

Leander Independent School District



Student Code of Conduct 2025-2026

Leander ISD Vision

The #1LISD community cultivates each student individually to produce the most sought after creators of our future world.



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.

ACCESSIBILITY

If you have difficulty accessing the information in this document because of disability, please contact the district at [Let's Talk](#) or call 512-570-0000.

PURPOSE

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

The Student Code of Conduct ("Code of Conduct"), 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 Code of Conduct has been adopted by the Leander ISD's 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 of Conduct 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 of Conduct shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code of Conduct shall be posted on the District's website @ <http://www.leanderisd.org>. 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.

Not later than the first day of the 2025-2026 school year, the Texas Education Agency (TEA) shall prepare and provide to each school district a report identifying each law relating to school discipline that was amended or added by the 89th Legislature, Regular Session, 2025. A school district shall provide to each student and the parent of or person standing in parental relation to the student the prepared report.

Because the 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 of Conduct and the student handbook, the Code of Conduct 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.



SECTION I: ETHICAL PRINCIPLES/EXPECTED BEHAVIORS	6
ETHICAL PRINCIPLES	6
STANDARDS FOR STUDENT CONDUCT.....	6
SECTION II: SCHOOL DISTRICT AUTHORITY AND JURISDICTION.....	7
CAMPUS BEHAVIOR COORDINATOR.....	7
AUTHORITY AND JURISDICTION.....	7
EXPECTATIONS FOR REPORTING OFFENSES/ CRIMES.....	8
SECURITY PERSONNEL.....	8
QUESTIONING OF STUDENTS AND SEARCHES.....	8
SCHOOL BEHAVIORAL THREAT ASSESSMENT TEAM AND SAFE AND SUPPORTIVE SCHOOL PROGRAM.....	9
TRANSFERS.....	9
UNAUTHORIZED PERSONS.....	9
BEHAVIORS, CONSEQUENCES, AND TECHNIQUES.....	10
PARENTAL QUESTIONS, CONCERNS, OR APPEALS.....	10
SECTION III: DRESS CODE.....	11
PHILOSOPHY.....	11
VALUES.....	11
GOALS.....	11
DRESS CODE.....	11
DRESS CODE ENFORCEMENT.....	12
EXCEPTIONS.....	13
SECTION IV: GENERAL MISCONDUCT VIOLATIONS.....	14
MISCONDUCT VIOLATIONS	14
MISTREATMENT OF OTHERS.....	14
BULLYING.....	15
MISUSE OF PROPERTY	16
POSSESSION OF PROHIBITED ITEMS.....	16
MISUSE OF TECHNOLOGY.....	17
MISUSE OF ILLEGAL, PRESCRIPTION, AND/OR OVER-THE- COUNTER DRUGS.....	18
SAFETY.....	18
MISCELLANEOUS OFFENSES.....	19
STUDENTS WITH DISABILITIES	19
DISCIPLINE MANAGEMENT TECHNIQUES.....	20
PROHIBITED AVERSIVE TECHNIQUES.....	21
REMOVAL FROM THE SCHOOL BUS.....	21
ROUTINE REFERRAL.....	22
FORMAL TEACHER REMOVAL.....	22
RETURNING A STUDENT TO THE CLASSROOM.....	23
IN-SCHOOL SUSPENSION.....	23
POSSESSION OR USE OF NICOTINE DELIVERY PRODUCT OR E-CIGARETTE.....	24
OUT-OF-SCHOOL SUSPENSION.....	24
COURSEWORK DURING SUSPENSION.....	25
NOTIFICATION.....	25



PARENTAL INVOLVEMENT.....	25
SECTION V: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP).....	26
THE LEANDER EXTENDED OPPORTUNITY CENTER (LEO).....	26
DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP) PLACEMENT.....	26
PART A: REASONS FOR DISCRETIONARY DAEP PLACEMENT.....	27
PART B: REASONS FOR MANDATORY DAEP PLACEMENT	28
SECTION VI: EXPULSION.....	31
PART A: REASONS FOR DISCRETIONARY EXPULSIONS	31
PART B: REASONS FOR MANDATORY EXPULSIONS	32
REGISTERED SEX OFFENDERS AND CERTAIN FELONIES.....	33
REGISTERED SEX OFFENDERS.....	33
NOTIFICATION.....	33
REVIEW COMMITTEE.....	34
NEWLY ENROLLED STUDENT.....	34
APPEAL.....	34
CERTAIN FELONIES.....	34
HEARINGS AND REQUIRED FINDINGS.....	35
LENGTH OF PLACEMENT.....	35
PLACEMENT REVIEW.....	35
NEWLY ENROLLED STUDENTS.....	35
REMOVAL TO DAEP.....	35
SECTION VII: PROCEDURES.....	36
DAEP PLACEMENT PROCEDURES.....	36
REMOVAL BY CAMPUS ADMINISTRATOR.....	36
CONFERENCE.....	36
MITIGATING FACTORS.....	36
PLACEMENT ORDER.....	36
DAEP CAPACITY.....	36
COURSEWORK NOTICE.....	37
LENGTH OF PLACEMENT.....	37
APPEAL OF A DAEP PLACEMENT.....	38
RESTRICTIONS DURING PLACEMENT.....	38
PARTICIPATING IN GRADUATION.....	38
DAEP PLACEMENT REVIEW.....	38
ADDITIONAL MISCONDUCT.....	38
RETURNING STUDENT TO CLASSROOM.....	39
WITHDRAWAL DURING PROCESS.....	39
COURT/CRIMINAL PROCEEDING.....	39
NEWLY ENROLLED STUDENTS.....	40
TRANSPORTATION.....	40
EMERGENCY PLACEMENT.....	40
TRANSITION SERVICES.....	40
EXPULSION PROCEDURES.....	41



REMOVAL BY CAMPUS ADMINISTRATOR..... 41

EXPULSION HEARING..... 41

HEARING REVIEW.....41

LENGTH OF EXPULSION..... 42

RESTRICTIONS DURING EXPULSION.....42

WITHDRAWAL DURING PROCESS..... 42

ADDITIONAL MISCONDUCT 42

ACADEMIC CREDIT.....42

NEWLY ENROLLED STUDENT..... 43

DAEP PLACEMENT OF EXPELLED STUDENTS.....43

TRANSITION SERVICES..... 43

EMERGENCY EXPULSION.....43

JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP) PLACEMENT..... 43

GLOSSARY..... 45



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 FOR STUDENT CONDUCT

To promote a positive educational experience for all students, each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-control, self-respect, and self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Demonstrate a positive attitude.
- Respect the rights and feelings of others.
- Respect the property of others, including school/district property and facilities.
- Support the learning process.
- Adhere to all campus and classroom rules and the Code of Conduct.
- 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 single person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The CBC is primarily responsible for maintaining student discipline. Additional staff members may assist the CBC in the performance of the CBC's duties, provided that the CBC personally verifies that all aspects of Chapter 37, Subchapter A are appropriately implemented.

The CBC shall monitor disciplinary referrals and report the following behavior to the campus's threat assessment and safe and supportive school team:

- Conduct that contains the elements of the offense of terroristic threat under Penal Code 22.07;
- Conduct that contains the elements of the offense of unlawfully carrying weapons under Penal Code 46.02;
- Conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125; and
- Any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others.

The District maintains a current list and contact information of CBCs serving each campus on the [Leander ISD Student Support Services website](#).

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 or 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 students, in select courses, are 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/district property or at a school-related event;
9. For certain offenses committed within 300 feet of school/district property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school/district 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, 37.007, or 37.0081](#); and
12. When the student is required to register as a sex offender.

**EXPECTATIONS
FOR REPORTING
OFFENSES/ CRIMES**

Anytime someone has information about a student in Leander ISD 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. The principal or CBC 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. [Education Code 37.015](#) requires the district to report certain offenses that occur on school property or at school events.

**SECURITY
PERSONNEL**

To support the safety, security, and protection of students, staff, and property, the Board utilizes police officers, school resource officers (SROs), school marshals, or security personnel. In accordance with the law, the Board has coordinated with the CBC and other District employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the [CKE](#) policy series. The law enforcement duties of security personnel are to implement the District's comprehensive safety programs. All security personnel shall receive at least the minimum amount of education and training required by law.

**QUESTIONING OF
STUDENTS AND
SEARCHES**

To aid in maintaining a safe and secure campus environment, students may be questioned by administrators and other professional personnel (i.e. teachers, nurses, counselors, parking lot attendants, etc.), or law enforcement officials without the presence of a parent or guardian. This is per District policies [FNF\(LOCAL\)](#) 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. If 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 promptly. In addition, an administrator will be present at the time of questioning when permitted.

District officials may conduct searches of students, their belongings, and their vehicle per state and federal law and District policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. 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. Refer to policy [FNF\(LEGAL\)](#) and policy [FNF\(LOCAL\)](#) for more information regarding investigations and searches.

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 are 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.

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 areas 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.) The District's policies and the 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.

SCHOOL BEHAVIORAL THREAT ASSESSMENT TEAM AND SAFE AND SUPPORTIVE SCHOOL PROGRAM

The CBC or other appropriate administrator will work closely with the School Behavioral Threat Assessment Team (SBTAT) to implement the Safe and Supportive School Program (SSSP) that includes the District's behavioral threat assessment(BTA) policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct. Refer to the district's policy at [FFB\(LOCAL\)](#) for more information regarding threat assessment and safe and supportive school teams.

TRANSFERS

The District has the right to revoke a transfer of a nonresident student for violating the Code of Conduct. In addition, the District also has a process for revoking in-District transfers if a student is no longer in good standing (see campus administrator for details).

UNAUTHORIZED PERSONS

Under [Education Code 37.105](#), a school administrator, school resource officer (SRO), District police officer, school marshal, or security personnel shall have the authority to refuse entry 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 the person 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 the refusal of entry or ejection from District property may be filed under [FNG\(LOCAL\)](#) or [GF\(LOCAL\)](#), as appropriate.

BEHAVIORS, CONSEQUENCES, AND TECHNIQUES

In general, discipline shall be designed to correct 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 a range of discipline management techniques, including restorative practices. 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, and whether a student was reasonably acting in self-defense and statutory requirements. Because of these factors, discipline for an offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

The safety of students is a priority and goal for the District. All stakeholders (staff, students, parents, and community members) must 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.

The list of prohibited behaviors and possible consequences are listed in the next five (5) sections of the 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 Code of Conduct, the District also has campus, classroom, and District transportation rules. These rules may be listed in the Student and Parent Handbook, given directly to the students, or posted in classrooms or on District vehicles. These other rules may or may not constitute violations of this Code of Conduct.

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, the CBC's office, the central administration office, or online at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=1248&code=FNG#localTabContent>

The district shall not delay a disciplinary consequence while a student or parent pursues an appeal or 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 [FFH\(LOCAL\)](#).



Section III: Dress Code

PHILOSOPHY

The Leander Independent School District's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff will enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law per [FFH\(LOCAL\)](#).

VALUES

- All students should be able to dress comfortably for school and engage in the educational environment without fear of unnecessary discipline or body shaming.
- All students and staff are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.
- Student dress code enforcement should not result in unnecessary barriers to school attendance.
- School staff will use student/body-positive language to explain the code and to address code violations.

GOALS

- Ensure that all students are treated equitably regardless of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law per [FFH\(LOCAL\)](#).
- Maintain a safe learning environment in classes where protective or supportive clothing is needed (e.g., physical activity, science, or CTE courses).
- Allow students to wear clothing of their choice that is comfortable.
- Allow students to wear clothing that expresses their self-identified gender.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Allow students to wear their hair naturally or styled, including hair textures and hairstyles that are commonly associated with race or national origin, without fear of discipline or discrimination.
- Ensure students' clothing or accessories do not interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.

DRESS CODE

All students will dress in a way that is appropriate for the school day or any school-sponsored event. Student dress choices should respect the District's intent to sustain a community that is inclusive of a diverse range of identities. The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). Any restrictions on the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code. These dress code guidelines apply to regular school days, summer school days, and any school-related events and activities.

- 1. Basic Principle: Certain body parts must be covered for all students at all times.** Clothes must be worn in a way such that genitals, buttocks, breasts/chest, and nipples are fully covered with opaque (not see-through) fabric. However, cleavage does not have coverage requirements. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.
- 2. Students MUST wear while following the basic principle of Section 1 above:**
 - a. A Shirt (with fabric in the front, back, on the sides under the arms, and has a minimum of one strap), AND



- b. Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress, or shorts), AND
- c. Shoes.

3. Students MAY wear while following the basic principle of Section 1 above:

- a. Hats facing straight forward or straight backward. Hats must allow the face to be visible to staff and not interfere with the line of sight of any student or staff.
- b. Religious attire, including headwear.
- c. Hoodie sweatshirts (wearing the hood overhead is allowed, but the face must be visible to school staff).
- d. Fitted pants, including opaque (not see-through) leggings, yoga pants, and “skinny jeans”.
- e. Ripped jeans, as long as underwear and buttocks are not exposed.
- f. Tank tops, including spaghetti straps and halter tops.
- g. Athletic attire.

4. Students cannot wear:

- a. Clothing or accessories that reasonably can be construed as being or including content that is racist, lewd, vulgar, obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.
- b. Clothing or accessories with violent or offensive images or language, including profanity, hate speech, weapons, and pornography.
- c. Images or language depicting/suggesting drugs, alcohol, vaping, or paraphernalia (or any illegal item or activity).
- d. Images or language that create a hostile or intimidating environment based on any protected class or marginalized groups.
- e. Bulletproof vests, body armor, tactical gear, or clothing resembling these items.
- f. Clothing that reveals visible undergarments (visible waistbands and visible straps are allowed)
- g. Swimsuits (except as required in class or athletic practice).
- h. Any item that obscures the face (except as a religious observance)

**DRESS CODE
ENFORCEMENT**

To ensure effective and equitable enforcement of our dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not be able to vary the requirements in ways that lead to discriminatory enforcement.

1. Students should not be shamed or required to display their bodies in front of others (students, parents, or staff) in school. “Shaming” includes, but is not limited to:
 - a. kneeling or bending over to check attire fit;
 - b. measuring straps or skirt length;
 - c. asking students to account for their attire in the classroom or hallways in front of others;
 - d. calling out students in spaces, hallways, or classrooms about perceived dress code violations in front of others; in particular, directing students to correct sagged pants that do not expose the entire undergarment, or confronting students about visible bra straps, since visible waistbands and straps on undergarments are permitted; and
 - e. accusing students of “distracting” other students with their clothing.



2. Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Sections 1 and 4 above. Students in violation of Sections 1 and/or 4 will be provided three (3) options to be dressed to code during the school day:
 - a. Students will be asked to put on their alternative clothing, if already available at school, to be dressed to code for the remainder of the day;
 - b. Students will be provided with temporary school clothing to be dressed to code for the remainder of the day; or
 - c. If necessary, students' parents may be called during the school day to bring alternative clothing for the student to be dressed to code for the remainder of the day.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact Student Support Services at 512-570-0152.

EXCEPTIONS

- Courses that include attire as part of the curriculum (for example, safety, professionalism, public speaking, and job readiness) may include assignment-specific dress but should not focus on covering bodies in a particular way or promoting culturally specific attire.
- Activity-specific shoe requirements are permitted (for example, athletic shoes for PE).
- Exceptions to these dress requirements can be made by the school administration to allow students to observe religious customs or beliefs and to accommodate medical or health needs.



Section IV: General Misconduct Violations

The categories of conduct below are prohibited at school or on district property, 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 in-school suspension (ISS), out-of-school suspension (OSS), Disciplinary Alternative Education Program (DAEP) placement, placement and/or expulsion for certain offenses, and expulsion, those 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 school administration and may also be processed by security personnel, as permitted by State Law.

MISCONDUCT VIOLATIONS

Students are prohibited from:

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

MISTREATMENT OF OTHERS

1. Threatening a District student, employee, or volunteer, including off-school property, if the conduct causes a substantial disruption to the educational environment.
2. Throwing objects that can cause bodily injury or property damage.
3. Directing profanity, vulgar language, or making obscene gestures toward other students, District employees, or visitors.
4. Participating in any manner in fight clubs or boxing.
5. Fighting or scuffling that does not result in physical pain, illness, or any impairment of a physical condition.
6. 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.
7. Participating in hazing.
8. 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.
9. 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.
10. Releasing or threatening to release intimate visual material of a minor or a student who is eighteen years or older without the student's consent.
11. 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.



12. 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.
13. Engaging in any inappropriate physical or sexual contact.
14. Engaging in inappropriate or indecent exposure of private parts.
15. 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.
16. Committing simple assault (assault by contact).
17. Participating in consensual hugging, touching, or other inappropriate displays of affection.
18. Participating in consensual activities that result in physical alteration or injury to self or of another person's body (i.e., piercing, tattooing, etc.).
19. Failing to immediately report to a school employee knowledge of a device, object, substance, or event that could cause harm to self or others.
20. 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.
21. Engage in any behavior that violates the Code of Conduct and is motivated by antisemitism.

BULLYING

Bullying is defined in [Section 37.0832 of the Education Code](#) 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. Affects 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 of 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. **Cyberbullying** is defined by [Section 37.0832 of the Education Code](#) as bullying that is done through the use of any electronic communication device, including the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, social media application, an Internet website, or any other Internet-based communication tool.

The State Law on Bullying Prevention applies to:

1. Bullying that occurs on or is delivered to school property or 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.

Bullying is prohibited by the District 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.

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, the student or parent needs to notify a teacher, counselor, principal, or other District employees 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 on 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. Refer to the Leander ISD [Bullying Prevention](#) website for additional information.

MISUSE OF PROPERTY

1. Stealing from students, staff, or the school.
2. 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 Code of Conduct.)
3. Damaging or vandalizing property owned by others.
4. Defacing or damaging school property – including but not limited to textbooks, technology and electronic resources, lockers, furniture, and other equipment with graffiti or by other means.
5. Entering, without authorization, district/school facilities that are not open for operations.

POSSESSION OF PROHIBITED ITEMS

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.

Prohibited Items Include but are not limited to:

- Radios, including Bluetooth speakers
- Permanent/Sharpie® markers
- Correction fluid
- Clubs or Knuckles
- Laser pointers



- Lighters, Matches, Tobacco products (including nicotine pouches), and E-Cigarettes(vapes), including any component, part, or accessory for an E-Cigarette device
- Pornography and/or materials of a profane, vulgar, or obscene nature
- Paintballs and Paintball guns
- Mace and Pepper spray
- Sling shots, Starter pistols
- Animals
- Aerosol spray cans, Spray paint
- Pacifiers
- Cards/Dice
- Guitars, Harmonicas, and other Instruments unless through administrative approval
- All knives, regardless of blade length, Razors, Box cutters, Chains, location-restricted knives, and any hand instrument designed to cut or stab another by being thrown
- Incendiaries, Smoke/Stink bombs, Fireworks, or any other Pyrotechnic device
- Any type of firearm (real or otherwise), Short Barrel, Stun, Air, Airsoft, “Look-alike” Weapons (intended to be used or perceived as a weapon), Tasers, BB Guns, silencers or suppressors, etc.
- Ammunition, shells, bullets, or gunpowder
- Poisons, Caustic Acids, or other materials that may be toxic to the human body
- Inline Skates, Roller Skates/Shoes
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

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 and included as prohibited.

MISUSE OF TECHNOLOGY

1. Violating any of the prohibited behaviors/conduct listed in the [LISD Technology Resource Acceptable Use Guidelines](#).
2. Attempting 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.
3. Attempting 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.
4. Using 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.
5. Sending, posting, delivering, or possessing 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.
6. Using 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.



7. 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.
8. Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the District's website.
9. Using a Personal Communication device, including a cell phone/smartwatch, or other electronic device on school property during the school day. The district may authorize the use of a personal communication device for the following reasons:
 - i. To implement an individualized education program (IEP) or for a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) or a similar program or plan;
 - ii. With documented need based on a directive from a qualified physician, or
 - iii. To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.
- b. Inappropriate use of a personal communication device during the school day will result in disciplinary action in accordance with this Code of Conduct.
10. Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

NOTE: The District IS NOT liable for lost or stolen personal electronic devices and will not expend resources to recover these items.

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

Students are prohibited from:

1. Possessing, using, giving, or selling alcohol or an illegal drug.
2. Possessing or selling seeds or pieces of marijuana in less than a usable amount.
3. Possessing, using, giving, selling, or attempting to pass items off as look-alike drugs, contraband, or related paraphernalia.
4. Violating the District's regulations on taking or possessing prescription drugs and/or over-the-counter medication; abusing one's prescription or giving one's 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.")
5. Abusing, sharing, giving, or selling vitamins, minerals, or herbal/dietary supplements to other students. (see Glossary for "abuse.")
6. 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 33).
7. Possessing, selling, delivering, giving, using, or being under the influence of look-alike drugs (i.e. K2, spice, or fake marijuana).
8. Possessing, smoking, or using tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device.

SAFETY

1. Discharging a fire extinguisher without valid cause.
2. Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
3. Behaving in any way that disrupts the school environment or educational process.
4. Making false accusations or perpetrating hoaxes regarding school safety.



5. Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
6. Possessing published or electronic material that is designated to promote or encourage illegal behavior or that could threaten school safety.
7. Propping or tampering with/disabling school district door latching or locking mechanisms.

MISCELLANEOUS OFFENSES

1. Engaging in academic dishonesty which includes cheating or copying the work of others, unauthorized use of artificial intelligence, plagiarism, and unauthorized communication between students during an examination. This offense may result in possible grade reductions and other consequences as permitted by policy.
2. Bringing skateboards onto the bus. (Students with skateboards in their possession shall not be allowed to get on the bus.)
3. Aiding a student or students in committing prohibited behaviors.
4. Participating in gambling or betting money or other things of value.
5. Falsifying records, passes, or other school-related documents.
6. 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.
7. Using profane language verbally, written, or in any electronic form.
8. Engaging in actions or demonstrations that substantially disrupt or materially interfere with school activities or student/staff access to educational opportunities.
9. Repeatedly violating other communicated campus or classroom standards of conduct.

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

STUDENTS WITH DISABILITIES

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. To the extent any conflict exists, the District shall comply with federal law. For more information regarding the 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 in a manner that results in a change to the student's educational placement for conduct meeting the definition of bullying, cyberbullying, 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 a range of discipline management techniques, including restorative practices. 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 District's 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, per 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 in the Parent Handbook),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history, or
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, or a student's status as homeless.

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

1. Verbal (oral or written) correction.
2. Cooling-off time or a brief "time-out" period, per law.
3. Seating changes within the classroom or vehicles owned or operated by the District.
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. Behavior coaching.
10. Anger management classes.
11. Mediation (victim-offender).
12. Classroom restorative circles.
13. Grade reductions for academic dishonesty.
14. Detention, including outside regular school hours.
15. Sending the student to the office or other assigned area.
16. Assignment of school duties, such as cleaning or picking up litter.
17. Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
18. Penalties identified in individual student organizations' extracurricular standards of behavior.
19. Restriction or revocation of District transportation privileges.
20. School-assessed and school-administered probation.



21. In-school suspension, as specified in the in-school suspension section of this Code of Conduct
22. Out-of-school suspension, as specified in the out-of-school suspension section of this Code of Conduct.
23. Placement in a DAEP, as specified in the DAEP section of this Code of Conduct.
24. Expulsion, as specified in the Expulsion section of this Code of Conduct.
25. Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
26. Other strategies and consequences as determined by school officials.
27. Restitution or restoration.
28. 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.

PROHIBITED AVERSIVE TECHNIQUES

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

1. Using techniques designed or likely to cause physical pain.
2. Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
3. Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
4. Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
5. 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.
6. Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
7. 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.
8. Restricting the student's circulation.
9. Securing the student to a stationary object while the student is standing or sitting.
10. Inhibiting, reducing, or hindering the student's ability to communicate.
11. Using chemical restraints.
12. 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.
13. 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).

REMOVAL FROM THE SCHOOL BUS

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC 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 principal or the CBC may restrict or revoke a student's transportation privileges, in accordance with law.

ROUTINE REFERRAL

A routine referral occurs when a teacher sends a student to the CBC or other administrator's office as a discipline management technique. The CBC or other administrator 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 of Conduct to maintain effective discipline in the classroom.

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 TEACHER REMOVAL

A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

A teacher may initiate a formal removal from class if:

1. The student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn;
2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student in the classroom.
3. A student engages in conduct that constitutes bullying, as defined by [Education Code 37.0832](#).

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

Within three school days of the formal removal, the CBC or other 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 CBC 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 appropriate administrator may place the student in:

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

A student who has been formally removed by a teacher for any other conduct may not be returned to the teacher's class without the teacher's written consent unless the placement review committee determines that the teacher's class is the best or only alternative, and not later than the third class day after the day the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student.

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

IN-SCHOOL SUSPENSION

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

An in-school suspension is not subject to any time limit.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date of the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate.

During in-school suspension, a student shall receive appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's individualized education program (IEP) and continue to have an opportunity to progress in the general curriculum.

Before being in-school suspended, a student shall have an informal conference with the CBC 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 CBC or other administrator shall determine the number of days of a student's suspension.

In deciding whether to order in-school suspension, the CBC or other administrator 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.

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

**POSSESSION OR
USE OF NICOTINE
DELIVERY
PRODUCT OR
E-CIGARETTE**

An appropriate administrator may place a student in a disciplinary alternative education program for the first-time offense of possession or use of a nicotine delivery product or e-cigarette, as defined by [Section 161.081, Health and Safety Code](#).

If a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under [Education Code 37.008](#), the student shall be placed in in-school suspension for a period of at least 10 school days.

**OUT-OF-SCHOOL
SUSPENSION**

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

The District shall not use out-of-school suspension for students below grade 3 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:

1. Conduct that contains the elements of a weapons offense, as provided in [Penal Code Sections 46.02 or 46.05](#);
2. Conduct that threatens the immediate health and safety of other students in the classroom
3. Documented conduct that results in repeated or significant disruption to the classroom; or
4. 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 the law.

State law allows a student to be assigned to out-of-school suspension 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 CBC 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 CBC or other administrator shall determine the number of days of a student's suspension, **not to exceed three (3) school days**.

In deciding whether to order in-school suspension, the CBC or other administrator 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.

While on out-of-school suspension, students may not participate in school-sponsored or school-related extracurricular and/or co-curricular 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 to complete before the beginning of the next school year, each course the student was enrolled in at the time of removal from the regular classroom. 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.

NOTIFICATION

The CBC, principal, or designee 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 CBC, principal, or designee 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 37.0012\(d\)](#).

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 CBC, principal, or designee shall send written notification by U.S. Mail.

Before the CBC, principal, or designee assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent of the reason for the detention and to arrange for necessary transportation.

**PARENTAL
INVOLVEMENT**

The district has not adopted a policy for parental involvement in school disciplinary placements under [Education Code 37.0014](#).



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

THE LEANDER EXTENDED OPPORTUNITY CENTER (LEO)

The Leander Extended Opportunity Center is the Discipline Alternative Educational Program campus (DAEP) for Leander ISD. A DAEP establishes conformance with the [Education Code, 37.008](#). This section is defined as an educational and self-discipline alternative instructional program adopted by local policy for elementary through high school students who are removed from their regular classes for mandatory or discretionary disciplinary reasons and placed in a DAEP.

At LEO, the primary goal is to help students achieve and maintain academic success while addressing behavior and disciplinary issues. They provide a safe and structured learning environment that encourages students to focus on academic success through ownership of their learning. The dedicated LEO staff plays a crucial role in this process, assisting students in developing or refining their abilities to self-advocate, manage challenges, and achieve personal success.

Students shall be assigned to LEO following a referral by the home campus CBC or other administrator. Parents and students receive specific information regarding the LEO Center at the time of placement or expulsion.

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP) PLACEMENT

Part A below lists behaviors that may result in such a placement. Part B below lists behaviors that, by law, must result in a student's placement in a 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.

When a student under the age of ten engages in behavior that is expellable, 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.

Students who are assigned to the DAEP shall be separated from students who are not assigned to the program. Notwithstanding this requirement, summer programs provided by the district may serve students assigned to a DAEP in conjunction with other students, as determined by local policy.

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 CBC or other administrator 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, or
6. A student's status as homeless.



Note: Students violating the offenses in Section V, Parts A and B shall be assigned discipline from the CBC or another 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.

**PART A:
REASONS FOR
DISCRETIONARY
DAEP
PLACEMENT**

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. In accordance with state law, a student **may** be placed in a Disciplinary Alternative Education Program (DAEP) for any of the following misconduct if committed while on school/district property, within 300 feet of school/district 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/district property:

1. Possessing, giving, buying, or selling less than a usable number 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. Possession, use, or transmittal of something represented to be a prohibited substance or paraphernalia associated with a prohibited substance.
4. Abusing the student's 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.
5. Preparing a hit list.
6. Engaging in serious or persistent misbehavior.
7. Disruptive activities, including disorderly conduct.
8. Disruption of classes, including disorderly conduct.
9. Assault (no bodily injury) with the threat of imminent bodily injury.
10. Assault by offensive or provocative physical conduct.
11. Theft.
12. Weapons or instruments represented as or used as weapons, any form of club, knuckles, or finger armor.
13. Fighting.
14. Sexual harassment.
15. Transfer from another district's DAEP.
16. Possessing or bringing any type of ammunition.
17. Criminal trespass.
18. Threats.
19. Bullying, cyberbullying, or harassment.
20. Engages in conduct that contains the elements of the offense of disruptive activities under Education Code 37.123.
21. Engages in conduct that contains the elements of the offense of disruption of classes under Education Code 37.124.
22. Possesses or uses an e-cigarette, as defined by [Section 161.081, Health and Safety Code](#), except that if a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under Education Code 37.008, the student shall be placed in in-school suspension for a period of at least 10 school days.



23. 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 school/district property 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 (see Glossary) that the student has engaged in conduct defined as a felony 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 CBC or another administrator 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.

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 school/district property.

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. Criminal mischief, not punishable as a felony.
3. Engages in bullying that encourages a student to die by suicide.
4. Incites violence against a student through group bullying.
5. Releases or threatens to release intimate visual material of a minor or a student who is eighteen years of age or older without the student's consent

PART B: REASONS FOR MANDATORY DAEP PLACEMENT

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: In accordance with state law, a student **must** be placed in a Disciplinary Alternative Education Program (DAEP) for any of the following misconduct if committed while on school/district property, within 300 feet of school/district 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/district property:

1. Engages in conduct punishable as a felony.
2. Commits an assault with bodily injury under [Penal Code 22.01\(a\)\(1\)](#).
3. Except as provided by [Education Code 37.007\(a\)\(3\)](#), sells, gives, or delivers to another person, possesses, uses, or is under the influence of a controlled substance or a dangerous drug in any amount not punishable as a felony. (see Glossary)
4. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. 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.
5. 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.



6. Sells, gives, or delivers to another person an e-cigarette, as defined by [Section 161.081, Health and Safety Code](#).
7. Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
8. Engages in conduct that contains the elements of the offense of public lewdness or indecent exposure. (see Glossary)
9. Engages in conduct that contains the elements of an offense of harassment against an employee under [Penal Code sections 42.07\(a\)\(1\), \(2\), \(3\), or \(7\)](#).
10. Possesses or uses a knife with a blade over 3" up to 5 ½ ".

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 school/district property:

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 expellable conduct if the student is between six (6) and nine (9) years of age.
3. Commits a federal firearms violation and is younger than six years of age.
4. Engages in conduct that contains the elements of the offense of retaliation under [Penal Code 36.06](#) against any school employee or volunteer.
5. Engages in conduct that contains the elements of harassment under [Penal Code 42.07](#) against any school employee or volunteer.
6. 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.
7. Is involved with a criminal street gang or encourages, solicits, recruits, enables, or causes another to become a member of a criminal street gang.
8. Criminal mischief, if punishable as a felony.
9. Is a registered sex offender under court supervision, probation, community supervision, or parole.
10. Breach of computer security.
11. The student receives deferred prosecution [see Glossary], or a court or jury finds that the student has engaged in delinquent conduct [see Glossary], or the superintendent or designee has a reasonable belief [see Glossary] under [Section 53.03, Family Code](#), for conduct defined as any of the following offenses under the Penal Code:
 - a. A felony offense under [Title 5](#);
 - b. The offense of deadly conduct under [Section 22.05](#);
 - c. The felony offense of aggravated robbery under [Section 29.03](#);
 - d. The offense of disorderly conduct involving a firearm under [Section 42.01\(a\)\(7\) or \(8\)](#); or
 - e. The offense of unlawfully carrying weapons under [Section 46.02](#), except for an offense punishable as a Class C misdemeanor under that section.

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



- Murder
- Capital murder
- Manslaughter
- Criminally negligent homicide
- Unlawful restraint
- Kidnapping
- Aggravated kidnapping
- Trafficking of persons
- Unlawful transport
- Assault
- Aggravated assault
- Sexual assault
- Aggravated sexual assault
- Deadly Conduct
- Improper relationship between educator & student
- Injury to a child, an elderly person, or a disabled person
- Indecency with a child
- Abandoning or endangering a child
- Improper photography or visual recording
- Coercing, soliciting, or inducing gang membership
- Terroristic threat
- Aiding a person to commit suicide
- Harassment by a person in a correctional facility
- Continuous sexual abuse of a young child or children
- Tampering with a consumer product

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.



Section VI: Expulsion

PART A: REASONS FOR DISCRETIONARY EXPULSIONS

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.
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, or
6. A student's status as homeless.

Note: Students violating the offenses in Section VI, Parts A and B shall be assigned discipline from the CBC or another 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.

SCHOOL-RELATED: In accordance with state law, a student **may** be expelled for any of the following misconduct if committed while on school/district property, within 300 feet of school/district 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/district property:

1. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, unless the conduct is 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.)
2. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.
3. Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
4. Engaging in deadly conduct. [see Glossary]

WITHIN 300 FEET: A student **may** be expelled while within 300 feet of school property, as measured from any point on the school's real property boundary line.

1. Possession of a firearm, as defined by federal law (see Glossary)

REGARDLESS OF LOCATIONS: A student **may** be expelled for any of the following offenses that occur on or off school property.

1. Engaging in bullying that encourages a student to die by suicide.
2. Inciting violence against a student through group bullying.
3. Releasing or threatening to release intimate visual material of a minor or of a Criminal mischief, if punishable as a felony.
4. Breach of computer security. [see Glossary]
5. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.
6. Is involved with a criminal street gang or encourages, solicits, recruits, enables, or causes another to become a member of a criminal street gang.



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 Code of Conduct, 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 Section 1.07](#); or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under [Penal Code Section 21.07](#);
 - b. Indecent exposure under [Penal Code Section 21.08](#);
 - c. Criminal mischief under [Penal Code Section 28.03](#);
 - d. Personal hazing under [Penal Code Section 37.152](#); or
 - e. Harassment under [Penal Code Section 42.07\(a\)\(1\)](#) of a student or District employee.

1.

**PART B:
REASONS FOR
MANDATORY
EXPULSIONS**

REGARDLESS OF LOCATIONS: A student **must** be expelled for any of the following offenses that occur on or off school property:

1. 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.

2. Unlawfully carrying on or about the student's person the following, in the manner prohibited by [Penal Code 46.02](#):
 - a. 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).]
 - b. A location-restricted knife, as defined by state law. [see Glossary]
 - c. Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. [see Glossary]
3. Engages in conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under [Education Code 37.125](#).
4. Behaving in a manner that contains elements of the following offenses under the Penal Code:



- a. Aggravated assault, sexual assault, or aggravated sexual assault.
- b. Arson. [see Glossary]
- c. Murder, capital murder, or criminal attempt to commit murder or capital murder.
- d. Indecency with a child.
- e. Kidnapping or aggravated kidnapping.
- f. Burglary, robbery, or aggravated robbery.
- g. Manslaughter.
- h. Criminally negligent homicide.
- i. Continuous sexual abuse of a young child or disabled individual.
- j. Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of a controlled substance or a dangerous drug.
- k. Engaging in conduct that contains elements of assault against a school employee or volunteer.

UNDER THE AGE OF 10: When a student under the age of 10 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.

Placement and/or Expulsion for Registered Sex Offenders and for Certain Felonies

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

Registered Sex Offenders

NOTIFICATION

Upon receiving notification under 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. It 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 alternative placement, the District shall convene a committee, per 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 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, per [Education Code 37.0081](#), a student may be expelled and placed in either DAEP or JJAEP if the Board, its designee, the CBC, or another administrator makes certain findings and the following circumstances exist concerning aggravated robbery or a felony offense under Title 5 (see Glossary) of the Penal Code.

The student must have:

1. Received deferred prosecution for conduct defined as an aggravated robbery or a Title 5 felony offense;
2. Been found by a court or jury to have engaged in delinquent conduct for conduct defined as an aggravated robbery or a Title 5 felony offense;
3. Been charged with engaging in conduct defined as an aggravated robbery or a Title 5 felony offense;
4. Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as an aggravated robbery or a Title 5 felony offense; **or**
5. 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. It 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	<p>The student is subject to the placement until:</p> <ol style="list-style-type: none">1. The student graduates from high school,2. The charges are dismissed or reduced to a misdemeanor offense, or3. The student completes the term of the placement or is assigned to another program.
PLACEMENT REVIEW	<p>A student placed in a DAEP or JJAEP under these circumstances 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.</p>
NEWLY ENROLLED STUDENTS	<p>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.</p>
REMOVAL TO DAEP	<p>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.</p> <p>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.</p>



Section VII: Procedures

DAEP Placement Procedures

REMOVAL BY CAMPUS ADMINISTRATOR	Removals to a DAEP shall be made by the principal, CBC, or another administrator. A student may be removed for committing any offense listed in Part A. A student must be removed for committing any offense 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.
CONFERENCE	<p>When a student is removed from class for a DAEP offense, the CBC 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 CBC or the appropriate administrator shall provide the student:</p> <ul style="list-style-type: none">• 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. <p>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.</p>
MITIGATING FACTORS	<p>In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the administrator shall take into consideration:</p> <ol style="list-style-type: none">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), or6. A student's status as homeless.
PLACEMENT ORDER	<p>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 and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.</p> <p>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).</p> <p>If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code of Conduct, the placement order shall give notice of the inconsistency.</p>
DAEP CAPACITY	If a DAEP is at capacity at the time of placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS and may be transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.



If a DAEP is at capacity at the time of placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student must be returned to a DAEP for the remainder of the period.

**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 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 CBC or other campus administrator.

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.

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 Code of Conduct.

The District shall administer the required pre-and post-assessments for students assigned to DAEP for 90 days or longer per established District administrative procedures for administering other diagnostic or benchmark assessments.

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

Exceeds One Year:

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

1. The student is a threat to the safety of other students or 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 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 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 Code of Conduct.

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.

**APPEAL OF A
DAEP PLACEMENT**

Student or parent questions regarding a student's placement in a DAEP should be addressed with the campus principal, CBC, or other appropriate administrator. Formal appeals should be addressed in accordance with policy [FNG\(LOCAL\)](#). A copy of this policy may be obtained from the principal's office, the CBC's office, the central administration office, or online at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=1248&code=FNG#localTabContent>

Appeals shall begin at the lowest level to provide the relief requested. For DAEP placements, the level one is the campus principal.

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**

Students placed in DAEP for any mandatory or discretionary reason are prohibited from being on school/district grounds other than LEO and from attending or participating 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.

**PARTICIPATING IN
GRADUATION**

It is within the District's discretion to limit or deny participation in the graduation ceremony or other related graduation activities for violating the Code of Conduct, including any student who is pending a DAEP placement or is enrolled in a DAEP at the end of the school year.

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, to be considered as an eligible student to give the opening or closing remarks, 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.

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 Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

**DAEP PLACEMENT
REVIEW**

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the CBC 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 written 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 CBC may enter an additional disciplinary order as a result of those proceedings.

**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 Code of Conduct 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.

**COURT/
CRIMINAL
PROCEEDING**

A juvenile court shall notify the District if:

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.

Upon 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 no 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 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.

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.

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 if the extended placement is in the best interest of the student.

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

EMERGENCY PLACEMENT

A principal or a principal's designee can order an immediate DAEP placement of a student per [Education Code 37.019](#).

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

Per 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.



Expulsion Procedures

REMOVAL BY CAMPUS ADMINISTRATOR

If a student is believed to have committed an expellable offense, the CBC 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 CBC or other administrator may place the student in:

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

EXPULSION HEARING

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

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

Before ordering the expulsion, the board or CBC 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 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 with 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 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 after the presentation and after its deliberation.

**LENGTH
OF
EXPULSION**

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 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 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 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.

**RESTRICTIONS
DURING
EXPULSION**

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

**WITHDRAWAL
DURING PROCESS**

When a student has violated the Code of Conduct 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.

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 expellable 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 (1) 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.

DAEP PLACEMENT OF EXPELLED STUDENTS

The District may provide educational services to an 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.

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.

EMERGENCY EXPULSION

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. Emergency expulsion may be ordered based on a single incident of behavior by the student. Within 10 days after the date of the emergency expulsion, the student shall be given the appropriate due process required for a student facing expulsion.

JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP) PLACEMENT

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.

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

END OF CODE OF CONDUCT



GLOSSARY

This section provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct and terms found in the Student Handbook.

ABUSABLE VOLATILE CHEMICALS are those substances as defined in [Texas Health and Safety Code § 485.001](#).

ABUSE is improper or excessive use.

AGGRAVATED ROBBERY is defined in part by [Penal Code 29.03\(a\)](#) 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.

ALCOHOLIC BEVERAGES are those substances as defined in [Texas Alcoholic Beverage Code § 1.04](#).

ANTISEMITISM is defined by [Government Code section 448.001](#) as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

ARMOR-PIERCING AMMUNITION is defined by [Penal Code 46.01](#) as handgun ammunition that is designed primarily to penetrate metal or body armor and to be used primarily in pistols and revolvers, or other firearms.

ARSON is defined in part by [Penal Code 28.02](#) as

1. A crime that involves starting a fire or causing an explosion with the intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; **or**
 - b. Any building, habitation, or vehicle:
 - i. Knowing that it is within the limits of an incorporated city or town.
 - ii. Knowing that it is insured against damage or destruction,
 - iii. Knowing that it is subject to a mortgage or other security interest,
 - iv. Knowing that it is located on property belonging to another,
 - v. Knowing that it has property located within it belonging to another, **or**
 - vi. When the person starting the fire is reckless about whether the burning or explosion shall endanger the life of any individual or the safety of the property of another:
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance, and the fire or explosion damages any building, habitation, vehicle, or
3. A crime that involves intentionally starting a fire or causing an explosion, and in so doing:
 - a. Recklessly damages or destroys a building belonging to another, **or**
 - b. Recklessly causes 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 Texas [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. 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. 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. 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 to dispense 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 tetrahydrocannabinol (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, social media application, an Internet website, or any other Internet-based communication tool.

DISTRICT ALTERNATIVE EDUCATION PROGRAM (DAEP) stands for a disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

DANGEROUS DRUG is defined by [Health and Safety Code 483.001](#) as a device or a drug that is unsafe for self-medication 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 a 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 has a delivery mechanism that is designed, made, or adapted to inflict 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 another 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.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

FIGHTING is two or more persons engaged in any mutual violent or physically aggressive contact toward each other, such as scuffling, pushing, shoving, or hitting.

FIREARM is defined by [federal law \(18 U.S.C. 921\(a\)\)](#) as:

1. Any weapon, including a starter gun, that shall, 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.

GANG is an organization, combination, or association of persons composed wholly or in part of students that:

1. Seeks to perpetuate itself by taking in additional members based on the decision of the membership rather than on the free choice of the individual, **or**
2. That engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the District shall consult with law enforcement authorities.

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\(LOCAL\)](#); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety 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; and
 - d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.
 - h. 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; or
 - i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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, that endangers the mental or physical health or safety of a student directed



against a student to pledge, 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; and
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.

IN-SCHOOL SUSPENSION (ISS) refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) is the written record of the individualized education program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed; accommodations for state or Districtwide tests; whether successful completion of state-mandated assessments is required for graduation, etc.

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 the 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, videotape, 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.

INTENT is the design, resolve, or determination with which a person acts. Since intent is a state of mind, it is ordinarily proved through inferences drawn from the act and/or circumstances surrounding the act. Intent includes the conscious objective or desire to engage in the conduct or cause the result, an awareness that the conduct is reasonably certain to cause the result, or disregard of a substantial and justifiable risk when there is an awareness that the circumstances exist, or the result shall occur.

KNIFE is a bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

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.

LOCATION-RESTRICTED KNIFE is defined by [Penal Code 46.01](#) as a knife with a blade over five and one-half inches.



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 authority.

PARAPHERNALIA is any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, a dangerous drug, or alcohol into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes.

PERSONAL COMMUNICATION DEVICE means a telephone, cell phone such as a smartphone or flip phone, tablet, smartwatch, radio device, paging device, or any other electronic device capable of telecommunication or digital communication.

POSSESSION means to have an item on one's person or 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. Personal communication devices or electronic devices; or
4. Any other 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:
 - a. An explosive weapon;
 - b. A machine gun;
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, deviant sexual intercourse, or sexual contact in a public place, or, if not in a public place, 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 a school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in [Section 37.121\(d\) of the Education Code](#) are accepted by 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 and must consider the information furnished in the notice of a student's arrest under [Code of Criminal Procedure Article 15.27](#).



RETALIATION is harming or threatening to harm another: (1) on account of their service as a District employee or volunteer, (2) to prevent or delay another's service to the District, or (3) because the person intends to report a crime.

SELF-DEFENSE is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself. To claim self-defense, the student must (1) be without fault in provoking the encounter and not act as the aggressor, and (2) use the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter shall not be considered self-defense. Interactions before the encounter shall also be considered.

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 Section 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.

SERIOUS OR PERSISTENT MISBEHAVIOR includes, but is not limited to:

1. Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
2. Behavior identified by the District as grounds for discretionary DAEP placement.
3. Actions or demonstrations that substantially disrupt or materially interfere with school activities.
4. Refusal to attempt or complete work as assigned.
5. Profanity, vulgar language, or obscene gestures.
6. Leaving school grounds without permission.
7. Falsification of records, passes, or other school-related documents.
8. Refusal to accept discipline assigned by the teacher or principal.

SEX OFFENDER is a student required to register as a sex offender under [Chapter 62 of the Code of Criminal Procedure](#) for an offense committed on or after September 1, 2007. The term does not include a student who:

1. Is no longer required to register as a sex offender under Chapter 62,
2. Is exempt from registering as a sex offender under Chapter 62, **or**
3. Receives an early termination of the obligation to register as a sex offender under Chapter 62.

SEXTING is creating an offense for electronic transmission of visual material depicting a minor (any student under the age of 17).

SEXUAL HARASSMENT is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with a student's performance, creates an intimidating, hostile, or offensive educational environment; affects a student's ability to participate in or benefit from an educational program or activity; otherwise adversely affects the student's educational opportunities, or is prohibited by District policy [FFH](#) or [FNC](#).

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; a place of employment or occupation; an aircraft, automobile, or another form of conveyance; or another public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public services;
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 die by suicide under [Section 22.08](#); and
- Tampering with a consumer product under [Section 22.09](#).

UNDER THE INFLUENCE is when, in an employee's professional judgment, the student does not have the normal use of mental or physical faculties likely attributable to the student's use of a prohibited substance. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use, or other abnormal or erratic behavior, or by the student's admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

USE means voluntarily introducing into one's body, by any means, a prohibited substance. Concerning objects or devices, putting them into action or service, or carrying out an action or purpose with the object or device.

ZIP GUN is defined by [Penal Code 46.01](#) as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.