

# **The School of Liberal Arts and Science**

## **2009-2010 Student Code of Conduct**

### **Purpose**

The Student Code of Conduct is the school's response to the requirements of Chapter 37 of the Texas Education Code. This Code provides methods and options for managing students in the classroom and on school grounds, for teaching students proper conduct, and for preventing and intervening in student discipline problems.

Texas law requires a school to define misconduct that may – or must – result in a range of specific disciplinary consequences, including removal from a regular classroom, suspension, or expulsion from school. In accordance with state law, the School of Liberal Arts and Science Student Code of Conduct will be posted at the school campus, and will be available for review at the office of the campus principal. Parents will be notified of any conduct violation that may result in a student being suspended or expelled.

### **Campus Authority and Jurisdiction**

The school has disciplinary authority over a student:

1. during the regular school day and while on any school transportation (field trips, etc.).
2. while the student is in attendance at any school-related activity, regardless of time or location.
3. for any school-related misconduct, regardless of time or location.
4. when retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location.
5. when criminal mischief is committed on or off school property or at a school-related event.
6. for certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas.
7. when the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081.

## **Standards for Student Conduct**

All students at The School of Liberal Arts and Science are expected to:

- demonstrate courtesy, even when others do not.
- behave in a responsible manner, always exercising self-discipline.
- attend all classes, regularly and on time.
- prepare for each class; take appropriate materials and assignments to class.
- obey campus and classroom rules.
- respect the rights and privileges of students, teachers, and other staff and volunteers.
- respect the property of others, including campus property and facilities.
- cooperate with and assist the school staff in maintaining safety, order, and discipline.
- adhere to the requirements of the Student Code of Conduct.

## **General Conduct Violations**

The categories of conduct below are prohibited at school and all school-related activities. Any offense may be serious enough to result in removal from the regular educational setting. The school prohibits the following:

### 1. Disregard for Authority

- Failing to comply with directives given by school personnel (insubordination).
- Leaving school grounds or school-sponsored events without permission.
- Disobeying rules for conduct on school transportation.
- Refusing to accept discipline management techniques assigned by a teacher or principal.

### 2. Mistreatment of Others

- Using profanity or vulgar language or making obscene gestures, orally or in writing.
- Fighting or scuffling.
- Threatening another student or school employee on or off school property.
- Engaging in bullying, harassment, or making hit lists.
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture or any other action, including requests for sexual favors directed toward another student or school employee.
- Engaging in inappropriate or indecent exposure of private body parts.

- Hazing and name calling.
- Causing an individual to act through the use of or threat of force (coercion).
- Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engaging in inappropriate verbal, physical, or sexual conduct directed toward another student or school employee.
- False accusations or defamation of character levied against students and/or staff.

### 3. Property Offenses

- Damaging or vandalizing property owned by others.
- Defacing or damaging school property – including walls, doors, textbooks, furniture and other equipment – with graffiti or by other means.
- Stealing from students, staff, or the school.
- Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code.

### 4. Possession of Prohibited Items

- Possessing, using, or selling:
  - fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - a “look-alike” weapon;
  - an air gun or BB gun;
  - ammunition;
  - a stun gun;
  - any knife;
  - mace or pepper spray;
  - pornographic material;
  - tobacco products; tobacco-related products or related paraphernalia
  - matches or a lighter;
  - a laser pointer; or
  - any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

#### 5. Possession of Telecommunication Devices

- The school prohibits the unauthorized use of telecommunication devices and video or photographic devices in classrooms, on field trips, and at activities. In accordance with the law, telecommunication devices shall be defined as those that emit audible signals or vibrations, display messages, or otherwise summon or deliver a communication to the possessor. Such devices include, but shall not be limited to, MP3 players, pagers, and cellular telephones. Any such device possessed by a student during normal school hours, in a class, in a restroom, in the halls, on a field trip, or in a school activity shall not be visible and shall remain in the off position. Telecommunication devices that are confiscated will be returned to the student's parent or legal guardian for a \$15 fee. Devices confiscated a second time will be returned to the student's parent or legal guardian one day after the last class day of the year for a \$15 fee.

#### 6. Illegal and Prescription Drugs

- Possessing or selling any illegal or prescription drug, seeds, or pieces of illegal or prescription drugs.
- Possessing, using, distributing, or selling paraphernalia related to any prohibited substance.
- Possessing or distributing look-alike drugs or items attempted to be passed off as drugs or contraband.
- Abusing the student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug on school property or at a school-related event.
- Having or taking prescription drugs or over-the-counter drugs at school other than as provided by school policy.

#### 7. Misuse of Computers and the Internet

- Violating computer use policies, rules, or agreements signed by the student and/or agreements signed by the student's parent.
- Using the Internet or other electronic communications to threaten students or employees or cause disruption to the educational program.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

## 8. Safety Transgressions

- Possessing published or electronic material that is designed to promote or encourage illegal behavior of that could threaten school safety.
- Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Making false accusations or perpetrating hoaxes regarding school safety.
- Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throwing objects that can cause bodily injury or property damage.
- Discharging a fire extinguisher or fire alarm without valid cause.

## 9. Miscellaneous Offenses

- Violating dress and grooming standards as communicated in the Student-Parent Handbook.
- Academic dishonesty.
- Gambling.
- Falsifying records, passes, or other school-related documents.
- Engaging in actions or demonstrations that substantially disrupt or materially interfere with the classroom or school activities.
- Repeatedly violating specific rules or procedures of campus or classroom standards of conduct.
- Using headphones with personal stereos/CD players/MP3 players during the school day.
- Unauthorized food, candy, gum, etc.
- Littering.
- Violation of classroom or campus rules.
- Excessive physical contact (hugging, kissing, etc.)
- Rough play (wrestling, etc.)
- Disrupting class.
- Throwing food in cafeteria.
- Unacceptable language.

\*The school may impose campus or classroom rules in addition to those found in the Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.

## **Progressive Discipline**

At The School of Liberal Arts and Science, discipline is defined as the systematic teaching and learning of appropriate, responsible behaviors. Our progressive discipline system is designed to protect the learning environment and to improve student conduct. Student misbehavior will be addressed through a series of corrective interventions, which will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Corrective interventions will vary according to the specific student behavior, and will be informed by an evaluation of the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

## **Corrective Interventions**

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

- verbal (oral or written) correction
- cooling-off time or “time-out”
- seating changes within the classroom
- confiscation of items that disrupt the educational process
- rewards or demerits
- behavioral contracts
- counseling by teachers or administrative personnel
- parent-teacher conferences
- Practice Academies
- removal of student from classroom setting
- withdrawal of privileges, such as participation in activities or school clubs
- school-assessed and school-administered probation
- out-of-school suspension, as specified in the Student Code of Conduct
- expulsion, as specified in the Student Code of Conduct
- referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the school.
- other strategies and consequences as determined by the school officials

## **Notification**

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in a suspension or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

## **Appeals**

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or the principal. Consequences will not be deferred pending the outcome of a grievance.

## **Removal from the Regular Educational Setting**

In addition to other discipline management techniques, student misbehavior may result in removal from the regular educational setting in the form of a formal referral.

A formal removal occurs when a teacher or administrator removes a student from the class in order to protect the educational environment in the classroom. A teacher may also initiate a formal removal from class if:

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

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be suspended or expelled. When removing for those reasons, the procedures in the subsequent sections on suspension or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent, the student, the teacher, and any other appropriate administrator.

At the conference, the appropriate administrator will inform the student of the misconduct for which he/she is charged and of the assigned corrective intervention. The administrator will give the student an opportunity to give his/her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in another appropriate classroom, in-school suspension, or out-of-school suspension.

### **Suspension**

Students may be suspended for any behavior listed in the Student Code of Conduct as a general conduct violation. In deciding whether to order suspension, the appropriate administrator will take into consideration:

1. intent at the time the student engaged in the conduct, and
2. the student's disciplinary history.

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended, a student will have a conference with the appropriate administrator who shall inform the student of the conduct of which he/she is accused. The student will be given the opportunity to explain his/her version of the incident before the administrator's decision is made. The number of days of a student's suspension will be determined by the appropriate administrator, but will not exceed the three school days.

### **Expulsion**

In deciding whether to order expulsion, the school will take into consideration:

1. intent at the time the student engaged in the conduct, and
2. the student's disciplinary history.

Behaviors for which a student may be expelled include, but are not limited to:

- conduct that contains the element of assault, or threat of assault, against a student, school employee, or volunteer.
- criminal mischief.
- aggravated assault.
- sexual assault.
- criminal attempt to commit murder or capital murder.
- murder or capital murder.

- aggravated robbery.
- conduct relating to a false alarm or report (including a bomb threat), or a terroristic threat involving a public school.
- selling, distributing, possessing, using, or being under the influence of any controlled substance, including alcohol.
- conduct that contains the elements of an offense relating to the abusable volatile chemicals.
- arson.
- indecency with a child.
- kidnapping.
- use, exhibition, or possession of a firearm.
- use, exhibition, or possession of a knife, hand instrument designed to cut or stab another by being thrown, dagger, sword, spear, etc.
- use, exhibition, or possession of a club such as an instrument specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace and tomahawk.
- possession of any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

### **Expulsion Process**

If a student is believed to have committed an expellable offense, the principal, or other appropriate administrator, will schedule an expulsion meeting within three school days of the formal referral. The student's parent will be invited in writing to attend the meeting.

Until a hearing can be held, the principal may place the student in another appropriate classroom, in-school suspension, or out-of-school suspension.

### **Expulsion Meeting**

A student facing expulsion will be given an audience with administration; appropriate due process will be provided. The student is entitled to:

1. representation by the student's parent or legal guardian.
2. the opportunity to testify and to present evidence and witnesses in the student's defense.
3. the opportunity to question school witnesses.

After providing notice to the student and parent of the expulsion meeting, the school may hold the meeting and determine the results of the expulsion process regardless of attendance of the student or parent.

The Board of Trustees delegates to campus administrators the authority to conduct expulsion meetings and to expel students.

### **Board Review of Expulsion**

The Board of Trustees delegates to the Superintendent's designee the authority to conduct hearings and to expel students.

After the expulsion meeting, the expelled student may request that the Board of Trustees review the expulsion decision. The student or parent must submit a written request to the Superintendent within five days after the receipt of the written decision. The Superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the Board of Trustees will review the decision.

The Board of Trustees will review the record of the expulsion meeting in a closed meeting, unless the parent requests in writing that the matter be held in an open meeting. The Board of Trustees may also hear a statement from the student or parent and from the designated administrator.

The Board of Trustees will hear statements made by the parties at the review, and will base its decision on evidence reflected in the record and on any statements made by the parties at the review. The Board of Trustees will make and communicate orally its decision at the conclusion of the expulsion review. Any consequences or punishments assigned the student will not be deferred pending the outcome of the expulsion review.

### **Expulsion Order**

After the expulsion review, if the student is expelled, the Superintendent's designee will deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the campus administrator or designee will deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

**Sec. 52.041. REFERRAL OF CHILD TO JUVENILE COURT AFTER  
EXPULSION.**

(a) A school district that expels a child shall refer the child to juvenile court in the county in which the child resides.

(b) The board of the school district or a person designated by the board shall deliver a copy of the order expelling the student and any other information required by Section 52.04 on or before the second working day after the date of the expulsion hearing to the authorized officer of the juvenile court.

(c) Within five working days of receipt of an expulsion notice under this section by the office or official designated by the juvenile board, a preliminary investigation and determination shall be conducted as required by Section 53.01.

(d) The office or official designated by the juvenile board shall within two working days notify the school district that expelled the child if:

(1) a determination was made under Section 53.01 that the person referred to juvenile court was not a child within the meaning of this title;

(2) a determination was made that no probable cause existed to believe the child engaged in delinquent conduct or conduct indicating a need for supervision;

(3) no deferred prosecution or formal court proceedings have been or will be initiated involving the child;

(4) the court or jury finds that the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case has been dismissed with prejudice; or

(5) the child was adjudicated but no disposition was or will be ordered by the court.

(e) In any county where a juvenile justice alternative education program is operated, no student shall be expelled without written notification by the board of the school district or its designated agent to the juvenile board's designated representative. The notification shall be made not later than two business days following the board's determination that the student is to be expelled. Failure to timely notify the designated representative of the juvenile board shall result in the child's duty to continue attending the school district's educational program, which shall be provided to that child until such time as the notification to the juvenile board's designated representative is properly made.

The law (Section 37.019) allows emergency alternative placement if the principal “reasonably believes” that a student’s behavior is “so unruly, disruptive, or abusive that it seriously interferes with a teacher’s ability to communicate effectively with the students in a class, with the ability of a student’s classmates to learn, or with the operation of school or a school-sponsored activity.” The law likewise allows emergency expulsion if the principal “reasonably believes that action is necessary to protect persons or property from imminent harm.” In either case, the principal must give the student the same due process as in other removals not later than ten days after taking the action. The emergency placement must be for a reason that would support a non-emergency placement under Section 37.006 or 37.007.

### **Restrictions during Expulsion**

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities. No academic credit will be earned for work missed due to the expulsion.

### Progressive Discipline System – Student Behavior and Corrective Interventions

Type A Behaviors	Corrective Interventions
<p>Includes: violations of classroom or campus rules; unauthorized food, gum, etc.; littering; disrespect to students, faculty, facility; running/noise in hallways; talking at inappropriate times.; possession of banned electronic items (cell phone, Ipod, etc.). This is a partial list for explanation purposes and is not meant to exclude other similar behaviors.</p>	<p>Corrective intervention is assigned by the teacher, and may include parent notification, conferences, practice academy, additional or makeup work, etc.</p> <p>Teacher documents behavior in student file.</p>
Type B Behaviors	Corrective Interventions
<p>Includes: repetition of Type A behaviors; lying/cheating; possession of other student’s property; persistent disruption of classroom environment; throwing food in cafeteria; inappropriate language; persistently unprepared for class or refusal to participate; dress code violation; rough play; inappropriate physical contact (kissing, etc.). This is a partial list for explanation purposes and is not meant to exclude other similar behaviors.</p>	<p>Corrective intervention is assigned by the teacher and/or team of teachers, and may include parent notification, conferences, practice academy, additional/makeup work, etc.</p> <p>Instances of serious or repetitive Type B behaviors may be referred directly to the campus principal. Teacher documents behavior in student file.</p>
Type C Behaviors	Corrective Interventions
<p>Includes: persistent repetition of Type A, B behaviors; cause or threaten to cause injury; display of gang or drug writing, symbols, etc.; possession of dangerous item; possession of tobacco; damage to school property; gross profanity or obscene gestures; overt disrespect/defiance; extortion/threats/intimidation; lewd, indecent, or offensive conduct; sexual harassment; racial slurs; theft/possession of stolen property; etc. This is a partial list for explanation purposes and is not meant to exclude other similar behaviors.</p>	<p>The student is sent immediately to the campus principal for corrective intervention at the administrative level. Administrative interventions include parent conference, detention, in-school or off-campus suspension, or expulsion.</p> <p>Severe or illegal behaviors will be reported to the appropriate law enforcement authority. Teacher documents behavior in student file.</p>
Type D Behaviors	Corrective Interventions
<p>Includes : persistent repetition of Type A, B, C behaviors; fighting/violence; possession of drugs or alcohol; possession of weapon/use of item as a weapon</p>	<p>The student is escorted immediately to the campus principal, and will be suspended immediately pending an expulsion meeting. Severe or illegal behaviors will be reported to the appropriate law enforcement authority.</p> <p>Principal documents behavior in student file.</p>