

2019 - 2020 STUDENT CODE OF CONDUCT (Reference Texas Education Code Chapter 37)

Mandatory Expellable Offenses

- Engaging in conduct while on school property or at a school related event containing the elements of:
 - a) Unlawfully carrying a firearm, illegal knife or club pursuant to Section 46.02 of the Texas Penal Code or
 - b) Intentionally or knowingly possessing, manufacturing, transporting, repairing or selling a weapon prohibited by Section 46.05 of the Texas Penal Code.
- Bringing a firearm on campus.
- Engages in conduct while on school property or at a school related event containing the elements of:
 - a) Aggravated assault, sexual assault or aggravated sexual assault.
 - b) Arson.
 - c) Murder, capital murder or criminal attempt to commit murder/capital murder.
 - d) Indecency with a child.
 - e) Aggravated kidnapping.
 - f) Aggravated robbery.
 - g) Manslaughter.
 - h) Criminally negligent homicide.
 - i) Conduct related to an alcohol or drug offense that is a felony
 - j) Retaliation against a school employee in connection with any offense listed above, whether on or off school property or at a school-related activity.
 - k) Continuous sexual abuse of a young child or children.

Discretionary Expellable Offenses

- The district **may** expel for any offense listed above occurring within 300 ft. of school property.
- The district **may** expel any student who is required to register as a sex offender and who is under any form of court supervision, including probation, community supervision or parole.
- The district **may** expel for off campus felonies if they involve crimes of violence against a person, such as assault, sexual assault or homicide or aggravated robbery, regardless of when or where the conduct occurred.
- The district **may** expel for serious misbehavior as defined by TEC Chapter 37.007(c) only if the student is in a DAEP.
- The district **may** expel for selling, giving or delivering to another person or possessing, using or being under the influence of any type of drug, alcohol or controlled substance when not punishable as a felony.
- The district **may** expel for criminal mischief, if punishable as a felony, whether committed on or off school property or at a school-related activity.
- The district **may** immediately expel if necessary to protect persons or property.
- The district **may** expel for conduct involving the elements of the offense of a false alarm, false report or terroristic threat.
- The district **may** expel for breach of computer security if it involves accessing a district computer, computer network or computer 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.

Discipline Alternative Education Placement Offenses

Mandatory DAEP Offenses

- Engaging in conduct that contains elements of the offense of an assault or a terroristic threat
- Engaging in conduct that contains elements of the offense of a false alarm or report
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any type of drug, alcohol, or controlled substance (see expellable offenses if punishable as a felony)
- Engaging in conduct that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals
- Engaging in conduct that contains the elements of the offense of public lewdness or indecent exposure
- Engaging in conduct punishable as a felony
- Off-campus felonies will require DAEP placement **only** if they involve crimes of violence against a person, such as assault, sexual offenses, or homicide
- Retaliating against a school employee, when not combined with another offense, either on or off school property
- A student that is required to register as a sex offender, and who is under any form of court supervision, including probation, community supervision, or parole must be removed to the DAEP for at least one semester if the student is not expelled

Discretionary DAEP Offenses

- The District **may** place in a DAEP a student whom the District determines to be a member of, pledges to become a member of, or solicits another person to join or pledge a public school fraternity, sorority, secret society, or gang.
- The District **may** place in a DAEP a student whose conduct contains the elements of a felony when off school property and not at a school-related activity if the continued presence of the student will cause a major disruption of the learning environment or a threat to safety and security
- The District **may** immediately remove a student to a DAEP for behavior that is so unruly, disruptive, or abusive that the teacher cannot communicate with the class
- The District **may** place in a DAEP a student whose conduct contains serious or persistent misbehavior. This may include the misuse of technology resources.
- The District **may** place in a DAEP a student whose conduct contains the elements of criminal mischief whether committed on or off school property or a school-related activity

***Persistent misbehavior: the demonstration of a continued behavior that constitutes a major disruption to the learning environment or a threat to safety and security**

Campus Discipline Management Offenses

- Inappropriate attire. (FNCA)
- Weapons (FNCG)
- Drug and alcohol use (FNCF)
- Disruptive activities (FNCL, GKA)
- Publications and prior review (FMA)
- Organizations and clubs (FNCC)
- Possession of prohibited devices (FNCE)
- Hazing (FNCC)
- Assault (FNCH)
- Attendance (FDD)
- Gambling
- Possession, use of or being under the influence of Restricted Smoking Material including, but not limited to, tobacco electronic cigarettes, or other substances which can be reasonably converted for smoking purposes whether it is presented as incense, herbs, spices, or any blend thereof (FNCD)
- Damaging or vandalizing property owned by the District, other students, or District employees (FNCB)
- Using profanity or vulgar language, name calling, religious, ethnic or racial slurs, hate language, obscene gestures or derogatory statements (FFH, FNC (Exhibit))
- Engaging in sexual harassment or verbal or physical harassment based on another person's race, color, gender, national origin, disability, or religion (FFH)
- Being disrespectful toward students, teachers, other school employees or school visitors
- Cheating or copying the work of another student
- Throwing objects outside supervised school activities, that can cause bodily injury or property damage
- Leaving school grounds or school-sponsored events without permission
- Insubordination, including failure to comply with lawful directives from school personnel or school policies, rules, and regulations
- Possession or use of matches lighters, etc.
- Committing robbery or theft
- Disobeying school rules about conduct on buses
- Fighting, committing physical abuse, or threatening physical abuse
- Committing extortion, coercion, blackmail, that is, obtaining money or other objects of value from an unwilling person, or forcing an individual to act through the use of force or threat of force
- Engaging in inappropriate physical or sexual conduct disruptive to other students or the school environment
- Engaging in dating violence, bullying, harassment, or making hit lists
- Engaging in any other conduct that disrupts the school environment or educational process
- Improper use of technology resources
- Possession, use, or distribution of prescription, nonprescription, or homeopathic medication or dietary supplements. Except as allowed in FFAC (Legal), all medication should be provided to and administered by authorized school personnel.