuity of school operations.

Manslaughter - a person commits an offense if he/she recklessly causes the death of an individual.

Misbehavior - behavior that is contrary to expectations stated in the Student Code of Conduct. Behavior that prevents the teacher from carrying out the teaching process.

Murder - a person commits an offense containing the elements of murder if he/she: intentionally or knowingly causes the death of an individual; intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual; or commits or attempts to commit a felony, other than manslaughter, and in the course of and in furtherance of the commission or attempt or in immediate flight from the commission or attempt, he commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual.

N

Non-Title 5 Felonies – a person charged with a felony off campus, occurring any time or place not against another person.

O

Obscene Material – is material that is offensive to the acceptable standards of the majority in a community.

Offense - an act of misbehavior in the Student Code of Conduct or may be implied from the examples in that code.

Offensive Language – using inappropriate language, generally described as derogatory, harmful, and/or demeaning, that is directed toward an individual or group of individuals at school or school-related events or activities. This includes but is not limited to language related to race, ethnicity, gender and/or gender orientation, disability and religious beliefs.

Out-of-School Suspension - a student is removed from school for up to three days. A partial day of suspension counts as one of the three.

P

Parents - includes single parent, legal guardian, person in lawful control or person standing in parental relationship to a student.

Peer Mediation – peer-to-peer resolution of conflict using good communication skills.

Penalty - a consequence for violating a provision of the Student Code of Conduct.

Possession - shall constitute the intentional, knowing or reckless carrying of an “a substance or item” on or about the person, whether or not such “substance or item” is actually found on the student, provided that there are reliable witnesses or other corroborating evidence that the student was previously in possession. “Possession” shall include a “substance or item” found on the premises, or within 300 feet of school property if located in the student’s vehicle, locker, book bag, purse, clothing or other personal belongings under the exclusive control of the student.

Profanity - using language that is outside the standards of acceptable language of the majority of persons in the community. Cursing and vulgar words and phrases are examples of profanity.

Prohibited Weapon - an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles (i.e., brass knuckles), armor-piercing ammunition, a chemical dispensing device (i.e., mace or pepper gas), or a zip gun.

Protest - to make objection in words or acts.

Public Lewdness - knowingly engaging in any sexual act in a public place or in the presence of another person who will be offended or alarmed by such act(s).

R

Reassignment of Classes - the removal of a student for persistent misbehavior from his or her assigned classroom to another class on the same campus. To the extent possible, the student should continue to receive instruction in the courses he or she was enrolled in when the removal became effective.

Repetitive Level II Offenses – six Level II Offense referrals occurring within a period of 45 rolling school days. Student Support Team intervention is required.

Restitution - making good or restoring objects that have been lost or damaged, returning them to the owner.

Retaliation – knowingly, willingly, or recklessly causing harm to a school district employee or volunteer including but not limited to bodily, property or psychological injury as result of the person’s employment or association with the school district if committed anywhere.

Robbery - (Penal Code 31.02) – a person commits an offense if in the course of committing theft as defined in Chapter 31 and with the intent to obtain or maintain the control of the property, he/she: (1) intentionally, knowingly, or recklessly, causes bodily injury to another or (2) intentionally, knowingly, or threatens or places another in fear of imminent bodily injury or death.

Rolling Days – no beginning or ending date. The administrator counts back 45 school days from the date of the last offense to determine the length of time during which the six referrals must have occurred.

S

School Property - any property owned by the school district or over which the school district or its personnel exert lawful authority and may include property visited by students in connection with a school-sponsored activity such as a field trip or extracurricular activity.

Secret Societies - an organization composed of pupils of public schools below the rank of college that seeks to gain membership by allowing its members to choose those they deem acceptable rather than upon free choice of any student in the school.

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

Serious Bodily Injury - is defined in Section 1365(h)(3) of Title 18, U.S. Code, to mean a bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. [615(k) (1)(G)]

Serious or Persistent Misbehavior at a Disciplinary Alternative Education Program

Serious/Mandatory

While assigned to a District Disciplinary Alternative Education Program: The following offenses are considered serious and the student will be expelled to a Dallas County Juvenile Justice Alternative Education Program for 90 good days:

- ◆ Class C or assault with bodily injury on any district employee, parent or volunteer
- ◆ Class A assault student on student
- ◆ Possession of marijuana
- ◆ Terroristic threat
- ◆ Public lewdness
- ◆ Indecent exposure
- ◆ Any felony on campus (i.e. Heroin/Cheese)
- ◆ False fire report

Persistent/Discretionary

While assigned to a District Disciplinary Alternative Education Program the following behaviors are considered persistent when the exhibited behavior occurs on school property, the student has received three referrals in a period of 10 school days and required interventions have proven ineffective. The student may be expelled to the Dallas County Juvenile Justice Alternative Education Program for 90 good days.

- ◆ Fighting on school property
- ◆ Class C assault on school property student on student
- ◆ Profanity/obscene gestures toward personnel

Severity - seriousness or gravity of a situation.

Sexual Harassment - making persistent or repeated sexual advances to another or otherwise engaging in any actions of a sexual connotation causing embarrassment, humiliation, or intimidation.

Stealing - taking and carrying away the personal property of another without the consent of the owner. Removing or taking away school property without permission.

Suspicious Drug Activity - if facts of a situation makes “what is happening” a suspicion when applying the Reasonable Person Rule: Would any other reasonable person think that what is going on would be suspicious?

Suspension - a disciplinary action provide by Texas Education Code 37.005. A student may be removed from the school campus up to three days for each subsequent disciplinary infraction.

I

Teacher-Initiated Removal - a teacher may remove from class a student who has been documented by the teacher as repeatedly interfering with the teacher’s ability to communicate effectively with the students in the class. The principal may place the student into another appropriate classroom, in-school suspension, or a disciplinary alternative education program. The removal must be consistent with the Dallas ISD Student Code of Conduct.

A teacher may remove and prohibit the return of any student to the teacher’s classroom if the teacher was the victim of sexual assault, aggravated assault, aggravated sexual assault or assault with bodily injury by the student. The student may be transferred to another classroom, campus or to a disciplinary alternative education placement within the district. (Texas Education Code 37.002)

Terroristic Threat (Penal Code 22.07) - threatening to commit any offense involving violence to any person or property with intent to cause a reaction by an official or volunteer agency organized to deal with emergencies; place any person in fear of imminent, serious bodily injury; prevent or interrupt the occupation or use of any public place; or cause the impairment or interruption of public services. This offense is a Class A misdemeanor unless false report is of an emergency involving a public primary or secondary school; public communications; public transportation; public water, gas, or power supply; or other public service in which case the offense is a state jail felony.

Theft - unauthorized possession and/or sale of the property of another without the consent of the owner.

Title 5 felonies - offenses against a person.

Trespassing - entering the school property without permission or right.

U

“Under the influence” and “Use” have similar meanings - it means not having the normal use of mental or physical faculties and may be evident by the presence of physical symptoms of drug/alcohol use, or by admission; or a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that is detectable by student’s physical appearance, actions, breath, speech; or the student has admitted such use to school personnel. A student “under the influence” need not be legally intoxicated.

V

Vandalism – (criminal mischief less than \$1500.00) willful action that results in destruction, damage, or defacement of property belonging to or rented by the District. This includes graffiti. A person commits an offense if, without the effective consent of the owner, the person, intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or painting, on the tangible property of the owner with aerosol paint, an indelible marker, or an etching or engraving device. An offense under this section is a state jail felony if the marking is made on a school.

W

Weapons - instruments used to cause bodily harm.

Dallas Independent School District Board of Trustees Policy Codes

Parent/guardian who wishes to access specific Dallas Independent School District Board of Trustees policies affecting student behavior and discipline may use the following list of policy codes to find the topic(s) in which they are interested. The policies are available online at www.dallasisd.org or copies can be requested from principals.

<u>POLICY CODE</u>	<u>TITLE: SUBTITLE</u>
FDB (LEGAL)	INTRADISTRICT TRANSFERS
FFH (LEGAL) (LOCAL)	STUDENT WELFARE: FREEDOM FROM HARASSMENT
FNC (LEGAL)	STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT CONDUCT
FNC (LOCAL)	STUDENTS RIGHTS AND RESPONSIBILITIES: STUDENT CONDUCT
FNCA (LOCAL)	STUDENT CONDUCT: DRESS CODE
FNCE (LEGAL) (LOCAL)	STUDENT CONDUCT: TELECOMMUNICATION/ELECTRONIC DEVICES
FNF (LEGAL)	STUDENT RIGHTS AND RESPONSIBILITIES INTERROGATIONS AND SEARCHES
FNF (LOCAL)	STUDENT RIGHTS AND RESPONSIBILITIES INTERROGATIONS AND SEARCHES
FNG (LEGAL)	STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS
FO (LEGAL)	STUDENT DISCIPLINE: CORPORAL PUNISHMENT
FO (LOCAL)	STUDENT DISCIPLINE: CORPORAL PUNISHMENT
FO (LEGAL)	STUDENT DISCIPLINE
FO (LOCAL)	STUDENT DISCIPLINE
FOA (LEGAL)	STUDENT DISCIPLINE: REMOVAL BY TEACHER
FOB (LEGAL)	STUDENT DISCIPLINE: OUT-OF-SCHOOL SUSPENSION
FOC (LEGAL)	STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING
FOC (EXHIBIT)	STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING
FOD (LEGAL)	STUDENT DISCIPLINE: EXPULSION
FOE (LEGAL)	STUDENT DISCIPLINE: EMERGENCY PLACEMENT
FOF (LEGAL)	STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

**Student Code of Conduct Contract
Campus Copy**

As the parent/guardian of the student listed below, I hereby confirm that I have been given a copy of the Dallas Independent School District's Student Code of Conduct and that:

1. I accept the responsibilities expected of me as a parent/guardian of a student.
2. I acknowledge receipt of the policies, procedures, rules, regulations and practices as presented in this document.
3. I have read the procedures listed in the appeal process.
4. I accept the consequences should my child fail to abide by these provisions.

Date

Name of Student (please print)

Parent's/Guardian's Signature

NOTE: This Handbook is designed to be used as a guide for parents/guardians and students of the Dallas Independent School District.

This form is to be signed and returned by the student within five days of the time this handbook is distributed and discussed. The signature sheet is to be filed in the student's permanent record folder for the 2010-2011 school year.

Student Code of Conduct Contract
Student/Parent Copy

As the parent/guardian of the student listed below, I hereby confirm that I have been given a copy of the Dallas Independent School District's Student Code of Conduct and that:

1. I accept the responsibilities expected of me as a parent/guardian of a student.
2. I acknowledge receipt of the policies, procedures, rules, regulations and practices as presented in this document.
3. I have read the procedures listed in the appeal process.
4. I accept the consequences should my child fail to abide by these provisions.

Date

Name of Student (please print)

Parent's/Guardian's Signature

NOTE: This Handbook is designed to be used as a guide for parents/guardians and students of the Dallas Independent School District.

This form is to be signed and returned by the student within five days of the time this handbook is distributed and discussed. The signature sheet is to be filed in the student's permanent record folder for the 2010-2011 school year.