

SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

# STUDENT

# BILL OF RIGHTS AND CODE OF CONDUCT



2022 - 2023

# STUDENT

## BILL OF RIGHTS and CODE OF CONDUCT

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**WE THE STUDENTS** of San Antonio Independent School District, in order to form a more perfect school district, have established the Student Bill of Rights. The Student Bill of Rights is a statement of beliefs that lends clarity to what students believe to be ethical treatment. The following Student Bill of Rights provides the student perspective on their academic, disciplinary, and social rights at school:

- 01** Right to a safe, caring, welcoming, and bully-free school environment
- 02** Right to support for student learning with a safe space to make mistakes at school, especially when students are struggling; failure is supported and not judged
- 03** Right to a school where students are accepted regardless of background or differences and supports the exploration and expression of identity (race, color, religion, national origin, age, sex, linguistic and cultural identity, gender identity, gender expression, sexual orientation, or disability)
- 04** Right to student voice: students' ideas and opinions are heard and considered, and students are given an opportunity for self-expression
- 05** Right to a school environment that accommodates students' individual social, emotional, and academic needs and elevates their different abilities
- 06** Right to mental health support and resources
- 07** Right to transparent and equitable discipline practice for all students without discrimination based on race, color, religion, national origin, age, sex, linguistic and cultural identity, disability, gender identity, gender expression, or sexual orientation
- 08** Right to have counselors who assist students to take coursework and access resources and classroom instruction that lead to college readiness
- 09** Right to a variety of healthy and nutritious food
- 10** Right to equal access to sports and extracurricular activities

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# Student Code of Conduct

## PURPOSE

The San Antonio Independent School District (SAISD) has adopted the Student Code of Conduct (SCOC) to promote and maintain a positive, safe, and effective learning environment for students and adults. This environment is created and maintained by adults who respond to student behavior in a way that improves the student's ability to successfully navigate the social and academic environment at school. At the foundation, everyone's rights must be treated with respect. The SCOC articulates the behavior that is not allowable at school or school-affiliated functions or events, on school grounds, or on District transportation so that students and adults are knowledgeable about expectations and standards of behavior. The SCOC is adopted by the District's Board of Trustees and has the force of policy. In case of a conflict between the SCOC and the student handbook, the SCOC will prevail. Once the SCOC is promulgated, any subsequent changes or amendments must be approved by the Board of Trustees. During any periods of instruction during the summer months, the Parent-Student Handbook and SCOC in place for the year immediately preceding the summer period shall apply, unless the District amends either document, or both documents, for the purposes of summer instruction. The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to those laws. This Code of Conduct applies to all students in the San Antonio Independent School District whenever the interest of the District is involved, on or off school grounds, in connection with or independent of classes and school-sponsored activities.

If you have difficulty accessing the information in this document because of disability, please contact the following staff:

Beth Jones: [ejones@saisd.net](mailto:ejones@saisd.net)

Darnell White: [dwhite@saisd.net](mailto:dwhite@saisd.net)

Office of Social, Emotional, and Academic Development and Restorative Practices: (210) 354-9565

## FORMAT

This Student Code of Conduct is designed to outline restorative responses to student behavior that lead to students' social, emotional, and academic development. Sections I through III provide resources and information on Social, Emotional, Academic Development (SEAD) to include restorative practices, Positive Behavior Interventions and Supports (PBIS), Multi-Tiered Systems and Supports (MTSS), and trauma-informed care; they also cover students with disabilities, as well as disproportion and the use of discretionary exclusionary disciplinary practices such as out-of-school suspension. The intent of the SCOC is not only to delineate those behaviors that are infractions of the Code of Conduct, but also to provide strategies, resources, and techniques that teach and support the acquisition of more adaptive behavior.

In accordance with state law, section IV defines misconduct that may—or must—result in a range of 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. Parents will 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

## CODE ACCESSIBILITY

The Section 504 and Dyslexia Department of SAISD provides sign language interpreters upon request for parents/guardians or community members needing this accommodation for campus meetings or events. Parents or guardians who need to request an American Sign Language (ASL) interpreter should call (210) 554-2570 between 48 and 72 hours before the need for the interpreter. You may contact the Disability Services Department by emailing Cindy Sosa at [csosa2@saisd.net](mailto:csosa2@saisd.net). You may also contact the school principal or campus 504 coordinator. The department is open Monday through Friday, 8:00 a.m. to 4:30 p.m. If you know of a parent or guardian who needs these services, please contact the number above and discuss the circumstances with the Disability Services Department. In accordance with state law, the Student 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 SCOC will be available at the office of the campus behavior coordinator and posted on the District's website. Students may request a copy of the Parent-Student Handbook, which includes the SCOC, at the beginning of the school year. The SCOC will be provided to all teachers, new professional employees, students who are enrolled after the beginning of the school year, parents, and any other person upon request. Each student, teacher, and parent annually must sign a statement that they have read and have access to the SAISD Student Code of Conduct and acknowledge the rules and responsibilities outlined therein.

"Parent" Defined: Throughout the SCOC and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

In accordance with Education School District Authority, SAISD rules and the authority of the District to administer discipline apply whenever the interest of the District is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities. The District has disciplinary authority over a student:

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

The following guidelines delineate standards of expected behavior and are incorporated into each campus's school rules.

- Follow campus and classroom rules.
- Treat other students and adults with courtesy and respect.
- Accept responsibility for actions and behavior.
- Attend all classes, regularly and on time.
- Be prepared for each class with appropriate materials and assignments.
- Adhere to standards of dress and grooming as outlined in the dress code.
- Refrain from posting threatening messages on social media outlets directed at students, parents, staff, or school property.
- Actively support and assist the school in maintaining a campus free from drugs, alcohol, weapons, and gang activity, by:
  - i. Cooperating with staff in investigations of disciplinary cases and volunteering information within the student's knowledge relating to a serious offense.
  - ii. Responsibly informing staff of conduct violations by others.
  - iii. Immediately submitting prohibited items to staff or informing staff of location of prohibited items upon discovery.
- Adhere to the requirements of the Student Code of Conduct.

It is the policy of San Antonio Independent School District not to discriminate on the basis of race, color, religion, national origin, age, sex, gender identity, gender expression, sexual orientation, or disability in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended; and SAISD's Board policies DIA, FFH, and FFI.



# SECTION I: RESPONSIVE PRACTICES

**It is a priority of the San Antonio Independent School District for staff to implement a restorative and instructional approach using evidence-based best practices to respond to student behavior. Through the use of proven behavior techniques, interventions, and supports, the root causes of a student’s maladaptive behavior can be identified and an appropriate plan for teaching new behavior established.**

## **Social, Emotional, and Academic Development (SEAD)**

SAISD is committed to the social, emotional, and academic development (SEAD) of the whole child and uses SEAD as a framework to house a variety of practices that facilitate this development. SEAD is the integration of all learning dimensions into the educational experience in support of positive outcomes for students through whole-child development. Social, emotional, and cognitive/academic dimensions are all imperative to long-term success, as they are intricately connected in the way students learn and experience the world and are mutually beneficial and mutually reinforcing in the educational environment. SAISD approaches this work through three essential elements: culture and climate, explicit instruction, and integration.

Relationships and interactions between students and adults, among students, and among adults, as well as rich curriculum and instruction and well-rounded enrichment opportunities, are important facets of a healthy educational setting that promotes positive growth and development. “A climate of mutual respect strengthens student belonging and engagement in the social and academic aspects of the learning experience” (The Aspen Institute: Education & Society Program, March 2019). Since learning has its roots in relationships, the District adopted the University of Chicago’s Consortium on School Research’s four learning mindsets to cultivate in students:

- Do all students feel they belong in this community?
- Do all students feel they can succeed?
- Do all students feel that their ability and competence will grow with effort?
- Do all students feel that their work has value?

“For students to be able to devote all their internal resources to learning, schools must create affirming climate, mitigate implicit bias, and advance positive counter-narratives that support every young person in developing a healthy, integrated identity” (The Aspen Institute: Education & Society Program, March 2019).

## **SEAD Competencies**

SEAD competencies and the curriculum and activities that support them are important elements in a comprehensive approach to effective SEAD programming. Current research indicates that establishing common language and student competencies provides integral focus, emphasizing the importance of specific skills and supporting educators in integrating application experiences into other core areas of instruction (Osher et al., 2008). Additionally, SAISD SEAD competencies codify that the skills represented are a core component of our educational mission to support student success.

SAISD focuses on building student capacity across three domains:

1. Emotional Competencies – awareness, management, and advocacy skills that facilitate an accurate reflection of self and an ability to assess and respond to needs and build upon strengths
2. Social Competencies – communication, conflict resolution, and relationship skills that facilitate healthy interaction with peers, adults, and communities of diverse backgrounds, abilities, languages, and lifestyles
3. Cognitive Competencies – perseverance, growth mindset, planning, and problem-solving skills that facilitate effective decision-making and attainment of short- and long-term goal

Educational equity is inextricably linked to SEAD. In order to achieve full and equal opportunities for every student to succeed in life, it is essential to prepare for college, military, and career, which requires knowledge and skill development across all learning dimensions. All students must have access to the appropriate resources aligned to their needs, robust academic opportunities, and rich experiences needed to develop agency and identity through the many phases of child and adolescent development

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(Osher et al., 2008).

### **School-Home-Community Collaboration**

SAISD recognizes that many factors both inside and outside the school building impact students. Our goal is to provide support and services for students and their families to ensure that all students grow and have their needs met and that behaviors/actions requiring disciplinary action are prevented.

### **Cultivating Positive Relationships**

An abundance of research and evidence demonstrates that positive relationships support learning. When our communities, schools, and homes are positive, welcoming environments where students feel connected to others, students are healthier and happier, more likely to succeed, and less likely to act out in ways that disrupt the learning environment.

### **School-to-Home Connection**

- Use Strategic Listening — help your child identify and label feelings, values, and topics that may need processing. Show your child you understand. Listen with sincere concern to create positive relationships and build trust between your child and others.
- Ask open-ended questions. For example, say “What was that like for you?” or “Tell me more about that.” This elicits more than a “yes” or “no” response and helps your child tell their story.
- Use Reflective Listening — reflect back the feelings you hear or see. When intervening in a conflict, get the attention of an upset person by stating the feelings you hear/see in a nonjudgmental way. For example, say “I see that your fists are clenched. Are you upset?” or “It sounds like you are feeling hurt.” Let your child tell the story — say just enough to help.
- Help your child problem-solve disputes. Use nonjudgmental language and remain calm and neutral. Ask open-ended questions and use reflective listening to help your child process what happened. Trust that with guidance your child will identify a solution that works.
- Find ways for your student to engage on campus. Students who feel connected to school are more likely to succeed in the classroom and complete high school while simultaneously being less likely to engage in dangerous, self-injurious, disruptive, and/or antisocial behavior (Blum, 2005).

If you suspect your child needs additional help with his/her behavior, contact your child’s teacher, school counselor, or principal to request a conference to discuss your concerns.

### **School Practices for Establishing Positive Relationships**

SAISD schools employ many strategies for establishing and cultivating positive relationships, including classroom greetings, project-based learning (PBL), group work and projects, think-pair-share activities (students partner with a peer to process their learning), Peace Area/Cool-Down Zone, and many more. Two important structures we are working to implement across our schools are highlighted below:

- Morning Meetings or Community Circles (PK–12): the teacher and students come together for one of two purposes: to build community at a relatively peaceful time or to resolve conflict. During this time, students engage in activities that build understanding within the group and between individuals. This provides a place for students to find common ground and appreciate the richness diversity brings to the class.
- Student Advisories (secondary): Students meet with an adult adviser daily, weekly, or at other regularly scheduled intervals. Ideally, the advisory teacher is someone students know they can trust and talk to about their progress in school. Students discuss day-to-day issues, define their values, develop a trusting relationship with an adult advocate, and hone communication skills. Student Advisories offer students emotional support, and opportunities to cultivate positive peer relationships and offset peer pressure during adolescence.

## Intervention Strategies and Frameworks

SAISD schools purposefully cultivate climate to honor student identities, reflect the distinct spirit of the community, promote the importance of positive, healthy relationships, and meet students where they are. We are committed to providing a safe, supportive school environment for all students, families, communities, and staff by employing prevention and intervention strategies that help students grow in their social, emotional, and behavioral skills. These may be used prior to or in addition to any disciplinary response to student behaviors that are not conducive to a positive, productive learning environment.

Examples of positive intervention strategies and frameworks include the following:

Intervention	Restorative/Academic Benefit	Factors to Consider
Community Service	Allows students to participate in an activity to serve and benefit the community.	Examples: Cleaning up public spaces; writing letters to troops.
Conference	Involves students, parents, teachers, school staff, and principals discussing student behavior and potential solutions that address social, academic, and personal issues related to the behavior.	<ul style="list-style-type: none"> <li>—Chance to invite parents or guardians to engage in a constructive process to address student misconduct, encourage student cooperation and problem-solving.</li> <li>—Can occur at school or at the parents’ home.</li> </ul>
Conflict Resolution	Empowers students to take responsibility for peacefully resolving conflicts.	Students, parents, guardians, teachers, school staff, and principals engage in activities that promote problem-solving skills and techniques, such as conflict and anger management, active listening, and effective communication.
Mentoring Program	Pairs students with mentors (a counselor, teacher, student, or community member) who help with social, emotional, and academic development.	Works in conjunction with other methods to provide additional guidance for students in need of further support. Mentor selection is important. There must be a mentor orientation regarding roles/responsibilities.
Parent Outreach	School staff inform parents or guardians of their children’s behavior and seek their assistance in addressing inappropriate or disruptive behavior.	Outreach made in writing or by telephone is intended to make parents aware of students’ behavior, progress, task completion, and achievement.
Peer Mediation	A form of conflict resolution in which students help other students deal with and develop solutions.	Student who will facilitate the mediation must be a neutral party that all students agree to as the facilitator.
Counseling (substance abuse)	Occurs for substance abuse–related behavior, or when there is reason to believe this counseling is needed.	Services can be school- or community-based.
Counseling (mental health)	Can involve a variety of services, including after-school programming, individual or group counseling, leadership development, conflict resolution, and tutoring.	Referral to school-based health clinics, mental health clinics, and community-based organizations.
MTSS Team	When student behavior requires intervention, the MTSS Team develops a plan of action.	<p>May consist of teachers, principals, counselors, social workers, and parents; may also include nurses, mental health clinicians, psychologists, and external representatives who help develop prevention/ intervention techniques and alternative strategies leading to student success. Based on current behavior research, SAISD uses check-in/check-out, Social Skills Instruction, and a Daily Behavior Report Card as our standard Tier 2 and 3 interventions.</p> <p><b>See the MTSS section of the handbook to learn more.</b></p>

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## District SEAD Implementation

Social, emotional, and cognitive/academic dimensions are all imperative to the development of the whole child and long-term success. San Antonio Independent School District is working in three essential areas to move this work forward:

### *Culture & Climate*

- Adult Mindset – Targeted professional development and mindset work takes place in areas such as cultural and linguistic competence, implicit bias, trauma-informed care (TIC), adverse childhood experiences (ACEs), equity, and parent communication.
- Evidence-based behavioral/social-emotional systems or approaches such as Positive Behavior Interventions and Supports (PBIS), Restorative Practices (RP), Trust-Based Relational Intervention (TBRI), Conscious Discipline, and Capturing Kids' Hearts are implemented with fidelity and continuously modeled by the adults in the building, creating a welcoming school environment and sense of community.

### *Explicit Instruction*

- Social-emotional learning competencies and common language are established.
- Scaffolded, developmentally appropriate explicit instruction is taught, modeled, practiced, and reinforced over time.

### *Integration*

- Curriculum and instruction across content areas reinforce the social-emotional learning competencies and provide opportunities for practice and refinement.
- There is evidence of the social-emotional learning competencies in all policies, procedures, language, supports, organization, student work, and stakeholder interaction.

Each campus identifies area(s) of priority to focus their SEAD work and selects from an array of best practice professional development and approaches aligned to their needs and campus community. The best practices share common components that support the three essential elements. This ensures that while different approaches are being used based on the style and needs of the campus, the components and essential elements are aligned to the vision of SEAD and ultimately supports the vision of SAISD.

Evidence-Based behavioral/social-emotional systems or approaches are implemented with fidelity and continuously modeled by the adults in the building, creating a welcoming school environment and sense of community. SEAD strategies are reflected in classroom management and behavior intervention strategies. SEAD frameworks and strategies include, but are not limited to:

- Positive Behavior Interventions and Supports (PBIS)
- Restorative Practices (RP)
- Conscious Discipline
- Trauma Informed Care
- Social Emotional Learning (SEL) Curriculums



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### FOR MORE INFORMATION ON SEAD

Free social emotional learning training modules: [modules.sanfordinspire.org/](https://modules.sanfordinspire.org/)

Contact Dawn Kulpa: [dkulpa1@saisd.net](mailto:dkulpa1@saisd.net)

Visit SEAD website: [saisd.net/main/index.php?option=com\\_content&view=article&id=7264&Itemid=0](https://saisd.net/main/index.php?option=com_content&view=article&id=7264&Itemid=0)

Contact the office of SEAD: (210) 554-2521

Other resources:

[Helping Children Cope During COVID](#)

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## Positive Behavior Intervention and Supports (PBIS)

SAISD endorses a systems approach that fosters a positive school climate and culture through proactive strategies that lead to the development of social-emotional and academic learning. This approach leads to an increase in student engagement by creating a supportive environment that explicitly teaches and nurtures positive behavior. This is an essential component for supporting the District's vision of graduating all students and preparing them for success in postsecondary education, career, or military.

PBIS is a three-tiered framework under the umbrella of Social, Emotional and Academic Development (SEAD) that focuses on a prevention-oriented process that supports the needs of a students and staff by assisting school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum that enhances academic and social behavior outcomes for *all* students (pbis.org). The first tier provides universal interventions schoolwide, the second tier focuses on small-group support, and third-tier interventions are targeted to meet the unique needs of a specific student. The PBIS framework is a type of Multi-Tiered System of Support and falls under the SEAD framework umbrella. PBIS creates a learning environment where students, staff, and families feel appreciated, safe, and respected.

### Fundamental PBIS District-Level Goals

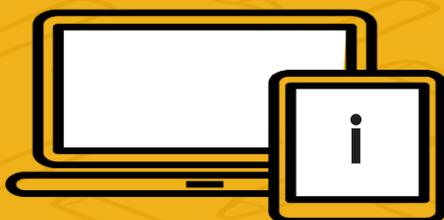
- Promote positive and safe school systems, where students are taught norms/expectations that are practiced/reinforced.
- Provide access to wraparound services and partnerships with parent, school, and community for behavioral change of students experiencing severe behavioral problems.
- Promote interventions that are data-driven and specifically planned for behavioral change in students experiencing academic and behavioral difficulties.

### PBIS Strategic Objectives

- District-wide expectations that are clearly stated in every SAISD school and office.
- Interventions that align with the District's vision to include social-emotional learning, equity, and restorative practices.
- Collection and use of District data to increase prosocial behavior and academic success.
- School community collectively contributes to creating a positive school climate that includes frequent opportunities for student success and recognition.

### Tiered Systems of Support Through a PBIS Lens

- Tier 1 PBIS approach that involves universal school-wide and classroom restorative interventions and assigned consequences that promote academic and social and emotional well-being of all students. Teachers should use prompts, proximity, positive directives, reminder of expectations, one-on-one conference during class time.
- Tier 2 PBIS approach that involves restorative interventions and assigned consequences that are geared toward a small group of students who have not reached success through universal practices. Conference outside the classroom, check-in/check-out, and small-group counseling/social skills.
- Tier 3 PBIS approach that involves restorative interventions and assigned consequences that are geared toward students who have not reached success with tier 2 interventions. Intensive crisis plan/behavior intervention plan (BIP), individualized behavior contract, check-in/check-out, individual time with the counselor/mentor.



### FOR MORE INFORMATION ON PBIS

Contact Barbie Parham: [bparham@saisd.net](mailto:bparham@saisd.net)

Contact Ignacio Valdez: [ivaldez1@saisd.net](mailto:ivaldez1@saisd.net)

Contact the campus behavior specialist

For District employees: [livesaisd.sharepoint.com/sites/pbis/SitePages/Home.aspx](https://livesaisd.sharepoint.com/sites/pbis/SitePages/Home.aspx)

Office of Special Education Services: (210) 225-2406

PBIS websites with resources: (1) [pbis.org/](http://pbis.org/) (2) [pbisworld.com/](http://pbisworld.com/)

## Restorative Practices

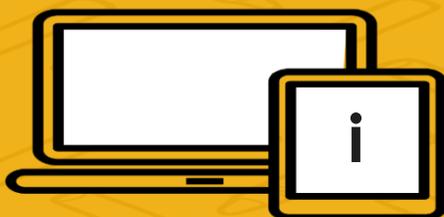
Under the umbrella of Social, Emotional and Academic Development (SEAD) restorative practices are a school-wide approach to building healthy relationships and a sense of community campus-wide. This approach establishes a positive school climate by addressing student behavior that proactively promotes positive relationships, encourages belonging over exclusion, uses social engagement to address conflict, and emphasizes meaningful accountability instead of punishment.

Restorative justice programs and practices have been shown in multiple schools and districts nationally to reduce suspensions and violence ([Dignity in Schools, 2012](#)). In a study by Guckenburg et al. (2016) restorative practices were shown to rapidly decrease suspensions and expulsions. Additionally, these practices can reduce disproportion in the use of exclusionary discipline practices and the effects of zero tolerance, leading to an interruption of the school-to-prison pipeline (Guckenburg et al., 2016).

The following chart provides an example of how restorative practices can be used to address behaviors across the different levels in the Student Code of Conduct.

Level 1 Offenses <b>TEACHER MANAGED</b>	Level 2 Offenses <b>ADMINISTRATIVE REVIEW</b>	Level 3 Offenses <b>INTENSIVE INTERVENTIONS</b>
<p><b>Purpose:</b> Preventative or proactive techniques used in the classroom that are teacher managed to encourage student cooperation and avoid student-teacher &amp; peer-peer conflict.</p> <p><b>Goal:</b> Through the process of building relationships, teachers can gain student cooperation self-reflection and help promote self-awareness.</p>	<p><b>Purpose:</b> Individualized strategies to prevent destructive or damaging patterns of behavior that negatively affect academic performance.</p> <p><b>Goal:</b> Strategies are centered around individual needs and how to support the needs of the parties involved in order to gain student cooperation and provide conflict resolution through a consensus agreement.</p>	<p><b>Purpose:</b> Address conflict, repair harm, and promote healing. This process is necessary to mend relationships and address the needs of all who have been affected.</p> <p><b>Goal:</b> Through the process of repairing harm, campus community can restore the relationship to gain student cooperation and to encourage accountability. Resolving conflict is beneficial for maintaining a safe environment for the student to learn and grow.</p>
<p><b>Restorative Chats:</b> Statements and short conversations that address harm by using <i>Restorative Language</i> such as “I” statements (e.g., “I want everyone to feel safe here.”) and restorative questioning to help manage conflict. <a href="#">English Template</a> <a href="#">Spanish Template</a></p> <p><b>Respect Agreement:</b> Developing classroom norms to help create a constructive and cooperative classroom environment. Creating agreements with students build trust and promotes accountability. <a href="#">Lesson Plan English</a> <a href="#">Lesson Plan Spanish</a></p>	<p><b>Student/Teacher Contracts:</b> Written agreement of expectations between a student and a teacher directed toward motivating the student to accept accountability through self-reflection and awareness.</p> <p><b>Skill-Building Techniques:</b> Builds skills essential to a student’s success and accountability in school and community.</p>	<p><b>Restorative Conference:</b> A meeting between the student and those harmed by the student’s actions to deal with the wrongdoing and best decide on how to repair the harm</p> <p><b>Conflict Circles:</b> Used to resolve everyday conflicts among students by learning active listening, facilitation, and problem-solving skills. Using restorative questioning to navigate the circle process will help encourage student accountability and repair harm caused</p>

Level 1 Offenses TEACHER MANAGED	Level 2 Offenses ADMINISTRATIVE REVIEW	Level 3 Offenses INTENSIVE INTERVENTIONS
<p><b>Talking Circles:</b> Used to explore a topic and engage conversations to form bonds of trust inside the classroom. Talking circles do not address conflict and do not attempt to reach a consensus on a particular topic.  <a href="#">English Template</a>  <a href="#">Spanish Template</a></p> <p><a href="#">English Script for Virtual</a>  <a href="#">Spanish Script for Virtual</a></p> <p><b>Community Circles:</b> Provides an opportunity to build positive relationships between students and the teacher. It is a structured process of communication that is designed to create a safe space for all voices to be heard.  <a href="#">English Template</a>  <a href="#">Spanish Template</a></p> <p><a href="#">Resource Guide</a></p> <p><b>Cool-Down Spots:</b> Provides a space and an opportunity for the student to gather their thoughts, relax, and calm down. Helps students adhere to classroom norms and allows time for self-reflection.  <a href="#">English Video</a>  <a href="#">Spanish Video</a></p>	<p><b>Optional Internal Mentor Assignment:</b> A staff member on campus that the student trusts will meet with him/her as needed</p> <p><b>Support Circles:</b> Address students' needs when issues arise. The agreements developed provide a plan of action for next steps on how to provide support moving forward</p> <p><b>Peer Conflict Circles:</b> Involves all students affected by the incident and provides an opportunity to problem-solve and mend relationships</p> <p><b>Family Conference Circles:</b> Includes family members and others who can "influence" the student</p> <p><b>(Including strategies in Level 1)</b></p>	<p><b>Internal Mentor Assignment:</b> A staff member on campus whom the student trusts and is willing to meet with routinely</p> <p><b>Reentry Circles:</b> Welcomes a student back into the school after a period of absence to help the student be successful. This process invites adults within the home school community to help create an action plan for the students' advancement and accountability moving forward</p> <p><b>(Including strategies in Levels 1 &amp; 2)</b></p>



**FOR MORE INFORMATION ON RESTORATIVE PRACTICES**

Contact Barbie Parham: [bparham@saisd.net](mailto:bparham@saisd.net)  
 Contact Desiree Carney: [dcarney1@saisd.net](mailto:dcarney1@saisd.net)  
 Office of Special Education Services: (210) 225-2406  
 Restorative Practices website: [umojacorporation.org/our-approach/restorative-justice/](http://umojacorporation.org/our-approach/restorative-justice/)

## CLASSROOM MANAGEMENT SYSTEM

Each teacher shall establish a classroom setting that implements effective classroom management practices, including rules or expectations for classroom behavior. Most student behavior can be managed in the classroom, and the establishment of an effective classroom management system should enhance student learning while decreasing violations of classroom rules and the Code of Conduct. Violations of classroom rules should first be viewed as an opportunity for teaching. The teacher must consider whether it is one student or many students who are not following a rule. If there are many students who are not adhering to the classroom expectation or rule, it is likely that the rule or expectation needs to be retaught, practiced, and then reviewed regularly until students are complying without frequent reminders. If it is a single student, then the student may require the rule to be retaught or more practice or a strategy in order to be able to meet expectations.

The teacher should consider whether the student has the skill or ability to comply with the rule that is being violated. For example, a student with a higher need for movement may have difficulty staying seated. Developmentally, boys have a greater need for movement while learning in the elementary years (Gurian, M., 2001). The teacher may need to develop some strategies that provides students the opportunity to move and still meet the expectations of the teacher. When a student violates a rule established by the teacher, the teacher will determine whether an office discipline referral is an appropriate response based on the severity of the behavior. Level I infractions are managed in the classroom and the teacher may document the behavior and strategies used to respond to the behavior, or the teacher may choose not to document the incident. A written discipline referral to the campus administrator shall not be required.

Teachers shall employ Positive Behavior Interventions and Supports (PBIS) or Restorative Practice strategies as recommended by SAISD. To the extent that there ever appears to be a conflict between PBIS rules/Restorative Practices strategies and the Student Code of Conduct, the Student Code of Conduct shall prevail.

In alignment with TEC §38.036, teachers and administrators must implement trauma informed practices. Strategies for trauma informed practices are included in the table below. These classroom management strategies are grouped by the trauma informed strategy with which they are aligned.

Classroom consequences are typically determined by the classroom teacher, while administrative consequences are determined by the campus administrator. The types and order of consequences are subject to teacher and administrator discretion, as applicable. School staff may use other consequences that are not listed below, as long as such consequences are clearly communicated to students prior to their use and are not State or SAISD prohibited techniques. School staff desiring additional resources for discipline management are encouraged to seek assistance from their campus PBIS team.

The following techniques may be used—alone, in combination, or as part of progressive interventions—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules. The list below is not exhaustive. Please contact your campus behavior specialist, behavior coordinator, or PBIS team for additional responses, strategies, and techniques.

Strategies	Description	Pre-Activity	During Activity	Post-Activity
<b>Trauma Informed Strategy:</b> Establish positive relationships with all students and cultivate those relationships daily				
2 Minute Connection <a href="#">English Video</a> <a href="#">Spanish Video</a>	Students and teacher generate questions. When done daily, the students are able to quickly discover many things about one another.	<ul style="list-style-type: none"> <li>Have students generate one question on index card 1x per week</li> </ul>	<ul style="list-style-type: none"> <li>The students and teacher stand up, the teacher randomly draws 1 or 2 questions, the students then quickly answer the questions</li> <li>Allow for non-participation</li> </ul>	
60 Second Relate Break <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher builds a 60 second break into their classes to allow for students to discover more about their peers. Teacher and students answer questions generated by students and teacher.	<ul style="list-style-type: none"> <li>Determine format for soliciting responses</li> <li>Consider if will use as a state change activity</li> <li>Can use applied improv activities such as “Come over here if...”</li> </ul>	<ul style="list-style-type: none"> <li>Can be implemented between activities</li> </ul>	

Strategies	Description	Pre-Activity	During Activity	Post-Activity
Ratio of Interactions <a href="#">English Video</a> <a href="#">Spanish Video</a>	Use of more positive (both contingent and non-contingent) interactions than negative/corrective interactions. Ideal ratio is 3 positive for every 1 negative/corrective interaction.	<ul style="list-style-type: none"> <li>At least 3 to 1 ratio of positive interactions to corrective interactions</li> </ul>	<ul style="list-style-type: none"> <li>Look for opportunities to recognize the whole class or individual students for demonstrating expected or desired behavior</li> </ul>	<ul style="list-style-type: none"> <li>Look for opportunities to recognize the whole class or individual students for demonstrating expected or desired behaviors</li> </ul>
Respect Agreement or Norms <a href="#">Lesson Plan English</a> <a href="#">Lesson Plan Spanish</a>	A tool used to help create a constructive cooperative classroom community.	<ul style="list-style-type: none"> <li>Participate in Restorative trainings on establishing Norms-Restorative Respect Agreements for the classroom</li> <li>Prepare a lesson plan to discuss and define how the class will Treat and Respect each other (requires student input)</li> <li>Discuss what respect should look like in the classroom</li> <li>Allow enough time to complete the agreement</li> </ul>	<ul style="list-style-type: none"> <li>Implement lesson plan</li> <li>Respect Agreement Lesson Plan example:</li> </ul>	<ul style="list-style-type: none"> <li>Teachers should review the agreement on a weekly basis.</li> </ul>
90 Second Spark <a href="#">English Video</a> <a href="#">Spanish Video</a>	Plan for positive interactions (sparks) to take place on a daily basis. Can be used as an activity when students enter the room. Provides a quick 90 second activity for students to interact teacher and peers in a positive manner.	<ul style="list-style-type: none"> <li>Determine how students will be greeted</li> </ul> Examples are: high five special handshake, question of the day		
2:10 Scheduled Attention <a href="#">English Video</a> <a href="#">Spanish Video</a>	Used to strengthen the relationship with a student.	<ul style="list-style-type: none"> <li>Spend 2 minutes a day for 10 consecutive days having non-contingent conversation</li> <li>Use "I Notice Statements"</li> <li>Make unforced eye contact and positive body language that communicates trust and interest</li> <li>Use the student's name</li> </ul>	<ul style="list-style-type: none"> <li>These conversations best occur outside of instructional time during transitions or before or after instruction</li> </ul>	
Restoration or Restitution <a href="#">English Video</a> <a href="#">Spanish Video</a>	The student has the opportunity to repair or restore relationships where harm occurred	<ul style="list-style-type: none"> <li>Explain the concept of restoration and let the student know that together the teacher and the student will develop a solution</li> </ul>	<ul style="list-style-type: none"> <li>Ask the restorative questions associated with this strategy (see video link at left)</li> <li>Assist the student to devise a plan to repair the harm</li> </ul>	<ul style="list-style-type: none"> <li>Follow-up with the student on the progress of the restitution and any other actions that need to be taken as part of the student's plan to repair the harm</li> </ul>

Strategies	Description	Pre-Activity	During Activity	Post-Activity
Talking Circle <a href="#">English Template</a> <a href="#">Spanish Template</a>  <a href="#">English Script for Virtual</a> <a href="#">Spanish Script for Virtual</a>	This is used to explore a topic and engage conversations to help bonds of trust in a classroom. Talking circles do not address conflict and do not attempt to reach a consensus on a topic.	<ul style="list-style-type: none"> <li>Participate in Restorative Circle training prior to facilitating a Talking Circle – It is recommended that teachers have exposure to circles during PLC's and professional training prior to facilitating in the classroom</li> <li>Teachers should prepare a Circle lesson plan prior to the circle – organize 3-5 topic questions to discuss in the content portion and plan for 15-30 minutes to complete the circle</li> </ul>	<ul style="list-style-type: none"> <li>Follow each step of the lesson plan during the circle session.</li> <li>Talking Circle Lesson Plan Template:</li> <li>Talking Circle Lesson Plan example:</li> </ul>	<ul style="list-style-type: none"> <li>A follow-up circle is not required for Talking Circles as the topics do not address conflict or reach agreements. However, teachers may plan for a continuation of a particular topic if the students enjoyed the discussion in the circle.</li> </ul>
Community Circle <a href="#">English Template</a> <a href="#">Spanish Template</a>  <a href="#">English Resource Guide</a>	This is used to build relationships and create supportive environments where people feel safe and have an opportunity to hold one another accountable.	<ul style="list-style-type: none"> <li>Participate in Restorative Circle training prior to facilitating a Community Building Circle</li> <li>Teachers should prepare a Circle lesson plan prior to the circle – organize 3-5 topic questions to discuss in the content portion and plan for an entire class period to complete the circle</li> </ul>	<ul style="list-style-type: none"> <li>Follow each step of the lesson plan during the circle session.</li> <li>Community Circle Lesson Plan Template:</li> <li>UMOJA Community Building Circle Resource Planning Guide:</li> </ul>	<ul style="list-style-type: none"> <li>A follow-up circle with the students may be necessary depending on the content. Teachers may plan for continuation of a topic if the students enjoyed the discussion in the circle</li> </ul>
<b>Trauma Informed Strategy:</b> Establish clear, predictable routines, rules and expectations and implement them consistently				
Classroom Expectations  <a href="#">English Video</a> <a href="#">Spanish Video</a>	Classroom expectations describe specific and observable behavior that students are expected to exhibit.	<ul style="list-style-type: none"> <li>Rules are aligned to campus guidelines</li> <li>Rules are clearly posted and visible from any location in the room</li> <li>Create 3-5 rules</li> <li>Rules are aligned to campus guidelines</li> </ul>	<ul style="list-style-type: none"> <li>Embed reminder of rules into activities, especially rules that are particularly relevant for the activity or that students tend to have trouble following</li> </ul>	<ul style="list-style-type: none"> <li>Review rules daily or weekly, depending on how well the class is following the classroom rules</li> <li>Use class-wide motivation systems (these do not have to be incentive based) to further reinforce and acknowledge rule implementation by students</li> </ul>
Pre-Corrections  <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher reviews behavioral expectations before a previously problematic activity/transition in an effort to increase the probability that appropriate behavior will occur.	<ul style="list-style-type: none"> <li>Review expectation for behavior</li> <li>Practice behavior if appropriate</li> </ul>		<ul style="list-style-type: none"> <li>If problematic behavior occurred during activity, consider reteaching and practicing expected behavior</li> </ul>
Behavior Contract  <a href="#">English Video</a> <a href="#">Spanish Video</a>	Clearly delineates what student or teacher are each willing to do	<ul style="list-style-type: none"> <li>The teacher and student together determine the goal and what each is willing to do to help the student reach the goal</li> </ul>	<ul style="list-style-type: none"> <li>Ensure regular review of the contract with the student before or after class. Recognize progress and achievements.</li> </ul>	<ul style="list-style-type: none"> <li>Discuss any areas where the student is continuing to struggle, consider if more support is needed.</li> </ul>

Strategies	Description	Pre-Activity	During Activity	Post-Activity
Self-Monitoring <a href="#">English Video</a> <a href="#">Spanish Video</a>	Builds independence for student's own regulation of emotion behavior	<ul style="list-style-type: none"> <li>— The teacher and student identify and define what the target behavior looks like</li> <li>— Determine how the student will self-monitor the behavior</li> </ul>	<ul style="list-style-type: none"> <li>— Ensure implemented consistently, the teacher should take data intermittently and compare their data to the student's data</li> </ul>	<ul style="list-style-type: none"> <li>— If the data the teacher and student collect do not agree, adjust data collection and monitoring accordingly</li> </ul>
<b>Trauma Informed Strategy:</b> Provide opportunities for student choice and control				
Offer Choices <a href="#">English Video</a> <a href="#">Spanish Video</a>	Provide the student the opportunity to choose between two or more choices and then honor the choices the student makes. Some examples are what activity the student wants to engage in, the way in which the student engages in the work, or where the student works such as room location or seat choice.	<ul style="list-style-type: none"> <li>— Determine in advance what choices will be offered</li> <li>— Determine any factors the student should be aware of regarding the choices offered. For example, if allowing the student to choose where to sit, ensure the student knows which locations are allowable</li> </ul>	<ul style="list-style-type: none"> <li>— Provide the student with the choices and allow the student to choose – honor the choice the student makes</li> </ul>	<ul style="list-style-type: none"> <li>— Choices should be neutral when possible. Avoid using one choice that is punitive and one choice that is the choice the adult wants the student to choose</li> </ul>
<b>Trauma Informed Strategy:</b> Use praise and reinforce positive, desired behaviors				
Praise <a href="#">English Video</a> <a href="#">Spanish Video</a>	The teacher recognizes students who are modeling the desired behavior.	<ul style="list-style-type: none"> <li>— Determine the behavior that will be expected and targeted</li> <li>— Teach or review the expected behavior with students</li> </ul>	<ul style="list-style-type: none"> <li>— Use verbal (not necessarily oral) acknowledgment for students exhibiting the targeted behavior</li> </ul>	<ul style="list-style-type: none"> <li>— Teacher can use a class-wide acknowledgment after completion of the activity to recognize the class</li> </ul>
Class-Wide Motivation System <a href="#">English Flipbook Link</a> <a href="#">Spanish Flipbook Link</a>	Recommend use of at least one class-wide motivation system. Motivation systems do not have to reward based. These systems help to acknowledge and reinforce class-wide expectations.	<ul style="list-style-type: none"> <li>— Motivation systems are taught and practiced so that students understand how they work</li> <li>— System can be easily seen</li> <li>— Examples include: Mystery Behavior of the Day, BINGO, tracking system that leads to class activity once goal achieved</li> </ul>	<ul style="list-style-type: none"> <li>— Consistent implementation of the system as described by the teacher, taught and practiced with the class</li> </ul>	<ul style="list-style-type: none"> <li>— Follow through on system. For example if using the Mystery Behavior of the Day, ensure that the class is polled for what they think the mystery behavior was and then recognize the class for exhibiting the behavior and guessing correctly.</li> <li>— Recognition could be a cheer, a virtual high five, a preferred activity, or something like a marker or other tracking system to see how many times the class guesses the behavior correctly over time</li> </ul>

Strategies	Description	Pre-Activity	During Activity	Post-Activity
<b>Trauma Informed Strategy:</b> Plan for changes and transitions and anticipate student responses				
Visual Cues <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher uses picture cards, signs or posters that depict the expectations for the activity/transition.	<ul style="list-style-type: none"> <li>Pre-teach the visual cue and practice with the student</li> </ul>	<ul style="list-style-type: none"> <li>Implement visual cues during activities when needed to support behavior</li> </ul>	<ul style="list-style-type: none"> <li>Check-in with student to ensure the student found the cue to be helpful or to see what adjustments are needed</li> </ul>
Attention Signal <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher uses attention signal to focus the class on the teacher and to prepare students for important information or the next activity.	<ul style="list-style-type: none"> <li>Ensure that most attention signals have a auditory, oral and movement component</li> <li>Ensure that most attention signals are portable (can be used in many locations)</li> </ul>	<ul style="list-style-type: none"> <li>Be consistent in when and how attention signals are used</li> <li>Ensure students have had multiple opportunities to review and practice signals prior to use</li> <li>Immediately correct or reteach if 90% of students do not implement correctly</li> </ul>	
<b>Trauma Informed Strategy:</b> Provide options and spaces to allow students to calm and regain emotional regulation				
Cool Down Area, Think Space, Cooling-Off Time <a href="#">English Video</a> <a href="#">Spanish Video</a>	Create spaces where students can adjust emotional regulation and reduce emotional stress.	<ul style="list-style-type: none"> <li>These spaces, are not intended to be punitive. Going to cool down should never be put in an aversive context or used as a threat</li> <li>Identify where students can cool down or take a break</li> <li>If allocating space in the classroom, consider adding some activities that promote calmness</li> <li>Pre-teach expectations for use of cool-down area</li> </ul>	<ul style="list-style-type: none"> <li>When students ask to go to the cool down area, do not withhold permission if at all possible</li> <li>Allow students to access the cool down area when needed throughout the day. Some students may require prompting. Students should never be forced to use the space</li> </ul>	<ul style="list-style-type: none"> <li>Check in with students occasionally to determine if the cool down strategies and identified space(s) is working for students. Adjust as necessary.</li> </ul>
<b>Trauma Informed Strategy:</b> Use respectful language and tone				
Private Discussion <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher speaks to the student quietly about expectations for behavior so that other students are not privy to the conversation	<ul style="list-style-type: none"> <li>For students that are anxious, explain the strategy and privately practice through role play multiple times in advance</li> </ul>	<ul style="list-style-type: none"> <li>Use a quiet calm voice</li> <li>Can be implemented at desk or if student prefers, at pre-determined location in the classroom</li> <li>Do not use for students who find this aversive and it actually leads to escalation of behavior. For these students, proximity control may work better</li> </ul>	<ul style="list-style-type: none"> <li>Discuss further with the student if needed</li> </ul>
Restorative Chat <a href="#">English Template</a> <a href="#">Spanish Template</a>	A private discussion after a minor behavior incident. This style is used to help guide a student through reflection, encourage problem solving, and cooperation.	<ul style="list-style-type: none"> <li>A Restorative chat occurs when a student has been through a cool-down period</li> <li>Use "I Statements" to encourage a positive conversation with the student</li> </ul>	<ul style="list-style-type: none"> <li>Follow the guided restorative questions during each chat session and take notes if necessary</li> <li>Restorative Guided Questions:</li> </ul>	<ul style="list-style-type: none"> <li>A follow-up conversation with the student should take place no longer than a week after the initial chat occurred to encourage student cooperation and to provide continual support.</li> </ul>

Strategies	Description	Pre-Activity	During Activity	Post-Activity
Redirection <a href="#">English Video</a> <a href="#">Spanish Video</a>	Teacher gently guides the students directly, briefly and explicitly back to what he or she should be doing.		<ul style="list-style-type: none"> <li>— Be brief</li> <li>— State the expected behavior</li> <li>— Can use hand signals or proximity instead of oral redirection</li> </ul>	<ul style="list-style-type: none"> <li>— For students that require frequent redirection consider pairing with a self-monitoring system</li> </ul>
<b>Other classroom management strategies:</b>				
State Changes <a href="#">English Video</a> <a href="#">Spanish Video</a>	Short activities, movement, or slight shift in activity that constitute a change in the current physical or mental state to improve sustained attention.	<ul style="list-style-type: none"> <li>— Practice state changes, for example, if the state change activity is to wiggle in your chair, define acceptable wiggling and practice.</li> </ul>	When more than 10% of the class is off-task or appears inattentive and the time on task exceeds the attention span for the age range, use a state change to improve attention and concentration	<ul style="list-style-type: none"> <li>— If state change activity did not go as expected, reteach and review the expectations for the state change activity</li> </ul>
Proximity Control <a href="#">English Video</a> <a href="#">Spanish Video</a>	Use of physical proximity to the student to redirect off-task or inappropriate behavior.	<ul style="list-style-type: none"> <li>— Best used for minor misbehavior such as talking out of turn</li> </ul>	<ul style="list-style-type: none"> <li>— Move to close to the student(s) of focus, the closer the teacher stands to the student the greater the influence on behavior</li> </ul>	
Seating Change <a href="#">English Video</a> <a href="#">Spanish Video</a>	Provides optimal seating based on students' unique needs. Consider student personalities and working styles.	<ul style="list-style-type: none"> <li>— Consider where each student will best perform and adjust seating accordingly</li> <li>— Consider if any students with IEPs or 504 plans have preferential seating in their plan</li> </ul>		<ul style="list-style-type: none"> <li>— Periodically check with students to see if they feel the seating arrangement is effective for them</li> </ul>
Reflective Journaling <a href="#">English Video</a> <a href="#">Spanish Video</a>	Promotes student accountability, metacognition, and practice critical thinking and writing.	<ul style="list-style-type: none"> <li>— Individualized based on the targeted behavior</li> </ul>		<ul style="list-style-type: none"> <li>— After activity or instruction, have the student write a short reflection about behavior, feelings or reactions</li> </ul>

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## SAISD Prohibited Techniques

SAISD prohibits actions that affect a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment. In general, employees shall avoid techniques which may cause physical or emotional harm or distress, even if the employee is not in physical contact with the student. Some unallowable punishment techniques for behavior violations may include, but not be limited to, the following examples:

- Requiring a student to stand for a period of time without sitting
- Requiring a student to stand and hold books for a period of time without relief
- Requiring a student to engage in physical activity as a discipline technique
- Subjecting a student to ridicule
- Requiring a student to write lines
- Ordering a student to leave the classroom without a discipline referral
- Requiring the student to work in an unsupervised setting
- Denying a student access to lunch, prescribed medication, or bathroom breaks
- Corporal punishment

*Note: The principal shall delineate other discipline techniques that are considered inappropriate on the campus. A student shall be disciplined when necessary to improve the student's behavior, to maintain order, or to protect other students, school employees, or property. A student shall be treated fairly and equitably. Report violations to the campus principal.*

## Prohibited Aversive Techniques

HB 3630 and Senate Bill 172 prohibit a District employee, volunteer, or independent contractor from using an aversive technique or causing an aversive technique to be used on a student. Aversive techniques — defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain — are prohibited for use with students. Report violations to the campus principal. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by District policy (see policy FO[LOCAL])
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse
- Employing a device, material, or object to immobilize all 4 student extremities, including prone/supine floor restraint
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face
- Restricting the student's circulation
- Securing the student to a stationary object while the student is standing or sitting
- Inhibiting, reducing, or hindering the student's ability to communicate
- Using chemical restraints
- 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 by the use of physical barriers
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP)



### FOR MORE INFORMATION ON MANAGEMENT STRATEGIES

Contact Dr. Allegra Montemayor: [amontemayor1@saisd.net](mailto:amontemayor1@saisd.net)

Contact the campus behavior specialist

Office of Special Education Services: (210) 354-9565

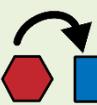
Websites with resources: [pbisworld.com/](http://pbisworld.com/) and [behaviordoctor.org/material-](http://behaviordoctor.org/material-)

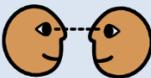
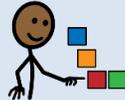
## Parent Resources

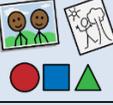
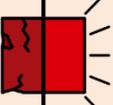
The resources in this section provides parents with evidence-based strategies that can be used in the home. These strategies can help with building positive relationships in the home while teaching children appropriate behaviors to display at home, school, and in the community. The table below includes strategies that can be used with desired and undesired behaviors, along with a video example on how to use the strategy. All strategies listed can be used with all ages of children.

The strategies listed below are the same strategies listed in the *Classroom Management* section beginning page 13, that are used by teachers to help children be successful in school. Using the same strategies provides consistency between the home and school. San Antonio ISD is committed to creating a positive experience for students in school and supporting parents with resources to assist their children outside of school in being successful. In addition to the strategies that can be used in the home there are opportunities provided by the Office of Family and Community Engagement. There are monthly virtual parent sessions on a variety of topics for one hour called "Family Power Hour" offered in English and Spanish. Please visit <https://www.saisd.net/page/parenttraining> for information on upcoming sessions. For further guidance and support, please contact your campus administrator or school counselor.

## Strategies to Use at Home

Strategies	Description	How to Do	Purpose	Additional Resources
Use these strategies when your child is displaying appropriate (wanted) behaviors:				
<b>Motivation</b> 	Encourages a child to complete a task by offering something of interest or by using encouraging words.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>-Helps to meet goals</li> <li>-Reinforces appropriate behavior</li> <li>-Builds positive relationships</li> </ul>	<a href="#">English</a> <a href="#">Spanish</a>
<b>Praise</b> 	Demonstrates parent's approval of a child's positive behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>— Encourages your child to exhibit the positive behavior in the future</li> <li>—Reinforces appropriate behavior</li> <li>—Builds positive relationships</li> </ul>	
<b>Ratio of Interactions</b> 	Provides the child with 3 positive connections with a parent for every corrective interaction by the parent.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>-Builds positive relationships</li> <li>-Encourages appropriate behavior</li> <li>-Promotes a positive home environment</li> </ul>	<a href="#">English</a> <a href="#">Spanish</a>
<b>State Changes</b> 	Provides an opportunity for a child to participate in a fun activity in between tasks.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>-Re energizes</li> <li>-Reduces frustration</li> <li>-Increases attention</li> </ul>	<a href="#">English</a> <a href="#">Spanish</a>
<b>Timers</b> 	Provides a visual countdown by using a timer/clock from a specified time to help a child self monitor when completing a task.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>-Helps to keep track of time</li> <li>-Provides predictability and structure</li> </ul>	<a href="#">English</a> <a href="#">Spanish</a>
<b>2-Minute Connection</b> <b>2</b>	Provides an opportunity for positive communication between a child and a parent for 2-minutes with a focus on building the relationship.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	<ul style="list-style-type: none"> <li>-Builds positive relationships</li> <li>-Improves communication skills</li> </ul>	<a href="#">English</a> <a href="#">Spanish</a>

Strategies	Description	How to Do	Purpose	Additional Resources
Use these strategies when your child is displaying appropriate (wanted) behaviors:				
<b>60-Second Break</b> <b>60</b>	Provides a child a quick break while working on a long task or activity.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Re energizes -Helps to stay focus -Helps to decrease stress and frustration during a difficult task or activity	<a href="#">English</a> <a href="#">English</a> <a href="#">Spanish</a> <a href="#">Spanish</a>
<b>Quick Spark</b> <b>90</b>	Provides parents with a simple approach to interact with their child in a positive way.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Reenergizes the child -Maintains focus task -Builds positive relationships	<a href="#">English</a>  <a href="#">Spanish</a>
<b>2:10 Attention</b> 	Provides an opportunity for a parent to schedule attention with their child consistently for 10 days for at least 2 minutes per day.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Encourages positive relationships -Builds communication skills -Provides structured attention	
Use these strategies when your child is displaying inappropriate (unwanted) behaviors:				
<b>Attention Signal</b> 	Assists with getting a child's attention when a parent has something to say or need to correct a behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Helps to refocus attention -Encourages desirable behavior	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Behavior Contract</b> 	Provides a written agreement between a parent and child that focuses on positive behaviors the parent desires from the child	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Sets expectations -Promotes accountability -Focuses on positive behavior	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Offering Choices</b> 	Provides an opportunity for options and opportunity to make good choices.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Increases appropriate behavior -Encourages decision making	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Precorrection</b> 	Reminds the child of the desired behavior expectations to prevent undesired behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Increases desired behavior -Decreases undesired behavior -Sets expectations	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Proximity Control</b> 	Encourages a child to remain on task by standing or moving close to the child	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Provides self-regulation -Helps to stay on task -Increases likelihood of wanted behavior occurring	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Private Discussion</b> 	Provides an opportunity for a parent to have a private discussion with their child about an undesired behavior and provides an opportunity for the child to correct the behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Helps to correct behavior -Builds positive relationship -Decreases undesired behavior	<a href="#">English</a>  <a href="#">Spanish</a>
<b>Redirection</b> 	Corrects an undesired behavior by directing the child to a desired behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Sets expectations -Encourages desired behavior -Helps to stay focus	<a href="#">English</a>  <a href="#">Spanish</a>

Strategies	Description	How to Do	Purpose	Additional Resources
Use these strategies when your child is displaying inappropriate (unwanted) behaviors:				
<b>Setting Expectations</b> 	Helps a child understand what desired behaviors are expected in the home.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Decreases undesired behavior -Promotes responsibility & accountability -Decreases confusion	<a href="#">English</a> <a href="#">Spanish</a>
<b>Setting Limits</b> 	Provides boundaries and structure for a child to support positive behavior.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Sets expectations -Teaches responsibility -Encourages self-regulation	<a href="#">English</a> <a href="#">Spanish</a>
<b>Visual Cues</b> 	Provides visual direction by using pictures, objects, and gestures to communicate with a child.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Provides structure -Helps to stay on task -Helps with understanding	<a href="#">English</a> <a href="#">Spanish</a>
<b>Cool Down Area</b> 	Provides a safe place where a child can go to calm down when feeling frustrated or upset.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Provides opportunity to calm down -Helps with self-regulation -Helps with Identifying emotions	<a href="#">English DIY Items</a> <a href="#">English Making Sensory Bottle</a> <a href="#">Spanish DIY</a> <a href="#">Spanish Making a Calm Area</a>
Other strategies:				
<b>Family Agreement</b> 	Helps build trust and gain cooperation within the family and appropriate for all school-aged children	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Maintains positive relationships -Encourages self-regulation	<a href="#">English</a> <a href="#">Spanish</a>
<b>Restorative Chat</b> 	Helps individuals properly manage conflict using guided questions to navigate the conversation.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Maintains positive relationships -Encourages self- reflection	<a href="#">English</a> <a href="#">Spanish</a>
<b>Family Circle</b> 	Helps create a safe space that allows everyone to share concerns and addresses individual needs using open dialogue.	<a href="#">English Version</a>	-Maintains positive relationships -Encourages self-regulation	<a href="#">English</a> <a href="#">Spanish</a>
<b>Mood meter</b> 	Provides an opportunity for a child to communicate their social and emotional feelings with their parent throughout the day.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Helps identify feelings -Allows predictability -Provides opportunity to address concerns	<a href="#">English</a> <a href="#">Spanish</a>
<b>Routines &amp; Structure</b> 	Provides structure, consistency and predictability within the home.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	-Provides predictability -Helps with expectations -Provides a sense of security and control	<a href="#">English</a> <a href="#">Spanish</a>
<b>Journaling</b> 	Assists your child to process feelings and voice their ideas while building on their writing skills.	<a href="#">English Version</a> <a href="#">Spanish Version</a>	- Helps child to label and process their emotion -Improves confidence -Increases communication skills	<a href="#">English</a> <a href="#">Spanish</a>

# SECTION II:

## SUSPENSION: CAUTIONS & ALTERNATIVES

### The Disproportionate Use of Suspension

In addition to the research on the general effects of the overuse of suspension on students and school climate, there has also been further efforts to understand how the overuse of suspension relates to equity among distinctive populations of students. Educational researchers have sought to understand which particular groups of students have been affected by the disproportionate use of exclusionary disciplinary practices and what the implications are for both the educational system and society at large. According to the US Department of Education's Office for Civil Rights brief on school discipline from March 2014, certain national trends have been identified, including:

1. African American students being the recipients of exclusionary discipline practices at a rate that is three times higher than their white counterparts (16% to 5%, respectively)
2. Students with disabilities being suspended at a rate that is more than twice that of their nondisabled peers (13% to 6%, respectively)
3. Boys accounting for 72% of the recipients of multiple out-of-school suspensions despite comprising 51% of the student population

In a separate study, approximately 40% of LGBTQ students reported being the recipient of exclusionary disciplinary practices (GLSEN, 2016). Another study found that the rate of suspension rose to 34% for African American male students with disabilities compared to 23% of African American males overall (Barshay, 2018), illustrating the discipline gaps that exist when categories such as race and disability are layered upon each other.

Due to the risk of disproportionate use of suspension or expulsion and the increased risk to an individual student who falls into multiple categories for risk, it is important for school staff to be aware of the following and the impact on disproportion:

1. **Implicit Bias** — Implicit bias describes the way in which people adhere to certain attitudes, beliefs, or stereotypes about other people even without their own conscious knowledge. For teachers, these biases can manifest itself in how they view their students in terms of academics or behavior. For example, one researcher found that when asked about any given African American student, a white teacher was 30% less likely than their African American colleague to predict positive postsecondary outcomes (Flannery, 2015). Another study found that teachers were more likely to respond negatively to reported behaviors if the accompanying name was stereotypically African American (NAACPLDF, 2017). (In case you would like to explore the concept of implicit bias more, here is a link to a test by Harvard University that will help you understand or identify your own implicit bias: <https://implicit.harvard.edu/implicit/takeatest.html>.)
2. **Vulnerable Decision Point** — Along with implicit bias comes the theory of the Vulnerable Decision Point (VDP). In the educational setting, a VDP is a situation when racial bias is most likely to affect disciplinary decision-making. According to one study, VDP plays a particularly important role when the student behavior is subjective in nature (e.g., “defiance” or “disrespect”). In these cases, one analysis of Texas schools indicated that African American students were disciplined for discretionary violations at a 31% higher rate than their white counterparts (Girvan et al., 2016).
3. **Stress** — Another factor that can affect students behaviorally is how the classroom environment is shaped by the teacher's emotional well-being. An analysis of students in classroom with high reported levels of both internal and external stressors for teachers showed a corresponding increase in learning and behavior problems for the participants (Milkie and Warner, 2011).

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## Possible Negative Effects of Suspension

As a district whose core values include being student centered, it is important that the consequences that accompany any disciplinary action are focused on creating learning opportunities for the student. Therefore, it is important that we fully seek to keep students in class and engaged in the learning environment.

According to research data, excessive use of out-of-school suspension (OSS) can have wide-ranging negative effects on the student's academic and behavioral performance. Suspensions can result in chronic absences, and the loss of instructional time can result in lower performance in class, which in turn widens the achievement gap (Justice Center, 2014). A single out-of-school suspension in ninth grade is associated with a 50% increase in dropping out and a 19% decrease in enrollment in postsecondary education (Balfanz et al., 2015). Each suspension a student receives reduces their likelihood of graduation by 12% (Alliance for Excellent Education, 2016). Students who drop out are eight times more likely to be incarcerated than students who graduate. Students suspended are at greater risk for developing antisocial behavior one year later (Lee et al., 2011). Repeated use of OSS as a consequence can be detrimental to the overall school climate. Suspension in the first quarter of the school year significantly increases the likelihood of additional suspensions during the school year (Massar et al., 2015).

It is important that schools seek to utilize alternatives to suspension to assure that the student has continued access to quality instruction and to avoid any negative effects that accompany being away from the classroom. **When possible, the school administrator shall avoid the use of out-of-school suspension and will limit any such suspension to 1 day. When student and staff safety may be at risk, the administrator may implement a 2 or 3 day out-of-school suspension.** Out-of-school suspension shall not be used in response to truancy.

In the table below, proven alternatives to suspension are provided. In addition, the restorative and/or education value of each consequence is outlined, as well as any special considerations schools should weigh when choosing a consequence.

The District shall not use out-of-school suspension for students below grade 3 or homeless unless the conduct meets the requirements established in law.

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

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

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



### FOR MORE INFORMATION ON DISPROPORTION

Contact Beth Jones: [ejones@saisd.net](mailto:ejones@saisd.net)

Contact Darnell White: [dwhite@saisd.net](mailto:dwhite@saisd.net)

Office of Student Behavior: (210) 354-9565

## Alternatives to Suspension

This table provides a series of alternatives to suspension, but it is not a complete list. Please consult the campus behavior specialist, behavior coordinator, or Licensed Specialist in School Psychology for more responses, interventions, or strategies.

Alternative	Offense Level	Restorative/Academic Benefit	Factors to Consider
Reflection Journaling	1	<ul style="list-style-type: none"> <li>–Promotes student accountability</li> <li>–Promotes metacognition</li> <li>–Practice writing for critical thinking</li> </ul>	Individualize based on the offense (e.g., classroom disruption, profanity, or social/ emotional conflicts)
Loss of Privileges	1	<ul style="list-style-type: none"> <li>–Promotes student accountability</li> <li>–Reinforces understanding of consequences to help students learn the value of respect and cooperation in the classroom</li> </ul>	Activities associated with guaranteed services (e.g., Gifted/Talented classes, Special Education) cannot legally be withheld
Parent Conference	1	<ul style="list-style-type: none"> <li>–Increases stakeholder involvement to encourage relationship building</li> <li>–Promotes student cooperation without disrupting learning process</li> </ul>	Can be held in person or via phone
Check-in/ Check-out	1	<ul style="list-style-type: none"> <li>–Encourages student attendance on campus while verifying their emotional well-being on a daily basis to encourage cooperation</li> <li>–Promotes personal responsibility in maintaining schedules &amp; time management</li> </ul>	<ul style="list-style-type: none"> <li>–Which campus stakeholder will be involved to monitor and provide follow-up?</li> <li>–Stakeholder does not necessarily need to be a teacher</li> </ul>
Restitution (Repair Harm)	2	<ul style="list-style-type: none"> <li>–Provides opportunity for conflict resolution &amp; problem-solving</li> <li>–Promotes accountability through process of repairing harm</li> </ul>	Student needs to be willing to participate in this process, and parent participation should be considered
Peer Resolution/ Circles/ Chats	3	Upperclassmen can help guide lowerclassmen on how to overcome challenges related to recent experiences by provided conflict resolution and problem-solving techniques on campus	When the student is refusing to cooperate using other approaches, this strategy is necessary in conjunction with additional methods to provide additional guidance for students in need of further support
Detention or "Time Owed"	1	<ul style="list-style-type: none"> <li>–Supports restitution by allowing time for the student to reflect on his/her actions</li> <li>–Encourages student cooperation on campus</li> </ul>	<ul style="list-style-type: none"> <li>–Campus needs to notify parent for awareness and support</li> <li>–Procedures need to be highly structured (e.g., students need to be escorted to after-school detention)</li> </ul>
Parental Support	1–2	<ul style="list-style-type: none"> <li>–Opportunity to invite parents/guardians to help support/address student misconduct</li> <li>–Encourages student cooperation &amp; problem-solving</li> </ul>	This process can also be put in place through a home visit

Alternative	Offense Level	Restorative/Academic Benefit	Factors to Consider
Home Visits	1-2	<ul style="list-style-type: none"> <li>–Encourages family support to help address behavior concerns in an attempt to improve student cooperation on campus</li> <li>–Respects parents by taking on the onus of having to travel to engage in problem-solving</li> </ul>	Home visits are more successful when done after school or on the weekend
Counseling	1-3	<ul style="list-style-type: none"> <li>–Provides additional support and guidance by offering a safe place for students to understand their needs to enhance cooperation</li> <li>–Improves problem-solving skills</li> <li>–Develops coping skills while in school</li> </ul>	This strategy is necessary in conjunction with additional methods to provide additional guidance for students in need of further support
Behavior Contract	2	Provides students with individualized support to help encourage accountability, improve relationships with teachers and administration, and improve emotional awareness	<ul style="list-style-type: none"> <li>–Support and awareness from parents is crucial</li> <li>–Parents and students should be involved in the creation of the contract</li> </ul>
Administrative Conference	2	Provides a school authority structure for the purpose of maintaining a safe place for students to learn and grow while encouraging student cooperation by developing problem-solving and conflict resolution skills	<ul style="list-style-type: none"> <li>–Parent and student need to have a low-risk environment for the conference</li> <li>–Maintaining dignity and respect is paramount</li> </ul>
Daily Behavior Report Card	2	<ul style="list-style-type: none"> <li>–Provides students with individualized support to help encourage accountability</li> <li>–Increases academic motivation</li> <li>–Provides consistency for the student on a daily basis through managing conflict and considering emotional awareness</li> </ul>	Student buy-in/commitment is crucial for this intervention
In-School Suspension	2-3	Provides a cool-down period where the student can reflect on the consequences of his/her actions while encouraging student cooperation and problem-solving skills while in school	<ul style="list-style-type: none"> <li>–This strategy is necessary in conjunction with additional methods to provide additional guidance for students in need of further support. Like OSS, OCI is considered out-of-school placement.</li> <li>–Number of days must be tracked and registered appropriately. Continued provision of services to students with disabilities must be addressed.</li> </ul>

Alternative	Offense Level	Restorative/Academic Benefit	Factors to Consider
Referral to Social Worker	2-3	<ul style="list-style-type: none"> <li>–Offers additional support for overall student health &amp; emotional well-being to help strengthen academic performance by recommending supplemental resources as needed for the student &amp; family</li> <li>–Provides opportunity to address root causes for behavior that may be influenced by outside conditions or events</li> </ul>	<p>This strategy is necessary in conjunction with additional methods to provide additional guidance for students in need of further support</p>
Behavior Mentoring	2-3	<ul style="list-style-type: none"> <li>–Provides opportunity for relationship building by pairing student with caring adult on campus to make them feel welcome &amp; wanted while in school</li> <li>–Improves overall academic performance through conflict resolution and problem-solving techniques that can be offered during weekly sessions</li> </ul>	<ul style="list-style-type: none"> <li>–This strategy is necessary in conjunction with additional methods to provide additional guidance for students in need of further support</li> <li>–The selection of the mentor is important</li> <li>–Each mentor needs an orientation regarding their roles and responsibilities</li> </ul>
Consult with the Campus Behavior Specialist or LSSP	1-3	Provides opportunity for adults to consult together to develop an effective intervention strategy	At elementary the behavior specialist can consult on a general education only student or a student with an IEP; at secondary campuses they can only consult on students with IEPs



**FOR MORE INFORMATION ON SUSPENSIONS/ALTERNATIVES**

Contact Beth Jones: [ejones@saisd.net](mailto:ejones@saisd.net)

Contact Barbie Parham: [bparham@saisd.net](mailto:bparham@saisd.net)

Contact Darnell White: [dwhite@saisd.net](mailto:dwhite@saisd.net)

Office of SEAD & Restorative Practices: (210) 354-9565



# SECTION III: STUDENTS WITH DISABILITIES

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail. A student with a disability is one who currently has an Individualized Education Plan (IEP), Section 504 Plan, or suspected disability.

## **Protection for Children Suspected but Not Yet Determined Eligible for Special Education or Section 504**

If the school had knowledge that the student is a child with a disability before the behavior that resulted in the disciplinary action, then the student has all the rights and protections that a student with a disability would have under the Individuals with Disabilities Education Act (IDEA) or Section 504.

A school is considered to have prior knowledge if:

- parent expressed concerns in writing to an administrator/teacher that the student is in need of Special Education services;
- a request for an evaluation was made; or
- a teacher or other school personnel expressed specific concerns about a pattern of behavior to the Special Education director or other supervisory personnel.

If the student is subject to disciplinary measures while in the process of an initial evaluation, the student must remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

## **Discipline Procedures**

In deciding whether to use restorative practices, suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the District will take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct. The campus behavior coordinator should seek assistance from the LSSP and/or Special Education monitoring teacher to gain a better understanding of the student's disability and its manifestation.

### **Removal: No Change of Placement**

If a student with an IEP or Section 504 Plan violates the District Student Code of Conduct, it would not be considered a change of placement for the school to remove the child from the current placement for 10 school days or fewer per school year, just as it does when disciplining children without disabilities. The school is not required to provide educational services during these short-term removals unless services are provided to children without disabilities. If the school chooses to suspend a child, under state law, the suspension may not exceed three school days. If a child is removed from his or her current placement for 10 school days in a school year, the child has additional rights during any subsequent days of removal. If the subsequent removal is for not more than 10 consecutive school days and is not a change in placement, school personnel, in consultation with at least one of the child's teachers, must determine the extent to which services are needed so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals/expectations set out in the child's IEP/504 Plan.

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## Removal: Change of Placement

A student with an IEP or Section 504 Plan is considered to have a change of placement if the removal is for more than 10 consecutive school days or if a series of shorter removals totaling more than 10 cumulative school days constitute a pattern. A full- or partial-day suspension from school, in-school suspension resulting in the student not receiving the full minutes of service promised in the IEP or suspension from transportation as a related service constitutes one removal for each day assigned. Once a student reaches 10 days of removals, whether partial or full day, a Manifestation Determination Review ARD meeting (MDR) must be held. At the MDR ARD, the committee must determine if the removals constitute a pattern by considering whether the child's behavior is substantially similar to the behavior in previous incidents that resulted in the series of removals, the length of removal, and/or proximity of removals to one another. Removals are accrued when the disciplinary action resulted in a removal of Special Education services for all or part of the day. If a pattern is established, the student cannot be subjected to additional similar removals for the remainder of the school year.

When students have accrued 10 days of removals and the MRD ARD Committee determines that the removals constitute a pattern, the committee should determine what other supports and services can be provided to address the behavior that is causing the student to be subject to the removals. The ARD Committee should consider the Functional Behavior Assessment (FBA), the behavior intervention plan (BIP), goals and objectives, supplementary aids and services, and if applicable, the Autism Supplement. The school may contact the Special Education director assigned to their campus, the LSSP, or the behavior specialist for additional guidance on alternatives to suspension or adjustment of the IEP.

## Manifestation, Determination, Review

### *When Behavior Is a Manifestation*

If the student's conduct is a manifestation of his or her disability, the ARD/Section 504 Committee must conduct an FBA, unless it conducted one before the behavior that resulted in the change of placement occurred and implement a BIP. Where a BIP has already been developed, the ARD/Section 504 Committee must review the BIP and modify it as necessary to address the behavior. If the conduct was the direct result of the school's failure to implement the IEP/504 Plan, the school must take immediate steps to remedy those deficiencies. Finally, except in the special circumstances described below, the ARD/Section 504 Committee must return the student to the placement from which the child was removed, unless the parent and the school agree to a change of placement as part of the modification of the BIP.

### *When the Student's Behavior Is Not a Manifestation*

When the student's behavior is not a manifestation of their disability, then the student can be disciplined in the same manner and for the same duration as nondisabled children except that the student must continue to receive FAPE.

### *Special Circumstances*

The school may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student:

- carries a weapon at school, on school premises, or to or at a school function under the jurisdiction of the school district;
- knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the school district; or
- has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district.

If the student's behavior is determined *not* to be a manifestation of the student's disability, the student may be placed in a disciplinary setting to the same extent as a nondisabled student. The student must receive, as appropriate, an FBA, behavioral intervention services, and modifications that are designed to address the behavior so that it does not recur.

# Student Code of Conduct

## PURPOSE

The San Antonio Independent School District (SAISD) has adopted the Student Code of Conduct (SCOC) to promote and maintain a positive, safe, and effective learning environment for students and adults. This environment is created and maintained by adults who respond to student behavior in a way that improves the student's ability to successfully navigate the social and academic environment at school. At the foundation, everyone's rights must be treated with respect. The SCOC articulates the behavior that is not allowable at school or school-affiliated functions or events, on school grounds, or on District transportation so that students and adults are knowledgeable about expectations and standards of behavior.

The SCOC is adopted by the District's Board of Trustees and has the force of policy. In case of a conflict between the SCOC and the student handbook, the SCOC will prevail. Once the SCOC is promulgated, any subsequent changes or amendments must be approved by the Board of Trustees. During any periods of instruction during the summer months, the Parent-Student Handbook and SCOC in place for the year immediately preceding the summer period shall apply, unless the District amends either document, or both documents, for the purposes of summer instruction. The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to those laws. This Code of Conduct applies to all students in the San Antonio Independent School District whenever the interest of the District is involved, on or off school grounds, in connection with or independent of classes and school-sponsored activities.

If you have difficulty accessing the information in this document because of disability, please contact the following staff:

Beth Jones: [ejones@saisd.net](mailto:ejones@saisd.net)

Darnell White: [dwhite@saisd.net](mailto:dwhite@saisd.net)

Office of Equity and Discipline: (210) 354-9565

Department of Disability Services: (210) 354-9565

## FORMAT

This Student Code of Conduct is designed to outline restorative responses to student behavior that lead to students' social, emotional, and academic development. Sections I through III provide resources and information on Social, Emotional, Academic Development (SEAD) to include restorative practices, Positive Behavior Interventions and Supports (PBIS), Multi-Tiered Systems and Supports (MTSS), and trauma-informed care; they also cover students with disabilities, as well as disproportion and the use of discretionary exclusionary disciplinary practices such as out-of-school suspension. The intent of the SCOC is not only to delineate those behaviors that are infractions of the Code of Conduct, but also to provide strategies, resources, and techniques that teach and support the acquisition of more adaptive behavior.

In accordance with state law, sections IV define misconduct that may—or must—result in a range of 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. Parents will 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.

## CODE ACCESSIBILITY

The Section 504 and Dyslexia Department of SAISD provides sign language interpreters upon request for parents/guardians or community members needing this accommodation for campus meetings or events. Parents or guardians who need to request an American Sign Language (ASL) interpreter should call (210) 554-2570 between 48 and 72 hours before the need for the interpreter. You may also contact the Section 504 and Dyslexia Department by emailing Cindy Sosa at csosa2@saisd.net. You may also contact the school principal or campus 504 coordinator. The department is open Monday through Friday, 8:00 a.m. to 4:30 p.m. If you know of a parent or guardian who needs these services, please contact the number above and discuss the circumstances with the Section 504 and Dyslexia Department. In accordance with state law, the Student 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 SCOC will be available at the office of the campus behavior coordinator and posted on the District's website. Students may request a copy of the Parent-Student Handbook, which includes the SCOC, at the beginning of the school year. The SCOC will be provided to all teachers, new professional employees, students who are enrolled after the beginning of the school year, parents, and any other person upon request. Each student, teacher, and parent annually must sign a statement that they have read and have access to the SAISD Student Code of Conduct and acknowledge the rules and responsibilities outlined therein.

"Parent" Defined: Throughout the SCOC and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

In accordance with Education School District Authority, SAISD rules and the authority of the District to administer discipline apply whenever the interest of the District is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities. The District has disciplinary authority over a student:

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

The following guidelines delineate standards of expected behavior and are incorporated into each campus's school rules.

- Follow campus and classroom rules.
- Treat other students and adults with courtesy and respect.
- Accept responsibility for actions and behavior.
- Attend all classes, regularly and on time.
- Be prepared for each class with appropriate materials and assignments.
- Adhere to standards of dress and grooming as outlined in the dress code.
- Refrain from posting threatening messages on social media outlets directed at students, parents, staff, or school property.
- Actively support and assist the school in maintaining a campus free from drugs, alcohol, weapons, and gang activity, by:
  - i. Cooperating with staff in investigations of disciplinary cases and volunteering information within the student's knowledge relating to a serious offense.
  - ii. Responsibly informing staff of conduct violations by others.
  - iii. Immediately submitting any prohibited items to staff or informing staff of location of prohibited items immediately upon discovery.
- Adhere to the requirements of the Student Code of Conduct.

It is the policy of San Antonio Independent School District not to discriminate on the basis of race, color, religion, national origin, age, sex, gender identity, gender expression, sexual orientation, or disability in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended, and SAISD's Board policies DIA, FFH, and FFI.



# SECTION IV: STANDARDS FOR STUDENT CONDUCT

## Staff Reporting Requirements

### *Campus Behavior Coordinator*

As required by law, TEC 37.0012, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal of the campus or any other campus administrator selected by the principal. The CBC is primarily responsible for maintaining student discipline. See section VII of this document for a complete list of the CBCs and contact information by campus. The District shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information can be found at [www.SAISD.net](http://www.SAISD.net). San Antonio Independent School District Board Policy delegates to the principal or designee the authority to administer discipline at the campus level, and delegates the authority to remove students to a District Alternative Education Program (DAEP) or expulsion to the Juvenile Alternative Education Program (JJAEP). The CBC has the discretion to apply school-based discipline for specific violations or refer the matter to the District Disciplinary Hearing Office for review.

The sequence of disciplinary actions begins with the minimum disciplinary action and may progress to the more serious disciplinary consequences established in the Student Code of Conduct. The CBC must consider mitigating factors if the student is in the 2<sup>nd</sup> grade and below, if the student is homeless in grades k-12, whether the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the CBC concerns a discretionary or mandatory action. The disciplinary action will draw on the professional judgment of teachers, principals, or designees and on a range of disciplinary management techniques, including restorative practices. The consequence decision will be based on these factors, as well as the specific circumstances unique to the situation and the individual student involved. When a teacher believes that a student has committed a violation of this Student Code of Conduct, the teacher must submit a written description of the student's actions for classroom documentation and/or to the principal/administrator or CBC. The teacher will provide strategies and interventions for classroom support and the principal/administrator or CBC shall provide campus strategies and interventions to support the student. Campus staff shall inform the parent with a copy of the written description and strategies and interventions to support the student.

School administrators shall also report conduct believed to constitute a crime to legal authorities as required by law and shall notify law enforcement when an administrator suspects that a crime has been committed on campus.

The CBC 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 shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good-faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. on the first business day after the day the disciplinary action was taken, the CBC shall send written notification by U.S. Mail. If the CBC is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

## Threat Assessment and Safe and Supportive School Team

The CBC or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the District's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct. Each team will conduct threat assessments for individuals who make threats of violence or exhibit harmful, threatening, or violent behavior as defined. Harmful, threatening, or violent behavior includes behaviors such as verbal threats, threats of self-harm, bullying or cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault by a student. The behavior may result in specific interventions, including mental health supports, behavioral supports, or exclusionary school discipline.

## Reporting Crimes

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

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

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

Students with Disabilities: IDEA does not prohibit a school from reporting a crime committed by a child with a disability to appropriate authorities or prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a child with a disability. If a school reports a crime committed by a child with a disability, the school must ensure that copies of the child's Special Education and disciplinary records are transmitted for consideration by the authorities to whom the school reports the crime; however, these records may be transmitted only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

## Unauthorized Persons

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

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting, and 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 refusal of entry or ejection from District property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the District's grievance procedures shall be adjusted as necessary to permit the person to address the Board in person within 90 days, unless the complaint is resolved before a Board hearing.

## STUDENT OFFENSES

### *Level I – Teacher-Managed Misbehaviors*

Students who commit Level I offenses at school, on District transportation, or during school-related activities will be assessed consequences commensurate with the offense. Level I violations will not result in the formal removal of the student from class or another placement but may focus on routine classroom rules and Treatment Agreements that will govern a student's conduct. Level I offenses and corresponding penalties are usually not as serious as Level II, III, or IV offenses. The following list provides common examples of classroom misbehavior that the teacher would manage in the classroom.

### *Offense*

Class rule violations	Pushing/shoving	Leaving class without permission during instructional time
Profanity, not directed at others	Name-calling	Cheating or copying work of another student
Out of seat or assigned area	Throwing objects	Displaying an electronic device without permission
Refusal to follow directions	Dress Code violations	Refusal to complete assignments
Public display of affection	Tardy	Aggravation/agitation of others

### **Dress Code:**

Violations of the student dress code will be addressed at the campus level using teacher managed or administrator assigned consequences such as private discussion, directives for compliance, or administrator or parent conference. Students shall not be

placed in suspension or refused admittance to school based on violations of the dress code. Refer to Board Policy FNCA or the Parent-Student Handbook for dress code policy.

*Level II – Administrative Review Offenses*

Students who commit Level II offenses at school, on District transportation, or during school-related activities will be assessed consequences commensurate with the offense. Level II offenses are considered to be more objectionable than Level I offenses. Thus, in most cases, Level II offenses will warrant greater consequences than Level I offenses. Students with IEPs may have behavior intervention plans (BIP), which the teacher should be familiar with and adhere to as it applies to the behaviors targeted in the BIP. The following list is not exhaustive.

CODE	OFFENSE
21.AB	Refusing to go to class and remaining on campus.
21.BB	Engaging in inappropriate unwelcome physical conduct or threatening physical conduct that is disruptive or offensive to another student, District employees, volunteers, or school environment.
21.AC	Possessing or using skateboards or similar items may be possessed by students at school if the devices are not displayed or used on school grounds.
21.AD	Leaving school grounds during academic day or leaving a school-sponsored event in which the student is a participant (first offense).
21.AE	Engaging in inappropriate or excessive displays of affection.
21.AF	Communication devices may be possessed if the devices are not displayed or used during the school day.
21.AG	Possessing or using matches or a lighter.
21.AJ	Loitering on school grounds. Before or after regular school hours, students should be on campus only for educational-related purposes, such as tutorials, extracurricular activities, or after-school programs. Students who are waiting to enter the building before school begins or waiting for a ride home after school shall not be considered to be loitering. Students refusing to report to assigned class, office, or area assigned are loitering.
21.AK	Trespassing on school grounds. Students directed to leave campus by parent or campus behavior coordinator are trespassing. Students who enter a campus other than their own, without permission, are considered trespassing.
21.BA	Intentionally and knowingly makes false accusations against teachers, other school employees, volunteers, or other students.
21.BC	Displaying or using mace or pepper spray (in some cases, the use may be classified as an assault and may cause bodily injury – Level III).
21.BD	Steals from students, staff, campus visitors, or school (i.e., theft that does not constitute a felony according to the Penal Code).
21.BE	Engages in verbal abuse, e.g., name-calling, making racial or ethnic slurs, derogatory statements, or oral statements, which are abusive or confrontational.
21.BF	Directs profanity, vulgar language, or obscene gestures toward another student.
21.BFE	Directs profanity, vulgar language, or obscene gestures toward a District employee.
41.BG	Fighting and mutual combat.

CODE	OFFENSE
21.BH	Hazing (see Glossary).
21.BI	Engages in offensive conduct that constitutes sexual harassment (see Glossary), gender-based harassment or sexual abuse, whether verbal or physical, that may include requests for sexual favors or other intimidating sexual conduct directed toward other District students, employees, Board members, or volunteers. This may include sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. (Note: Some conduct of this nature may be so offensive that it also may be classified as a felony or other illegal offense and may, therefore, result in DAEP placement or expulsion.)
21.BJ	Falsifies records, passes, or other school-related documents.
21.BK	Possesses, exhibits, or distributes pornographic, offensively graphic, or obscene materials.
21.BL	Refuses to accept discipline management techniques proposed by a teacher or by administration.
21.BM	Participates in gang-related activities (first offense).
21.BN	Possesses, exhibits, or uses a toy gun, cap gun, pellet gun, air-powered rifle, or any other instrument that may be perceived by another person as a firearm but does not meet the Texas Penal code definition of a firearm.
21.BO	Violates any rule set forth on in this Code of Conduct pertaining to computers and the internet.
21.BP	Possesses or uses unloaded firearm accessories or parts (such as a gun barrel or a gun clip).
21.BQ	Possesses, exhibits, or uses martial arts objects, small pocket knives, razor blades, or other objects that can be used as a hand instrument designed to cut or stab another by being thrown. These objects are not within the definitions of illegal knives or prohibited weapons under the Texas Penal Code.
21.BR	Possesses, exhibits, or uses a prescription drug (that is not a controlled substance or dangerous drug) that does not belong to the person using, exhibiting, or possessing it.
21.BS	Pulls a fire alarm, as a prank, in a building owned or operated by SAISD, when there is no smoke, fire, or danger that requires evacuation.
21.BT	Possesses or uses fireworks (e.g., smoke bomb, cherry bomb, poppers, etc.), combustibles, or other incendiary devices to the extent that these objects are not within the definition of prohibited weapons under the Texas Penal Code.
21.BU	Repeatedly violates communicated campus or classroom standards of behavior.
21.BV	Sells, attempts to sell, gives, or receives look-alike drugs or items attempted to be passed off as drugs or contraband.
21.BW	Possesses, smokes, or uses tobacco products or paraphernalia, or electronic cigarettes, e-cigarettes, and any component part or accessory for an e-cigarette device, or any other electronic vaporizing device or nicotine delivery system, or possesses drug paraphernalia.
21.BX	Engages in conduct that damages or tampers with the property of another that does not otherwise constitute misdemeanor criminal mischief (vandalism) or graffiti, including placing a substance in another's food, drink, or other possessions without consent.
21.BY	Repeatedly violates any Level I or Level II offense.
21.BZ	Engages in conduct that poses a threat to the safety or orderly operation of the school- or District-related event.
21.CE	Engages in bullying, as defined by Texas Education Code Section 37.0832 (see Glossary). Bullying includes cyberbullying, as defined by Texas Education Code Section 37.0832 (see Glossary) 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.

*Level III – DAEP Placement Offenses*

The following actions constitute offenses that may or shall result in placement in a DAEP. These offenses are considered more serious than Level II offenses. If any of these offenses involve illegal conduct, administrators shall involve law enforcement officials. Upon notification of a level III offense, the campus administrator should contact the campus LSSP to review information and schedule a manifestation determination review meeting for students with IEPs or Section 504 plans. See Administrative Procedure F41 and the section on DAEP Placement below for more information on DAEP.

1A. Discretionary DAEP Placement — Offenses That May Result in DAEP Placement: On Campus, on School Transportation, or during School Activity. A student may be placed in a DAEP if the student commits the following on school property, on District transportation, while attending a school-sponsored or school-related activity on or off school property, or as otherwise allowed by law:

CODE	OFFENSE
21.DA	Engages in “persistent misbehavior,” which is defined as (i) repeatedly interfering with the teacher’s ability to communicate effectively with students; (ii) repeatedly interfering with student learning; (iii) engaging in five or more properly documented Level 1 Offenses in the same school year; or (iv) engaging in two or more properly documented Level 2 Offenses in the same school year. (Requires four to six weeks of properly documented Multi-Tiered Systems of Support (MTSS) Tier 2 or Tier 3 behavior intervention)
21.DB	Engages in unruly, disruptive, disrespectful, or abusive conduct that substantially interferes with the orderly operation of the campus or District-related activity or with the transportation of students on a vehicle owned or operated by the District. (May result from one incident or multiple incidents.)
21.DC	Engages in conduct containing the elements of assault without bodily injury, or with threat of imminent bodily injury, or assault by offensive or with provocative physical contact under Texas Penal Code 22.01(a)(2) or 22.01(a)(3).
21.DD	Possesses a knife, including a lock-blade knife, with a blade length up to and including 5½ inches. This does not include knives that are classified as prohibited weapons or illegal knives. (See Glossary.)
21.DE	Following a previously documented Level II offense, engages in gang activity, including participation as a member or pledge or soliciting another person to become a pledge or member of a gang. (See Glossary.)
21.DF	Engages in a public-school fraternity, sorority, or secret society, including participation as a member or pledge, or soliciting another person to become a pledge or member of a public-school fraternity, sorority, or secret society.
21.DG	Engages in conduct constituting misdemeanor criminal mischief (vandalism), graffiti not classified as a felony (see Glossary), or otherwise engages in conduct that damages or tampers with the property of another causing substantial inconvenience or pecuniary loss up to and including \$1,499.99.
21.DH	Possesses, exhibits, or uses any other instrument which may be perceived by another person as a weapon but does not meet the Texas Penal Code definition of a weapon, such as stun guns, laser guns, tasers, tranquilizer guns, razors, clubs, knuckles, etc.
21.DI	Commits extortion, coercion, or blackmail (i.e., obtaining money or other objects of value from an unwilling person), or forces an individual to act through the use of force or threat of force.
21.DJ	Creates a hit list, that is, a list of people targeted to be harmed, using a firearm, as defined by Section 46.01 (3), Penal Code; a knife, as defined by Sections 46.01 (7), Penal Code; or any other object to be used with intent to cause bodily harm.

1B. Discretionary DAEP Placement — Off Campus or During Non-school Activity. A student may be placed in a DAEP if the student commits the following conduct off campus and while the student is not in attendance at a school-sponsored or school-related activity:

CODE	OFFENSE
10.DK	A reasonable belief that the student has engaged in conduct defined as a felony offense other than aggravated robbery or those offenses defined in Title 5 of the Texas Penal Code, and the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.
21.DL	Engages in any activity on the way to or from school, or while truant or has left campus without authorization that would ordinarily be grounds for DAEP placement or expulsion if the activity had occurred on campus.

2A. Mandatory DAEP Placement — Offenses Requiring DAEP Placement: On Campus, Within 300 Feet of Campus, on Bus, or During a School Activity. A student must be placed in a DAEP if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, on District transportation, or while attending a school-sponsored or school-related activity on or off school property, or as otherwise allowed by law:

CODE	OFFENSE
27.DM	Engages in conduct that contains the elements of assault causing bodily injury under Texas Penal Code 22.01(a) (1) against a school district employee or volunteer.
28.DN	Engages in conduct that contains the elements of assault causing bodily injury under Texas Penal Code 22.01(a) (1) against someone other than a school district employee or volunteer.
28.DO	Repeatedly engages in conduct containing the elements of assault without bodily injury under Texas Penal Code 22.01(a)(2) or 22.01(a)(3).
04.DP	Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, a synthetic drug, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the Expulsion section.) (See Glossary for "under the influence.")
05.DQ	Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense (School-related felony alcohol offenses are addressed in the Expulsion section.)
06.DR	Engages in conduct that contains the elements of an offense relating to abusable glue or paint or relating to abusable volatile chemicals.
07.DS	Engages in conduct that contains the elements of the offense of public lewdness (see Glossary) or indecent exposure.
02.DT	Engages in conduct that is punishable as a felony. Felony conduct may include, but not be limited to, criminal mischief and/or graffiti, and/or coercing, soliciting, or inducing gang membership (see Glossary).
08.DU	Except when punishable as a Level IV offense, engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property.
60.HA	Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07 (a)(1), (2), (3), or (7). See Glossary under the definition for Harassment.
61.FK	Engages in bullying (as defined by Section 37.0832, Education Code; see Glossary) that encourages a student to commit or attempt to commit suicide.
61.FL	Incites violence against a student through group bullying (as defined by Section 37.0832, Education Code; see Glossary).
61.FM	Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

2B. Mandatory DAEP Placement — Offenses Requiring DAEP Placement: Any Location (on or off Campus). A student shall be placed in a DAEP if the student commits the following at any location (on or off campus), regardless of whether the event occurs during a school activity; or as otherwise allowed by law:

CODE	OFFENSE
35.DV	Engages in conduct involving a public school that contains the elements of the offense of false alarm or report (including a bomb threat). (See Glossary.)
26.DW	Engages in conduct involving a public school that contains the elements of the offense of terroristic threat. (See Glossary.)
21.DX	Engages in certain expellable conduct, as provided by law, and is between six and nine years of age. (See "Suspension (Out of School).")
21.DY	Commits a federal firearms violation and is younger than six years of age.

2C. Mandatory DAEP Placement — Offenses Requiring DAEP Placement: Off Campus or Not During School Activity. A student shall be placed in a DAEP if the student commits the following off campus and while the student is not in attendance at a school-sponsored or school-related activity:

CODE	OFFENSE
09.DZ	Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 of the Texas Penal Code (see Glossary) and (i) a court or jury finds that the student has engaged in delinquent conduct (see Glossary), (ii) the student receives deferred prosecution (see Glossary), or (iii) the superintendent or designee has a reasonable belief (see Glossary) that the student has engaged in the conduct.

*Level IV — Expulsion Offenses*

The following actions constitute offenses that may or shall result in expulsion or shall result in DAEP. These offenses are considered to be more severe than the other offenses listed in this Code. Most of these offenses are illegal actions, so administrators shall contact law enforcement officials regarding this conduct. The principal may suspend a student or place a student in in-school suspension or on-campus intervention for these offenses, pending a complete investigation and recommendation for expulsion. The terms of a placement under this section shall prohibit the student from attending or participating in school-sponsored or school-related activities, including, but not limited to, extracurricular activities and suspension of honorary privileges.

1A. Discretionary Expulsion — Offenses Which May Result in Expulsion or Shall Result in DAEP: On Campus, Within 300 Feet of Campus, on Bus, or at a School Activity. A student may be expelled or shall be placed in a DAEP if a student commits the following while on campus or within 300 feet of school property, as measured from any point on the school’s real property boundary line, on District transportation, while attending a school-sponsored or school-related activity on or off school property, or as otherwise allowed by law:

CODE	OFFENSE
04.EA	Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of marijuana, a controlled substance, a synthetic drug, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
05.EB	Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of an alcoholic beverage; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
06.EC	Engages in conduct that contains the elements of an offense relating to abusable glue or paint or relating to volatile chemicals.
27.ED	Engages in conduct that contains the elements of assault (intentionally, knowingly, or recklessly causing bodily injury to another) against a District employee or volunteer.
49.EE	Engages in deadly conduct. (See Glossary.)

1B. Discretionary Expulsion — Off Campus but Within 300 Feet of Campus. A student may be expelled or shall be placed in a DAEP if a student commits the following off campus, but within 300 feet of school property, as measured from any point on the school’s real property boundary line, or as otherwise allowed by law:

CODE	OFFENSE
11.EF	Uses, exhibits, or possesses a firearm.
12.EG	Uses, exhibits, or possesses a location-restricted knife (a knife with a blade over 5½ inches), a club, or a prohibited weapon. (See Glossary.)
21.EH	Engages in conduct that contains the elements of any of the following criminal offenses: aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempted murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, criminally negligent homicide, or felony drug- or alcohol-related offense.

1C. Discretionary Expulsion: Any Location. A student may be expelled or shall be placed in a DAEP if the student commits the following at any location (on or off campus), regardless of whether or not it is during a school activity, or as otherwise allowed by law:

CODE	OFFENSE
22.EI	Engages in conduct that constitutes criminal mischief (vandalism), if such conduct is punishable as a felony (i.e., if the cost of the damage in question is \$1,500 or more).
27.EJ	Engages in conduct that contains the elements of assault (intentionally, knowingly, or recklessly causing bodily injury to another) against a District employee or volunteer in retaliation for or as a result of the person's employment or association with the District.
26.EK	Engages in conduct involving a public school that contains the elements of the offense of false alarm or report or terroristic threat. (See Glossary.)
58.EL	Breach of computer security.
21.EM	Engages in conduct containing the elements of one of the following offenses against another student: aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder or capital murder, or aggravated robbery.
61.FN	Engages in bullying (as defined by Section 37.0832, Education Code; see Glossary) that encourages a student to commit or attempt to commit suicide.
61.FO	Incites violence against a student through group bullying (as defined by Section 37.0832, Education Code; see Glossary).
61.FP	Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

1D. Discretionary Expulsion — Offenses Which May Result in Expulsion or Shall Result in DAEP: While in DAEP. A student may be expelled or shall be placed in a DAEP if the student commits the following while placed in a DAEP, or as otherwise allowed by law:

CODE	OFFENSE
59.EN	Engages in documented Serious Misbehavior that violates this Code of Conduct. "Serious Misbehavior" is defined as: (1) deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat; (3) conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or (4) conduct that constitutes the offense of: (A) public lewdness under Section 21.07, Penal Code; (B) indecent exposure under Section 21.08, Penal Code; (C) criminal mischief under Section 28.03, Penal Code; (D) personal hazing under Section 37.152; or (E) harassment under Section 42.07(a)(1), Penal Code, of a student or district employee.

1E. Discretionary Expulsion: On Property of Another District or During Another District's Activity. A student may be expelled or shall be placed in a DAEP if the student commits the following offenses on the property of another Texas school district or while the student is attending a school-sponsored or school-related activity of another Texas school district:

CODE	OFFENSE
21.EO	Any offense that is a state-mandated expellable offense.

2. Mandatory Expulsion: Offenses Requiring Expulsion. A student shall be expelled for any of the following offenses if committed on school property, while attending a school-sponsored or school-related activity on or off school property, or as otherwise required by law:

CODE	OFFENSE
29.EP	Engages in conduct containing the elements of aggravated assault under the Texas Penal Code against a school district employee or volunteer. [TEC 37.007(d)]
30.EQ	Engages in conduct containing the elements of aggravated assault against someone other than a school district employee or volunteer. [TEC 37.007(a)(2)(A)]
31.ER	Engages in conduct containing the elements of sexual assault or aggravated sexual assault against a school district employee or volunteer. [TEC 37.007(d)]
32.ES	Engages in conduct containing the elements of sexual assault or aggravated sexual assault against someone other than a school district employee or volunteer. [TEC 37.007(a)2) (A)]
11.ET	Uses, exhibits, or possesses a firearm under the Texas Penal Code.  Note: A firearm lawfully stored in a vehicle still requires expulsion under TEC 37.007 (a) (1) (A), depending on the type of weapon. A student is in possession of a firearm on school property if the firearm is brought to school in the student's vehicle and parked on school property. (Texas law provides an exception from mandatory expulsion for a student's use, exhibition, or possession of a firearm at an approved off-campus target range facility while participating in or preparing for certain shooting sports, competitions, or activities sponsored by the District or affiliated with the Texas Parks and Wildlife Department. There is no exception for similar use or possession of a firearm on school property.)
12.EU	Uses, exhibits, or possesses a location-restricted knife, which is a knife with a blade over 5½ inches (see Glossary).
14.EW	Uses, exhibits, or possesses a prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, armor-piercing ammunition, a chemical-dispensing device, a zip gun, or a tire deflation device. A switchblade knife is also included in this category (see Glossary).
16.EX	Engages in conduct containing the elements of arson under the Texas Penal Code to include intentionally starting a fire or causing an explosion and in so doing: (1) recklessly damaging or destroying a building belonging to another; or (2) recklessly causing another person to suffer bodily injury or death.
17.EY	Engages in conduct containing the elements of murder, capital murder, or criminal attempt to commit murder under the Texas Penal Code.
18.EZ	Engages in conduct containing the elements of indecency with a child under the Texas Penal Code.
19.FA	Engages in conduct containing the elements of aggravated kidnapping under the Texas Penal Code.
36.FB	Engages in conduct related to a controlled substance/drug offense violation if the conduct is punishable as a felony.
37.FC	Engages in conduct related to an alcohol violation if the conduct is punishable as a felony.
08.FD	Retaliates against a school employee or volunteer, combined with one of the above-listed offenses, on or off school property or while attending a school-related or school-sponsored activity on or off of school property.
11.FE	Brings a firearm to school, as defined by federal law (see Glossary).
46.FF	Engages in conduct containing the elements of aggravated robbery under the Texas Penal Code.
47.FG	Engages in conduct containing the elements of manslaughter under the Texas Penal Code.
48.FH	Engages in conduct containing the elements of criminally negligent homicide under the Texas Penal Code.
57.FI	Engages in conduct containing the elements of continuous sexual abuse of a young child or children under the Texas Penal Code.

## EMERGENCY PLACEMENT IN A DAEP OR EXPULSION

At the time of the emergency placement or expulsion, the student shall be given oral notice of the reason for the action. Within a reasonable time after the emergency placement, the student shall be accorded the appropriate due process. Students with disabilities are subject to applicable federal and state law regarding the term of a student's emergency placement.

CODE	OFFENSE
23.FJ	A student may be immediately placed in a DAEP or immediately expelled, as allowed by law [TEC 37.019], if that student engages in conduct so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the classmates to learn, or with the operation of school or a school-sponsored activity (placement in a DAEP) or if the student's action might cause imminent harm to persons or property (expulsion).

## EXPULSION FOR TITLE 5 FELONY OFFENSES

Regardless of whether placement or expulsion is required or permitted by the provisions governing DAEP placement or expulsion above, in accordance with TEC 37.0081, a student may be expelled and placed into either DAEP or the Juvenile Justice Alternative Education Program (JJAEP) if the Board or its designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see Glossary) of the Texas Penal Code.

The student must:

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

The expulsion or DAEP placement may be without regard to (a) the date or location of the offense; (b) the enrollment status of the student; or (c) whether the student successfully completed any court disposition requirements.

The student must first have a hearing before the Board or designee, who must determine that the student's presence in the regular classroom: (a) threatens the safety of other students or teachers; (b) will be detrimental to the educational process; or (c) is not in the best interests of the District's students. Any decision of the Board or the designee under this section is final and may not be appealed.

The student is subject to the placement until one of the following occurs: (a) the student graduates from high school; (b) the charges are dismissed or reduced to a misdemeanor offense; or (c) the student completes the term of the placement or is assigned to another program. A student who enrolls in the District before completing a placement under this section from another school district must complete the term of the placement. Students are entitled to the periodic 120-day review provided for other disciplinary placements. In the event of a conflict, any provision in the Student Code of Conduct that derives from Texas Education Code § 37.007 will prevail.

## Sexual Assault and Campus Assignments

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

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## REGISTERED SEX OFFENDERS PLACEMENT IN DAEP/JJAEP

On receipt of notification that a student is a registered sex offender, a decision regarding the placement of the student into a DAEP or the District's juvenile justice alternative education program will be made according to the following guidelines. Students who are no longer required to register as a sex offender, or who receive early termination of the obligation to register, are not considered registered sex offenders. This section supersedes other provisions pertaining to alternative disciplinary placement.

### *Court Supervision*

A student who is under any form of court supervision, including probation, community supervision, or parole, shall be placed in either DAEP or JJAEP for at least one semester. If such a student transfers, the student may be required to complete an additional semester in an alternative placement in the new school district without a committee conducting a placement review as described below or the enrolling district may count the time spent by the student in the former district toward the required placement time. A student who is not under any form of court supervision, may be placed in a disciplinary program or in the regular classroom unless the Board's designee determines that the student's presence (a) threatens the safety of other students or teachers; (b) will be detrimental to the educational process; or (c) is not in the best interest of the District's students.

### *Review Committee*

A committee shall be convened after the student is placed for one semester to review the student's placement. The committee shall be composed of (1) a classroom teacher from the campus to which the student would be assigned were the student not in the alternative program; (2) the student's parole or probation officer or a representative of the local juvenile probation department; (3) an instructor from the alternative education program to which the student is assigned; (4) a school district designee selected by the Board or its designee; and (5) a counselor employed by the school district. The committee shall vote to determine whether the student should remain in the alternative setting or be returned to the regular classroom. The recommendation must then be made to the Board or its designee. The Board of Trustees must honor the committee recommendation unless one of the following occurs: (a) a recommended regular classroom placement but Board's designee determines that the student's presence threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the District's students; or (b) a recommended continued alternative setting but the Board's designee determines that the student's presence does not threaten the safety of other students or teachers, will not be detrimental to the educational process, or is not contrary to the best interests of the District's students. If the recommendation is to continue the alternative setting and the Board determines that this will occur then before the beginning of each school year, the placement committee shall meet and make its determination and recommendation again.

### *Students Receiving Special Education Services*

A placement for a student receiving Special Education services must be made in compliance with IDEA (20 USC § 1400 et seq.). If a student receiving Special Education services is placed into an alternative setting for more than one semester, the placement review must be made by the student's Admissions, Review, and Dismissal (ARD) Committee. The ARD Committee can request that a placement committee with the members described above be convened in order to assist them in conducting the placement review.

### *Appeal*

A student or parent or guardian may appeal a placement as a registered sex offender by requesting a conference among the Board or its designee, the parents or guardian, and the student. This conference will be limited to the factual question of whether the student is required to register as a sex offender. The decision made by the Board or its designee is final and may not be appealed.

## TRANSPORTATION RULES

Students shall follow these rules while on District vehicles or other public transportation (e.g., VIA buses) carrying students to and from school:

- Follow the driver's instructions at all times.
- Do not engage in any conduct that may distract or harm the driver, or otherwise cause the driver to be unable to operate the vehicle safely.
- Board and leave the vehicle in an orderly manner at the designated bus stop.

- Remain seated when the vehicle is in motion.
- Utilize seat belts if they are available on the vehicle.
- Keep books, band instrument cases, feet, and other objects out of the aisle of the vehicle.
- Keep the vehicle clean; do not deface or vandalize the vehicle or its equipment.
- Maintain safety near windows: do not extend head, hand, arm, or leg out of the window or hold objects out of the window.
- Do not throw any objects within the vehicle or out of the vehicle.
- On leaving the vehicle, use caution before crossing streets.
- Comply with all other rules in this Code of Conduct or established by the operator of the vehicle.

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, 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 may include restricting or revoking a student's bus-riding privileges. Note: a change in transportation services for a student with a disability for whom transportation is a related service requires ARD Committee action; a change in transportation services for Section 504 students requires Section 504 Committee action. For more information, contact the Transportation Department.

## **GANG-FREE ZONES**

Certain criminal offenses, including those involving organized criminal activity (e.g., gang-related crimes), will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the District, a gang-free zone includes a school bus and any site in, on, or within 1,000 feet of any District-owned or -leased property or campus playground.

## **VANDALISM AND GRAFFITI**

Vandalism is the damage or destruction of property without the consent of the owner. It is willful action that results in the destruction, damage, or defacement of property belonging to or used by the SAISD. Graffiti is vandalism and includes marks with paint, indelible markers, or removable markings on school property without consent. The markings may include inscriptions, slogans, drawings, or paintings. The offense may be categorized as criminal mischief and punishable as a felony or misdemeanor. The difference between graffiti and art is permission.

A student who engages in conduct that damages or tampers with the property of another has committed a Level II, Level III, or Level IV Offense, as described in the Student Offenses section above. It is punishable by appropriate disciplinary action as described in section V (Consequences for Inappropriate Behavior) below. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with law and may be subject to criminal penalties.

## **ELECTRONIC COMMUNICATION SYSTEM STUDENT ACCEPTABLE USE POLICY**

SAISD has established a District-wide electronic communications system to facilitate the educational process. Along with this resource are associated responsibilities. Though all training in the use of the District's telecommunications network emphasizes the ethical use of this resource, it is possible that your child may come across some materials you might find unacceptable. While the District takes reasonable steps to prevent access to such material through electronic filtering and classroom management, it is not possible for the District to guarantee that it can completely prevent such access. The rules below are for appropriate use and are expected to be followed at all times while accessing the District's electronic communications system. Students are expected to adhere to the following rules:

### *Safety of Self and Others*

- Report to their teachers or other school personnel any message received that is inappropriate or makes them uncomfortable.
- Not reveal personal information about themselves or others.
- Not agree to meet with someone they met online without parental knowledge and participation.
- Not use the system to threaten others.
- Use appropriate language for the educational environment and for the educational activity in which they are currently involved (no swearing, vulgarity, ethnic or racial slurs, or any other inflammatory or threatening language).
- Not transmit or send obscene pictures or messages.
- Not participate in cyberbullying.

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### *Access and Use*

- Not send messages under a false identity.
- Not access e-mail, files, and/or other documents of other users without permission.
- Not use the internet or other electronic communications to threaten District students, employees, Board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Not access websites that contain inappropriate or illegal material, including those that contain content that is pornographic or sexual in nature, from any computer or other technological device on school property.
- Not use the internet for financial gain or political or commercial activity.
- Not use the system for purchasing products or services.
- Not use the system for illegal purposes or any other activity prohibited by District policy.

### *Copyright Laws*

- Comply with and be aware of all copyright laws.

### *System Security*

- Not attempt to harm equipment, materials, or data.
- Not knowingly infect a computer or network with a virus.
- Not knowingly disrupt the network.
- Not provide passwords to other users.
- Always report any violations of the SAISD Acceptable Use Guidelines to a teacher or administrator.

### *Respect for System Limitations*

- Not download large files unless absolutely necessary.

## **INAPPROPRIATE ELECTRONIC MESSAGES AND WEBPAGES**

Students are prohibited from sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting." This prohibition applies to conduct both on and off school property if it results in a substantial disruption to the educational environment or infringes on the rights of another student at school.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors of a student, we encourage you to review with your child <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

Students are also prohibited from using the name or persona of another person to create a web page on or to post one or more messages on a commercial networking site without obtaining the other person's consent *and* with the intent to harm, defraud, intimidate, or threaten any person. Any person violating these rules will be disciplined according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement.

## **CELL PHONES AND OTHER ELECTRONIC DEVICES**

The use of cell phones and other electronic devices on school property is prohibited. For safety purposes, the District permits students to possess cell phones while on campus; however, all cell phones must remain turned off during school hours, including during all testing. With prior approval from the principal and teacher, a student may use personal electronic devices for on-campus educational purposes only.

Any unauthorized use of cell phones or other electronic devices will result in the consequences described in the Student Code of Conduct, as well as the assessing of fines and/or confiscation as described below:

- *1st Offense* – Documented verbal warning and reminder given to student that electronic devices may be confiscated and fines assessed for the return of the device in accordance with the Telecommunications / Electronic Devices Procedures.
- *2nd Offense* – Electronic device confiscated and returned to parent/legal guardian at end of the school day. Parent/guardian signature and date required for receipt of device and parents will receive an additional copy of the Telecommunications/Electronic Devices Procedures.

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- *3rd Offense* – Device confiscated and \$10 fine assessed for return of the item. Parents/legal guardians may pick up the device at the end of the day after the fine has been collected.
  - *4th and Subsequent Offenses* – Device confiscated and \$15 fine assessed for return of the item. Parents/legal guardians may pick up the device at the end of the day after the fine has been collected.

#### *Additional Considerations*

- Adult students over the age of 18 years may retrieve personal electronic devices in lieu of parent/guardian after paying the required fee at the end of the school day as appropriate.
- Administrators/campus staff are not responsible for lost or stolen items.
- When paying fine, exact cash is required.
- Hours to pick-up phones/electronic devices are 7:30 a.m. to 4:15 p.m. Monday through Friday.
- Fees collected will be deposited in campus student activity funds.
- On receipt of reliable proof that a student and his or her parent or guardian are unable to pay the required fee, the fee shall be waived. Principals shall determine eligibility for a fee waiver.

#### *Disposal of Electronic Devices*

Parents/legal guardians will be given notice and will be allowed to retrieve devices collected throughout the school year prior to disposal of the device. If a telecommunication device is not retrieved, the District shall dispose of the device after providing the student's parent and the company whose name and address appear on the device at least 30 days' notice of the intent to dispose of the device. Such notice may be made by telephone or in writing and must include the serial number of the device.

### **EMAIL AND SOCIAL MEDIA USE BETWEEN EMPLOYEES AND STUDENTS**

In general, employees are prohibited from using electronic media (email, texting, social media, etc.) to communicate with students unless they are exempted from this prohibition under Administrative Procedure D36. A certified or licensed employee may communicate with students via electronic media about matters within the scope of their professional responsibilities without written consent from District administration. Any other employee designated in writing by the Superintendent or the campus principal may use electronic media to communicate with students who are currently enrolled in the District. There is also a defined exemption for certain family members.

Employees are also prohibited from communicating with students through a personal social network page unless the employee has created a separate social network page (a "professional page") for the purpose of communicating with students. The employee must receive a signed and completed Participation in Electronic Media Parent Permission Form [Form D36-A] prior to communicating with any student through a form of electronic media that is private or password protected. This includes all emailing or texting (even if more than one person is part of the communication) or any social media format that requires a password or permission to access. A signed Form D36-A from each student participant is not required for public internet communications or postings that do not require the host's permission or a password to access the posted information (e.g., a public Twitter account or public Facebook page). If you have any questions regarding the District's electronic media policy, please contact the Department of Instructional Technology.



# SECTION V: CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR

## GENERAL DISCIPLINE GUIDELINES

Discipline shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative discipline practices. Students must be treated fairly.

Discipline shall be based on a careful assessment of the mitigating factors particular to each case, including the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude or intent, the effect of the misconduct on the school environment, whether self-defense was involved, if the student is in the 2<sup>nd</sup> grade and below, if the student is homeless in grades k-12, and statutory requirements. Because of these factors, discipline for a particular offense, unless otherwise specified by law, may bring into consideration varying techniques and responses.

### *Time-Out Guidelines*

Time-out is a behavior management technique that seeks to reduce or eliminate inappropriate behaviors that are maintained by attention or other positive reinforcers. Time-outs are intended to give students an opportunity to regain self-control, which will increase and strengthen positive student behavior. A student placed in time-out is separated from the activity or other students for a limited amount of time. The teacher should consider the age of the child and what is developmentally appropriate when determining the number of minutes for which time-out is assigned. A student with an IEP must have line of sight to the teacher and the time-out cannot interfere with the student's ability to engage in instruction. Time-out for students with IEPs that remove the student from instruction must be documented and agreed to in the IEP.

Teachers are encouraged to designate areas in the classroom for time-out, such as a self-control area, cool-down, or chill corner. Time-out in another teacher's classroom may be used if both teachers agree. For any time-out, students must be supervised at all times and any loss of instruction time should be minimized. Students may not be isolated or kept locked in a classroom. A student cannot be physically prevented from leaving time-out, nor can physical force be used to place students in time-out.

## DISTRICT POLICE OFFICERS

To ensure sufficient security and protection of students, staff, and property, the Board employs peace officers. In accordance with law, the Board has coordinated with the campus behavior coordinator and other District employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of District peace officers are listed in policy CKE (LOCAL). The Board does not employ school resource officers or security personnel.

As noted in CKE (LOCAL), District peace officers may enforce any law while within the geographical boundaries of the District, or as it relates to real or personal property that is owned, leased, rented by, or otherwise under the control of the District or while on or in the vicinity of property that is owned, leased, rented by, or otherwise under control of the District. District peace officers may enforce any law that is related to the safety and well-being of any District student, employee, or other individuals on or in the vicinity of District property or District-sanctioned events or activities. District peace officers shall comply with the provisions of Code of Criminal Procedure Article 2.13. The District chief of police may assign specific duties as required based on the needs of the District. In addition to their normal duties, the peace officers shall assist the Board, agents of the Board and the District, and/or campus administrators with matters that do not concern the application of law but that will facilitate the orderly conduct of District business. A District peace officer who encounters a felony or breach of the peace outside of the officer's jurisdiction may initiate appropriate action in accordance with Code of Criminal Procedure Article 14.03d and Article 18.16. Upon taking such action, the officer shall, as soon as practicable after making an arrest, notify both a law enforcement agency having jurisdiction where the arrest was made and a District police supervisor as to the circumstances and action taken regarding the incident.

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As noted above, school district peace officers shall perform law enforcement duties for the school district that must include protecting the safety and welfare of any person in the jurisdiction of the peace officer and the property of the District. A District peace officer may not be *assigned or required* as duties of a school peace officer routine student discipline or school administrative tasks or contact with students unrelated to the law enforcement duties of the peace officer. This does not prohibit the District peace officer from informal contact with a student unrelated to the assigned duties of the officer or an incident involving student behavior or law enforcement. Informal conduct in SAISD focuses on building positive relationships with students and the school community.

The campus behavior coordinators, administrators, and other appropriate school employees must receive training annually on the duties of District peace officers to include that officers are only tasked with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other District employees.

## **DETENTION**

For infractions of the Student Code of Conduct or other policies and regulations, teachers may detain students before or after school hours. Before assigning students to detention, the teacher shall inform the student of the conduct that allegedly constitutes the violation, and the student shall be given an opportunity to explain his or her version of the incident.

When detention is used, notice shall first be given to the student's parent or legal guardian to inform the parent of the reason for the detention and permit arrangements for the necessary transportation of the student. Except in the case of a student who is 18 or older living apart from parents and emancipated minors, the detention shall not begin until the parent has been notified. The student's parent or guardian, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.

## **Participating in Graduation Activities**

The District has the right to limit a student's participation in graduation activities for violating the Student Code of Conduct. Participation might include a speaking role, as established by District policy and procedures.

Students eligible to give remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the District's Student Code of Conduct resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

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

## **IN-SCHOOL SUSPENSION/ON-CAMPUS INTERVENTION**

Students may be placed in in-school suspension or on-campus intervention for engaging in any serious (Level II) offenses as described and set forth in this Code of Conduct. Additionally, students may be placed in in-school suspension or on-campus intervention pending DAEP placement or expulsion. Before placing a student in in-school suspension or on-campus intervention, the campus behavior coordinator shall consider reasonable alternatives, including appropriate discipline management techniques. If the campus behavior coordinator determines that in-school suspension or on-campus intervention is the most appropriate alternative, no other disciplinary action need precede the placement in in-school suspension or on-campus intervention.

## **REMOVAL FROM CLASSROOM BY A TEACHER**

Routine Removal: A teacher may send a student to the campus behavior coordinator's office with appropriate documentation of a violation of this Code of Conduct in order to maintain effective discipline in the classroom. The campus behavior coordinator shall respond by employing appropriate discipline management techniques consistent with this SAISD Student Code of Conduct and local policy.

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**Formal Removal:** A teacher may remove from class a student who (1) has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or the student's classmates' ability to learn; or (2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the student's classmates' ability to learn.

The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities. When a student has been removed by a teacher pursuant to this section, the campus must complete a Discipline Data Entry Form (F34-A), using the Offense Code 01.

#### *Conference and Review Requirements for Students Removed from Class*

In the case of a formal removal, not later than the third class day after the day in which the student is removed from the class by the teacher, the campus behavior coordinator, or other appropriate administrator, the campus behavior coordinator or other appropriate administrator shall schedule a conference with the student's parent, the teacher that removed the student, and the student. At the conference, the student is entitled to written or oral notice 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. The campus behavior coordinator or other appropriate administrator will notify the student of the consequences of the Code of Conduct violation. The student may not be returned to the regular classroom pending the conference.

Following the conference, and whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal shall order the placement of the student for a period consistent with this Code of Conduct. Students with disabilities may not be removed in violation of specific IEP/IAP provisions or for more than 10 school days in a school year without ARD/ Section 504 Committee approval.

A student removed from the regular classroom to in-school suspension or another setting other than DAEP, will have an opportunity, before the beginning of the next school year, to complete each course the student was enrolled in at the time of removal from the regular classroom. The District may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. Students and their parents are encouraged to discuss the option with the teacher or school counselor to ensure the student completes all work required for the course or grade level.

#### *Return to the Classroom*

The student may not be returned to the classroom of the teacher who removed the student without the teacher's consent unless the Placement Review Committee determines that such placement is the "best or only alternative available." However, if the teacher removed the student because the student committed assault with bodily injury, aggravated assault, sexual assault, or aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder against the teacher, the student may not be returned without the teacher's consent.

## **SUSPENSION (OUT-OF-SCHOOL)**

It is important that schools seek to utilize alternatives to suspension to assure that the student has continued access to quality instruction and to avoid any negative effects that accompany being away from the classroom. **When possible, the school administrator shall avoid the use of out-of-school suspension and will limit any such suspension to 1 day. When student and staff safety may be at risk, the administrator may implement a 2 or 3 day out-of-school suspension.** Out-of-school suspension shall not be used in response to truancy. Students may be suspended for a period not to exceed three consecutive school days per action for engaging in any Level III offense or higher or pending DAEP placement or expulsion. A campus administrator may suspend a student prior to (but not in lieu of) placement in a DAEP or expulsion, where a student's conduct requires such placement or expulsion. If the administrator determines that a suspension is necessary to ensure student safety and security, no other disciplinary action need precede the suspension.

The District shall not use out-of-school suspension for students below grade 3 or homeless unless the conduct meets the requirements established in law. A student below grade 3, a student who is homeless, or a student who is in foster care shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

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

The District shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law. Refer to section III (Students with Disabilities) for information on suspension of students with an IEP or a Section 504 plan.

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### *Conference with Student before Suspension*

Before suspending a student, the campus coordinator or appropriate administrator shall conduct an informal conference, at which the student shall be advised of the alleged misconduct with which he or she is charged, and the student shall have the opportunity to respond to the allegation before the administrator makes a decision. In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

1. Self-defense (see Glossary)
2. Intent or lack of intent at the time the student engaged in the conduct
3. The student's disciplinary history
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct
5. Students in the 2<sup>nd</sup> grade and below
6. A student's status in the conservatorship of the Department of Family and Protective Services (foster care)
7. A student's status as homeless in grades k-12

### *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.

### *Notice to Parents Regarding Suspension*

A student's parent shall be notified of a suspension by telephone, or other appropriate means, as soon as reasonably practicable. Parents shall be advised that it is their responsibility to provide adequate supervision for the student during the period of suspension. The student is not allowed on the home campus or any other school campus or at any school-related activity during the suspension. Students violating this prohibition may be charged with illegal trespass, a Class C misdemeanor. If a student is incarcerated, District staff will attempt to contact parents and other agencies to provide required student information.

## **DISCIPLINARY ALTERNATIVE EDUCATION PROGRAMS (DAEP)**

The District shall provide for the continuing education of a student placed in a DAEP by transferring the student to one of the District campuses designated as a DAEP campus. The DAEP shall be in a setting other than the student's regular classroom. A student younger than six years of age may not be placed in a DAEP. A student in grade 2 or below shall not be placed in DAEP unless the student's conduct meets the requirements established in law. (See Suspension Out of School.) An elementary school student may not be placed in a DAEP with a student who is not an elementary school student. For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12. Summer programs provided by the District shall serve students assigned to a DAEP separately from those students who are not assigned to the program. The District shall provide transportation to students in a DAEP.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the District shall take into consideration (1) self-defense (see glossary); (2) intent or lack of intent at the time the student engaged in the conduct, (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, or (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.

### *Hearing*

Following an initial determination by the principal or investigating administrator that a student has committed an offense that requires or allows placement in a DAEP, a hearing will be scheduled with a District hearing officer who shall determine whether placement is warranted. At the hearing, the student's parent or guardian will be notified of the alleged violation of the Code of Conduct. If the District makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the District may hold the hearing, regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

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### *Duration of Placement*

The duration of a student's placement in the DAEP shall be determined by the campus behavior coordinator or other appropriate administrator. The length of placement shall be expressed in a specific number of days that the student must successfully complete in the DAEP prior to returning to the home campus. If the student's placement is to extend beyond the end of the next grading period, the student or the student's parent or guardian is entitled to participate in a proceeding before the Board of Trustees or the Board's designee. Any appeal of the decision shall be addressed in accordance with FNG(LOCAL).

Before the District may place a student in a DAEP for a period that extends beyond the end of the school year, the Board or Board's designee must determine that (a) the student's presence in the regular classroom or at the student's regular campus presents a danger of physical harm to the student or to another individual; or (b) the student has engaged in serious or persistent misbehavior that violates this SAISD Student Code of Conduct.

### *Coursework Notice*

The parent of a student placed in DAEP shall be given written notice of the student's opportunity to complete coursework required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework. Students and their parents are encouraged to discuss the option with the teacher or school counselor to ensure the student completes all work required for the course or grade level.

### *Emergency Placement*

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis. In such a situation, the principal or designee shall schedule an appropriate conference no later than the 10th day after the placement.

### *DAEP for 60 Days or More – Review of Student's Status*

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

### *DAEP for 90 Days or More – Student Assessment*

All students placed into a disciplinary alternative education program for 90 days or more shall be assessed upon initial placement and subsequently on the date that the student departs from the program or as near to that date as possible. The assessment instrument will measure basic skills in reading and math. Students assigned to the disciplinary alternative education program must also take all academic skills assessments required of all public school students.

### *DAEP for 120 Days or More – Review of Student's Status*

A student placed in a DAEP shall be provided a review of his/her status, including a review of his/her academic status, by the Board's designee at intervals not to exceed 120 days. In the case of a high school student, the Board's designee, with the student's parent, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The District is not required under this subsection to provide, in the District's DAEP, a course not specified under Section 37.008(a) of the Texas Education Code. At the review, the student or parent must be given an opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

### *DAEP That Exceeds One Year*

Placement in a DAEP may exceed one year when a review by the District determines that the student is a threat to the safety of other students or to District employees. The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the Board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

### *DAEP Placement for Persistent Misbehavior*

Before proposing a student for DAEP placement for persistent misbehavior, the campus must begin the Multi-Tiered Systems of Support (MTSS) behavior intervention and then submit to the hearing officer at least 4–6 weeks of properly documented MTSS progress monitoring. The student must be in attendance at the student's regular campus for those 4–6 weeks (i.e., time in suspension or DAEP does not count). The days may be consecutive or nonconsecutive, but the time period starts over each school year. Each student will receive no more than one DAEP placement for persistent misbehavior per school year.

### *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. The District may place the student in the District's DAEP or a regular classroom setting.

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On the day in which the decision is made to change the student's placement as a result of a violation of the Code of Conduct, the school must notify the parent of that decision and provide them with the Notice of Procedural Safeguards. The campus behavior coordinator is responsible for sharing the Critical Incident Report with the campus LSSP within 48 hours. Within 10 school days of any decision to change the placement (DAEP or expulsion), the school must conduct an ARD or Section 504 MDR. The committee must review all relevant information and determine whether the conduct was caused by or had a direct and substantial relationship to the students' disability and/or whether the conduct in question was the direct result of the school's failure to implement the student's IEP. If either of these apply, the conduct is considered a manifestation of the disability. If the ARD or Section 504 Committee determines that the student's misconduct was a manifestation of the disability, the student shall not be placed into the DAEP or expelled. If the ARD or Section 504 Committee determines that the student's placement and/or IEP is inappropriate, the misconduct must be considered a manifestation of the student's disability and the student must not be expelled. The ARD or Section 504 Committee may propose changes in the student's placement (other than DAEP placement or expulsion), and/or changes in the student's IEP, including the student's behavior intervention plan (BIP) as appropriate.

The DAEP placement of a student with a disability or expulsion may only be made following an ARD/Section 504 MDR meeting which determines that the misconduct was not a manifestation of the student's disability. If the ARD or Section 504 Committee determines that the behavior of the student was not a manifestation of the student's disability, the student may be placed into a DAEP or expelled but must continue to be provided a free appropriate public education. The ARD Committee shall determine the services necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the student's IEP goals during the time of placement.

A student with a disability who receives Special Education services may not be placed in DAEP solely for educational purposes if the student has not also committed one of the offenses warranting placement in the DAEP. [TEC 37.004]

#### *Special Circumstances*

A student with a disability may be removed to an interim alternative educational setting for not more than 45 school days without regard to whether the misconduct is determined to be a manifestation of the student's disability in cases where the student: (i) carries or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of the school district; (ii) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the school district; or (iii) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district.

If the student's behavior is determined *not* to be a manifestation of the student's disability, the student may be placed in a disciplinary setting to the same extent as a nondisabled student. The student must receive, as appropriate, an FBA, behavioral intervention services, and modifications that are designed to address the behavior so that it does not recur.

#### *Long-Term Placement of Students with Disabilities*

A placement for a student receiving Special Education services must be made in compliance with IDEA (20 USC § 1400 et seq.). If a student receiving Special Education services is placed into an alternative setting for more than one semester, the placement review must be made by the student's Admissions, Review, and Dismissal (ARD) Committee. The ARD Committee can request that a placement committee with the members described above be convened in order to assist them in conducting the placement review.

## **EXPULSION**

In deciding whether to order expulsion, 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, (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, or (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.

No student under the age of 10 shall be expelled by the District *except* in the case of a student who brings a firearm to school pursuant to Section 37.007(e) of the Texas Education Code, in which case the District shall provide educational services to the expelled student in a DAEP.

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### *Expulsion for Firearm Violations*

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm to school, as defined by federal law when the offense occurs on school property or while attending a school-sponsored or school-related activity on or off school property. However, the superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

### *Expelled Transfer Students*

If an expelled student from another school district applies to enroll in SAISD, the District will request that the District that expelled the student provide to SAISD, at the same time other records of the student are provided, a copy of the expulsion order and the referral to the authorized officer of the Juvenile Court. SAISD may continue the expulsion under the terms of the order, may place the student in a DAEP for the period specified by the expulsion order, or may allow the student to attend regular classes without completing the period of expulsion.

### *Emergency Expulsion*

In an emergency, the campus behavior coordinator or other appropriate administrator may order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis. At the time of the emergency expulsion, the student shall be given oral notice of the reason for that action.

Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion. Pending the hearing, the student may be placed into another appropriate classroom, in-school suspension, or out-of-school suspension or the DAEP.

### *Due Process and Hearing for Expelled Students*

Before a student is expelled, the Board or its designee shall provide the student an opportunity for a hearing at which the student is afforded due process, which shall include the following: (1) prior notice of the charges to the student's parent or guardian and the proposed sanctions so as to afford a reasonable opportunity for preparation; (2) right to a full and fair hearing before the Board or its designee; (3) right to an adult representative or legal counsel; (4) opportunity to testify, present evidence, and witnesses in his or her defense; and (5) opportunity to examine the evidence presented by the school administration and, minimally, an opportunity to view the identity of the District's witnesses and the oral or written report of the facts to which each District witness testifies.

The District shall send a notice of the hearing to the student and parent. The notice shall be in writing and shall give information about the nature of the evidence to be used against the student. If the District makes a good-faith effort to inform the student and parent of the time and place of the hearing, the District may hold the hearing, regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

During the hearing, the District may rely on the hearsay evidence of school administrators who investigate discipline infractions. The decision shall be based exclusively on evidence presented at the hearing. The final decision shall be communicated promptly to the student and parent. If the Board's designee conducts the hearing, a tape recording or transcript of the proceeding shall be made for the Board's review on appeal, in the event the matter is appealed to the Board.

After the due process hearing, the expelled student may request that the Board of Trustees review the expulsion decision by submitting a written request to the superintendent within 3 days after receipt of the written expulsion decision. The superintendent must provide the student or parent with written notice of the date, time, and place of the meeting at which the Board will review the expulsion decision. The Board will review the record of the expulsion hearing in a closed session unless the parent requests that the meeting be open to the public. The Board shall review the record, shall hear statements from both parties, and shall communicate its decision orally at the conclusion of the presentation. Consequences of expulsion are not deferred pending the hearing or outcome.

If the student has been removed under the emergency expulsion provision pending the expulsion hearing, the principal or designee shall schedule a hearing within a reasonable time period (ten consecutive days) and shall invite the student's parent to attend. Pending the hearing, the student may be placed into another appropriate classroom, in-school suspension, or out-of-school suspension or the DAEP.

### *Placement in a Juvenile Justice Alternative Education Program (JJAEP)*

Students who are expelled are referred for enrollment in the Bexar County Juvenile Justice Academy, the JJAEP school for Bexar County expelled students. Not later than the second business day after the hearing, the District shall deliver a copy of the expulsion order to the juvenile court as well as the information required pursuant to the Texas Family Code. A copy of the expulsion order shall be provided to the student and the student's parent.

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### *Length of Expulsion*

The length of expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements. Each expulsion decision shall be made on a case-by-case basis with the maximum period of one year unless, after a review, the District determines that the student is a threat to the safety of other students or to District employees or that extended expulsion is in the best interest of the student. Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion. If the length of expulsion is inconsistent with the guidelines herein, the expulsion order shall give notice of the inconsistency.

## **ADDITIONAL DAEP AND EXPULSION GUIDELINES**

The District shall provide transportation to students in a DAEP.

### *Restrictions During DAEP or Expulsion*

During a DAEP placement or expulsion, a student may not participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations. For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the placement order.

### *Additional Misconduct*

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

### *Notice of Criminal Proceedings*

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

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

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review. After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

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

### *Withdrawal During Process*

When a student violates the District's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the District before a placement order is completed, the campus behavior coordinator may complete the proceedings and issue a placement order. If the student then 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 campus behavior coordinator or the Board fails to issue a placement order after the student withdraws, the next District in which the student enrolls may complete the proceedings and issue a placement order.

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### *Transfer or Withdrawal from a DAEP or JJAEP*

If a student transfers into SAISD from another school district in which the student was placed in a DAEP, SAISD shall continue the placement under the terms of the order provided by the sending school district. Students who transfer out of SAISD to another public or private institution, including students who withdraw from SAISD for the purpose of home schooling, and students who do not attend the DAEP or JJAEP for the duration of the placement for any reason (other than reasons which constitute an "excused absence" under SAISD policy), shall be required, upon returning to SAISD, to complete the number of days missed in the DAEP or JJAEP before being allowed to return to the regular campus. In the event that the student transfers out of SAISD while DAEP or expulsion proceedings are pending, SAISD will complete the placement proceedings.

### *Placement Review*

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.

## **CREDIT DURING DISCIPLINARY PROCESS**

Students shall receive full credit for assignments completed in a DAEP, including in-school suspension or on-campus intervention. Students suspended from school are entitled to make up assignments or tests, regardless of the reason for the suspension. Teachers are to inform students of the time allotted for completion of the work. Students are responsible for obtaining the assignments and completing the work within the time allotted, and students are allowed to make up both class work and homework.

Students who are placed in the Bexar County Juvenile Justice Academy following expulsion are eligible to receive credit for coursework completed during the placement. Students with disabilities will receive educational services during expulsion as determined by the Admissions, Review, and Dismissal (ARD)/Section 504 Committee.

## **Transition Services**

In accordance with law and District procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP or JJAEP. See policy FOCA(LLEGAL) for more information. The DAEP administrator will need to give the parent and the principal written notice of the date of the return to the regular campus. Also, the DAEP administrator will need to provide the regular campus principal with an assessment of the student's academic growth while in the DAEP and the results of any assessment instruments that were administered. The DAEP campus administrator must then coordinate the student's transition to a regular classroom. This must be done within five instructional days after release from DAEP. This coordinated effort must involve assistance and recommendations from 1) school counselors, 2) school district peace officers, 3) SROs, 4) CBCs, and 5) classroom teachers who are or may be responsible for implementing the "personalized transition plan."

The campus administrator is responsible for developing the personalized transition plan. It must include recommendations for the best educational placement of the student, and it may include 1) recommendations for counseling, behavioral management, or academic assistance for the student, with a concentration on the student's academic or career goals; 2) recommendations for assistance in obtaining access to mental health services provided by the District, a local mental health authority, or another private or public entity; 3) information to the parent about how to request a Special Education evaluation; and 4) a regular review of progress toward academic or career goals. If practicable, the campus administrator must meet with the parent to coordinate plans for the transition.

## **PHYSICAL RESTRAINT**

District employees may, within the scope of the employee's duties, use appropriate physical restraint to a student that the employee reasonably believes is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury
2. Obtain possession of a weapon or other dangerous object
3. Prevent a student from fleeing when fleeing would put the student or others in danger
4. Protect property from serious damage

Students with IEPs are also subject to physical restraint in accordance with TAC §891.1053(c). A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations

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- Restraint must be limited to the use of such reasonable force as is necessary to address the emergency.
  - Restraint must be discontinued at the point at which the emergency no longer exists.
  - Restraint must be implemented in such a way as to protect the health and safety of the child and others.
  - Restraint must not deprive the child of basic human necessities.

Training for school employees, volunteers, or independent contractors must be provided according to the following requirements:

- A core team of personnel on each campus must be trained in the use of restraint, and the team must include a campus administrator or designee and any general or Special Education personnel likely to use restraint.
- Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint.
- Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint.
- All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint.

In accordance with §89.1053(e), the following documentation requirements must be met in a case in which restraint is used by school employees, volunteers, or independent contractors:

- On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.
- On the day restraint is utilized, a good-faith effort must be made to verbally notify the parent regarding the use of restraint.
- Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.
- Written documentation regarding the use of restraint must be placed in the child's Special Education eligibility folder in a timely manner so the information is available to the Admissions, Review, and Dismissal (ARD) Committee when it considers the impact of the child's behavior on the child's learning and/or the creation or revision of a behavior intervention plan (BIP).
- Written notification to the parent and documentation to the child's Special Education eligibility folder must include the following:
  - Name of the child
  - Name of the staff member or staff members administering the restraint
  - Date of the restraint and the time the restraint began and ended
  - Location of the restraint
  - Nature of the restraint
  - A description of the activity in which the child was engaged immediately preceding the use of restraint
  - The behavior that prompted the restraint
  - The efforts made to de-escalate the situation and alternatives to restraint that were attempted
  - Information documenting parent contact and notification



# SECTION VI: GLOSSARY

**ABUSE:** Improper or excessive use.

**ACCELERATED INSTRUCTION:** An intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment.

**ACT:** One of the two most frequently used college or university admissions exams: the American College Test. The test may be a requirement for admission to certain colleges or universities.

**AGGRAVATED ASSAULT:** An assault which causes serious bodily injury to another; or an assault during which the person uses or exhibits a deadly weapon.

**AGGRAVATED ROBBERY:** Defined in part by Penal Code 29.03(a) when a person commits robbery and:

1. Causes serious bodily injury to another;
1. Uses or exhibits a deadly weapon; or
2. 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.

**ARD (Admissions, Review, and Dismissal):** An ARD Committee serves to make decisions regarding the educational program of students who qualify for Special Education services. The eligible student's parents are part of the committee.

**ARMOR-PIERCING AMMUNITION:** Handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**ARSON:** 1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage: a. any vegetation, fence, or structure on open-space land; or b. Any building, habitation, or vehicle: 1) Knowing that it is within the limits of an incorporated city or town, 2) Knowing that it is insured against damage or destruction, 3) Knowing that it is subject to a mortgage or other security interest, 4) Knowing that it is located on property belonging to another, 5) Knowing that it has located within it property belonging to another, or 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another;

2. 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, or 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:** Intentionally, knowingly, or recklessly causing bodily injury to another; or intentionally, knowingly, or recklessly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

**ATTENDANCE REVIEW COMMITTEE:** This group is sometimes responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**BEXAR COUNTY JUVENILE JUSTICE ACADEMY EDUCATION PROGRAM (BCJJAEP):** An alternative school administered by the Bexar County Juvenile Justice Board that provides education services to students who are expelled.

**BEHAVIOR IMPROVEMENT PROGRAM:** An educational program offered by the District to meet the behavior needs of some eligible Special Education students.

**BOARD POLICIES:** Statements adopted by the SAISD Board of Education that govern the District. The policies are based on laws and other official authority, such as the U.S. and Texas Constitutions, federal statutes, the Texas Education Code, other state laws, etc. All Board policies are available on the SAISD webpage at [www.saisd.net](http://www.saisd.net) under the "Board of Trustees" tab.

**BREACH OF COMPUTER SECURITY:** Knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer

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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:** 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. 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 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 (see below). This state law on bullying prevention applies to:

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

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

**CITATION ("TICKET"):** Notice of disorderly conduct, tobacco use or other legal violation that may be issued by law enforcement personnel when a student engages in certain conduct; this is an action separate from any school disciplinary action.

**CLT (Campus Leadership Team):** Each campus has a team composed of employees, parents, and community members to advise the principal.

**CLUB:** Defined by Penal Code 46.01 as an instrument that is 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, the following: blackjack; nightstick; mace; 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, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

**CRIMINAL MISCHIEF (VANDALISM):** Without the effective consent of the owner, (a) intentionally or knowingly damaging or destroying the tangible property of the owner; (b) intentionally or knowingly tampering with the tangible property of the owner and causing financial loss or substantial inconvenience to the owner or a third person; or (c) intentionally or knowingly making markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner. (See also GRAFFITI)

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

**DAEP (Disciplinary Alternative Education Program):** A placement for students who have violated certain provisions of the Student Code of Conduct.

**DANGEROUS DRUG:** 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 prescription or restricts to use by or on the order of a licensed veterinarian.

**DATING VIOLENCE:** 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.

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**DEADLY CONDUCT:** When a person commits an offense by recklessly engaging in conduct that places another in imminent danger of serious bodily injury or by knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**DEFERRED ADJUDICATION:** 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:** 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.

**DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP):** An educational program provided by the School District for students who have engaged in serious misconduct, such as assault, drug- or alcohol-related offenses, public lewdness, glue or paint abuses, and unruly, disruptive, or abusive classroom behavior. DAEPs are located off the regular campus so that students in DAEPs are separated from students in the regular program. The DAEP provides supervision and counseling and focuses on English language arts, mathematics, science, history, and self-discipline.

**DISCRETIONARY:** Something that is left to or regulated by a local decision-maker.

**DISRUPTIVE BEHAVIOR:** Any oral or physical behavior by a student that is deemed by a teacher or other school official to interfere with the delivery of classroom instruction or that infringes upon the peace and tranquility of the campus environment or a school-related activity.

**DISTRICT LEADERSHIP TEAM (DLT):** A District-level team composed of professional employees, parents, community members, and business representatives.

**DUE PROCESS HEARING:** A hearing provided any student who is recommended for expulsion at which time the student and parent/guardian can present evidence and testimony in the student's defense. The Hearing Officer makes the decision regarding expulsion based on the evidence presented at

the hearing. (See section V of this SAISD Student Code of Conduct for complete details of the due process hearing.)

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

**EXPULSION:** An act of the District administration which prohibits a student from attending school for a period in excess of three school days. Expulsions can be for periods as long as a semester or a school year. In serious cases, an expulsion can be longer than one school year.

**FALSE ALARM OR REPORT:** Knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that the person knows to be false or baseless and that would ordinarily cause action by an official or voluntary agency organized to deal with emergencies, place a person in fear of imminent serious bodily injury, or prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or automobile or other mode of transportation. If the offense involves, among other services and entities, a public school, the offense is a felony.

**FELONY OFFENSE:** An offense that is considered grave and that is designated as a felony by law or is punishable by death or confinement in a penitentiary; an offense more serious than a misdemeanor.

**FELONY CRIMINAL MISCHIEF:** Criminal mischief constitutes a felony if the property damage meets or exceeds \$1,500. This offense may result in expulsion.

**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 directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

**FIREARM:** Under federal law and offense code 90, includes:

- Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer;

Any destructive device, such as any explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, or device similar to any of the preceding described devices. It also means any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of more than one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled. Under Texas law, "firearm" generally means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily converted to that use. "Firearm" does not include antique or curio firearms or replicas of antique or curio firearms.

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**FIREARM SILENCER:** Defined by Texas Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

**GANG:** An organization composed, in whole or in part, of students, which seeks to perpetuate itself by taking in additional members from the student population on the basis of the decision of the organization's membership as a whole, rather than on the free choice of the individual student.

**GANG ACTIVITIES AND SECRET SOCIETIES:** Students who participate in gang activities shall be subject to disciplinary action as outlined in the Student Code of Conduct. In addition, a person who coerces, solicits, or induces gang membership may be charged with a state jail felony or a third-degree felony in accordance with state law. The following activities may be considered to be gang-related:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other affiliation in any gang;
2. Committing any act or omission or using any speech, either verbal or nonverbal (gestures, handshakes, etc.), showing membership or affiliation in a gang;
3. Using any speech or committing any act or omission in furtherance of interest in any gang or gang activity, including, but not limited to:
  - i. Soliciting others for membership in any gang;
  - ii. Requesting any person to pay for protection, or otherwise intimidating or threatening any person;
  - iii. Inciting other students to act with physical violence upon any other person;
  - iv. Engaging in conduct with others in intimidating, fighting, assaulting, or threatening to assault others;
  - v. Committing any other illegal acts or other violations of District policies.

**GANG-FREE ZONES:** For purposes of the District, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any District-owned or -leased property or campus playground.

**GRAFFITI:** The offense of graffiti may fall into two categories:

- A person commits an offense if with paint, a permanent (indelible) marker, or an etching or engraving device and without the effective consent of the owner the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner. If the marking is made on a school (defined as private or public elementary or secondary school), and financial loss to real or tangible property is less than \$20,000, the offense is a felony.
- Graffiti that is made with items other than paint or an indelible marker, or an etching or engraving device may be categorized as criminal mischief and may be punishable as a felony or misdemeanor, depending upon the extent of the damage and/or other application of the law. (See also CRIMINAL MISCHIEF, VANDALISM)

**HARASSMENT:** Threatening to cause harm or bodily injury to another person, including a District student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001(b) (2) of the Education Code. 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:

1. Imitating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
2. 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;
3. 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
4. Sending repeated electronic communication in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

**HAZING:** Defined by Section 37.151 of the Education Code as any intentional, knowing, or reckless act directed against a student, whether on or off the campus, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students. The term includes, but is not limited to:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, and confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or the safety of the student.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or the safety of the student.

4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in a District school, or that may reasonably be expected to cause a student to leave the organization or the school rather than submit to acts described above.
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code.

**HIT LIST:** Defined by Section 37.151 of the Education Code as a list of people targeted to be harmed, using a firearm, as defined by Section 46.01 (3), Penal Code; a knife, as defined by Sections 46.01 (7), Penal Code; or any other object to be used with intent to cause bodily harm.

**HONORARY PRIVILEGES:** Are privileges allowed or granted by the school or the District such as but not limited to participation in school-related activities and events such as prom, graduation ceremonies, senior trips, noninstructional field trips, etc.

**IAP:** Individual Accommodation Plan. An IAP is developed for each student who receives Section 504 services to meet the student's individual needs.

**IEP:** Individual Education Plan. An 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 for District-wide tests; etc.

**IMPROVISED EXPLOSIVE DEVICE:** Defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

**INDECENT EXPOSURE:** Defined by Penal Code 21.08 as an offense that occurs when a person exposes his or her anus or any part of his or her genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

**INDELIBLE MARKER (used for graffiti):** A device that makes a mark with a paint or ink product that is specifically formulated to be more difficult to erase, wash out, or remove than ordinary paint or ink products.

**INHALANTS (ABUSABLE GLUE OR PAINT):** Glue or paint that is (a) packaged in a container holding a pint or less by volume or less than two pounds by weight; and (b) labeled in accordance with the labeling requirements concerning precautions against inhalation established by the Federal Hazardous Substances Act (15 U.S.C. § 1261, et seq.) and under regulations adopted under that Act.

**IN-SCHOOL SUSPENSION (ISS):** An alternative placement on the regular school campus for students officially removed from the regular classroom for disciplinary reasons. The school administration may place a student in ISS for a temporary period in accordance with the Student Code of Conduct.

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

**JURISDICTION:** The sphere of authority or control; the territorial range over which District authority extends.

**KNIVES:** Knives fall into three categories in relation to offenses in this Student Code of Conduct. Possessing, using, or exhibiting any knife is prohibited by the SAISD Student Code of Conduct. Knives can cause serious injury and possessing, using, or exhibiting most knives are considered Level III or IV offenses and can result in expulsion or DAEP placement. Also, as with other weapons, using any knife in a threatening manner can lead to other serious charges.

1. A LOCATION-RESTRICTED KNIFE – Level IV Offense (expulsion): Defined by the Penal Code 46.01 as a knife with a blade over 5½ inches.
2. A PROHIBITED WEAPON – Level IV Offense (expulsion): A dagger or similar knife is classified as a prohibited weapon. The length of the blade is not a factor in identifying these knives, since they are identified by their design and features.

**OTHER KNIVES:** Possession of any other knife, with a blade length up to and including 5½ inches, is prohibited by the Student Code of Conduct. Lock-blade knives, if the blade is 5½ inches or less in length, are included in this category. The administrator determines the consequence based on the size of the knife and the student's actions regarding the knife (such as whether the student was possessing or was also displaying the knife.) These knives may be considered to be a violation of a Level III offense, resulting in DAEP placement, or Level II offense, generally resulting in suspension from school or other serious consequences.

**KNUCKLES:** Means any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

**LOOK-ALIKE WEAPON:** Means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

**MACHINE GUN:** As defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

**MANDATORY:** Means that something is obligatory or required because of an authority.

**MARTIAL ARTS OBJECTS:** Various objects that may be used as weapons, such as shurikan (throwing stars), nunchakus ("nun-chucks"), tonfa (wooden weapon), staff, baton (short stick), and bolo (long cord with weights at each end). Many of these objects are within the definitions of illegal knives or prohibited weapons under the Penal Code, and their possession or use may constitute a Level III or IV offense.

**MISDEMEANOR OFFENSE:** An offense so designated by law or punishable by fine, by confinement in jail, or by both fine and confinement in jail; less serious than a felony.

**NCLB ACT:** The federal No Child Left Behind Act of 2001.

**OBSCENE:** "Obscene" as defined by Penal Code 42.07 means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.

**ONLINE HARASSMENT:** Person commits an offense if the person uses the name or persona of another person to create a web page on or to post one or more messages on a commercial networking site without obtaining the other person's consent AND with the intent to harm, defraud, intimidate, or threaten any person.

**PARAPHERNALIA:** Any device that can be used to inhale, ingest, inject, or otherwise introduce a controlled substance into a human body.

**PARENT:** Throughout this document, the term "parent" refers to a parent, guardian, or other person having lawful control under court order.

**PGP (Personal Graduation Plan):** Recommended for all students entering grade 9 and is required by state law for any student in middle school or higher who fails a section on a state-mandated test or is identified by the District as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**POSSESSION:** The actual care, custody, control, or management of an object. Possession does not require that the person have the object being possessed on his/her person; having an object in one's locker, book

bag, telecommunication or electronic device, vehicle, or other area where one exercises care, custody, control, or management is possession. For administrative purposes, any student who accepts possession of an illegal or prohibited item and who does not submit it immediately to a school official shall be considered to be in possession of the item and shall be subject to appropriate disciplinary action.

**PRIVILEGE:** Permission or authorization to participate and/or hold membership in school-related or extracurricular activities, including, but not limited to, the following: honor and scholarship clubs/societies and activities, or other school-related clubs/societies and activities; school assemblies, graduation exercises, school dances, junior-senior proms, class or group trips (other than instructional field trips which are part of the curriculum); theater organizations, plays, presentations/performances, and talent shows; student body government, class organizations, and other similar activities and organizations; and participation in field days, carnivals, or other school-related celebrations.

**PROHIBITED WEAPON:** Under Texas 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;
  - c. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical-dispensing device;
4. A zip gun;
5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.

**PROHIBITION:** A rule, law, order, or decree that forbids something.

**PUBLIC SCHOOL FRATERNITY, SORORITY, SECRET SOCIETY, OR GANG:** An organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are excepted from this definition.

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**PUBLIC LEWDNESS:** 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.

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

**REASONABLE SUSPICION:** An awareness of facts about a particular student or students that reasonably suggests a violation of the Student Code of Conduct or other school policies or rules.

**RETALIATION:** Intentionally or knowingly harming or threatening another by an unlawful act in retaliation for or on account of the service of that person as a public servant (e.g., teacher), witness, informant, or one who has reported the occurrence of a crime.

**SAT:** One of the two most frequently used college or university admissions exams: the Scholastic Aptitude Test. The test may be a requirement for admissions to certain colleges or universities.

**SCHOOL DAYS:** Days the schools are in session according to the official District calendar adopted by the Board of Education.

**SECTION 504:** The federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for Special Education services under the Individuals with Disabilities Education Act, general education with appropriate instructional accommodations will be provided.

**SELF-DEFENSE:** The use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

**SERIOUS MISBEHAVIOR:** (1) Deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat; (3) conduct that constitutes coercion, as defined by Section 1.07, Texas Penal Code; or (4) conduct that constitutes the offense of: (a) public lewdness under Penal Code 21.07, (b) indecent exposure under Penal Code 21.08, (c) criminal mischief under Penal Code 28.03, (d) hazing under Education Code 37.152, or (e) harassment under Penal Code 42.07(a)(1) of a student or District employee.

**SERIOUS OR PERSISTENT MISBEHAVIOR:** Includes but is not limited to: (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 schoolwork as assigned; (5) insubordination; (6) profanity, vulgar language, or obscene gestures; (7) leaving school grounds without permission; (8) falsification of records, passes, or other school-related documents; and (9) refusal to accept discipline assigned by the teacher or principal. Please see the Level III Offenses section for the definition of "persistent misbehavior," which is different than "serious or persistent misbehavior."

**SEXTING:** Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.

**SEXUAL HARASSMENT:** Unwanted or unwelcome verbal or physical conduct of a sexual nature directed toward another person, whether by word, gesture, or any other sexual conduct, including request for sexual favors. (Note: Some conduct of this nature may be so offensive that it also may be classified as a felony or other illegal offense and may therefore result in DAEP placement or expulsion.)

**SHAC (School Health Advisory Council):** A group of at least five members, a majority of whom must be parents, appointed by the school board to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction, along with providing assistance with other students and employee wellness issues.

**SHORT-BARREL FIREARM:** 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.

**STATE-MANDATED ASSESSMENTS:** Required of students at certain grade levels and in specified subjects. Successful performance sometimes is a condition of promotion, and passing the exit-level TAKS or STAAR EOC assessment, as applicable, is a condition of graduation. Students have multiple opportunities to take the tests if necessary for promotion or graduation.

**SWITCHBLADE:** Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

**SUSPENSION (Out of School):** An act of the school administration taken as a disciplinary action which prohibits

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a student from attending school for one, two or three school days. The student is not allowed on the home campus or any other school campus or at any school-related activity during the period of suspension. If the student violates this prohibition, the student can be charged with illegal trespass, a Class C misdemeanor.

**TELPAS:** Texas English Language Proficiency Assessment System, which assesses the progress that English language learners make in learning the English language, and is administered for those who meet the participation requirements in kindergarten through grade 12.

**TERRORISTIC THREAT:** Defined by Penal Code 22.07 as a threat to commit any offense involving 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, etc.; or (4) cause impairment or interruption of public communication, transportation, power supply, water, gas, or public service.

**THREATS:** A bomb threat and other threats may be classified as a "false alarm or report," which is a felony offense (see FALSE ALARM OR REPORT). Some threats are classified as "terroristic threats" (see TERRORISTIC THREAT). School personnel shall take all threats seriously, whether toward a person or a group or a school and take disciplinary action. In most cases, threats constitute Level III offenses and can result in DAEP placement.

**TIRE DEFLATION DEVICE:** 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 FELONY OFFENSES:** Title 5 of the Penal Code identifies "offenses against the person" which include, but are not limited to, such serious crimes as murder, capital murder, manslaughter, criminally negligent homicide, aggravated kidnapping, indecency with a child, sexual assault, aggravated assault, aggravated sexual assault, injury to a child, elderly individual or disabled individual, and abandoning or endangering a child. For a complete listing and explanation, see Texas Penal Code.

**TRESPASSING:** A person entering or remaining on property or in a building without effective consent and the person had notice that the entry was forbidden or received oral or written notice to depart but failed to do so.

**TRUANCY:** Failure of a student to attend school or class when the student's absence has not been excused by the District.

**TxVSN:** The Texas Virtual School Network, which provides online courses for Texas students to supplement the

instructional programs of public school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

**UIL:** Refers to the University Interscholastic League, the statewide voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

**UNDER THE INFLUENCE:** Lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

**VANDALISM:** Destruction or damage to property. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with law, and may be subject to criminal penalties. (See also CRIMINAL MISCHIEF, GRAFFITI)

**VOLATILE CHEMICALS:** Harmful chemicals such as chloroform, acetone, ketone, methanol, toluene, etc. (See Texas Health and Safety Code Section 484.)

**WEAPON:** Any device, such as a gun, club, or knife, which can be used to inflict bodily harm upon a person.

**ZIP GUN:** Defined by Texas 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.

# SECTION VII:

## CAMPUS BEHAVIOR COORDINATORS

As required by law, TEC 37.0012, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The District shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at [www.SAISD.net](http://www.SAISD.net). San Antonio Independent School District Board policy delegates to the principal or designee the authority to administer discipline at the campus level, and delegates the authority to remove students to a District Alternative Education Program (DAEP) or expulsion to the Juvenile Alternative Education Program (JJAEP). The campus behavior coordinator has the discretion to apply school-based discipline for specific violations or refer the matter to the District Disciplinary Hearing Office for review.

Campus	Behavior Coordinator	Email Address	Phone Number
ALA PK-3	Kathy Bieser	<a href="mailto:Ebieser1@saisd.net">Ebieser1@saisd.net</a>	210-738-9760
ALA 4-12	Fabiola Rivera	<a href="mailto:frivera1@saisd.net">frivera1@saisd.net</a>	210-738-9763
Brackenridge High School	Julissa Fisher	<a href="mailto:jsantellanes@saisd.net">jsantellanes@saisd.net</a>	210-228-1200
Burbank High School	Ausberto Silva	<a href="mailto:asilva5@saisd.net">asilva5@saisd.net</a>	210-228-1210
CAST Med High School	Gustavo Cordova	<a href="mailto:gcordova@saisd.net">gcordova@saisd.net</a>	210-228-3380
CAST Tech High School	Jacob Barber	<a href="mailto:jbarber1@saisd.net">jbarber1@saisd.net</a>	210-554-2700
Edison High School	Charles Fears	<a href="mailto:cfears1@saisd.net">cfears1@saisd.net</a>	210-738-9720
Fox Tech High School	Veronica Valdovinos	<a href="mailto:Vvaldovinos1@saisd.net">Vvaldovinos1@saisd.net</a>	210-738-9730
Highlands High School	Luis Morales	<a href="mailto:lmorales5@saisd.net">lmorales5@saisd.net</a>	210-438-6800
Houston High School	Marlon Davis	<a href="mailto:mdavis4@saisd.net">mdavis4@saisd.net</a>	210-978-7900
Jefferson High School	Gema Palos	<a href="mailto:Gpalos1@saisd.net">Gpalos1@saisd.net</a>	210-438-6570
Lanier High School	Amy Hardeman	<a href="mailto:Ahardeman1@saisd.net">Ahardeman1@saisd.net</a>	210-978-7910
Phoenix Middle College	Timothy Sumner	<a href="mailto:Tsumner1@saisd.net">Tsumner1@saisd.net</a>	210-486-7132
St. Philips ECH	Gregory Hiett	<a href="mailto:ghiett1@saisd.net">ghiett1@saisd.net</a>	210-486-2406
Travis ECH	Michelle Garza	<a href="mailto:MGARZA13@saisd.net">MGARZA13@saisd.net</a>	210-738-9830
YWLA 6-12	Sarah Moran	<a href="mailto:Smoran2@saisd.net">Smoran2@saisd.net</a>	210-438-6525
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Dr. Jaime Aquino

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