

STUDENT CODE OF CONDUCT

CONDUCT AND DISCIPLINE

The information on the following pages is **VERY important! Please make certain that you read and understand the Student Code of Conduct section.** For assistance with the Student Code of Conduct, you may call 512-570-0150.

PURPOSE

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

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

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

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

This Student Code of Conduct has been adopted by Leander ISD's Board of Trustees and developed with the advice of the District-level committee. This Code provides information to parents and students regarding the standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version is adopted by the Board becomes effective 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 office of the campus principal. Additionally, the Code shall be posted on the District's Web site.

(<http://www.leanderisd.org/default.aspx?name=ps.handbook>)

Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the Student Code of Conduct is adopted by the District's Board of Trustees, it has the force of policy; therefore, in case of conflict between the Code and the student handbook the Code shall prevail.

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

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Section I: Ethical Principles/Expected Behaviors

ETHICAL PRINCIPLES

The following ten major ethical values form a philosophical basis for ethical judgment and define the moral duties and virtues implicit in ethical behavior. Leander ISD is committed to these principles.

Honesty - a good faith intent to be truthful, accurate, straight-forward and fair in all communications.

Concern for Others - concern for the well-being of all those affected by their actions by being caring, considerate, and compassionate.

Integrity - acting in ways that are consistent with core beliefs.

Accountability - be accountable and accept personal responsibility.

Promise-Keeping - trustworthiness by keeping promises and fulfilling commitments.

Law Abidance/Civic Duty - act as responsible citizens and uphold the rule of law.

Loyalty - a special moral responsibility to promote and protect the interest of certain people, organizations or governments.

Respect for Others - honoring the rights of others and treating others with courtesy and decency.

Fairness - making impartial decisions, demonstrating a commitment to justice, correcting mistakes, and refusing to take unfair advantage of others.

Pursuit of Excellence - seek to perform their duties with excellence.

STANDARDS OF STUDENT CONDUCT

In order to promote a positive educational experience for all students, the District expects students to adhere to seven basic standards of conduct:

1. Exercise self-control, self-respect, and self-discipline,
2. Demonstrate a positive attitude,
3. Respect the rights and feelings of others,
4. Respect school property,
5. Support the learning process,
6. Adhere to rules, **and**
7. Promote a safe environment.

Section II: School District Authority and Jurisdiction

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. District schools shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and District staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of the District's educational mission. The District's rules of conduct and discipline are established to achieve and maintain order in the school.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The District has designated the campus administrators as the behavior coordinators. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district maintains a current list of the persons serving as a campus behavior coordinator on the campus's websites.

**AUTHORITY
AND
JURISDICTION**

A student, whose behavior shows disrespect for others, including interference with their access to a public education and a safe environment shall be subject to disciplinary action.

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

The District has disciplinary authority over a student:

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

A student's clothing, personal property, electronic equipment, method of transportation, or school property used by the student (such as lockers or desks) may be searched when there is reasonable suspicion to believe the search shall reveal articles or materials prohibited by the District. Students are responsible for ensuring that any personal property, method of transportation, or school property used by the student does not contain prohibited items. Students may be disciplined for possession of prohibited items discovered during a search. For more information about searches, please review the District's Student Handbook and policy FNF (LOCAL).

School administrators 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.

The District has the right to revoke the transfer of a nonresident student for violating the District's Code. In addition, the District also has a process for revoking in-District transfers (see campus administrator for details).

In general, discipline shall be designed to correct the misconduct and to encourage adherence by all students to their responsibilities as citizens of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, previously tried discipline management techniques, whether a student was reasonably acting in self-defense, and statutory requirements. Because of these factors, discipline for a particular

offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

**EXPECTATIONS
FOR
REPORTING
OFFENSES**

The safety of students is a high priority and goal for the District. All stakeholders (staff, students, parents and community members) have an obligation to assist the District in creating and maintaining a safe and orderly environment free of bullying, teasing, harassment, violence, weapons, etc. We appreciate all help and support in assisting the District to reach this goal.

Anytime someone has information about a student in Leander ISD that is experiencing any form of mistreatment or about any potential danger to any student or staff member of the school, the expectation is for the information to be reported directly to campus administration. However, if the information is shared with any other staff member, he/she will then report to campus administration.

Behaviors, Consequences and Techniques

The list of prohibited behaviors and possible consequences are listed in the next five (5) sections of this Student Code of Conduct. Those sections are Dress Code, General Misconduct Violations, Placement in a Disciplinary Alternative Education Program, Expulsion, and Procedures.

Please note: In addition to the rules/ behaviors listed in this Student Code of Conduct, the District also has campus, classroom, and District transportation rules. These rules may be listed in the other parts of the Student and Parent Handbook, given directly to the students, or posted in classrooms or on District transportation vehicles. These other rules may or may not constitute violations of this Student Code of Conduct.

Section III: Dress Code

DRESS CODE The District's dress code is established to foster a positive and proper learning environment. Appropriate grooming, dignity of appearance, and pride all contribute to a successful learning environment. The dress code provides expectations which model good citizenship, teach grooming and hygiene, instill discipline, prevent disruptions, minimize safety hazards, and teach respect for authority. Everyone has a role to play in helping to create the proper learning environment. The District encourages students, with the supervision of their parents, to maintain high standards of dress, grooming, and personal appearance. Parents are encouraged to ensure that their student is in compliance with the dress code policy for the District.

Campus administrators are charged with enforcing the dress code. The campus administrators have the final authority concerning the propriety of clothing, hairstyles, and jewelry to be worn on school property, at school activities, or any time a student is representing LISD. Administrators will use their professional judgment in determining whether attire is inappropriate, distracting, or causes or may be reasonably expected to cause a disruption of or interference with normal school operations.

General Information:

- No clothing featuring pictures, emblems, writings, or slogans that are lewd, offensive, risqué, vulgar, obscene, provocative, or that convey hate messages or racially, religiously, or ethnically demeaning messages may be worn (including jewelry or accessories)
- No clothing or grooming shall disrupt the learning environment or create a health or other hazard to a student's safety or the safety of others
- No apparel or accessories shall depict tobacco products, alcoholic beverages, drugs or any other dangerous, prohibited, or controlled substance
- No attire that identifies, condones, depicts, or promotes a student as part of an unauthorized group, such as a gang *For more information about what constitutes a gang, please contact your campus administrator or local law enforcement*
- No clothing or accessories that promote violence, weapons, bombs, illegal acts, or anything that could be construed as provocative or offensive or otherwise distract from the learning environment, as determined by the administrators
- No extremes in any type of clothing, footwear, make-up, hair, or jewelry will be permitted
- No pajamas, sleepwear, or house slippers of any kind (except for designated days such as theme or character days, etc.)
- No clothing that is too tight such as spandex/lycra unless worn with a dress, skirt, or tunic (using the standards that are applied to shorts, skirts, and skorts)
- For safety reasons, tennis shoes (rubber sole, closed toe, and heel) are to be worn during Physical Education (P.E.). Shoes such as flip flops, boots, Crocs, sandals, etc. are not permitted during P.E.
- School-sponsored uniforms (athletics, cheerleading, dance teams, ROTC, etc.) are exempt from this dress code. Students who participate in

extracurricular activities may be subject to additional standards. The sponsor or coach will distribute additional requirements to participants

- No holes in apparel that expose any areas that are not allowed by this dress code
- For health and safety reasons, shoes are to be worn in the building. On special occasions with administrative approval shoes may not be worn.

Pants, Jeans:

- Shorts, skirts, and skorts must be at finger-tip or mid-thigh length as measured with relaxed shoulders
- Pants, jeans, shorts, skirts, and skorts must be worn at the hip and cover undergarments

Shirts, Blouses, Sweatshirts, Sweaters, Vests, Jackets, Coats:

- No strapless tops, spaghetti-strap tops, backless, halters, large armholes, or off-the-shoulder tops
- No low necklines (which reveal cleavage or chest area)
- No see-through or mesh shirts
- Tops must meet the beltline, and must not reveal undergarments or skin
- No full-length jackets and coats such as those commonly referred to as “trench coats” or “dusters”

Eyewear and Accessories:

- No sunglasses shall be worn in building
- No metal-studded collars, choker chains, armbands, wristbands, chains, or other metal-studded accessories are permitted

Headgear:

- Hats, caps, sweatbands, scarves, bandanas, doo-rags, hoods, and other headgear shall not be worn inside campus buildings without administrative approval

Consequences:

If a student's dress is out of compliance, the following consequences may be imposed:

- 1st offense: Correct out-of-code clothing, warning, parent contact
- 2nd offense: Lunch, before or after school D-Hall, parent contact
- 3rd offense: In-School-Suspension (ISS) or Saturday Detention, parent contact

Should a student refuse to comply with directions to correct clothing or to attend Lunch D-Hall or D-Hall, the student will be deemed insubordinate and placed in ISS for at least the remainder of the school day. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

Section IV: General Misconduct 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, DAEP placement, placement and or expulsion for certain offenses, and expulsion, certain offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in removal from the regular education setting as detailed in that section.

Note: Students engaging in the offenses under Section IV shall be processed by the school administration and may also involve being processed by the School Resource Officer (SRO), as permitted by State Law. Students are prohibited from:

MISCONDUCT VIOLATIONS

1. Failing to comply with directives and/or accept discipline management techniques given by school personnel (non-compliance and failure to except discipline).
2. Violating school or bus safety rules.
3. Leaving school grounds, class or school-sponsored events without permission.
4. Being tardy, failing to attend, being truant, having unexcused absences.
5. Violating repeatedly other communicated District, campus, or classroom standards of behavior.
6. Distributing and/or posting prohibited materials not in accordance with school procedures.
7. Violating dress code. (See Section III)
8. Violating the school's rules pertaining to the operation and/or parking of vehicles on school property.

MISTREATMENT OF OTHERS

9. Threatening a District student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
10. Throwing objects that can cause bodily injury or property damage.
11. Directing profanity, vulgar language, or obscene gestures toward other students, District employees or visitors.
12. Fighting, participating in any manner in fight clubs or boxing.
13. Fighting or scuffling that does not result in physical pain, illness, or any impairment of a physical condition.
14. Engaging in horseplay, roughhousing, and other playful behavior that, though not intended to harm, presents a reasonable risk of harm or threatens the safety of others.
15. Participating in hazing.
16. Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force.
17. **Engaging in bullying or cyberbullying, including intimidation, teasing, name-calling, ethnic or racial slurs, or derogatory statements that school officials have reason to believe shall substantially disrupt the school program or incite violence.**
18. Engaging in any conduct that constitutes sexual or gender-based harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors.
19. Engaging in harassment of any kind, including, but not limited to, harassment motivated by race, color, religion, national origin, disability or age directed

- toward another student or District employee.
20. Engaging in any inappropriate physical or sexual contact.
 21. Engaging in inappropriate or indecent exposure of private parts.
 22. Making threats, including verbal and written statements, hit lists, mail and e-mail, threats of a graphic nature (drawings, graffiti), and joking about threatening subjects that threaten the safety of another student, a school employee, or school property.
 23. Committing simple assault (assault by contact).
 24. Participating in consensual hugging, touching, or other displays of affection that are inappropriate.
 25. Participating in consensual activities that result in physical alteration or injury to self or of another person's body (i.e. piercing, tattooing, etc.).
 26. Failing to immediately report to a school employee knowledge of a device, object, substance, or event that could cause harm to self or others.
 27. Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in a current or past dating relationship.

***BULLYING**

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic methods, or physical conduct against another student on school property, at a school-sponsored event or school-related activity, or in a District operated vehicle, and the behavior:

- Results in harm to the student or the student's property
- Places a student in reasonable fear of physical harm or of damage to the students' property, or
- Is so severe, persistent, and pervasive that it creates an intimidating, threatening, or abusive educational environment.

This conduct is considered bullying if it exploits an imbalance of power between the student perpetrator(s) and the student victim and if it interferes with a student's education or substantially disrupts the operation of the school.

Bullying is prohibited by LISD and could include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor-spreading, or ostracism. In some cases, bullying can occur through electronic methods, called "cyberbullying".

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal, or other District employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. The District will also contact the parents of the victim and of the student who was found to have engaged in the bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

Any retaliation against a student who reports an incident of bullying is prohibited. The principal may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to

another school in the District. The parent of a student who has been determined by the District to be a victim of bullying may request that his or her child be transferred to another classroom or campus within the District.

Review the Bully information flyer in the handbook Appendix.

**MISUSE
OF
PROPERTY**

- 28. Stealing from students, staff, or the school.
- 29. Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery, aggravated robbery, and theft offenses are addressed later in the Student Code of Conduct.)
- 30. Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
- 31. Defacing or damaging school property – including textbooks, lockers, furniture, and other equipment with graffiti or by other means.
- 32. Possessing prohibited items. The District also prohibits students from possessing certain other items without administrative approval while on school property, while using District transportation, or while attending school-sponsored or school-related activities, whether on or off school property.

**POSSESSION
OF
PROHIBITED
ITEMS**

Radios	Permanent/Sharpie® Markers	Correction Fluid	Laser Pointers
Lighters, matches, e-cigarettes, and Tobacco Products	Pornography and/or materials of a profane, vulgar or obscene nature	Paintballs and Paintball Guns	Mace and Pepper Spray
Sling Shots	Animals	Aerosol Spray Cans	Cards and Dice
Starter Pistols	Pacifiers	Spray Paint	
Guitars, Harmonicas and other Instruments unless through Administrative approval	All Knives, regardless of blade length, including pocket knives and any type of Firearms (real or otherwise), Razors, Box Cutters, and Chains	Incendiaries, Smoke or Stink Bombs, Fireworks, or any other Pyrotechnic Device, Stun, Air, “look alike” Weapons, Tasers or BB Guns, etc.	Poisons, Caustic Acids, or other materials that may be toxic to the human body
Inline Skates	Roller Shoes	Ammunition, shells, bullets, or gun powder	

This list is not all inclusive. There may be other items that the campus or District administration determines to be disruptive to the educational environment.

**MISUSE
OF
TECHNOLOGY**

33. Violating any of the prohibited behaviors/conduct listed in the LISD Technology Resource Acceptable Use Guidelines. See Appendix B- Technology Resource Acceptable Use Guidelines for the complete list in the back of the handbook.

NOTE: We encourage and support the proper use of the various forms of technology. The District IS NOT liable for lost or stolen personal electronic devices (i.e. cell phones, iPods, iPhones, iPads, Kindles, etc.). In addition, the District will not expend resources to recover these items.

34. Recording the voice or image of another without the prior consent of the individuals being recorded, or administrative approval, in any way that disrupts the educational environment or invades the privacy of others.
35. Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the District's website.

**MISUSE
OF
ILLEGAL
PRESCRIPTION
AND/OR OVER
THE COUNTER
DRUGS**

36. Possessing, selling, or giving something represented to be drugs, contraband, or related paraphernalia.
37. Violating the District's regulations on taking or possessing prescription drugs and/or over-the-counter medication; abusing one's own prescription or giving one's own prescription to another; being under the influence of another person's prescription drugs; being under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See Glossary for "under the influence").
38. Abusing or sharing/giving/selling vitamins, minerals, or herbal/dietary supplements to other students
39. Possessing, selling, delivering, giving, using or being under the influence of intoxicants or inhalants (i.e. whippets, bath salts or related items listed in number 32).

SAFETY

40. Possessing, selling, delivering, giving, using or being under the influence of look-alike drugs (i.e. K2, spice, or fake marijuana).
41. Possessing, smoking or using tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device.
42. Discharging a fire extinguisher without valid cause.
43. Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct shall substantially disrupt the school program or incite violence.
44. Behaving in any way that disrupts the school environment or educational process.
45. Making false accusations or perpetrating hoaxes regarding school safety.
46. Possessing or using a knife with a blade 3 inches or under.

**MISCELLANEOUS
OFFENSES**

47. Engaging in cheating, plagiarism or, copying. This offense may result in possible grade reductions and other consequences as permitted by policy.
48. Bringing skateboards onto the bus. (Students with skateboards in their possession shall not be allowed to get on the bus.)
49. Aiding a student or students in committing prohibited behaviors.
50. Participating in gambling or betting money or other things of value.
51. Falsifying records, passes, or other school-related documents.
52. Certain criminal behavior resulting in the student receiving a ticket or citation, being arrested, or having an arrest warrant issued for himself/herself, regardless of where or when the alleged behavior occurred.
53. Using profane language verbally, written, or any electronic form.

Because of significant variations in student conduct, it is not always possible for the Student Code of Conduct to address each and every act of student misbehavior. To that end, the District retains discretion to address student misconduct that is inconsistent with these standards even though the conduct may not be specifically included in the Student Code of Conduct.

**STUDENTS
WITH
DISABILITIES**

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

In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists 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.

**DISCIPLINE
MANAGEMENT
TECHNIQUES**

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

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

Since the Districts primary responsibility in transporting students in District vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal may restrict or revoke a student's transportation privileges, in accordance with law.

In deciding whether to order out-of-school suspension, to place in a DAEP or to expel, the District shall take into consideration:

1. Self-defense (see Glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

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

1. Verbal (oral or written) correction.
2. Cooling-off time or "time-out."
3. Seating changes within the classroom.
4. Temporary confiscation of items that disrupt the educational process.
5. Rewards or demerits.
6. Behavioral contracts.
7. Counseling by teachers, counselors, or administrative personnel.
8. Parent-teacher conferences.

9. Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
10. Detention.
11. Sending the student to the office or other assigned area, or to in-school suspension.
12. Assignment of school duties such as cleaning or picking up litter.
13. Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
14. Penalties identified in individual student organizations' extracurricular standards of behavior.
15. Withdrawal or restriction of bus privileges.
16. School-assessed and school-administered probation.
17. Out-of-school suspension, as specified in the suspension section of this Code.
18. Placement in a DAEP, as specified in the DAEP section of this Code.
19. Expulsion, as specified in the Expulsion section of this Code.
20. Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
21. Other strategies and consequences as determined by school officials.
22. Students who miss school hours due to dress code violations shall be required to make up the hours in Saturday Clock Hour Class or Before-or-After-School Detention.
23. Restitution or restoration.
24. Dismissal from the extra- or co-curricular activity, office, club, group, or team, and/or referral to the Licensed Chemical Dependency Counselor for counseling, if appropriate. The student may also be required to complete a reinstatement plan.

OUT-OF-SCHOOL SUSPENSION

Students may be out-of-school suspended for any behavior listed in the Student Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.

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

1. Self-defense (see Glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, **and**
3. The student's disciplinary history.

The number of days of a student's out-of-school suspension shall be determined by the appropriate administrator. State law allows a student to be out-of-school suspended for no more than three (3) 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 out-of-school suspended a student shall have an informal conference with the appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

While on out-of-school suspension, students may not participate in school-sponsored or school-related extracurricular and/or co-curricular activities.

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 on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus 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 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.

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 a behavior that violates this Code to maintain effective discipline in the classroom.

REGULAR EDUCATIONAL SETTING REMOVAL 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.

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

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

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled.

When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed. Otherwise, within three school days of the formal removal, the appropriate administrator shall schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator shall inform the student of the misconduct for which he or she is charged and the consequences. The administrator shall give the student an opportunity to give his or her version of the incident.

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

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- A Disciplinary Alternative Education Program (DAEP).

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

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

Section V: Placement in a Disciplinary Alternative Education Program (DAEP)

LEO Leander Independent School District's Extended Opportunity Center (LEO), the District's Disciplinary Alternative Education Program (DAEP), exists to provide a highly structured environment for students who commit major offenses or who commit a series of less serious offenses. The intense observation at the LEO Center shall be directed toward correcting the behavior. Students shall be admitted to LEO following a referral by the home campus. Days counted for LEO assigned days, are only days student is actually present at the LEO Center. Parents and students receive specific information regarding to the LEO Center at the time of a placement or an expulsion.

REMOVAL TO A DAEP Part A lists behaviors that **may** result in such a placement. Part B lists behaviors which, by law, **must** result in a student's placement in a Disciplinary Alternative Education Program (DAEP).

For purposes of DAEP, elementary classification shall be kindergarten-grade 5 and secondary classification shall be grades 6-12. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

Summer programs provided by the District shall serve students assigned to a DAEP in conjunction with other students on a case-by-case basis.

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

1. Self-defense (see Glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, **and**
3. The student's disciplinary history.
4. When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be place in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

PART A
REASONS
FOR
DISCRETIONARY
DAEP
PLACEMENT

Note: Students violating the offenses in Section V (Parts A and B) shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the local police department, as permitted by State Law.

Following an investigation and a determination is made that a secondary student committed a Discretionary offense, the student shall be placed in a DAEP for a minimum of 30 school days. Depending on age appropriateness and the nature of the offense, elementary students may be placed at a DAEP from one (1) day to six (6) weeks.

SCHOOL-RELATED. A student **may** be placed in a Disciplinary Alternative Education Program (DAEP) for any of the following misconduct if committed while 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:

1. Possessing, giving, buying, or selling less than a useable amount of stems, seeds, or other pieces of marijuana.
2. Possessing, using, selling, buying, or giving **paraphernalia (see Glossary)** related to any prohibited substance, including but not limited to marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage.
3. Abusing the student's own prescription drug or using it in a way other than prescribed; giving, buying, or selling a prescription drug; possessing, using, or being under the influence of another person's prescription drug.
4. Preparing a hit list.
5. Engaging in serious or persistent misbehavior.
6. Disruptive activities (if results in disorderly conduct or assault).
7. Disruption of classes (if results in disorderly conduct or assault).
8. Theft.
9. Weapons or instruments represented as or used as weapons, any form of brass knuckles or finger armor.
11. Fighting.
12. Sexual harassment.
13. Transfer from another district's DAEP.
14. Possession, use or transmittal of something represented to be a prohibited substance or paraphernalia associated with a prohibited substance.
15. Possessing or bringing any type of ammunition.
16. Criminal trespass.
17. Threats. The District takes seriously and shall act upon all threats made (verbal or written) toward the safety of our schools or others.
18. Bullying, cyberbullying, or harassment.
19. Violation of any campus, classroom, District transportation, or Student Code of Conduct rules as listed in Section IV, General Misconduct.

OFF-CAMPUS. A student **may** be placed in DAEP based on conduct occurring off-campus and not in attendance at a school-sponsored or school-related activity if:

1. The superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than aggravated robbery under Section 29.03, Penal Code, or those offenses defined in Title 5, Penal Code: and
2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

REGARDLESS OF LOCATION. A student **may** be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus.

1. If the student is a registered sex offender who is not under any form of court supervision. (A registered sex offender who is not under any form of court supervision shall be placed in regular classes if the student is not a threat to the safety of others, is not detrimental to the educational process and such placement is not contrary to the best interests of the District's students.)
2. Engages in criminal mischief if not punishable as a felony.

**PART B
REASONS
FOR
MANDATORY
DAEP
PLACEMENT**

Note: Students violating the offenses in Section V (Parts A and B) shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the local police department, as permitted by State Law.

Following an investigation and a determination is made that a secondary student committed a Mandatory offense, the student shall be placed in a DAEP for a minimum of 45 school days. Depending on age appropriateness and the nature of the offense, elementary students may be placed at a DAEP from one (1) day to six (6) weeks.

SCHOOL-RELATED. A student **must** be placed in a DAEP for any of the following misconduct if committed while on school property or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Commits an assault with bodily injury under Texas Penal Code 22.01(a)(1).
3. ***Sells, gives, delivers to another person, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage in any amount 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.***
4. ***Commits a serious act or offense while under the influence of an alcoholic beverage if the conduct is not punishable as a felony.***
5. ***Engages in an offense relating to abusable volatile chemicals.***
6. Engages in conduct that contains the elements of the offense of public lewdness.
7. Engages in conduct that contains the elements of the offense of indecent exposure.
8. Possesses or uses a knife with a blade over 3" up to 5 ½ ".
9. Engages in expellable conduct if the student is between six (6) and nine (9) years of age.
10. Engages in a federal firearm offense if the student is six (6) years of age or younger.
11. Engages in deadly conduct.

WITHIN 300 FEET. A student **must** be placed in a DAEP for any of the following misconduct while within 300 feet of school property, as measured from any point on the real property boundary line.

1. ***Committing aggravated assault, sexual assault, or aggravated sexual assault.***
2. ***Committing arson (see Glossary).***
3. ***Committing murder, capital murder, or criminal attempt to commit murder or capital murder.***
4. ***Committing indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.***
5. ***Committing a felony drug- or alcohol-related offense.***

6. **Using, exhibiting, or possessing a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possessing a firearm (as defined by federal law).**
7. **Continuous sexual abuse of a young child or children.**

OFF-CAMPUS. A student **must** be placed in DAEP for engaging in conduct punishable as aggravated robbery or a felony listed under Title 5 of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:

1. The student receives deferred prosecution for a Title 5 (see Glossary) felony offense.
2. A court or jury finds the student engaged in delinquent conduct for a Title 5 felony offense.
3. The administrator reasonably believes that the student engaged in a Title 5 felony offense.

***Title 5 offenses against a person may include the following, but not limited to:**

1. Murder	9. Unlawful transport	16. Injury to a child, an elderly person, or a disabled person	21. Terroristic threat
2. Capital murder	10. Assault	17. Abandoning or endangering a child	22. Aiding a person to commit suicide
3. Manslaughter	11. Aggravated assault	18. Improper photography or visual recording	23. Harassment by a person in a correctional facility
4. Criminally negligent homicide	12. Sexual assault	19. Coercing, soliciting, or inducing gang membership	24. Continuous sexual abuse of a young child or children
5. Unlawful restraint	13. Aggravated sexual assault	20. Deadly Conduct	25. Tampering with a consumer product.
6. Kidnapping	14. Improper relationship between educator & student		
7. Aggravated kidnapping	15. Indecency with a child		
8. Trafficking of persons			

4. 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.

REGARDLESS OF LOCATION. A student **must** be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

1. **Engages in conduct relating to a false alarm or report (Including a bomb threat) or a terroristic threat involving a public school. (See Glossary)**
2. Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property.
3. **Engages in conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.**
4. Is involved with a public school fraternity, sorority, secret society, or gang, including participating as a member or pledge, or soliciting another person to become a member or pledge.
5. **Is involved with a criminal street gang or encourages, solicits, recruits, enables, or causes another to become a member of a criminal street gang.**
6. **Engages in criminal mischief if punishable as a felony.**
7. Is a registered sex offender under court supervision, probation, community supervision, or parole.
8. **Breach of computer security.**
9. **A student must be placed if the student engages in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:**
 - a. **Aggravated assault.**
 - b. **Sexual assault.**

- c. ***Aggravated sexual assault.***
- d. ***Murder.***
- e. ***Capital murder.***
- f. ***Criminal attempt to commit murder or capital murder.***
- g. ***Aggravated robbery.***

Students who are: (1.) convicted of continuous sexual abuse of a young child or children; or (2.) convicted, received deferred adjudication or deferred prosecution, been found to have engaged in delinquent conduct or conduct in need of supervision, or been placed on probation for either sexual assault or aggravated sexual assault against another student assigned to the same campus at the time the offense occurred shall be placed in DAEP (or JJAEP as appropriate) on the request of the victim's parents if the victim student does not wish to transfer, and there is only one campus serving that grade level. Placement in this circumstance may be for any length of time considered necessary.

***Offenses in italics and bolded may result in a discretionary expulsion.**

Section VI: Expulsion

PART A REASONS FOR DISCRETIONARY EXPULSIONS

Note: Students committing any of the offenses under Section VI shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the police department, as permitted by State Law.

In deciding whether to expel a student, regardless of whether the action is mandatory or discretionary, the District shall take into consideration:

1. Self-defense (see Glossary).
2. Intent or lack of intent at the time the student engaged in the conduct, **and**
3. The student's disciplinary history.

1. A student **may** be expelled for engaging in documented serious misbehavior that violates the District's Student Code of Conduct, despite documented behavioral interventions **while placed in a DAEP**. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:
 - a. Deliberate violent behavior that poses a direct threat to the health or safety of others;
 - b. Extortion, meaning the gaining of money or other property by force or threat;
 - c. Conduct that constitutes coercion, as defined by Texas Penal Code Section 1.07; or
 - d. Conduct that constitutes the offense of:
 - e. Public lewdness under Texas Penal Code Section 21.07;
 - i. Indecent exposure under Texas Penal Code Section 21.08;
 - ii. Criminal mischief under Texas Penal Code Section 28.03;
 - iii. Personal hazing under Texas Penal Code Section 37.152; or
 - iiii. Harassment under Texas Penal Code Section 42.07(a)(1) of a student or district employee.

OFF-CAMPUS. A student **may** be expelled for engaging in the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

In accordance with the Education Code 37.0081, after an opportunity for a hearing before the Board or its designee, a student may be expelled if:

1. The student receives deferred prosecution for conduct defined as a felony offense in Title 5 of the Texas Penal Code;
2. The student has been found by a court of law to have engaged in delinquent conduct for conduct defined as a felony offense in Title 5 of the Texas Penal Code;
3. Is charged with engaging in conduct defined as a felony offense in Title 5; Penal Code;
4. Has been referred to a juvenile court for allegedly engaging in delinquent conduct under Section 54.03, Family Code, or for conduct defined as a felony offense in Title 5, Penal Code;
5. Has received probation or deferred adjudication for a felony offense under Title 5, Penal Code;
6. Has been convicted of a felony offense under Title 5, Penal Code; or
7. Has been arrested for or charged with a felony offense under Title 5, Penal Code.

The Board or the Board's designee must determine that the student's presence in the classroom:

1. Threatens the safety of other students or teacher;
2. Shall be detrimental to the educational process; **or**
3. Is not in the best interest of the District's students.

A student's expulsion as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur 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.

REGARDLESS OF LOCATION. A student **may** be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus.

1. A student may be expelled for engaging in conduct that contains the elements of assault under Texas Penal Code Section 22.01(a)(1) against an employee or a volunteer.

PART B
REASONS FOR
MANDATORY
EXPULSIONS

A student **must** be expelled for any of the following offenses if **committed on school property or while attending a school-sponsored or school-related activity on or off school property**:

1. A firearm violation, as defined by federal law.
Firearm under federal law includes:
 - a. Any weapon (including a starter gun), which shall or is designed to or which may readily be converted to expel a projectile by the action of an explosive.
 - b. The frame or receiver of any such weapon.
 - c. Any firearm muffler or firearm weapon.
 - d. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade.

2. Use, exhibition, or possession of the following, under the Texas Penal Code:
 - a. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility 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.
 - b. An illegal knife, such as a knife with a blade over 5 ½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; switchblade knife; or spear.
 - c. A club such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
 - d. A prohibited weapon, such as an explosive weapon, a machinegun, a short-barrel firearm, a firearm silencer, knuckles, armor-piercing ammunition, a chemical dispensing device, a zip gun, or a tire deflation device. (See Glossary).

3. Behavior containing the elements of the following under the Texas Penal Code:
 - a. Aggravated assault, sexual assault, or aggravated sexual assault.
 - b. Arson.
 - c. Murder, capital murder, or criminal attempt to commit murder.
 - d. Indecency with a child.
 - e. Aggravated kidnapping.
 - f. Aggravated robbery.
 - g. Manslaughter.
 - h. Criminally negligent homicide.
 - i. 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.
 - j. Continuous sexual abuse of a young child or children.

REGARDLESS OF LOCATION. A student **must** be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

1. Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expellable offenses.

Section VII: Procedures

Placement and/or Expulsion for Certain Offenses

Registered Sex Offenders

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

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement shall be in either DAEP or JJAEP for at least one semester.

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

1. Threatens the safety of other students or teachers.
2. Shall 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 STUDENT

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

APPEAL

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

CERTAIN FELONIES

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the Board or its designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see Glossary) of the Texas Penal Code. The student must:

1. Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
2. 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;
3. Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
4. 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**
5. 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.

HEARINGS 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. Shall 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.

NEWLY ENROLLED STUDENTS Any student who enrolls in the District before completing a placement under this section from another school district must complete the term of the placement.

REMOVAL TO A DAEP 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.

**APPEAL
TO
A
DAEP
PLACEMENT**

Questions or complaints from parents regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate and in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through policy On Line on the Leander ISD website, www.leanderisd.org.

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

The student or the student's parent may appeal the superintendent's or designee's decision to the Board in accordance with policy FOC (Legal). 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.

**MANDATORY
FORMAL
REMOVAL**

A teacher **may** remove a student from class for an offense listed in Part A. A teacher **must** remove a student from class for offenses listed in Part B of this Section. The teacher shall write a Code of Conduct Violation Report if a student commits any of the behaviors in Section IV of the Code. Within three (3) school days of receiving the Student Code of Conduct violation report and removal of the student, the principal shall schedule a conference with the student's parent, teacher and the student.

**REMOVAL BY
CAMPUS
ADMINIS-
TRATOR**

Removals to a DAEP shall be made by a campus administrator. An administrator **may** remove a student for offenses listed in Part A. An administrator **must** remove a student for offenses listed in Part B of this Section. The administrator shall decide on placement in the Disciplinary Alternative Education Program (DAEP) according to law and local policy. The campus administrator shall schedule a conference with the student's parent and the student within three (3) school days.

CONFERENCE

Until a conference can be held as a result of a DAEP offense, a formal teacher removal or campus administrator removal, the campus administrator may suspend or place a student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- A Disciplinary Alternative Education Program in which the student must be separate from the other students for the entire school program day and shall be provided instruction in the core subjects. Counseling shall also be provided to the student.

At the conference, a campus administrator shall inform the student, orally or in writing, of the allegation against the student, the reason for the placement, and give the student an opportunity to explain the incident. The administrator shall inform the student of the consequence of the misbehavior and the student's length of placement in the DAEP. The student may not be returned to the regular classroom pending the conference.

Following valid attempts to contact the parent, the District may hold the conference and make a placement decision regardless of whether the student or the student's parent attends the conference.

PLACEMENT ORDER

After the conference, if the student is placed in the DAEP, the appropriate administrator 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 applicable).

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

COURSEWORK NOTICE

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

LENGTH OF PLACEMENT

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

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

In order for a day to count toward the DAEP assignment, the student must be present for the entire day, arrive on time, complete all assignments, follow all rules, and engage in no additional violations of the Student Code of Conduct.

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:

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

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

Exceeds School Year:

Students who commit offenses requiring placement in a DAEP at the end of one (1) school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the superintendent or superintendent'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 superintendent or the superintendent's designee.

**RETURNING
STUDENT
TO
CLASSROOM**

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

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

**WITHDRAWAL
DURING
PROCESS**

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

**NEWLY
ENROLLED
STUDENTS**

The District shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the District and was assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district). The District may place the student in the district's DAEP or a regular classroom setting.

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

EXTRA-CURRICULAR AND NON-CURRICULAR RESTRICTIONS

Students placed in DAEP for any mandatory or discretionary reason are not allowed to attend or participate in school-sponsored or school-related extracurricular or co-curricular activities during the period of DAEP placement. This restriction applies until the student fulfills the DAEP assignment at this or another school district.

TRANSPORTATION

The District shall provide transportation to the DAEP for students in a Disciplinary Alternative Education Program. However, if a student placed in the DAEP violates District transportation rules, the student may be denied transportation provided by the District.

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

EMERGENCY PLACEMENT

In an emergency, a campus administrator may order the immediate placement of a student into a Disciplinary Alternative Education Program when the student is so unruly, disruptive, or abusive that the student's presence seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

PARTICIPATING IN GRADUATION

It is within the District's discretion to deny participation in the graduation ceremony or in other related graduation activities if a student has met all the criteria for graduation and is in a DAEP at the end of the school year.

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

Participation may 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 as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation with the District's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the District's Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

DAEP PLACEMENT REVIEW

The campus administrator will review a student's DAEP placement and academic status every 120 calendar days. In the case of a high school student, the student's progress toward graduation will be reviewed and a graduation plan will be established. At the review, the student or the parent/guardian will have an opportunity to present reasons 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.

**COURT/
CRIMINAL
PROCEEDING**

A juvenile court shall notify the district, if prosecution of a student's case was refused.

1. Prosecution of the student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication, or deferred prosecution shall be initiated; or
2. The court or jury found the student not guilty or concluded the student did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed.

On receipt of the official written notice from the juvenile court, the Board's designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The Board's designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third day after the Board's designee receives notice from the juvenile court. After reviewing the notice and receiving information from the student's parent or guardian, the Board's designee may continue the student's placement in the DAEP 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 or guardian may appeal this decision to the Board. The student may not be returned to the regular classroom pending the appeal.

This appeals process does not apply to placements resulting from offenses for which the state requires mandatory Disciplinary Alternative Education Program placement.

Expulsion Procedures

**EXPULSION
HEARING**

The following techniques and procedures apply to both **Mandatory Expulsion** and **Discretionary Expulsion**.

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 Board of trustees delegates to the superintendent or his designee authority to conduct hearings and expel students.

After the due process hearing, 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 hearing officer 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 applicable).

**HEARING
REVIEW**

A student expelled or removed to a DAEP by order of the Board's designee after the due process hearing may request that the Board review the expulsion or removal decision. The student or parent shall submit a written request to the Board's designee within ten (10) days from the date of the written decision of the designee. The Board's designee shall provide the requestor 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 due process hearing on the expulsion, and may hear a statement from the student or parent and from the Board's designee.

In the event of an appeal to the Board, the Board shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board shall make and communicate its decision orally at the conclusion of the presentation and after its deliberation.

**LENGTH
OF
PLACEMENT**

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

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one (1) calendar year except as provided below:

An expulsion may not exceed one (1) 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 (1) calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion during one (1) school year may be expelled into the next school year to complete the term of expulsion.

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

**WITHDRAWAL
DURING
PROCESS**

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

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

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

ADDITIONAL MISCONDUCT	If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator or the Board may issue an additional disciplinary order as a result of those proceedings.
ACADEMIC CREDIT	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 STUDENT	The District shall continue the expulsion of any newly enrolled student expelled from another Texas school district or open-enrollment charter school until the period of the expulsion is completed.
CONTINUATION OF OTHER DISTRICT'S EXPULSION ORDER	<p>If a student expelled in another state enrolls in the District, the District may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:</p> <ol style="list-style-type: none"> 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. <p>If a student is expelled by a district in another state for a period that exceeds one year and the District continues the expulsion or places the student in a DAEP, the District shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one (1) year, unless after a review it is determined that:</p> <ol style="list-style-type: none"> 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.
DAEP PLACEMENT OF EXPELLED STUDENTS	The District may provide educational services to any expelled student in a DAEP. 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.
EMERGENCY EXPULSION	<p>In an emergency, the principal or the principal's designee may order the immediate removal of a student when people or property is in imminent harm or for any reason for which expulsion may be made on a non-emergency basis.</p> <p>When an emergency expulsion occurs, the student shall be given oral notice of the reason for the action. Within ten (10) days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion. If emergency expulsion involves a student with disabilities who receives special education services, the term of the student's emergency expulsion is subject to the requirements of federal law.</p>
JUVENILE JUSTICE ALTERNATIVE EDUCATION	The Board of Trustees has entered into an agreement with the county juvenile Board outlining the juvenile Board's responsibilities concerning the establishment and operation of the Juvenile Justice Alternative Education Program (JJAEP). Details of this relationship are defined in agreements.

**PROGRAM
(JJAEP)
PLACEMENT**

Based on age appropriateness and the nature of the offense, a student may be expelled to a Juvenile Justice Alternative Education Program from six (6) weeks to one (1) calendar year.

**QUESTIONING
OF
STUDENTS
AND
SEARCHES**

To aid in maintaining a safe and secure campus environment, students may, on occasion, be questioned by administrators and other professional personnel (i.e. teachers, nurse, counselor, parking lot attendant, etc.), or law enforcement officials without the presence of a parent or guardian. This is in accordance with District policies FNF and GRA (LOCAL). In addition, students may be asked to provide a written statement to administrators without the presence of or permission from a parent or guardian. When a student's statement is provided to law enforcement, the officer must sign a form acknowledging the receipt of the statement. In the event that a student is questioned by law enforcement and/or asked to provide a written statement to law enforcement, a reasonable attempt shall be made to notify the student's parents or guardians in a timely manner. In addition, an administrator will be present at the time of questioning.

Vehicles parked on school property, desks, purses, electronic equipment and book bags brought into the District or to a District-sponsored event, and lockers assigned to students are under the jurisdiction of the school. Searches of vehicles, desks, purses, electronic equipment or book bags may be conducted at any time there is reasonable suspicion to do so, with or without the presence of the student.

Students have full responsibility for the security of their vehicles and lockers and, therefore, need to make certain they are locked and that the keys/combinations are not given to others. Students shall be held responsible for any prohibited objects or substances, such as alcohol, drugs or weapons that are found in any locations under their control including their cars/lockers. Students shall not place, keep, or maintain any article or material in school-owned lockers that is forbidden by District policy or that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function. Students shall be subject to disciplinary action by the District, as well as referral for criminal prosecution for prohibited objects or substances. School officials may randomly search lockers for articles or materials prohibited by District policy.

In an effort to keep the workplace and schools free of drugs and weapons, the District may use specially trained non-aggressive dogs to sniff out and alert to the current presence of concealed prohibited items, illicit substances, and alcohol. This program is implemented in response to drug and alcohol use problems in district schools and to maintain a safe school environment conducive to education.

Visits to schools shall be unannounced. The dogs shall be used to sniff the air in vacant classrooms, in vacant common areas, around student lockers, and around vehicles parked on school property. In addition, the dogs may be used to sniff in classrooms, school buses, or other areas under District control after students have been directed to vacate and leave their belongings behind.

The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom, school bus, or other area under district control, it may be searched by school officials. If a dog alerts on a location under the student's control, all other locations under the student's control shall be subject to search. Searches of vehicles shall be conducted as described above.

The dog's official handler or designee shall determine what constitutes a detection or alert by the dog.

The search will be conducted by a school official or by a representative from a governmental agency (i.e. school, resource officer or police.)

**DRUG FREE
NOTICE**

The Leander Independent School District believes that student use of alcohol and illicit drugs is both wrong and harmful. Consequently, the District has established a code of Student Conduct that prohibits the use, sale, possession, and distribution of alcohol and illicit drugs by students on school premises, on a passenger transportation vehicle of the District, or as part of any school activity, regardless of its location. Compliance with this Code of Conduct is mandatory, and students shall be disciplined and may be referred to legal authorities if they are found to have violated this Code of Conduct.

The District's policies and Student Code of Conduct provide a range of disciplinary sanctions for alcohol and drug-related offenses. Students may be referred to appropriate law enforcement officials for criminal prosecution. Procedural requirements for the imposition of suspension and expulsion are set out in the District's policies.

Depending on the nature and severity of a drug or alcohol-related offense, a student may be required to complete an appropriate rehabilitation program either in lieu of or in addition to other disciplinary sanctions. The principal or counselor can provide information about rehabilitation and re-entry programs available in the LISD community or within reasonable access of the LISD community.

**SEXUAL
ASSAULT
AND
CAMPUS
ASSIGNMENTS**

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

**PARENTAL
QUESTIONS,
CONCERNS OR
APPEALS**

Questions from parents regarding disciplinary measures taken should be addressed to the teacher or campus administration, 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 this policy may be obtained from the principal's office or the Central Administration Office or through Policy on Line at the following address: www.leanderisd.org.

At the administrator's discretion, consequences shall not be deferred pending the outcome of a grievance.

END OF CODE OF CONDUCT