



STUDENT CODE OF CONDUCT

&

DISCIPLINE MANAGEMENT PLAN

2009- 2010

Irving Independent School District

**STUDENT CODE OF CONDUCT
SIGNATURE FORM
2009 – 2010 ACADEMIC YEAR**

Students and parents are requested to complete all blanks on the front and back of this form and return it to the school within seven (7) days. Your signature below indicates that you have received and read the handbook containing the student code of conduct.

Student Signature

Parent/Guardian Signature

Date

Date

Grade Level/Homeroom Teacher

Parent/Guardian Signature

Date

Please complete and sign both sides

Please cut on dotted line and return to your child's school.

Irving ISD Guidelines/Acceptable Use of Technology Resources

2009 - 2010

Student Section

Student name (print)

Grade

School

I have read the Guidelines/or Acceptable Use of Technology Resources on Pages 5-6. I agree to follow the rules contained in this policy. If I violate the rules I will lose my access privilege to the I-Net including Internet access and may face disciplinary action.

Student signature

_____/_____/_____
Date

Parent Section

I have read the Guidelines for Acceptable Use of Technology Resources on pages 5-7. I understand that the Internet is a world-wide group of hundreds of thousands of computer networks. I agree that the Irving Independent School District does not control the content of these Internet networks. I understand if my child violates the Acceptable Use Guidelines, his/her access privilege to the District network including the Internet may be revoked and my child may be subject to disciplinary action. The Irving Independent School District has my permission to give I-Net (Internet) access to my child. I understand that my child will maintain this privilege as long as the procedures described in the Acceptable Use Guidelines are followed.

I also grant permission for examples of my child's schoolwork to be published on the World Wide Web as an extension of classroom studies, provided that the home address, home phone number, student's last name or a close-up photograph is not included.

NOTE: Parents who do not want their child to have Internet access and/or have their schoolwork published on the web, should submit a written request to restrict these in writing annually to their child's principal. While the district will attempt to restrict access, it is ultimately the responsibility of the parent to ensure their child does not violate this request.

Parent or Guardian signature

_____/_____/_____
Date

Parent name (print)

Home address

Phone

IRVING INDEPENDENT SCHOOL DISTRICT

DISCIPLINE MANAGEMENT PLAN

(Pages 1-12)

AND

STUDENT CODE OF CONDUCT

(Pages 13-29)

POINTS OF EMPHASIS

1. The Irving ISD is serious about maintaining safety and security. Student crime stopper organizations and youth action center officers assist in this effort. Possession of weapons, alcohol and other drugs at school or a school-related activity will not be tolerated.
2. All students are expected to attend school all day, every day school is in session, and comply with the dress code and all other rules. Parents and students are urged to carefully review Sections IV and V of this document regarding student behavior and rules regarding attendance in Section VI.
3. Respect is an essential element for the effective operation of any organization. To maximize opportunities for a quality education, students are expected to demonstrate respect for themselves, others and their school at all times.
4. The Irving ISD Student Code of Conduct has been revised to comply with legislation passed by the 80th Texas Legislature. Addenda to the Code may be issued as the district receives updates on changes to the laws that govern school discipline or as changes in Board policy are adopted. The Irving ISD will adhere to requirements of all laws as they apply to schools and school districts. The Irving ISD Board of Trustees will be adopting policies addressing all provisions of these laws. A copy of the board policies referred to in this document may be obtained from the campus principal's office or the district's web site at www.irvingisd.net
5. The revised and new sections of the Student Code of Conduct are underlined for easy reference.
6. Parents are requested to read the Student Code of Conduct with their child, complete the signature form on the preceding page, and return the form to the school within seven (7) days.
7. All Board Policies are available on the District's Web Page at www.irvingisd.net

NOTICES

EQUAL OPPORTUNITY POLICY STATEMENTS

No administrative officer or employee of the Irving Independent School District, acting in his/her official capacity, may discriminate on the basis of a person's sex, race, religion, color, or national origin regarding personnel practices, including the assigning, hiring, promoting, compensating, and discharging of employees, and/or the use of facilities, awarding contracts, and participation in programs.

No student shall, on the basis of sex, race, religion, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity sponsored by this school district except as specifically provided in the Title IX implementing regulations. Inquiries regarding Title IX of the Education Amendments of 1972 should be directed to the Director of Campus Operations, whose office phone number is (972) 215-5000.

No qualified disabled person shall, on the basis of a disability, be excluded from participation in, be denied the benefits or, or otherwise be subjected to discrimination under any program or activity sponsored by this school district except as specifically provided in the Section 504 implementing regulations. Inquiries regarding Section 504 of the Vocational Rehabilitation Act of 1973 should be directed to the Director of Parent and Student Services, 2621 W. Airport Freeway, Irving, Texas, 75062. Telephone number: (972) 215-5000.

PESTICIDE USE

As part of our commitment to provide your child with a safe, pest-free learning environment, the Irving Independent School District may periodically apply pesticides to help manage insects, weeds, or pathogens. Pesticide applications are part of our Integrated Pest Management (IPM) program, which relies largely on non-chemical forms of pest controls. Pesticide applications on Irving Independent School District property are made only by trained and licensed technicians.

Should you have questions about our pest management program or wish to be notified in advance of pesticide applications, you may contact our IPM Coordinator, Mr. J. Pat Lamb (972) 261-5100, plamb@irvingisd.net

Irving I.S.D. Maintenance and Operations
3620 Valley View Lane
Irving, Texas 75062
(972) 261-5100

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FOREWORD

The mission of the Irving Independent School District is to work in partnership with families and the community to meet the diverse needs of all students by providing educational opportunities that cultivate the skills of learning, thinking, and communicating. This lofty mission can best be achieved by adhering to principles embodied in the research on effective schools. We know that truly effective schools have common characteristics, one of which is establishing and maintaining a safe and orderly climate for learning. The public schools of the Irving Independent School District strongly support the belief that orderly and well-disciplined campuses and classrooms are of highest priority in providing a learning climate in which students may work toward gaining maximum benefit from the opportunities provided by the District and community.

It is well recognized that today's world of work demands evidence of self-discipline, respect for others' thoughts and beliefs, and the ability to work effectively in a team environment. These are at least partially the goals of the accompanying Student Code of Conduct and Discipline Management Plan, which was formulated through a collaborative effort involving professional educators of the Irving ISD, parents, business leaders, and students of the Irving community.

The Irving ISD Student Code of Conduct and Discipline Management Plan complies with the legal requirements of the State of Texas. This document also reflects the commitment of all persons associated with the Irving schools to assure and protect the rights of all students whose primary current need is to engage in quality academic pursuits, free from disruptions or incidents that may interfere with such rights. It is hoped that these provisions will not be viewed as unnecessarily restrictive, but most certainly constructive assurance to students and parents that all reasonable measures will be taken to protect their rights to expect a safe, secure, orderly and respectful environment in which students may actively engage optimally in the learning process.

Efforts of parents, students, and school district employees to become familiar with this document are not only greatly appreciated, but are an absolute necessity as a demonstration of support for the Irving ISD to continue to maintain a positive educational climate that makes academic achievement our highest priority.

Dr. Neil Dugger
Interim Superintendent

R E S O L U T I O N N O . 9 4 - 9 5 - 5 0

AN ORDINANCE APPROVING REVISIONS TO THE STUDENT CODE OF CONDUCT, AUTHORIZING "ZERO TOLERANCE" FOR CERTAIN CONDUCT, AND PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, it is the responsibility of the Board of Trustees, in managing and governing the District, to ensure all students are provided access to a quality education that enables them to achieve their potential and to fully participate in the social, economic, and educational opportunities of the District, the community, and nation; and

WHEREAS, it is the mission of the Irving Independent School District to cultivate the skills of learning, thinking and communicating; and

WHEREAS, students are expected to demonstrate exemplary performance in the reading and writing of the English language, in understanding mathematics, in understanding science, and in understanding social studies in order to acquire a well-balanced and appropriate education; and

WHEREAS, the Board of Trustees has provided for the necessary facilities, equipment, supplies and a trained professional staff to enable the District's students to achieve the foregoing goals and objectives thereby enabling the District to accomplish its mission; and

WHEREAS, the Board of Trustees believes that a safe and disciplined environment conducive to student learning is essential if students are to have access to a quality education necessary to achieve their potential and reach their academic goals; and

WHEREAS, the Board of Trustees has heretofore authorized and approved Discipline Management Plans, Student Conduct Codes, and has adopted various Board Policies designed to provide for a safe and disciplined environment conducive to learning; and

WHEREAS, the 74th Texas Legislature, in Regular Session, revised the Texas Education Code to require students engaging in certain prohibited conduct be expelled or removed from the classroom; and

WHEREAS, the foregoing legislative enactments require the District's Code of Student Conduct be immediately revised in order that it comport with current law and be applicable and effective for the 1995-96 school year; and

WHEREAS, the Board of Trustees believes it is necessary and timely to restate or reaffirm the educational goals of the District and its philosophy concerning the maintenance of an educational environment which is conducive to learning.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES THAT:

Section 1: The above and foregoing recitals constitute findings of the Board of Trustees and are incorporated herein by reference.

Section 2: The Student Code of Conduct as revised and as presented to the Board of Trustees on July 17, 1995, a true and correct copy of which is attached to this Resolution and marked Exhibit "A," be, and it is hereby, approved and adopted by the Board of Trustees.

Section 3: It is the intent of the Board of Trustees that Board Policies concerning student conduct and discipline, the District's Discipline Management Plan, and the District's Student Code of Conduct, as revised, be strictly applied and enforced. Conduct or activity which is inimical to a safe and disciplined environment will not be tolerated. To this end, classroom teachers are expected to remove any student who disrupts or unduly interferes with the classroom's educational environment, and to exercise their own professional judgment in consenting to any return of such student to their classroom.

Section 4: The Board of Trustees hereby reaffirms its mission to provide an educational environment which will enable students to demonstrate exemplary performance in reading and writing the English language, to demonstrate exemplary performance in understanding mathematics, to demonstrate exemplary performance in understanding science, and to demonstrate exemplary performance in understanding social studies; such as academic goals being the primary, if not the sole purpose of the Irving Independent School District and the sole reason for its existence. Conduct or activity which detracts from or disrupts the efforts to accomplish this mission will not be tolerated. It is not the intent of the Board of Trustees to limit the proper exercise of professional judgment or discretion of the District's professional staff; however, the Board of Trustees strongly supports and expects the professional staff to fully implement, apply and enforce all rules prohibiting conduct with disrupts or unduly interferes with the learning environment and which is inimical thereof.

Section 5: The Superintendent of Schools be, and is hereby, requested to take all reasonable steps and to use all reasonable means to ensure that the professional staff, parents and students are adequately informed of this Resolution, and that conduct contrary to applicable Board Policies and the Code of Student Conduct is not to be tolerated. The Superintendent of Schools is, therefore, further directed to cause the placement Review Committees authorized by Section 37.003 Texas Education Code to be selected by the Board's legal counsel.

Section 6: All other orders, resolutions, and other actions or parts thereof of the Board of Trustees contrary to or in conflict with this Resolution and Order and the Student Code of Conduct, as revised hereby, are, to the extent of such conflict, hereby expressly repealed.

Section 7: If any provision of the Student Code of Conduct or its application to any person or circumstance is held to be invalid or in conflict with existing Board Policies, the invalidity or conflict shall not affect other provisions or application of the Student Code of Conduct, as hereby revised, that can be given effect without the invalid provision or application, and to this end the provisions of the Student Code of Conduct hereby revised are declared to be severable.

Section 8: The importance of the Student Code of Conduct, this Resolution and Ordinance, and the crowded condition of the Board's calendar create an emergency and an imperative public necessity that any Rule or Policy requiring such actions be read at more than one meeting of the Board of Trustees be Exhibit "A" attached hereto and made a part hereof, shall take effect and be in force from and after its passage, and it is so enacted.

IT IS SO ORDERED.

ADOPTED BY THE BOARD OF TRUSTEES OF THE IRVING INDEPENDENT SCHOOL DISTRICT this the _____ day of _____, 1995, at a duly constituted meeting of the Board of Trustees of which notice thereof has been given in accordance with law.

GARY L. BORCHERDING, President
Board of Trustees
Irving Independent School District

ATTEST:

BARBARA CARDWELL, Secretary
Board of Trustees
Irving Independent School District

DISCIPLINE MANAGEMENT PLAN

I. INTRODUCTION

In the Irving Independent School District, students are allowed as much freedom as possible without hindering the freedom of other individuals. Students must learn to accept responsibility for their own actions. Students should be disciplined for their misbehavior if their disruptive actions hinder another student's right to a good education in a safe environment. This understanding is essential in order for young people to learn to function as responsible citizens.

The District is committed to the rights of students, but also expects students to behave in an appropriate manner that contributes positively to the school community. A proper balance of rights and responsibilities is essential if a district is to provide an educational system which allows students to develop to their greatest potential.

The following Student Code of Conduct and Discipline Management Plan, developed cooperatively by the District's administrators, teachers, parents, and students, describes the District's expectations of student conduct and specifies the consequences of violating this code of conduct. It contains specific student conduct rules and identifies sanctions against student misconduct which may result in disruption of the educational process or infringement of the rights of others. It applies to all Irving ISD students except where noted otherwise.

Parents are an integral part of the Student Code of Conduct and Discipline Management Plan, and will be involved in working with District personnel in implementing successful discipline practices. Throughout this plan, "parents" include a single parent, a legal guardian, or a person having lawful control of the student. Law enforcement authorities may be contacted when a violation of criminal laws may have occurred, or to maintain order. When appropriate, judicial proceedings may be instituted. Students violating the code are subject to disciplinary action as stated, regardless of whether or not judicial proceedings are instituted.

These policies and regulations apply to any student (1) who is on school property, (2) who is in attendance at school or any school-sponsored activity, or (3) whose conduct contains the elements of a felony offense regardless of time and place, or (4) whose conduct interferes with the missions or operations of the school district or jeopardizes the safety or the welfare of students or employees.

A. Philosophy of Discipline

For the purpose of this Student Code of Conduct and Discipline Management Plan, discipline refers to the behavior or orderly conduct of an individual. It is expected that each school campus will provide appropriate discipline in a safe environment in which all students have the right to learn, and educators have the right to teach, free from disruptions which interfere with the educational process. Each campus will promote:

1. "zero tolerance" in discipline management which consists of strict enforcement of rules that insure the safety, security and education of all members of the school community.
2. the teaching and modeling of appropriate behaviors whereby all persons accept responsibility for their actions and demonstrate self-discipline;
3. a sense of community, with mutual and self-respect evidenced by all persons;
4. a positive school climate in which teachers and administrators strive to share a positive rapport with students, parents, and the community; and
5. the democratic process and protection of the rights of individuals.

Students who violate the rights of others or who violate District or school rules shall be subject to disciplinary measures designed to correct the misconduct and to promote adherence by all students to responsible citizenship.

B. Development of Discipline Management Plan

The District's first Discipline Management Plan was developed through the cooperation and involvement of administrators, teachers, parents, students, and the Region X Education Service Center. A steering committee composed of administrative representatives from each campus level was appointed to guide the development of the plan. Sub-committees of officers of parent-teacher associations, student council officers, and teachers were asked to provide suggestions. The District's first discipline management plan was adopted by the Board at the regular board meeting on December 16, 1985.

To comply with the requirements of subsequent legislation and satisfy District needs, the Discipline Management Plan was revised three times between January 1987 and June 1990. The current revision was begun in September

1992 and developed with input from a diverse committee represented by teachers, students, administrators, parents, the Irving police department, and community and business representatives. This plan is revised annually based upon changes in the law and with input from school personnel and the community.

C. Rights of Students

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

II. RESPONSIBILITIES OF THE SCHOOL COMMUNITY

Each member of the school community has certain responsibilities if a positive learning environment is to be achieved. The following statements describe actions that contribute to a productive relationship among students, parents, administrators, and teachers. The actions listed in the student section are not to be interpreted as behavioral rules unless also included in the "Rules and Regulations" section of this document.

A. EACH STUDENT has the responsibility to:

1. Attend school daily except when ill or otherwise lawfully excused, and be on time for all classes.
2. Possess a student identification card and display it as requested on school property or at any school activity (applies to secondary students only).
3. Pay required fees and fines as defined in the student handbook.
4. Pursue and master the essential elements of the curriculum of study prescribed by the District and the State.
5. Demonstrates ethical values of citizenship, integrity, fairness, respect for others, personal responsibility, and accountability.
6. Behave in a responsible manner and refrain from violations of Code of Conduct.
7. Be dressed and groomed as outlined in the District's dress code.
8. Cooperate with school staff in investigation of disciplinary cases and volunteer information, should he/she have knowledge relating to an offense.
9. Assist the school staff in operating a safe school.
10. Be prepared for each class with appropriate materials and assignments.
11. Seek changes in school policies and regulations in an orderly and responsible manner through approved channels.
12. Comply with the acceptable use guidelines for computer on-line services.

B. PARENTS have the responsibility to:

1. Provide for the physical, emotional and social needs of the child.
2. Teach the student to listen to teachers and other school personnel and obey the rules.
3. Ensure their child's compliance with school attendance requirements and promptly report and explain absences and tardies to the school.
4. Encourage and lead the child to develop proper study habits at home.
5. Participate in positive parent-teacher conferences to discuss their child's school progress and welfare.

6. Attend parent training workshops for home reinforcement of study skills and specific curriculum objectives. These workshops are conducted for those parents who want to participate, and are based on interest indicated by parents in the community.
7. Keep informed of school policies, administrative decisions, and academic requirements of any school program.
8. Participate in parent-school organizations. The Irving ISD Public Information Office can provide information regarding these organizations. District organizations include the Parent Advisory Council, the District Improvement Committee, and Public Information Task Force. Advisory committees are organized for departments such as Career and Technology and Special Education. Each campus site-based decision making committee also utilizes parent representatives.
9. Ensure that their child is appropriately attired at school and school-sponsored activities.
10. Discuss report cards and work assignments with their child and contact teachers when notified of unsatisfactory progress.
11. Bring to the attention of school authorities any learning problem or condition that may relate to their child's education.
12. Maintain up-to-date home, work, and emergency telephone numbers and other pertinent information at the school.
13. Cooperate with school administrators and teachers in their efforts to achieve and maintain a quality school system.
14. Ensure their child's attendance at school tutorials as required or as the need arises.
15. Submit a signed statement that they have received and read the Student Code of Conduct.
16. Control their child. Parents are liable for property damage caused by (a) the negligent conduct of their child if such conduct is reasonably attributable to the negligent failure of the parents to exercise their duties, or (b) the willful or malicious conduct of their child who is at least 12, but under 18 years of age. (Texas Family Code Chapter 261)

C. ADMINISTRATORS have the responsibility to:

1. Assume the administrative responsibility and instructional leadership, under the supervision of the superintendent, for discipline at the campus (TEC 11.202- (b) (4))
2. Implement a flexible curriculum to meet the needs of all students.
3. Provide appropriate support for teachers in dealing with student discipline problems.
4. Interpret and consistently enforce school rules, codes and policies.
5. Promote effective training and discipline based upon fair and impartial treatment of all students.
6. Encourage parents to keep in regular communication with the school, and encourage parental participation in required parent-teacher conferences.
7. Develop a cooperative working relationship among staff and students.
8. Assist students in learning mature self-discipline.
9. Provide leadership for discipline and evaluation of the discipline management plan.
10. Ensure students' safety through maintenance of the school campus.
11. Serve as appropriate role models for the students in accordance with the standards of the profession.
12. Encourage and acknowledge appropriate behavior of students.

D. TEACHERS have the responsibility to:

1. Use appropriate discipline management techniques.
2. Ensure good student discipline by regular attendance, promptness, and appropriate preparation.
3. Respect other individuals and their property.
4. Maintain the standards of conduct, dress and grooming established by the District.
5. Comply with District and school policies, rules, and directives.
6. Maintain an orderly classroom atmosphere conducive to learning.
7. Meet the standards of teaching performance established by the District.
8. Establish a rapport and an effective working relationship with parents, students, and other staff members.
9. Teach students to strive to develop and practice self-discipline.
10. Adhere to a professional code of ethics.
11. Give praise to students when appropriate.
12. Encourage work habits that will lead to the accomplishment of both short-term and long-term goals.
13. Serve as appropriate role models for their students in accordance with the standards of the teaching profession.
14. Respect cultural differences within students.

III. COMMITMENT OF THE DISTRICT

Realizing that many students conduct themselves appropriately in school, the Irving Independent School District, in cooperation with parents and the community, pledges to recognize students who follow this Code of Conduct. There are always consequences for behavior, whether the behavior is appropriate or inappropriate. Recognition of appropriate behavior provides students with a positive consequence for their actions and creates a positive classroom environment. The use of positive reinforcement plays an important role in the learning of appropriate behaviors. Teachers and administrators will strive to find creative, positive ways to recognize and reinforce responsible behavior. Rules and regulations are a part of an orderly, productive society. They are the parameters within which citizens must operate to provide avenues of success for all.

To accommodate special student needs, each individual education plan (IEP) of students with disabilities shall address the student's specialized needs on discipline, including which of the discipline management techniques can appropriately be used with the student.

A. Parent-Teacher - Administrator Conferences

Parent-teacher conferences are a valuable part of the educational process, and may be initiated by the parent or teacher. One or more conferences shall be held during each school year between a teacher and the parents of a student if the student is not maintaining passing grades or achieving the expected level of performance, or presents some other problem to the teacher, or in any other case the teacher or parent considers it necessary.

Appropriate school personnel may request a conference with a student's parents whenever the need for parental cooperation in enforcing the Student Code of Conduct is perceived.

A principal or assistant/vice principal will conduct a conference with a student's parents when a student has committed a Phase II, III, or IV offense. A parent/administrator conference will also be held at the campus when a student is removed to an discipline alternative education program, and a second parent conference will be conducted at the site of the alternative education program.

All parent conferences will be conducted face to face, if possible. However, if a face to face conference is not possible or practical, a conference may be conducted by telephone. If telephone contact is not successful, the conference may be satisfied through a letter. All attempts to schedule and conduct required parental conferences should be documented.

B. Parent Training Workshops

Parent training workshops for home reinforcement of study skills, discipline management, and prevention of drug/alcohol use may be provided. Specific objectives shall be based on identified needs or interest.

Students will be encouraged to attend workshops with their parents when appropriate.

C. Discipline Management Training

In addition to individual campus discipline management sessions, each teacher is given an opportunity to attend updated discipline training. The objectives of the annual training session shall be to familiarize each professional employee with the District's rules of student conduct, discipline management techniques and their uses, and the appropriate procedures for removals and expulsions. At least one discipline management training session may be scheduled, as needed, each semester so that new employees and teachers whose performance appraisals indicate the need to improve or reinforce discipline management skills may receive the necessary training. A copy of Chapter 37 of Texas Education Code and a copy of District policies that pertain to student removal and expulsion shall be a part of the teacher-staff handbook.

D. Counseling Services

Counseling services may be available through the Guidance and Counseling Department for students who experience discipline or academic difficulties. Students who appear to be using or are at risk of using alcohol and/or other drugs may be referred for services from a Student Assistance counselor.

IV. RULES AND REGULATIONS

A. Guidelines for Acceptable Use of Technology Resources

These guidelines are provided here so that students and parents are aware of the responsibilities students accept when they use district-owned computer hardware, operating system software, application software, stored text, data files, electronic mail, local databases, CD-ROMs, digitized information, communications technologies and internet access. In general, this requires efficient, ethical and legal utilization of all technology resources. In the guidelines, I-NET and or network refers to the district's on-line services including access to the Internet.

1. Expectations

- a. Student use of computers, other technology hardware, software, and computer networks including the Internet is only allowed when supervised or granted permission by a staff member
- b. All users are expected to follow existing copyright laws. Copyright guidelines are posted and/or available in the media center of each campus as well as posted on the district website.
- c. Although the District has an Internet safety plan in place, students are expected to notify a staff member whenever they come across information or messages that are inappropriate, dangerous, threatening, or make them feel uncomfortable.
- d. Students who identify or know about a security problem are expected to convey the details to their teacher without discussing it with other students.

2. Unacceptable conduct includes, but is not limited to the following:

- a. Using the network for illegal activities, including copyright, license, contract violations, downloading inappropriate materials, viruses, and/or software, such as but not limited to hacking and host file sharing software.
- b. Using the network for financial or commercial gain, advertising, or political lobbying.
- c. Accessing or exploring on-line locations or materials that do not support the curriculum and/or are inappropriate for school assignments, such as but not limited to pornographic sites.
- d. Vandalizing and/or tampering with equipment, programs, files, software, system performance or other components of the network. Use or possession of hacking software is strictly prohibited.
- e. Causing congestion on the network or interfering with the work of others, e.g., chain letters or broadcast messages to lists or individuals.
- f. Intentionally wasting finite resources, i.e., on-line time, real-time music.
- g. Gaining unauthorized access anywhere on the network.
- h. Revealing the home address or phone number of one's self or another person.
- i. Invading the privacy of other individuals.
- j. Using another user's account, password, or ID card or allowing another user to access your account, password or ID.
- k. Coaching, helping, observing or joining any unauthorized activity on the network.

- l. Forwarding/distributing E-mail messages without permission from the author.
 - m. Posting anonymous messages or unlawful information on the system.
 - n. Engaging in sexual harassment or using objectionable language in public or private messages, e.g., racist, terroristic.-abusive, sexually explicit, threatening, stalking demeaning or slanderous.
 - o. Falsifying permission, authorization or identification documents.
 - p. Obtain copies of, or modify files, data or passwords belonging to other users on the network.
 - q. Knowingly placing a computer virus on a computer or network.
3. **Acceptable Use Guidelines - Irving Independent School District Network (I-Net) Computer On-Line Services**
- a. **General Guidelines**
 - (1) Students will have access to all available forms of electronic media and communication which is in support of education and research and in support of the educational goals and objectives of the Irving Independent School District.
 - (2) Students are responsible for their ethical and educational use of the computer on-line services including the Internet at the Irving Independent School District.
 - (3) All policies and restrictions of the I-Net computer on-line services must be followed.
 - (4) Access to the Irving Independent School District I-Net computer on-line services is a privilege and not a right. Each employee, student and/or parent will be required to sign the Acceptable Use Policy Agreement Sheet and adhere to the Acceptable Use Guidelines in order to be granted access to the I-Net computer on-line services.
 - (5) The use of any I-Net computer on-line services at the Irving Independent School District must be in support of education and research and in support of the educational goals and objectives of the Irving Independent School District.
 - (6) When placing, removing, or restricting access to specific databases or other I-Net computer on-line services, school officials shall apply the same criteria of educational suitability used for other education resources.
 - (7) Transmission of any material which is in violation of any federal or state law is prohibited. This includes, but is not limited to; confidential information, copyrighted material, threatening or obscene material, and computer viruses.
 - (8) Any attempt to alter data, the configuration of a computer, or the files of another user, without the consent of the individual, campus administrator, or technology administrator, will be considered an act of vandalism and subject to disciplinary action in accordance with the IISD Student Code of conduct booklet.
 - (9) Parents concerned with the I-Net computer on-line services at their child's school should refer to the EFA Local: *Instructional Resources: Instructional Material Selection and Adoption* policy and follow the stated procedure.
 - (10) Any parent wishing to restrict their children's access to any I-Net computer on-line services will provide this restriction request in writing. Parents will assume responsibility for imposing restrictions only on their own children.
 - b. **Network Etiquette**
 - (1) Be polite.
 - (2) Use appropriate language.
 - (3) Do not reveal data (home address, phone number, phone numbers of other people).
 - (4) Remember that the other users of the I-Net computer on-line services and other networks are human beings whose culture, language, and humor have different points of reference from your own.

c. **E-Mail**

- (1) E-mail should be used for educational or administrative purposes only.
- (2) E-mail transmissions, stored data, transmitted data, or any other use of the I-Net computer on-line services by students, employees or other user shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use.
- (3) All e-mail and all contents are property of the District.

4. **Consequences**

The student in whose name a system account and/or computer hardware is issued will be responsible at all times for its appropriate use.

Noncompliance with the guidelines published here in the Student Code of Conduct and in Board Policy CQ may result in suspension or termination of technology privileges and disciplinary actions. Use or possession of hacking software on district owned computers is strictly prohibited and violators will be subject to Phase III consequence of the Code of Conduct Violation of applicable state or federal law, including the Texas Penal Code, Computer Crimes, Chapter 33 will result in criminal prosecution or disciplinary action by the district.

Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated district staff to ensure appropriate use.

The district cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws. Contents of email and network communications are governed by the Texas Open Records Act; proper authorities will be given access to their content.

B. Prohibited Conduct or Activities

Students are expected to attend all classes regularly and on time, complete all assignments, bring needed materials, maintain possession of ID card on campus and at all school events (secondary students), return required school forms, conform to all class and school rules, and treat others with respect. Failure to act responsibly and to abide by the standards of conduct and dress established in this Code will result in consequences according to Section V (Student Misbehaviors and Consequences).

C. Offenses to the Person

1. Weapons

Students are prohibited from bringing to school or a school-related activity any weapons including weapons permitted by the concealed gun statutes. The Irving ISD will adhere to all provisions of the state laws concerning weapon-free school zones (Sec. 46.11, Penal Code). This prohibition will not normally apply to school supplies such as pencils, compasses, and the like, unless they are used in a menacing or threatening manner. The possession or use of articles not generally considered weapons (including chemical dispensing devices) may be prohibited when, in the principal's or designee's judgment, a reasonable apprehension of danger exists to the student in possession, other students, staff, or school property by virtue of possession or use.

A student shall not go onto the school premises or passenger transportation vehicle of the school with a weapon. The student shall not interfere with normal activities, occupancy, or use of any building or portion of the campus by exhibiting, using, or threatening to exhibit or use the firearm, explosive weapon, or illegal knife, or any other knife regardless of style or length of blade not approved by the principal.

The term "weapon" shall include all objects which, by their inherent characteristics or by the manner of their use, are designed for, or have the potential of, inflicting bodily injury on or intimidating another person or which do, in fact, inflict bodily injury on or intimidate another person. The term "weapon" shall include, but shall not be limited to, such articles as firearms (whether loaded or unloaded), explosives, including live ammunition and incendiary devices, knives, stun guns, metallic knuckles, razors, night sticks, chains, clubs, BB guns, pellet guns, paint ball guns, facsimile guns or any other objects used in such a way as to threaten or to inflict bodily injury on another person.

2. Assaults

A student commits an assault when he/she intentionally, knowingly, or recklessly causes bodily harm to another; intentionally or knowingly threatens another with imminent bodily injury; or intentionally or knowingly causes physical contact with another person when the student knows or should reasonably believe that the other person will regard the contact as offensive or provocative. A student further commits an assault if he/she intentionally, knowingly, recklessly, or with criminal negligence, engages in conduct that causes serious bodily injury, serious physical or mental deficiency or impairment, disfigurement, deformity, or bodily injury to a child (Texas Penal Code 22.01 and 22.04). Students are prohibited from assaulting anyone on school property or at school-sponsored or school-related activities. Students are also prohibited from assaulting any employee or volunteer in retaliation for or as a result of the person's employment or association and without regard to whether the assault occurs on or off school property.

3. Threats

Students are prohibited from threatening another student or any other person associated with the school. A threat is defined as a statement, declaration, or other indication of intention to injure or harm another person or another person's property.

4. Sexual Harassment

Sexual harassment or intimidation of any person by any other person(s) will not be tolerated on school property or at any school-related event. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, either verbal or physical, or any conduct or other offensive treatment which interferes with the rights of the other person to be free from conduct creating an intimidating, hostile, or otherwise offensive environment.

D. Rules Regarding General Conduct

1. Fraternities, Sororities, Secret Societies, and Gangs

These organizations are composed wholly or in part of students of public schools and seek to perpetuate themselves by taking in additional members from the students enrolled in such schools on the basis of the decision of their membership, rather than upon the free choice of any student qualified by the rules of the school to fill the special aims of the organization.

- a. Students are prohibited from pledging, joining, participating in any way, or soliciting any other person to join any fraternity, sorority, secret society, or gang (Texas Education Code Section 37.121). For the purpose of this Code, "gang" is defined as a group of people who form an allegiance for a common purpose and, collectively or individually, engage in violent, unlawful or criminal activity.
- b. The above restrictions do not apply to agencies of public welfare, i.e., Boy Scouts, Pan-American Clubs, HI-Y, Girl Reserves, DeMolay, Rainbow Girls, scholarship societies, and other kindred educational organizations sponsored by local, state, or national education authorities. (Texas Education Code 4.20d)

2. Hazing

No student, with or without consent, shall engage in any form of hazing, nor shall any student encourage or assist any other person in hazing. Acts of hazing and failure to report known hazing or planned hazing can result in criminal penalties, as well as school discipline. Hazing means any intentional, knowing, or reckless act directed against a student occurring on or off the school property, by one person alone or acting with others, that endangers the mental or physical health or the safety of a student for the purpose of 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:

- a. Any type of physical 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.
- b. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code, Texas Education Code Chapter 4, Subchapter B, Board Policy FNCC and FNCC-L, or the Student Code of Conduct/Discipline Management Plan.

Students shall have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization.

3. Extracurricular Standards of Behavior (Board Policy FO (Local))

With the annual review and approval of the principal and Superintendent or designee, sponsors and coaches of extracurricular activities, including interscholastic athletics and marching band, may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs any time, on or off school property. No provision of an extracurricular behavioral standard shall have the effect of discriminating on the basis of sex, race, disability, religion, or ethnicity.

Students shall be informed of any extracurricular behavior standards at the beginning of each school year, or in the case of interscholastic athletics and marching band, at the time the students report for workout or practices that occur prior to the actual beginning of classes. Students and their parents shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Organizational standards of behavior of an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violations of organizational standards of behavior of an extracurricular activity or for violation of the Student Code of Conduct.

4. Student and Non-School Publications

All publications edited, printed, or distributed in the name of or within one of the District's schools shall be under the control of the school administration and the board pursuant to Board Policy FMA (LOCAL).

5. Tobacco

Use of tobacco products is recognized by medical authorities as a health hazard both to the user, and in some cases, to other individuals in the proximity of the user. Therefore, students are prohibited from using or possessing tobacco products (including, but not limited to, cigarettes, cigars, pipes, snuff, or chewing tobacco) on school premises during any school term or off school premises at a school-related activity, function, or event.

6. Drug/Alcohol Use

The possession or use of illicit drugs or alcohol is illegal and harmful. No student shall possess, use, transmit, or attempt to possess, use or transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related activity, function, or event:

- a. any controlled substance or dangerous drug as defined by state and federal law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate
- b. alcohol or any alcoholic beverage
- c. any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation
- d. any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs, including caffeine, pills, and other over-the-counter stimulants and sedatives

"Use" means a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, smell/odor, or speech.

"Under the influence" means a student's faculties are impaired, but the student need not be legally intoxicated.

The transmittal, sale or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this rule.

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.

A student who violates this provision shall be subject to disciplinary action, which will include placement in an alternative education program or expulsion. In addition, a student may be referred for prosecution and/or for completion of an appropriate rehabilitation program.

7. Paging Devices, Beepers, Cellular Phones and Other Forms of Electronic Communication

Paging devices, beepers, cellular phones, and other electronic communication devices are not to be used during the entire school day, including passing periods and lunch. These devices must be kept in the student's locker or concealed in the student's backpack, purse, or pocket in a deactivated mode (turned off) during the school day. The device must be kept out of view at all times. Students in violation of these guidelines will have the item confiscated and only returned at the end of the regular school year unless the owner of the device or the student's parent come to the school and pays an administrative fee of \$15. Students in attendance as an active member of an emergency medical services organization are exempt from this rule.

8. Disruption of Classes or Lawful Assembly

No person, or group of persons acting in concert, shall engage in disruptive activity or disrupt a lawful assembly on the campus or property of any public school.

Class disruption is prohibited. Class disruption is any behavior which violates the rules of a particular classroom or interferes with the teacher's ability to present material or the other students' ability to concentrate on the material or their assignments. (TEC 37.124) Students may be issued a citation for such inappropriate behavior.

In accordance with Board Policy FNCI, no student shall be permitted, on school property or on public property, either alone or in concert with others, to willfully disrupt the conduct of classes or other school activities. No student or group of students acting in concert shall willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any school in the District, or any property leased by or utilized by the District.

9. **Student Dress Code**

Students shall observe modesty, appropriateness, and neatness in clothing and personal appearance. A student is not considered appropriately dressed if he/she is, or tends to be, a disruptive influence in class or at a school-sponsored or school-related activity because of the mode of dress or appearance. Any clothing, cosmetics, tattoos, jewelry, contact lenses, hair, or style thereof shall not be worn, nor allowed to be worn, at school or at school-sponsored or school-related activities if it is a disturbing influence in class or at school-sponsored or school-related activities and substantially interferes with the purposes of such classes or activities.

The following regulations concerning dress and grooming are deemed necessary in order to comply with the foregoing requirements for proper personal appearance and to avoid disruption of school-sponsored or school-related activities:

- a. All students shall wear shoes to school and to school-sponsored or school-related activities.
- b. All items of clothing shall be of such type and style and be worn in such manner so as not to unduly distract others or be considered immodest. Shirts must be full length. Mesh tops, tank tops, spandex or biker pants/shorts, cut-out, torn-out or unhemmed articles of clothing shall not be worn. Articles of clothing including accessories such as bandanas, belts, buttons, or jewelry referring to alcohol and other drugs, tobacco, profanity, sex, violence, gang membership, or displaying obscene pictures shall not be permitted. Backless or bare midriff attire is not permitted. Hats and caps are not to be displayed in the building. Except for the ears, jewelry on other parts of the face, including the interior of the mouth, is not permitted.
- c. Appropriate school attire (pants, skirts, dresses, jumpers, shorts, culottes, etc.) will be worn at all times during school hours and at school-sponsored events. For secondary students, the hem of the garment shall at least approximate the knee (no higher than two inches above the top of the kneecap) when the student is standing and wearing the garment appropriately. Pants, shorts, culottes, etc. must be secured around/about the waist. For secondary students, shorts must be "walking" shorts, pants and shorts must have a zipper or button fly.
- d. Each school campus of the district is authorized to develop a mandatory or voluntary plan for wearing of uniforms by students while at school. The plan must designate and provide for a source of funding to be used in providing uniforms for students who are economically disadvantaged. The plan should describe specifically the disciplinary sanctions to be imposed for violation of the uniform requirement. The plan shall exempt a student from the requirement of wearing a school uniform if the parent, guardian or the adult student provides a written statement that states a bonafide religious or philosophical objection to the requirement or any other reasonable objection acceptable to the Board. Any denial of an exemption is subject to appeal and to review by the Board of Trustees.

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate these standards shall be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action as specified in the Student Code of Conduct. (See FO series)

Any student whose dress or grooming violates the dress code or campus uniform policy shall be removed from class until the violation has been corrected.

10. **Bus Rules**

Students who are transported in buses, or in other vehicles used for school purposes, must comply with the following bus rules:

- Improper boarding/departing procedures
- Bringing any type of weapon or other article of injurious or objectionable nature aboard the bus
- Failure to remain seated when directed or when the bus is moving
- Refusing to obey the driver or monitor or addressing the driver or monitor in a disrespectful manner
- Fighting, pushing, tripping, or assault
- Eating or drinking on the bus
- Extending any part of a student's body, clothing, or any other article outside a bus window
- Throwing, pitching, or shooting objects inside or out of the bus
- Lighting matches or smoking or use of tobacco products on the bus
- Spitting/Littering

- Unnecessary noise

- Tampering with bus equipment or vandalism of bus property
- Rude, discourteous or annoying conduct
- Destruction of property
- Using profanity
- Possession or use of tobacco, tobacco products, drugs, abusable volatile chemicals, or alcohol
- Public lewdness or indecent exposure
- Making a false alarm or report or terroristic threat
- Engaging in conduct that constitutes a felony
- Other behavior detrimental to safety, well-being, and respect for others

A bus is considered an extension of the classroom. A student may lose bus privileges as well as receive consequences as outlined in Phase I-IV of Code of Conduct.

11. **Loitering or Trespassing on School Property**

Students found to be loitering or trespassing upon school property will be subject to disciplinary rules and actions. Students or any other person loitering or trespassing upon school property will be subject to criminal prosecution. School property for the purposes of this act shall include the grounds of any public school and any grounds or building used for school-sponsored or school-related assemblies or activities.

12. **Automobile Usage**

Only high school students possessing a valid automobile driver's license and insurance are authorized to drive cars to and from school. Students are to exercise utmost caution driving on the school parking area and must observe a maximum speed of 10 mph. Students must obtain parking permits and must park in the designated area. Back-in parking is not permitted. Permits may be revoked for abuse of parking rules. Students will not loiter on the parking lot or in cars. Cars may not be removed during school hours without a pass signed by an administrator. No adult or outsider will be permitted to remove a car without a pass signed by the principal or vice-principal. Principals may establish posted tow away zones at various locations at their campus. Violators will be dealt with by the school administration and, in some cases, the cars may be towed away or wheel immobilizer (boots) may be placed on wheels. Owners are responsible for paying towing and storage and/or immobilizer fees or costs. A law or ordinance regulating traffic on a public highway or street applies to the operation of a vehicle on school property (TEC 37.102)

V. STUDENT CODE OF CONDUCT

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Students violating the District's rules of conduct at school or school-sponsored activities shall suffer the disciplinary consequences of their misbehavior. The District's rules of conduct apply to all students on school property or at school-related activities except as noted. In general, discipline shall be progressively administered so that penalties increase due to the severity or persistence of the misbehavior. When imposing discipline, district personnel shall adhere to the following general guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and maintain a positive, safe environment.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. The following factors will be considered:
 - a. seriousness of the offense
 - b. student's age
 - c. frequency of misconduct
 - d. student's attitude
 - e. potential effect of the misconduct on school environment
 - f. intent or lack of intent at the time the student engages in the conduct
 - g. the student's disciplinary history
 - f. self defense:
 - A claim of self defense in the use of force will not exempt a student from discipline when:
 - The student provokes, invites or encourages the use of force by another person.
 - The student has an opportunity to avoid physical force or to inform a school official of the threatened use of force.
 - The student uses physical force after the other party abandons or attempts to abandon a fight or confrontation.

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. In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists (see Glossary) until an ARD committee meeting has been held to review the conduct. In deciding whether to order suspension, DAEP placement, or expulsion the district will take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

3. Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher may be imposed.
4. Police and other law enforcement authorities may be contacted in situations which appear to involve a violation of the law. Students may be subject to arrest, citations, fines or other sanctions imposed by law enforcement authorities.

NOTE: For definitions of disciplinary terms - see GLOSSARY pages 28-29.

Phase I Misbehaviors

Phase I misbehaviors are serious and warrant teacher/administrator intervention on the first incident. Persistent misbehavior (repeated misbehavior after a consequence has been implemented) is a Phase II offense.

Intervention consists of working with a student at the first sign of trouble to promote positive behavior and self-discipline. Often early intervention or correction helps a student avoid further disciplinary actions. Communication and cooperation are the key ingredients for Phase I interventions. Common Phase I misbehaviors include, but are not limited to, the following:

1. tardiness/absenteeism
2. nonconformity to school or classroom rules
3. loitering/being in wrong or restricted areas of a campus
4. running, pushing, shoving, littering, throwing objects (which is not part of a supervised activity), or cutting in line
5. producing loud and unnecessary noises
6. eating, drinking, or gum chewing in unauthorized areas
7. taunting other students
8. failure to complete assignments, bring needed materials, or return school forms (deficiency report, report card, emergency care card, AGR enrollment card, code of conduct/acceptable use of technology resources attachment, etc.)
9. violating safety rules
10. violating bus rules
11. dishonesty or cheating
12. dress code violation
13. use of offensive language
14. leaving school grounds without permission
15. unauthorized possession or use of certain prohibited articles such as paging devices, beepers, cellular phones, other electronic communication devices, radios/cassette players, CD players, mp3 players, and portable DVD players, electronic games, toys, lighters, matches, laser pointers, etc. Toy guns and/or toy weapons displayed will be a phase II offense.
16. failure to wear a student ID card on campus during school hours or have in possession a valid means of identification at all school sponsored events after school hours, on or off campus (secondary students)
17. failure to respect the pledges of allegiance and/or moment of silence (Senate Bill 83)

Phase I Consequences

Discipline techniques include, but are not limited to, the following:

1. verbal reprimand/warning
2. student/teacher conference
3. in-classroom disciplinary action
4. teacher/parent conference
5. conference referral to a counselor
6. discipline referral to principal or assistant principal
7. withdrawal of various student privileges (including bus riding, senior activities, computer on-line services, attendance or participation in extra-curricular activities)
8. detention (Board Policy FO-L)
9. confiscation of prohibited article
10. duty assignment
11. other appropriate discipline management techniques

Repeated or persistent violations of Phase I misbehaviors may be considered as Phase II misbehaviors.

Phase II Misbehaviors

Phase II misbehaviors are more severe and/or more persistent than Phase I misbehaviors. The student's conduct infringes upon the rights of other students or adults. The student's conduct negatively impacts the educational efficiency of other students and the staff. The administrator who is working with the student shall invite the parents to participate in a conference in order to review Phase I procedures that have been attempted, to solicit their cooperation in changing the student's behavior, and to inform them of the serious consequences of persistent Phase II misbehaviors.

Persistent Phase II misbehavior becomes a Phase III offense. Common Phase II misbehaviors include, but are not limited to, the following:

1. repeated or combined Phase I misbehaviors
2. distributing or displaying unapproved material that could be offensive to others
3. forgery of notes, passes, etc.
4. insubordination (failing to comply with lawful directives by school personnel)
5. possession or use of tobacco or tobacco products
6. disrespect to school personnel
7. fighting (defined as mutual combat in which one person strives to overcome or injure another with motion of the limbs or body)
8. extortion, coercion, blackmail, i.e., obtaining money or objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force
9. bullying, including intimidation by name calling, ethnic or racial slurs, or derogatory statements that could disrupt the school program or incite violence.
10. truancy
11. Possession of drug paraphernalia including, but not limited to pipes, roach clips, rolling paper and the like, or the act of selling, giving, or delivering non-drug substances as if they were illegal drugs
12. possession or use of fireworks, explosive devices, bullets, ammunition, or any article which may be used as a weapon or toy gun and/or toy weapon (look-alike), but is not defined as an illegal weapon according to the Texas Penal Code including any knife not approved by the principal
13. vandalism
14. theft
15. threat
16. involvement with prohibited organizations (i.e. gangs, fraternities, sororities, and secret societies)
17. hazing
18. use of obscene gesture/intimidation of others
19. selling or trading of items other than those approved as fund raising projects
20. disruptive activities (protests)
21. trespassing
22. altering or destroying school records
23. possession or use of stink bombs
24. unwarranted activation of emergency equipment or fire alarm
25. inappropriate exposure
26. sexual harassment (see page 8)
27. any action which could cause injury or harm to another
28. any other conduct punishable as a misdemeanor except as listed in Phase III or IV
29. engaging in behavior off campus and not at a school sponsored activity that is defined as a felony offense other than those defined in Title 5 of the Penal Code (offenses against a person)
30. engaging in conduct that contains the element of breaching computer security under Section 33.02 (b)(1) of the Penal code
31. Violation of Acceptable use of Technology Resources as outlined on pages 5-7, unless specified as a Phase III Misbehavior
32. BB guns, pellet guns, paint ball guns, and air-soft guns are prohibited
33. engages in inappropriate physical or sexual contact
34. engages in dating violence
35. staging, filming, videoing a fight or event that could cause injury or harm to other students
36. gambling

Phase II Consequences

Consequences of Phase II misbehaviors include, but are not limited to, the following:

1. any Phase I consequence or combination of consequences
2. in-school suspension
3. teacher removal of student from class (see page 21)
4. notification of outside agency and/or police with filing of charges when appropriate
5. behavior contract
6. behavior improvement/parent involvement program
7. voluntary enrollment in a residential drug or alcohol rehabilitation/treatment program
8. *out-of-school suspension
9. *assignment to an discipline alternative education program from four to six weeks and notification of placement sent to the juvenile justice system. Students involved with prohibited organizations will be recommended for placement at the discipline alternative education program (TEC 37.121)

* requires consideration to be given, as a factor in a decision to order suspension, removal to a disciplinary alternative education program, or expulsion, to: (A) self-defense; (B) intent or lack of intent at the time the student engaged in the conduct; (C) a student's disciplinary history; or (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Phase III Misbehaviors

Phase III misbehaviors are such that the student has disrupted or threatens to disrupt the school's efficiency to such a degree that his/her presence is not acceptable. Common signs of Phase III misbehaviors include, but are not limited to, the following offenses committed on school property or within 300 feet of school property, or while attending a school sponsored or school related activity except as noted:

1. engages in conduct that is punishable as a felony which is not a Phase IV misbehavior
2. engages in conduct that contains the elements of the offense of assault under PC 22.01, false alarm or report (including a bomb threat), 42.06 Penal Code, or a terroristic threat involving a public school, 22.07, Penal Code.
3. possesses, uses or is under the influence of:
 - a. marijuana, or a controlled substance as defined by Chapter 481, Health and Safety Code or by 21 U.S.C. Section 801 et seq. or
 - b. a dangerous drug, as defined by Chapter 483, Health and Safety Code. (If such conduct is punishable as a felony, the offense is elevated to a Phase IV offense).
4. commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage. (If such conduct is punishable as a felony, the offense is elevated to a Phase IV offense).
5. engages in conduct that contains the element of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.035, Health and Safety Code.
6. engages in conduct that contains the elements of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.07, Penal Code.
7. engages in conduct that contains the elements of the offense of retaliation against any school employee regardless of time or place under Section 36.06, Penal Code except as defined under Phase IV of the Student Code of Conduct.
8. engages in conduct that contains the element of breaching computer security under Section 33.02 (b) (2-5) of the Texas Penal Code.
9. use or possession of hacking software or any other software capable of causing harm.
10. engages in serious or persistent misbehavior that violates the student code of conduct while the student is placed in an alternative education program.
11. engages in conduct that contains the elements of the offense of criminal mischief under Section 28.03, Penal Code if such conduct is punishable as a felony regardless of time and place.
12. engages in conduct that contains the elements of assault under section 22.01(a)(1), Penal Code against a school district employee or a volunteer as a result of the person's employment or association and without regard to whether the conduct occurs on or off school property.
13. engages in a second drug related offense during the school year.
14. charged with, referred to a juvenile court, placed on deferred prosecution for, adjudicated delinquent for, arrested for, put on probation for, or convicted of a Title 5 offense of the Penal Code regardless of time or place. (see Glossary page 29).
15. engages in conduct that requires a student to register as a sex offender under Chapter 62 , Code of Criminal Procedure.

Phase III Consequences

Consequences of Phase III misbehaviors include, but are not limited to, any of the following:

1. *The consequences of Phase III misbehaviors 1 through 9 shall be assignment to a discipline alternative education program from four to six weeks and notification of placement sent to the juvenile justice system. See page 23 for additional information.
2. *The consequences for Phase III misbehaviors 10 through 15 shall be assignment to a discipline alternative education program or discretionary expulsion. The discipline alternative education program may be located in the Irving ISD with the length of assignment determined by the campus principal and the Director of Campus Operations. A condition for students to be admitted to a Juvenile Justice Alternative Education Program for serious and persistent misbehaviors is the student's behavior represents chronic defiance of authority or endangers the health and safety of school district employees or students. If a student is expelled for offenses 10 - 15, the expelled student will be placed in the Dallas County Juvenile Justice Alternative Education Program for not less than 90 good days, and terminating at the conclusion of a six-weeks grading period as established in a memorandum of understanding between the Irving ISD Board of Trustees and the Dallas County juvenile authorities. The memorandum of understanding includes the conditions of payments from the District to the Dallas County Juvenile Board and will be located in the superintendent's office for review by the public. (TEC 37.001)

Consequences for Phase III misbehaviors may also include the following:

1. notification of police, with filing of charges when appropriate
2. permanent removal from the class of the teacher reporting the offense
3. voluntary enrollment in a residential drug or alcohol rehabilitation/treatment program.
4. withdrawal of various privileges (computer access)

* requires consideration to be given, as a factor in a decision to order suspension, removal to a disciplinary alternative education program, or expulsion, to: (A) self-defense; (B) intent or lack of intent at the time the student engaged in the conduct; (C) a student's disciplinary history; or (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Phase IV Misbehaviors

Phase IV misbehaviors are of such a serious nature that the student shall be expelled if they commit any of the following offenses on school property or at a school activity on or off school property or while within 300 feet of school property, as measured from any point on the school's real property boundary line.

1. use, exhibition or possession of:
 - a. a firearm as defined by Section 46.01(3), Penal Code or 18 U.S.C. Section 921, except as approved at an on or off-campus target range facility
 - b. an illegal knife as defined by Section 46.01(6), (7), (11) Penal Code
 - c. a club as defined by Section 46.01(1), Penal Code
 - d. a weapon listed as a prohibited weapon under Section 46.05, Penal Code
2. engaging in conduct that contains the elements of the offense of:
 - a. aggravated assault under Section 22.02, Penal Code
 - b. sexual assault under Section 22.011, Penal Code
 - c. aggravated sexual assault under Section 22.021, Penal Code
 - d. arson under Section 28.02, Penal Code
 - e. murder under Section 19.02, Penal Code
 - f. capital murder under Section 19.03, Penal Code
 - g. criminal attempt to commit murder or capital murder under Section 15.01, Penal Code
 - h. indecency with a child under Section 21.11, Penal Code
 - i. aggravated kidnapping under Section 20.04, Penal Code
 - j. aggravated robbery under Section 29.03, Penal Code
 - k. manslaughter under Section 19.04, Penal Code
 - l. criminally negligent homicide under Section 19.05, Penal Code
 - m. continuous sexual abuse of a young child or children under section 21.02, Penal Code
3. engaging in conduct that contains the elements of any offense listed in sections 1 and 2 above, with the exception of a federal firearm offense, against any employee or volunteer in retaliation for or as a result of the employee's employment with a school district regardless of time and place
4. engages in conduct that involves the selling, giving or delivering to another person or felony level possession, use or under the influence of:
 - a. marijuana or a controlled substance as defined by Chapter 481, Health and Safety Code or by 21 U.S.C. 801 et seq. or
 - b. a dangerous drug as defined by Chapter 483, Health and Safety Code
5. engages in conduct involving the selling, giving, or delivering to another person an alcoholic beverage as defined by section 1.04, Alcohol Beverage Code or commits a serious act or offense punishable as a felony while under the influence of alcohol or engages in conduct punishable as a felony involving the possession, use or being under the influence of an alcoholic beverage

Phase IV Consequences

Phase IV consequences will be:

1. *expulsion and referral to the Dallas County Juvenile Justice Alternative Education Program. The length of assignment to a Juvenile Justice Alternative Education Program will be not less than 90 good days, and terminating at the end of a six weeks grading period as established by the guidelines in the memorandum of understanding between the Irving ISD Board of Trustees and the Dallas County Juvenile Board. The memorandum of understanding includes the conditions of payments from the District to the Dallas County Juvenile Board and will be located in the superintendent's office for review by the public. (TEC 37.001)
2. notification of police, with the filing of charges when appropriate
3. notification sent to an authorized officer of the juvenile court of Dallas County

* requires consideration to be given, as a factor in a decision to order suspension, removal to a disciplinary alternative education program, or expulsion, to: (A) self-defense; (B) intent or lack of intent at the time the student engaged in the conduct; (C) a student's disciplinary history; or (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Expelled students are prohibited from being on school grounds or attending school-related extracurricular activities during the period of expulsion. The provisions for expulsion (including causes for expulsion, due process, and appeals) are outlined in Policy FOD (LEGAL). See page 24 for additional information. A student who is younger than 10 years of age may not be expelled for engaging in conduct described by this section. However, students ages 6 through 9 who engage in expellable conduct shall be placed in an discipline alternative education program.

VI. IRVING ISD ATTENDANCE PROCEDURES

Regular attendance and punctuality are required of every student, and students are required by law to attend school until their eighteenth birthday. Students who have good attendance generally achieve higher grades, enjoy school, and are much more employable after leaving high school. The Irving ISD expects all students to attend school regularly and be on time for classes in order to gain maximum benefit from the instructional program and develop habits of punctuality, responsibility, and self-discipline. Texas state law requires that school be in session 180 days each year.

1. A student must be in attendance for at least 90 percent of the days the class is offered in order to receive credit for a class. Students who are subject to loss of credit because of attending school less than 90% of the days the class is offered may appeal to a school attendance committee for extenuating circumstance consideration (TEC 25.092).
2. Students approved to participate in school-related or school-sanctioned activities shall not be counted absent from school.
3. The parent/guardian **must** communicate **in writing** with the teacher or school administrator the reason for student absence(s) no later than the first day the student returns to school. Additionally, parents are asked to notify the school by phone on the day of a student's absence. **STUDENT CALLS ARE NOT ACCEPTABLE.**
4. On a daily basis, the school attendance clerk will closely monitor each student's attendance.
5. Parents of students absent without an excuse for ten or more days or parts of days in a six-month period or three days within a four week period shall be subject to prosecution under the compulsory attendance law (TEC 25.093). A student absent without an excuse ten or more days or parts of days in a six-month period or three days within a four week period shall be subject to prosecution under section 25.094 of the Texas Education Code.
6. A report of school attendance will be included in the student report card sent to parents each six weeks of the school year.
7. The campus administration is charged with the responsibility of informing parents, students, and teachers of the right to appeal to the campus attendance committee for extenuating circumstance consideration. The campus attendance committee's decision to deny credit may be appealed to the District attendance review committee.
8. Students may receive perfect attendance recognition and awards according to guidelines set forth in the Student Handbook.

VII. SPECIAL PROVISIONS

A. Interrogations, Searches and Electronic Surveillance

School authorities may search a student, student lockers, student automobiles or other possessions or property under their control according to the provisions of Policy FNF (LOCAL), and may seize any prohibited, illegal or otherwise unlawful contraband, including weapons, discovered as a result of the search. Such searches may be conducted because there is reasonable cause or upon securing the student's voluntary consent.

The administration is authorized to utilize canines whose reliability and accuracy for sniffing out contraband has been established to aid in the search for contraband in school-owned property and automobiles parked on school property.

In accordance with Policy FNF (LOCAL), metal detectors may be used on a random basis to detect and deter weapons-related infractions. If any contraband, including weapons, is found, the student is subject to appropriate disciplinary action, including removal, suspension, or expulsion.

Electronic surveillance may be used to monitor student behavior and school owned property. Student behavior recorded on electronic surveillance equipment is subject to all provisions of the student code of conduct.

B. Physical Restraint

Any District employee may, within the scope of their duties, use and apply reasonable physical restraint to a student if the employee reasonably believes such restraint is necessary in order to Policy FO (LOCAL):

1. Protect a person, including the person using physical restraint, from physical injury.
2. Obtain possession of a weapon or other dangerous object.
3. Protect property from serious damage.
4. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.
5. To restrain an irrational student.

C. Student Resource Officers (SRO), Investigations, Questioning of Students

The campus administration and school resource officer (SRO) will work cooperatively and will collaborate in protecting the District's property, the security and safety of students and personnel, and in maintaining an environment conducive to effective teaching and learning. When a student is to be interrogated by the SRO in his/her investigation of a penal offense, the campus administration should be so informed and the parent/guardian should be notified of the investigation by administration in order that the parent may arrange for a conference and be informed of involvement by the SRO. The SRO shall decide whether others may be present during the questioning of students during an investigation.

In addition to the mandatory reports of offenses heretofore described in this policy, the responsible campus administrator may inform the SRO or other law enforcement officials of conduct in violation of Levels II, III or IV of the Student Code of Conduct which the campus administrator reasonably believes may constitute a violation of the penal laws of the State. In such event, the parent/guardian should be notified by a campus administrator.

A campus administrator shall make a reasonable and good faith effort to notify a parent or guardian of elementary aged students before asking a SRO to question the student. An administrator and/or parent/guardian may request to be present when the SRO interviews an elementary aged student. The SRO shall decide whether others may be present during the questioning of students.

The campus administration may request the SRO to file formal complaints or charges involving conduct believed to be in violation of applicable criminal laws. Nothing herein should be construed to limit the SRO's authority as a commissioned peace officer when he/she personally observed the commission of a criminal offense.

The following guidelines shall apply when law enforcement officials or other lawful authorities, other than SRO's, appear on campus to question a student, the following procedure shall be followed:

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school.
2. The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents will not be notified.
3. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence, Policy GRA (LOCAL).

D. Off-Campus Felonies—Additional Discipline Alternative Education Program (DAEP) Placements

1. Students **must** be placed in the DAEP for off-campus felonies in the following situations:
 - a. Student receives deferred prosecution under Section 5303 of the Family Code, for conduct defined as a felony offense in Title 5 of the Penal Code.
 - b. A court finds that a student has engaged in delinquent conduct or conduct defined as a felony offense in Title 5 of the Penal Code.
 - c. The superintendent or designee has a reasonable belief that a student has engaged in conduct defined as a felony offense in Title 5 of the Penal Code.
2. Students **may** be placed in the DAEP for off-campus felonies in the following situations:
 - a. The Superintendent or designee has a reasonable belief that a student has engaged in conduct which is defined as a felony offense other than those defined in Title 5 of the Penal Code (offenses against a person); and
 - b. The continued presence of the student in the regular classroom threatens the safety of other students or will be detrimental to the educational process.

E. Students Taken into Custody

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity. To the best of his or her ability, the principal shall verify the official's authority to take custody of the student and then shall deliver over the student.

The principal shall immediately notify the Superintendent or designee and ordinarily shall notify the parent or other person having lawful control of the student. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents at that time, the principal shall not notify the parents Board Policy GRA (LOCAL).

F. Corporal Punishment

The Board prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or otherwise physically disciplined for violations of the Student Code of Conduct. Policy FO (LOCAL)

G. In-School Suspension

A special area in each school may be designated as the in-school suspension room and supervised by a teacher, administrator, or other designated staff member. In this setting, the student receives, to the extent possible, assignments/instruction in each course with little or no opportunities for social interaction with peers. The intent of this disciplinary action is to deter student misbehavior, reduce incidences of school disruption, and provide students the best educational opportunities possible. The length of time for this action will be determined by the nature of the discipline problem and the cooperation of the student and his/her parents or guardians.

H. Detention

For minor infractions of the code of conduct or other policies and regulations, teachers may detain students 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, 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.

I. Limits on Class Assignments of Sex Offenders Who Are Students

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

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

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

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

VIII. REMOVAL OF STUDENTS

A. Campus Discipline Person

The campus discipline persons on each campus shall be the principal and assistant/vice principal. Duties shall include the authority to:

1. Assess and implement the campus discipline management program.
2. Remove a student from campus for emergency reasons.
3. Refer students to the Student Resource Officer.
4. Remove students to discipline alternative education programs.
5. Suspend a student for not more than three days for each separate disciplinary infraction.
6. Recommend a student for expulsion.

The principal is authorized to expel students.

B. Teacher Removals

A teacher has authorization to remove a student under three circumstances:

1. A teacher may send a student to the principal's office in order to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques consistent with Irving ISD Student Code of Conduct
2. A teacher may remove from class a student whose behavior has been **documented by the teacher** to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. A teacher may also remove a student 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 ability of the student's classmates to learn. (TEC 37.002)

If a teacher removes a student from class under this section, the principal shall schedule a conference, consisting of the principal or campus discipline person, the student's parents, the teacher, and the student, no later than the third class day after the day in which the student is removed from class. At the conference, the student is entitled to written or oral notice of the reasons for removal, and an opportunity to respond to the reasons for the removal. Following the conference, and whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal may place the student into another appropriate classroom, into in-school suspension, or into Reassignment Center. The principal may not return the student to that teacher's class without the teacher's consent unless the Campus Placement Review Committee determines that such placement is the best or only alternative available. The terms of removal may prohibit the student from attending or participating in school-sponsored or school-related activities. (TEC 37.002) (TEC 37.009)

3. A teacher shall remove from class and send to the principal for placement in Reassignment Center or for expulsion, as appropriate, a student who engages in conduct described under Phase III or Phase IV of the Student Code of Conduct. The student may not be returned to that teacher's class unless the Campus Placement Review Committee determines that such placement is the best and only alternative available. (TEC 37.002)(TEC 37.003)

C. Emergency Removals

Students may be removed from regular classes or District premises for nondisciplinary health, welfare, and safety reasons when the principal or campus discipline person determines that an emergency exists. Reasons constituting an emergency include, but are not limited to:

1. Being under the influence of alcohol or drugs
2. Being highly agitated
3. Suffering from any other condition that temporarily threatens the student's welfare, another individual's welfare, or the efficient operation of the school

Any student removed from school for a reason shown above who is in a condition that threatens his/her own welfare or the welfare of others, shall be released to the parents, the parents' representative, or other proper authority, including, but not limited to, law enforcement officers and medical personnel.

NOTE: The District shall make reasonable efforts to notify the parents prior to removing a child from school premises. If the parents cannot be notified prior to removal, they shall be notified as soon as possible of the reasons for removal.

D. Suspension

A student may be suspended for engaging in conduct for which a student may be placed in an discipline alternative education program.

A suspension may not exceed three school days per occurrence.

Suspended students are prohibited from being on school grounds or attending school-sponsored or school-related extracurricular activities except by special permission from the principal.

E. Scholastic Penalties

If a student is suspended, the student's absence shall be considered to be an excused absence if the student satisfactorily completes the assignments for the period of suspension. Make-up work from a suspended student shall not be penalized. The number of days the student has to make up the work after returning to school is equal to the length of the suspension.

Pending an appeal of an expulsion to the Board, a student will be allowed to remain current on all course work. However, if the appeal is denied, the student will not receive credit for that work. Students assigned to an alternative education program during the period of expulsion may earn academic credit. Disabled students will receive educational services during expulsion as determined by the Admission, Review, and Dismissal (ARD) committee.

F. Students with Disabilities (Board Policy FOE (Legal))

School personnel may order, to the extent removal would be applied to students without disabilities, the removal of a student with a disability from the student's current placement for not more than 10 consecutive school days for any violation of school rules. Additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct may also be made as long as those removals do not constitute a change in placement.

A change in placement occurs if the removal is for more than 10 consecutive school days or if the student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

After a student with a disability has been removed from his or her current placement for more than 10 school days in the same school year, during any subsequent days of removal the district must provide services that are necessary to enable the student to appropriately progress in the general curriculum and advance toward achievement of the goals set out in the IEP.

G. Notice to Parents and Conference

Before suspending a student, the campus discipline person shall conduct a conference in which the student shall be advised of the charges against him/her and shall be given a chance to explain his/her version of the incident.

The student's parents shall be notified by telephone or other appropriate means as soon as reasonably possible of a suspension. Parents are responsible for adequate supervision of the student during suspension.

H. Appeal Process

A request to appeal a decision of the principal to remove a student shall be made in writing to the Director of Campus Operations at the time of notice of the removal.

The following sequence will be utilized for appeals of the principal's decision.

1. Director of Campus Operations
2. Superintendent or Designee

IX. ALTERNATIVE PROGRAMS

A student may be assigned to one of several District discipline alternative education programs (DAEP). The purpose of these programs is to provide a disciplinary alternative to suspension and expulsion. The student is provided a supervised education as a part of the disciplinary action. A student who is younger than six years of age may not be removed from class and placed in an alternative education program.

A. Elementary & Secondary Alternative Education Programs

If removal from the home campus is deemed necessary due to persistent misbehavior, a serious disruption and/or a violation of the law, the student may be placed in a discipline alternative education program. Currently, the secondary Reassignment Center is located at 3207 Pioneer, Irving, Texas. The Wheeler Development Center is located at the Earlie May Wheeler Center at 1600 E. Shady Grove, Irving, Texas. The staff of both centers has the services of an administrator, a counselor, and teachers. The objectives of the discipline alternative education program are:

1. To provide at a separate location a highly structured environment, a strong counseling program, a place for the student to continue to learn, and an opportunity for the student to earn the privilege of returning to his/her regular school setting.
2. To provide assistance and encouragement for the student to correct his/her behavior, stressing that each individual is responsible for himself/herself and his/her actions; to receive assistance in academic subjects where he/she is experiencing difficulty; and to learn to make short- and long-range plans and goals.
3. A short term discipline alternative education program assignment will be from four to six weeks, and attainment of the specified number of conduct points. Assignments will be provided from the student's home campus. A long term or an End of Year (EOY) discipline alternative education program assignment will generally vary in length from six weeks to one calendar year. The long term discipline alternative program will focus on English language arts, mathematics, science, history, and self discipline. A student assigned to a long term alternative education program will be withdrawn from their home campus. A student assigned to an EOY placement will not be withdrawn, will continue work in all courses and receive assignments from the home campus.
4. Students assigned to DAEP are prohibited from being on any school grounds or from attending school-sponsored or school-related extracurricular activities except by special permission from the principal.

B. Emergency Placement in Discipline Alternative Education Program

A principal or principal's designee may order the immediate placement of a student into a discipline alternative program if the principal or his or her designee reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes:

1. with a teacher's ability to effectively communicate with the students in a class;
2. with the ability of the student's classmates to learn; or
3. with the operation of school or a school-sponsored activity.

C. Notice to Parents and Conference – Due Process

Before removing a student to a discipline alternative education program, the campus discipline person shall conduct a conference in which the student and/or parent shall be advised of the charges against him/her and shall be given an opportunity to explain his/her version of the incident.

D. Appeal Process of placement in Discipline Alternative Education Program; Policy FGN (LOCAL)

A request to appeal a decision of the principal to place a student in a discipline alternative education program shall be made in writing to the Director of Campus Operations within five working days after notice of placement into a discipline alternative education program.

The following sequence will be utilized for appeals of the principal's decision:

1. Director of Campus Operations
2. Administrative Assistant to the Superintendent

E. Seniors

For seniors assigned to a DAEP who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program will continue through graduation, and the student will not be allowed to participate in the graduation ceremony and related graduation activities.

NOTE: Students assigned to an alternative education program will not return to regular classes during the appeal process.

X. EXPULSION

A. Offenses Warranting Expulsion

A student may be removed from school and expelled if the student commits designated Phase III offenses and shall be expelled if they commit a Phase IV offense.

While in an discipline alternative education program, a student age 10 or older who continues to engage in serious or persistent misbehavior that violates the District's previously communicated written standards of student conduct, may be expelled. Students expelled under this provision will be referred for placement in the Dallas County Juvenile Justice Alternative Education Program.

B. Expulsion Term

The length of assignment to the Dallas County Juvenile Justice Alternative Education Program will be not less than 90 good days, and terminating at the end of a six weeks grading period as established by the guidelines in the memorandum of understanding between the Irving ISD Board of Trustees and the Dallas County Juvenile Board.

A student who brings a firearm, as defined by federal law 18 U.S.C., Section 921, to school shall be expelled from the student's regular campus for a period of at least one calendar year. The superintendent may modify the length of the expulsion in the case of an individual student.

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

If an expelled student attempts to enroll in another school district, the former district is required to send a copy of the expulsion order along with other student records to the receiving district. The receiving district will determine whether the newly enrolled student completes the expulsion period or attends classes without completing the expulsion period.

C. Due Process

Before a student is expelled, the principal 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 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 and present evidence and witnesses in his or her defense
5. Opportunity to examine the evidence presented by the school administration and question the administration's witnesses

The notice shall be in writing and shall advise of the nature of the evidence to be used against the student. The decision shall be based exclusively on evidence presented at the hearing. The final decision shall be communicated promptly to the student and parent.

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.

D. All Students: Notice and Representation

At a hearing on expulsion, the student may be represented by any adult of the student's choice. The student and student's representative shall be notified in writing of the date, time, and place of the expulsion hearing at least five days prior to the hearing. If the school 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.

E. Appeal Process-of Expulsion

Upon request of an appeal of the Principal's decision to expel, the student will be assigned to the district's Discipline Alternative Education Program in order to continue their education services throughout the appeal process. A request to appeal a decision of the principal to expel a student shall be made in writing to the Director of Campus Operations within five working days after notice of expulsion in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office or Campus Operations office at central administration or through policy online at the following address: <http://www.irvingisd.net/>

The following sequence will be utilized for appeals of the principal's decision:

1. Director of Campus Operations
2. Administrative Assistant to the Superintendent

The decision by the Administrative Assistant to the Superintendent (Superintendent's designee) may be appealed to the board by submitting to the Superintendent a written request to place the matter on the agenda of the next regular board meeting. The board shall conduct a hearing in accordance with policy BE (LOCAL).

Pending an appeal of an expulsion to the Board, a student will be allowed to remain current on all course work. However, if the appeal is denied, no district credit will be earned for work missed during the period of expulsion unless the student is enrolled in the Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) or another district approved program. Students with disabilities will receive education services during expulsion as determined by the Admission, Review and Dismissal (ARD) committee.

F. Students with Disabilities Under Section 504

A student with a disability according to Section 504 shall not be expelled unless the District first determines that the misbehavior is not a manifestation of the student's disability. That determination may be made by the same group of people who make placement decisions. The group must have available to it evaluation data that is recent enough to afford an understanding of the student's current behavior. At a minimum, the group shall include persons knowledgeable about the student and the meaning of the evaluation data.

G. Students with Disabilities Under IDEA (Board Policy FOE (Legal))

Only a duly constituted admission, review, and dismissal (ARD) committee may make the placement of a student with a disability who receives special education services. The District shall conduct a manifestation determination to determine whether or not the student's behavior was attributable to the disability if the disciplinary action contemplated involves a change in placement.

School personnel may order a change in the placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 days if the student carries a weapon to school or to a school function under the jurisdiction of a State or local educational agency; or, if the student knowingly possesses or used illegal drugs or sells or solicits the sale of a controlled substance while at a school function under the jurisdiction of a State or local educational agency.

Any interim alternative educational setting in which a student is placed must be selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP and include services and modification to address the behavior which warranted the placement of the student in the alternative setting.

H. Emergency Expulsion

A principal or the principal's designee may order an immediate expulsion if he or she reasonably believes the action is necessary to protect persons or property from imminent harm. The student and/or parent will be given oral notice of the reason(s) for the emergency expulsion. Within a reasonable time, a full expulsion hearing will occur.

I. Notice to Authorities

No later than the second business day after the date a hearing is held, a copy of the order placing the student in an alternative education program or expelling a student shall be delivered to the authorized officer of the juvenile court in the county in which the student resides. If the student enrolls in another school district before the expiration of the period of expulsion, a copy of the expulsion order shall be provided to that district at the same time other student records are provided. (TEC 37.010)

XI. COMMUNICATION

A. Communicating the Student Code of Conduct

At the beginning of each school year, parents will be issued copies of the Student Code of Conduct. They will be expected to acknowledge receipt by signing and returning the accompanying statement. Students and teachers joining the District late will also receive copies. Campus personnel will explain and discuss the Student Code of Conduct with their students. A copy of the Student Code of Conduct shall be posted and prominently displayed at each school campus. Any changes in the code will be communicated to teachers at the beginning of each semester. They will be expected to explain and discuss the changes with their homeroom class. The principal of each campus is responsible for assessing the Student Code of Conduct and recommending suggestions for necessary changes to the appropriate director of instruction and operations.

B. Cooperation with Governmental and Community Agencies

Irving ISD will cooperate with all government agencies, including the police, the Student Resource Officers (as provided to the District's secondary schools by the Irving Police Department) and the Irving Teen Court, in their endeavors to dispense information and provide appropriate alternatives and/or educational opportunities for students. According to Texas Education Code 37.053, Irving ISD shall cooperate with governmental agencies and community organizations providing services within the District to students expelled.

C. Reporting to Local Law Enforcement.

The principal or a person designated by the principal shall notify the police department of the municipality in which the school is located if the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, whether or not the activity is investigated by school security officers:

1. conduct that may constitute an offense listed under Section 8(c), Article 42.18, Code of Criminal Procedure
2. deadly conduct under Section 22.05, Penal Code
3. a terroristic threat under Section 22.07, Penal Code
4. the use, sale or possession of a controlled substance, drug paraphernalia, or marihuana under Chapter 481, Health and Safety Code
5. the possession of any of the weapons or devices listed under Sections 46.01(16), Penal Code
6. conduct that may constitute a criminal offense under Section 71.02, Penal Code

A person making notification shall include the name and address of each student the person believes may have participated in the activity. (TEC 37.015)

A person is not liable in civil damages for reporting in good faith as required by this section.

D. Reporting Drug Offenses

All school employees are encouraged to report any drug or alcohol use. A teacher, school administrator, or school employee is not liable in civil damages for reporting to a school administrator or governmental authority, in the exercise of professional judgment within the scope of the teacher's, administrator's, or employee's duties, a student whom the teacher suspects of using, passing, or selling, on school property:

- a. Marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code.
- b. A dangerous drug, as defined by Chapter 483, Health and Safety Code.
- c. An abusable glue or aerosol paint, as defined by Chapter 485, Health and Safety Code, or a volatile chemical, as listed in Chapter 484, Health and Safety Code, if the substance is used or sold for the purpose of inhaling its fumes or vapors.
- d. An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

In addition to disciplinary actions prescribed in the Student Code of Conduct, students who are suspected of violating the District's drug/alcohol policy will be reported to a campus counselor for possible intervention.

XII. G L O S S A R Y

Definitions of Disciplinary Terms

Some common disciplinary terms are defined below.

Assault

Intentionally, knowingly, or recklessly causing bodily injury to another person. Intentionally or knowingly threatening another with imminent bodily injury. Intentionally or knowingly causing physical contact with another when the student knows or should reasonably believe that the other will regard the contact as offensive or provocative. An assault becomes an aggravated assault when a weapon is used.

Behavior Improvement/Parent Involvement Program (as offered)

A special intervention program implemented at the campus which should involve the parent. Possible examples: parent(s) attends parenting program, student attends behavior improvement program, parent(s) attends school with the student.

Behavior Contract

This technique is a written agreement between a student and one or more school personnel. The parents can also be a party to the agreement. The student agrees to meet specific expectations. A reward is usually specified for meeting the expectations and a consequence is specified for failure to meet them.

Bullying

Bullying is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:

- To 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 property.
- To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for the student.

Continuous sexual abuse of a young child or children

A person commits an offense if during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims and the actor is 17 years of age or older and the victim is a child younger than 14 years of age.

Criminal Mischief

Elements of criminal mischief constituting a felony are defined as intentionally or knowingly damaging or destroying the tangible property of an owner, or tampering with such property in a manner which causes pecuniary loss or substantial inconvenience to the owner or a third person, without the effective consent of the owner.

Dating Violence

The intentional use of physical, sexual, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

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The intentional use of physical, sexual, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

Deadly conduct

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

Deferred Prosecution

This is an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision. Basically deferred prosecution requires up to a six-month probation.

Delinquent Conduct

Delinquent conduct means that a juvenile has committed a major violation of law, a probation violation, or contempt of a municipal or justice court.

Detention

Detention means that a student may be detained by a teacher or administrator after school hours for disciplinary action according to Board Policy FO-(Local). For all minor students, detention shall not begin until notice has been given to the parents. The student's parents will be required to provide transportation when the student has been assigned detention.

Due Process

Before expulsion, each student must be provided a "due process" hearing which includes prior notice of charges and proposed sanctions, right to an adult representative or legal counsel, opportunity to testify and present evidence and witnesses, and opportunity to examine the evidence and question witnesses.

Expulsion

Expulsion means suspension of a student from school for more than six days within a semester. The term of expulsion from the Irving ISD will be not less than 90 good days, and terminating at the conclusion of a six-weeks grading period.

Harassment

Harassment is conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student’s physical or emotional health or safety.

Hit List

Hit list is a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used to cause bodily harm.

In-School Suspension

In-school suspension means that a student may be isolated from his/her peers on the campus. During this isolation, the student continues to receive instruction in each course to the extent possible.

Persistent Misbehavior

The District defines persistent misbehavior to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation.

Public Lewdness

Public lewdness is defined as knowingly engaging in any act of sexual intercourse, sexual contact, or any deviate sexual act in a public place, or in the presence of another person who will be offended or alarmed by such act(s).

Reasonable Belief

Reasonable belief is a determination made by the superintendent or designee using all available information including the information furnished under Article 15.27 of the Code of Criminal Procedure.

Reassignment Center

Reassignment Centers are operated by the school district for both elementary and secondary students as an alternative to suspension or expulsion. This program is for students who have been removed from assigned campuses and placed in the Reassignment Center at an alternate site. A student may be assigned to the Reassignment Center for a short term, long term, or end of year (EOY) placement. The length of assignment is determined by the seriousness and frequency of disciplinary infractions committed by the student and the guidelines established in the student code of conduct.

Rehabilitation/Treatment Program

This program is defined as any residential drug or alcoholic treatment program acceptable to the administrator as an alternative disciplinary action. Enrollment in such a program is entirely voluntary and at the parents' expense.

Serious Misbehavior

Serious offenses include but are not limited to all offenses listed in Phases II, III, and IV of the Student Code of Conduct.

Suspension

Suspension is a disciplinary action provided by Texas Education Code 37.005. A student may be suspended from school for a total 3 days for each disciplinary infraction. The number of days the student has to make up the work after returning to school is equal to the length of the suspension.

TEC

Refers to the Texas Education Code which contains the statutes, laws and regulations dealing with education in Texas. The Texas Education Agency website: www.tea.state.tx.us.

Title 5 of the Penal Code

OFFENSES AGAINST THE PERSON includes the offenses under Chapters 19, 20, 21, 22 of the Penal Code.

Title 5 Felony Offenses include but are not limited to the following:

Murder	Indecent Exposure	Injury to a Child, elderly, or disabled Individual
Capital Murder	Indecency with a Child	Deadly Conduct
Manslaughter	Improper photography or visual recording	Terroristic Threat
Criminally Negligent homicide	Assault	Aiding Suicide
Kidnapping	Sexual Assault	Tampering with consumer products
Aggravated Kidnapping	Aggravated Assault	Leaving a Child in a Vehicle
Public Lewdness	Aggravated Sexual Assault	

Use

“Use” means a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance recently enough it is detectable by the student’s physical appearance, actions, breath, smell/odor, or speech.

Under the Influence

“Under the influence” means a student’s faculties are impaired, but the student need not be legally intoxicated.