

ENROLLMENT and/or REGISTRATION for 2023 - 2024 School Year Please return the following items which are attached:

- 1. _____Doss CCSD Registration Form, Attached
- 2. _____Transfer Application (if not a resident)
- 3. _____Transfer Agreement, Signed and Dated
- 4. _____Texas Education Agency Ethnicity Questionnaire
- 5. _____Home Language Survey
- 6. _____Prekindergarten Parent Survey & Income Eligibility Guidelines
- 7. _____Media Consent Form
- 8. _____Acceptable Use Guidelines
- 9. _____Student Code of Conduct and Student/Parent Handbook Option & Acknowledgment Forms
- 10. _____ Directory Information Option Form
- 11. _____ Universal Permission Slip
- 12. _____ Allergy Form
- 13. _____ No Nurse on Site Acknowledgment
- 14. _____ Security Camera Notice

In addition, please provide the items listed below:

- 15. X Copy of Driver's License of Parent or Guardian
- 16. X Withdrawal from Previous School (if applicable)
- 17. X Verification of Residency (if Doss Resident)
- 18. \mathbf{X} Birth Certificate, (we will make a copy)
- 19. \mathbf{X} Health and Immunization Records (copy)
- 20. X Social Security Card (we will make a copy)
- 21. \mathbf{X} Power of Attorney, (if applicable)
- 22. X Previous School Academic Records
- 23. \underline{X} Previous School Attendance Records
- 24. X Previous School Discipline Records

*Bring and/or return all documents to the School Office

Failure to include the documents needed will result in application/registration not being processed. Please contact Doss CCSD if you have questions or comments (830) 669-2411

DOSS CONSOLIDATED COMMON SCHOOL DISTRICT 11431 RANCH ROAD 648 P.O. Box 50 DOSS, TEXAS 78618

(830) 669-2411 (830) 669-2303 FAX

STUDENT TRANSFER APPLICATION

Date of Application:

School Year Applying For:

2023 - 2024

Legal Name	of Student				Grade		(for year applying)
Birth Date (m	ımddyr)					Sex	
District and Campus of Residence (Example: Harper Elementary)							
School Currently Attending							
Student qualifies for these special services/programs			ESL / Bilingual	□ ESL / Bilingual □ Dyslexia □ None of the above			
Name of Parent/Guardian							
Street Address							
City						Zip	
Home			Business		Cell		
Phone			Phone		Phone		
Email Addres	s						

AFTER READING RULES ON BACK AND THIS STATEMENT, SIGN BELOW: I have read carefully, considered, and agree to ALL of the conditions as stated on this form. I understand that any falsification of information shall cause this application for transfer to be denied and/or revoked. In addition, falsification of documents or records is a criminal offense under Section 37.1 Penal Code. I also attest in the preceding year the student has not engaged in conduct or misbehavior resulting in removal to an alternative education program or expulsion, the student has not engaged in delinquent conduct or conduct in need of supervision nor is on probation or other conditional release for that conduct, nor has the student been convicted of a criminal offense or is on other conditional release for an offense. I attest that all representations I have made in this document are true and correct.

Date	Signatu	ire of Parent/Gເ	uardian			
FOR DISTRICT USE ONLY						
The above transfer was		Approved		Disapproved		

Superintendent or Designee

Date

PLEASE READ THE CONDITIONS FOR TRANSFER AS STATED BELOW:

- 1. Doss CCSD does not charge tuition for inter-district transfers.
- 2. Approval is from year to year. A new Transfer Agreement will need to be filled out and signed every year.
- 3. The District will assign students based on appropriate programming, class size, and staffing.
- 4. The transfer may be denied for the following reasons:
 - a. Admission of the student would cause overcrowding of classes;
 - b. Admission of the student would cause the district to hire additional personnel;
 - c. The student's prior attendance record;
 - d. The student's prior discipline record; and
 - e. Other lawful reasons determined by the district.
- 5. The Transfer Agreement must be signed and submitted with this Transfer Application.
- 6. The following documents **MUST** be provided before your child's application can be considered: most recent report card, court documents (if applicable,) attendance records, test and/or assessment scores, and discipline records.
- The transfer student must follow all rules, regulations and expectations of the District, including those for student conduct, attendance, academics and parental involvement. Violation of the District's rules and regulations may result in revocation of the transfer agreement. See Board Policy FDA (Local)
- 8. Transportation is to be provided by the parent/guardian for approved transfer unless parent/guardian choose an existing Doss School bus route/stop.
- 9. It is the responsibility of the parent or guardian to notify the Doss School of any address changes.
- 10. Doss CCSD does not have a lunch program. It is the responsibility of the parent or guardian to provide a healthy lunch and snack. Microwaves are provided in the school lunch room.
- 11. Failure to include or disclose any of the above information may result in a student's application being denied.
- 12. Any falsification of information is a Class A Misdemeanor and can lead to legal action.

My signature grants permission for Doss CCSD personnel to contact my child's school for information.

PARENT/GUARDIAN SIGNATURE:

DATE SIGNED:

Doss CCSD School District Transfer Agreement 2023 - 2024

This Transfer Agreement establishes the terms and conditions for _____

("student") to attend Doss Consolidated Common School District ("District") as a transfer student for the 2023 - 2024 school year.

The student's parent or other person having lawful control of the student, _____

("parent"), requests the student be permitted to attend Doss CCSD and agrees to the following terms/conditions for the transfer:

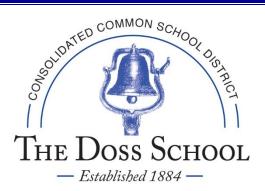
- 1. The following must be provided with the application: Report Cards, Attendance Records, Assessment Records, Special Program Data, and Discipline History.
- 2. This transfer is effective for the current school year only. District approval of this transfer creates no right or expectation that the student will be admitted as a transfer for any subsequent school year. All transfer students must reapply every school year.
- 3. This transfer is approved for the named student only. District approval of this transfer creates no right or expectation that another student from the same family will be admitted as a transfer.
- 4. The student must maintain acceptable levels of attendance and compliance with District rules and regulations, including the Student Code of Conduct, throughout the entire school year. Acceptable levels are defined as:
 - a. Academic Achievement that does not place the student at risk of losing credit for the year in more than one subject area, or at risk of being retained for the year;
 - b. Attendance that does not place the student at risk of losing credit under Education Code 25.092 or require the District to warn the parent and student of truancy proceedings under the Code.
 - c. Compliance with the District's rules, including the Student Code of Conduct, such that no offenses result in removal to a disciplinary alternative education program or expulsion, and no more than two referrals are made within a grading period for other misconduct.
- 5. In accordance with Board policy FDA (LOCAL), the Superintendent or designee may revoke the transfer of a student who fails to maintain an acceptable level of attendance or compliance with District rules and regulations, including the Student Code of Conduct. Notice of revocation will be sent to the district of residence.
- 6. If this agreement is revoked, revocation ordinarily will be effective at the end of a semester; however, the Superintendent or designee has discretion to revoke the transfer immediately if the student's continued attendance threatens the safety of other students or teachers or will be detrimental to the educational process.
- 7. The student and parent acknowledge that eligibility of transfer students for participation in any UIL activity or other activities governed by UIL rules and regulations will be determined in accordance with UIL rules and regulations.
- 8. Parents must take an active role in Doss CCSD school activities; including but not limited to attendance at school functions, such as the end of semester programs and the end-of-year program and fundraiser.
- 9. Bus transportation is a privilege and proper conduct is expected.
- 10. Except as modified by this transfer agreement, the student will be subject to all policies, regulations, rights, privileges, and responsibilities of enrollment in the District as if he or she resided in the District.

The District and the parent agree that this transfer agreement is the entire agreement controlling the admission and enrollment of the student in the District for the 2023 - 2024 school year.

Parent Name:	Student Name:
Parent Signature and Date Signed:	
District Signature and Date Signed:	

Doss CCSD School Year 2023 - 2024

Texas Education Agency Texas Public School Student/Staff Ethnicity and Race Data Questionnaire				
The United States Department of Education (USDE) requires all state and local education institutions to collect data on ethnicity and race for students and staff. This information is used for state and federal accountability reporting as well as for reporting to the Office of Civil Rights (OCR) and the Equal Employment Opportunity Commission (EEOC).				
School district staff and parents or guardians of students enrolling in school are requested to provide this information. If you decline to provide this information, please be aware that the USDE requires school districts to use observer identification as a last resort for collecting the data for federal reporting.				
Please answer both parts of the following questions United States Federal Register (71 FR 44866)	s on the student's or staff member's ethnicity and race.			
Part 1. Ethnicity: Is the person Hispanic/La	tino? (Choose only one)			
Hispanic/Latino - A person of Cuban, Mexican, Pu Spanish culture or origin, regardless of race.	erto Rican, South or Central American, or other			
NotHispanic/Latino				
Part 2. Race: What is the person's race?(C	Choose one or more)			
American Indian or Alaska Native - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal affiliation or community attachment.				
Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.				
Black or African American - A person having origi	ins in any of the black racial groups of Africa.			
 Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. 				
White - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.				
Student/Staff Name (please print)	(Parent/Guardian)/(Staff) Signature			
Student/Staff Identification Number	Date			
This space reserved for Local school observer – upon completion and entering data in student software system, file this form in student's permanent folder.				
Ethnicity – choose only one:	Race – choose one or more:			
Hispanic / Latino	American Indian or Alaska Native Asian Black or African American			
NotHispanic/Latino	Native Hawaiian or Other Pacific Islander White			
Observer signature:	Campus and Date:			
Texas Education Agency				



Doss CCSD Media Consent Form

2023 - 2024

I, ______ (Legal Guardian/Parent) hereby **give permission** _____(initial), to Doss CCSD to photograph and/or video my child, ______ for the purposes of Doss CCSD newsletters, website, social media, newspapers and any other media that may be used to publicize Doss CCSD programs and services.

I, ______ (Legal Guardian/Parent) hereby **give permission**_____(initial), to Doss CCSD to release Directory Information which includes the following information: Student's Name, Grade, Photo, Honors/Awards, and Enrollment Status relating to my child,______ for the purpose of use in school newsletters, school website, social media, newspapers, media, and in response to unrelated school-sponsored purposes.

I hereby waive any right to inspect or approve the finished photographs or electronic matter that may be used in conjunction with them now or in the future, whether that use is known to me or unknown.

I certify that I am the parent or legal guardian of the below named child. I have read this release before signing below, and I fully understand the contents, meaning, and impact of this release. I understand that I am free to address any specific questions regarding this release by submitting those questions in writing prior to signing, and I agree that my failure to do so will be interpreted as a free and knowledgeable acceptance of the terms of this release. I understand that if I choose to not grant permission (or revoke permission), that I must submit in writing to the Interim Superintendent no later than 1 week after the first day of school. [See Objecting to the Release of Directory Information in the Doss CCSD Student Parent Handbook for more information.]

Parent/Legal Guardian (please print)	Student Name	Date of Birth	
Parent/Legal Guardian's Signature		Date	

2023 - 2024 Doss CCSD Media Consent Form



DOSS CONSOLIDATED COMMON SCHOOL DISTRICT

ACCEPTABLE USE GUIDELINES FOR ELECTRONIC COMMUNICATION SYSTEMS 2023 - 2024 STUDENT ACKNOWLEDGEMENT

Availability of Access

Access to the District's electronic communications network, including the Internet, shall be made available to users primarily for instructional and administrative purposes and in accordance with administrative regulations. Limited personal use of the network shall be permitted if the use imposes no tangible cost on the District, does not unduly burden the District's computer or network resources and has no adverse effect on an employee's job performance or on a student's academic performance.

All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the network and shall agree in writing to comply with such regulations and guidelines. Noncompliance with applicable regulations will result in disciplinary action consistent with District policies and regulations. Violations of law may result in criminal prosecutions as well as disciplinary action by the District.

Monitor and Use

Electronic mail transmission and other use of the electronic communication network by users shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use.

Disclaimer of Liability

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

Training

Training for all users in the proper use of the network will be provided and required Users will be provided copies of the District's Acceptable Use Guidelines. Training in the District's network will emphasize the ethical use of the network's resources

Copyright

Users of the network are required to comply with all copyright laws. Copyrighted software or data may not be placed on any system connected to the District's network without permission from the holder of the copyright. Specific authorization is required to upload copyrighted material to the network. Prior authorization from the system administrator must be granted before any downloads are made or software of any kind is installed.

Network Access

Level of access to the network is determined at the time the account is established according to the status of the user (i.e., student, teacher, etc.).

Any network user identified as having violated District system acceptable use guidelines will be subject to disciplinary action consistent with District policies and regulations.

Individual User Responsibilities

The following standards will apply to all users of the District's electronic information/communication network:

- 1. The account belongs to the person to whom it is issued and only that person is authorized to use it.
- 2. Accounts are provided through the Doss CCSD and are to be used in support of the District's educational goals and in a manner consistent with the policies and procedures of the Doss CCSD.
- 3. In order to ensure smooth system operations, the system administrator has the authority to monitor all accounts.
- 4. Different access and service levels for different groups or users will be given. Doss CCSD reserves the right to block access to certain Internet sites.
- 5. Users are legally and ethically responsible for protecting and preserving the Doss CCSD's proprietary rights. This means that no messages disclosing sensitive, confidential, restricted, non-public or proprietary information can be transmitted over the online system.
- 6. Doss CCSD reserves the right to withdraw account privileges at any time for any reason or no reason at all.

Users who violate these standards may be subject to disciplinary action in accordance with District policy and/ or legal requirements.

Vandalism Prohibited

Any malicious attempt to harm or destroy District equipment or materials, data of another user of the District's network, or any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to compromise, degrade, or disrupt system performance may be viewed as violations of the District's policies and administrative regulations and, possible, as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creating of computer viruses.

Forgery Prohibited

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

The District will co-operate fully with local, state, or federal officials in any investigation concerning or relating or misuse of the District's electronic communication network.

TO BE COMPLETED BY THE STUDENT'S PARENT: 2023 - 2024 SCHOOL YEAR

As the parent or guardian of the below student,

- I have read the Acceptable Use Guidelines.
- I understand that this access is provided for educational purposes.
- I recognize that it is impossible for Doss CCSD to restrict access to all controversial materials and I will not hold the District responsible for materials accessed on the network.
- I hereby give permission for my child to use the District's network in a classroom setting.

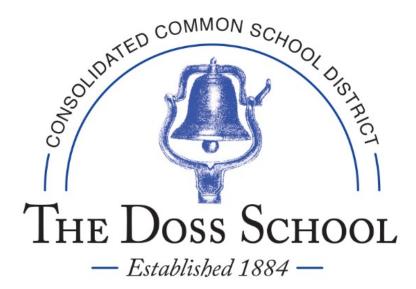
Student's Name (Please Print):	
Parent or Guardian's Name (Please Print):	
Parent or Guardian's Signature:	
Date:	

Please complete and return this page to your student's teacher.

Doss Consolidated Common School District

2023 - 2024

Student Code of Conduct



The Bell Rings On!

If you have difficulty accessing the information in this document because of disability, please contact administration@doss.txed.net or www.dossccsd.org

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2023 - 2024 Doss CCSD Student Code of Conduct

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the Administrative Assistant at 830.669.2411 or administration@doss.txed.net.

Purpose

The Student Code of Conduct ("Code"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

This Student Code of Conduct has been adopted by the Doss CCSD board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the campus principal's office. Additionally, the Code shall be available at the campus behavior coordinator's office and posted on the district's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall prevail.

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

School District Authority and Jurisdiction

School District Authority and Jurisdiction

School rules and the district's authority 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;
- 2. While the student is traveling on district transportation;
- 3. During lunch periods in which a student is allowed to leave campus;
- 4. At any school-related activity, regardless of time or location;
- 5. For any school-related misconduct, regardless of time or location;
- 6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
- 7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
- 8. When criminal mischief is committed on or off school property or at a school-related event;
- 9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
- 10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
- 11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
- 12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at <u>www.doss.txed.net</u>.

Threat Assessment and Safe and Supportive School Team

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

School District Authority and Jurisdiction

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable suspicion to believe it contains articles or materials prohibited by the district.

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Reporting Crimes

The campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To ensure the security and protection of students, staff, and property, the district coordinates with county officials for routine security monitoring. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

"Parent" Defined

Throughout the Code of Conduct and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

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

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

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

Unauthorized Persons

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

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

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

Standards for Student Conduct

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 14, **DAEP Placement** on page 15, **Placement and/or Expulsion for Certain Offenses** on page 23, and **Expulsion** on page 26, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 13.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see DAEP—Placement and/or Expulsion for Certain Offenses on page 23.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See glossary.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see DAEP—Placement and/or Expulsion for Certain Offenses on page 23.)
- Deface or damage school property, including textbooks, technology and electronic resources, 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 Penal Code. (For felony robbery, aggravated robbery, and theft, see DAEP— Placement and/or Expulsion for Certain Offenses on page 23.)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A "look-alike" weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for 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/or Expulsion for Certain Offenses** on page 23. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

• Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 15 and **Expulsion** on page 26 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for "paraphernalia.")
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student's own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person's prescription drug on school property or at a school-related event. (See **glossary** for "abuse.")
- Abuse over-the-counter drugs. (See glossary for "abuse.")
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for "under the influence.")
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.

- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- 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 Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on 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.

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. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

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

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

Techniques

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

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.

Discipline Management Techniques

- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 14.
- Placement in a DAEP, as specified in **DAEP** on page 15.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 23.
- Expulsion, as specified in **Expulsion** on page 26.
- 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.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.

Discipline Management Techniques

- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the campus behavior coordinator's office, or through Policy On Line at the following address: <u>https://pol.tasb.org/Home/Index/509</u>.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the campus behavior coordinator's office to maintain effective discipline on the bus. The campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

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 campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

- 1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' 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.

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus behavior coordinator or other administrator may place the student in:

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

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 shall be followed.

Returning a Student to the Classroom

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

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

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

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

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

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

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

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

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

- 1. Self-defense (see glossary),
- 2. Intent or lack of intent at the time the student engaged in the conduct,
- 3. The student's disciplinary history,
- 4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
- 5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
- 6. A student's status as homeless.0.

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

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

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

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

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

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 engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**)

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, 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. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in Expulsion on page 26.) (See glossary for "under the influence" "controlled substance," and "dangerous drug.")
 - 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 **Expulsion** on page 26.)
 - 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. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- 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 **Expulsion** on page 26.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the 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

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- 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.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process: Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- 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.

Consideration of Mitigating Factors

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

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

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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

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

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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

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

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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 are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or

2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy On Line at the following address: www.dossccsd.org.

Appeals shall begin at level two with the campus behavior coordinator. The district shall not delay disciplinary consequences 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 shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

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

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

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

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

Withdrawal During Process

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the campus behavior coordinator 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 campus behavior coordinator 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 shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of 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 district 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 student shall be placed in either DAEP or JJAEP for at least one semester.

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

- 1. Threatens the safety of other students or teachers,
- 2. Will be detrimental to the educational process, or
- 3. Is not in the best interests of the district's students.

Review Committee

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

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 campus behavior coordinator makes certain findings

Placement and/or Expulsion for Certain Offenses

and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

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

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

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

Hearing and Required Findings

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

- 1. Threatens the safety of other students or teachers,
- 2. Will be detrimental to the educational process, or
- 3. Is not in the best interest of the district's students.

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

Length of Placement

The student is subject to the placement until:

- 1. The student graduates from high school,
- 2. The charges are dismissed or reduced to a misdemeanor offense, or
- 3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Placement and/or Expulsion for Certain Offenses

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, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 15.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See glossary.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

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

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

• Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note*: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See glossary.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

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

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

- 2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
- 3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The hearing shall be conducted by the board of trustees and the decision to expel shall be made by the board.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

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

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

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

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the campus behavior coordinator shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The 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 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's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

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

If the campus behavior coordinator 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 campus behavior coordinator 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 shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

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

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

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

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

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

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

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

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Abuse is improper or excessive use.

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

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

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

Arson is defined in part by Penal Code 28.02 as a crime that involves:

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

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

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

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

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

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

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

Club is defined by Penal Code 46.01 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, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

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

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

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

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

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

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

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

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

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

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

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

- 1. Cause action by an official or volunteer agency organized to deal with emergencies;
- 2. Place a person in fear of imminent serious bodily injury; or
- 3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

- 1. 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;
- 2. The frame or receiver of any such weapon;

- 3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
- 4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

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

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

Harassment includes:

- 1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
- 2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
- 3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

Hazing is defined by Education Code 37.151 as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

- 1. Any type of physical brutality;
- 2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements,

confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;

- 3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
- 4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

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

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

Knuckles means 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.

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

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

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

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

- 1. Clothing, purse, or backpack;
- 2. 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;
- 3. Telecommunications or electronic devices; or
- 4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

- 1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice: An explosive weapon;
 - a. A machine gun;
 - b. A short-barrel firearm;
- 2. Armor-piercing ammunition;
- 3. A chemical dispensing device;
- 4. A zip gun;
- 5. A tire deflation device; or
- 6. An improvised explosive device.

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

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

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

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

Serious misbehavior means:

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

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

• Behavior that is grounds for permissible expulsion or mandatory DAEP placement.

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

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

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

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

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

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

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;

- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

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 in-fluence" need not be legally intoxicated to trigger disciplinary action.

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

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.



Doss CCSD

Campus Universal Permission Slip

2023 - 2024

Dear Parents,

Throughout the school year, the students will be going off campus to various school sponsored activities, such as picture day, UIL, field trips, and/or hearing and vision screenings.

Please sign the attached universal permission slip form allowing them to participate in these outings during the 2023 - 2024 school year.

You will also be notified by email at the time of each school sponsored event and would have the option to "opt out" of any activity in which you did not want your child to participate.

If you have any questions or concerns, please do not hesitate to contact me either via email at estuder@doss.txed.net or by telephone at (830) 669-2411.

Respectfully,

Elise Studer Administrative Assistant Doss CCSD

COMMON SCHOOL ON DATED COMMON SCHOOL ON DATED COMMON SCHOOL THE DOSS SCHOOL — Established 1884 —					
	Doss CCSD				
Universal Permission Form					
August 22, 2022 - May 25, 2023					
Student:	Grade:	DOB:			
Parent/Legal Guardian:		Phone #:			
Parent/Legal Guardian:		Phone #:			
Emergency Contact:		Phone #:			
Relationship to Student:					
Parental Consent:					
l,	(Parent/Legal Guardian), hereby give permission for my child:			
attend and participate in any of August 22, 2022 - May 25,	Doss CCSD school sponso	(student's name), to red activities or events during the period			

LIABILITY RELEASE: In consideration of Doss CCSD allowing the Participant to participate in school sponsored activities, I, the undersigned, do hereby release, forever discharge and agree to hold harmless Doss Consolidated Common School District, its administrators, teachers, employees, volunteers and board members (collectively herein "Doss CCSD") from any and all liability, claims or demands for accidental personal injury, sickness or death, as well as property damage and expenses, of any nature whatsoever which may be incurred by the undersigned and the Participant while involved in the school sponsored activities. I the parent or legal guardian of this Participant hereby grant my permission for the Participant to participate fully in school sponsored activities, including trips away from the school premises. Furthermore, I, on behalf of my minor Participant, hereby assume all risk of accidental personal injury, sickness, death, damage and expense as a result of participation in recreation and school activities involved therein. The undersigned further hereby agrees to hold harmless and indemnify said Doss CCSD for any liability sustained by said Doss CCSD as the result of the negligent, willful or intentional acts of said Participant, including expenses incurred attendant thereto.

MEDICAL TREATMENT PERMISSION: I authorize an adult, in whose care the minor has been entrusted, to consent to any emergency x-ray examination, anesthetic, medical, surgical or dental diagnosis or treatment and hospital care, to be rendered to the minor under the general or special supervision and on the advice of any physician or dentist licensed under the provisions of the Medical Practice Act on the medical staff of a licensed hospital or emergency care facility. The undersigned shall be liable and agrees to pay all costs and expenses incurred in connection with such medical and dental services rendered to the aforementioned child or youth pursuant to this authorization.

EARLY RETURN HOME POLICY: Should it be necessary for my child to return home due to medical reasons, disciplinary action or otherwise, the undersigned shall assume all transportation costs and responsibility.

TRANSPORTATION PERMISSION: The undersigned does also hereby give permission for my child/student to ride in any vehicle driven by an approved and licensed ADULT chaperone while attending and participating in activities sponsored by Doss CCSD. My child/student and I understand that SEAT BELTS MUST BE WORN AT ALL TIMES during transportation.

Parent/Legal Guardian Signature

Date

2023 - 2024 Doss CCSD Universal Permission Slip

STUDENT'S MEDICAL INFORMATION:

Student's Name:	Date of Birth:	
Primary Care Physician:		
Phone:	Fax:	
Address:		
Name of practice:		
Date of last Tetanus shot (required)		

MEDICATIONS: List all medications the student will take during any trips, retreats, or events. This includes any prescription, non-prescription medications, herbal supplements and vitamins. Any participant under the age of 18 is required to give ALL medications to the Doss CCSD Interim Superintendent in their original containers with complete dispensing instructions before the start of the event. Students are not permitted to carry any prescription or non-prescription medication and will be sent home at the parent/guardian's expense if they do.

Medication Name, Dosage (mg, mcg, unit, gram, etc.), Quantity to dispense, Route to administer medication, Frequency to dispense, Diagnosis, and any other medication instructions. [Please include approved OTC medications that the student may take]

All containers, tubes, inhalers, creams, etc. must have student's name and date of birth either printed on a label by the pharmacy (for prescriptions) or written on container in permanent

marker by parent (for OTC medications).OTCMedication:Dose:Quantity:Frequency:Route:Diagnosis:Directions:							
OTC	Medication:	Dose:	Quantity:	Frequency:	Route:	Diagnosis:	Directions:
or	Ex: Zyrtec	5 mg	One Pill	Every 24	Orally	Seasonal	Give in the
Rx	,	9		hours		Allergies	morning with
100						, mer gree	food
							Juou

MEDICAL CONDITIONS: It is important to Doss CCSD that safety is maintained for your child and for all students attending Doss CCSD. In order to most effectively promote and maintain the safety of all students, Doss CCSD needs to be aware of medical conditions that the student has or may have. Please list all conditions below (even if a diagnosis has not been confirmed by a physician but is suspected by the parent). It is encouraged that all students be evaluated by their primary care physician on a routine basis per their physician requirements.

Condition:	Management:	Special Instructions/Needs:
Example: Seasonal Allergies	OTC medications	<i>Give Zyrtec once a day prior to outdoor activities</i>

Allergies: There are times throughout the school year when Doss CCSD with celebrate special occasions, birthdays, or other community sponsored events that may be held outdoors and/or may have foods that contain nuts, fish, etc. During these events, it is important that we are aware of all students' allergies. List any allergies that the student has or may have. Allergy is defined as an adverse reaction caused by the body's immune system in response to a foreign substance. If your child has an allergy, sensitivity, or any reaction to any substances (including but not limited to: medications, foods, environmental elements, etc.) please list the Allergy, Reaction, Severity, and Intervention below. Note: If an allergy is suspected but not confirmed, please also include in the list below. If additional precautions need to be implemented for the student's safety, please indicate this below. Thank you!

Allergy:	Reaction:	Severity:	Intervention:
Example: Seasonal	Itchy/watery eyes	Mild-Moderate	Administer Zyrtec

Additional Student Needs: Please explain any other pertinent information about the student (i.e. physical, behavioral, or emotional) that would be important for the adult leaders to know.

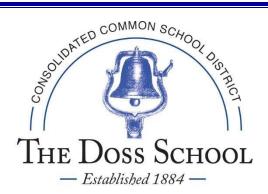
Over-the-Counter Medication Permission: Do you give permission for your child/student to be given over-the-counter medication as needed (and provided by you) and as directed on the label, to treat non-emergency medical conditions that do not require a doctor or hospital visit such as a minor headache, stomachache, or allergic reaction (i.e. Tylenol, Advil, antacids, Benadryl) while at a school sponsored event?

No _____(initial). Contact me or get medical help if my child has any minor medical concerns.

Yes _____(initial), I give permission for an adult youth leader to give my child approved overthe-counter medications as directed on an as needed basis to treat non-emergency medical conditions.

Student Name:	
Parent/Legal Guardian Name:	
Parent/Legal Guardian Signature:	_Date:
Parent/Legal Guardian Name:	
Parent/Legal Guardian Signature:	_Date:

2023 - 2024 Doss CCSD Universal Permission Slip



Doss CCSD School Nurse Notice

2023 - 2024

Dear Parents and Students,

At this time, Doss CCSD does not have a nurse on staff. For questions and/or concerns, please contact the Interim Superintendent at (830) 669-2411.

I, ______, acknowledge that I have been informed and understand that Doss CCSD does not currently have a nurse on staff for the 2023 - 2024 school year.

Name of Student

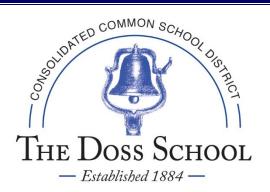
Date of Birth

Grade Level

Name of Parent/Legal Guardian (please Print)

Signature of Parent/Legal Guardian

Date



Doss CCSD Surveillance Monitoring Notice 2023 - 2024

The Board of Trustees always has the safety and security of employees and students foremost in our priorities. Because of this, and in regard for being as prepared as possible, Doss CCSD has recently installed a series of security cameras on and around our campus. The main objective of these cameras is to ensure the safety of our students and employees, but they can also be used to monitor behavior, as needed. We believe that these cameras are in the best interest of everyone at Doss CCSD. Below is a mandatory notice that we are required by law to send to all employees and students. If you have any questions, you may contact the school office at 830.669.2411. Please sign and date the acknowledgement below for our records! **Thank you!**

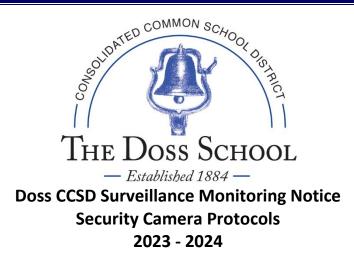
NOTICE TO STUDENTS, EMPLOYEES, PARENTS AND GUARDIANS REGARDING VIDEO RECORDING MONITORING FOR SAFETY AND SECURITY

Please be advised that Doss CCSD has installed video recording equipment on District property to monitor safety and security of district students and employees. The video recordings may be used to monitor student behavior for safety purposes and to assist in maintaining order. Under the Texas Education Code, the District may make a videotape of a student if the recording is to be used for the purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses.

The District will soon post notification signs around the school. Students and employees will not be notified when a recording device has been turned on or off. The Interim Superintendent will review recordings as needed and will document any evidence of student or employee misconduct.

A student found in violation of the Student Code of Conduct will be subject to appropriate discipline. Recordings will be treated as protected student records under the Family Educational Rights and Privacy Act (FERPA). The following guidelines will apply:

- 1. Recordings will remain in the custody of Doss Consolidated Common School District.
- Employees or guardians who wish to view a recording in response to disciplinary action taken against a student may request access under the procedures set out by law.
 [FL(LEGAL)]



PURPOSE:

Doss CCSD authorized the use of video cameras throughout the District for the purpose of enhancing school safety and security. The goals of the district are to promote and foster a safe and secure teaching and learning environment for students and employees, to ensure public safety for community members who visit school property, and to diminish the potential for personal and district loss or destruction of property.

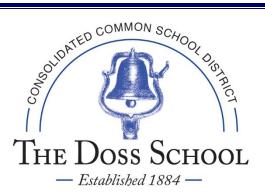
PROTOCOLS:

Signage and Notification: Signage will be posted at school to notify students, parents, employees, and the general public of the District's use of security cameras. Students, parents, and employees will receive additional notification at the beginning of the school year regarding the use of security cameras in the school and on the grounds. Notification will include, but not be limited to student and employee handbooks.

Camera Placement: The security cameras will be installed in public areas. These areas include, but are not limited to grounds, exterior entrances or exits to school buildings, large gathering spaces such as hallways, cafeteria, and main entries. Security cameras will not be used where there is a reasonable expectation of privacy, including, but not limited to restrooms, changing rooms, special spaces, or other private offices.

Video Viewing: Live viewing of camera surveillance will be used to identify visitors requesting entry to the main building. Live viewing will also be used for the arrival, transition, and dismissal of students in the main hallways and gathering spaces. Live viewing will be limited to authorized personnel that have been expressly designated by the Interim Superintendent, including, but not limited to the Administrative Assistant.

The Interim Superintendent will be responsible for viewing of all recorded surveillance. Viewing recorded data will occur only when there is a safety or security concern and may include the maintenance of order and discipline. No sound is to be monitored or recorded in



connection with the video surveillance system. Recordings will be treated as protected records under Family Educational Rights and Privacy Act (FERPA).

Access to Recordings: Any video recordings used for security purposes in school buildings or grounds are the sole property of Doss CCSD. Release of such video will be made only as permissible pursuant to applicable laws and with the permission of the Interim Superintendent. Law enforcement officials shall be granted access to video recording after giving prior notice to the Superintendent and Board of Trustees.

Data Storage: All video recordings are stored in a secure data cloud to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations. At this time, recordings will be archived indefinitely. Doss CCSD will use a video surveillance service for maintenance of the security camera systems, and for the retrieval of recorded data if assistance is necessary.

Legal References: US Department of Justice, Office of Programs Published Research Report, and Family Educational Rights and Privacy (FERPA), Texas Association of School Boards Policy Consultants (TASB).

RECORDED: Protocols Presented for Board Approval; Notices Presented for Acknowledgement, 09.10.19

I understand and acknowledge the District's procedures concerning video recording equipment on District property. I also understand that the Student or Staff Member will be held accountable for his or her conduct.

Please sign acknowledgement and return to the Doss CCSD School Office

Name of Student/Staff Member

Signature of Parent/Staff Member

Date

Doss CCSD Surveillance Monitoring Notice 2023 - 2024