

STUDENT RIGHTS AND RESPONSIBILITIES

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(LOCAL)

Each student is expected to respect the rights and privileges of other students, teachers, and District staff. All teachers, administrators, and other District personnel are expected to respect the rights and privileges of students. [See DH series]

STUDENT HANDBOOK The Superintendent or designee shall develop student handbooks with information on curriculum, grading, extracurricular activities, and other such topics that students and parents are likely to need during the school year. The Superintendent or designee shall ensure that no student handbook information is in conflict with policy or the Student Code of Conduct. In case of conflict between a Board policy or the Student Code of Conduct and provisions of student handbooks, policy and/or the Student Code of Conduct shall prevail.

NO BOARD ACTION Student handbooks are subject to Board review but shall not be adopted by the Board.

DISTRIBUTION Student handbooks shall be made available on the District's Web site at the beginning of the school year; hard copy shall be provided upon request. Amendments to the handbook shall be communicated promptly to students and parents.

[For provisions on the Student Code of Conduct, see FO]

STUDENT DISCIPLINE

FO  
(LEGAL)

STUDENT CODE OF  
CONDUCT

The Board shall adopt a Student Code of Conduct for the District, with the advice of its District-level committee. The Student Code of Conduct must contain all of the following:

1. Specify the circumstances, consistent with Education Code Chapter 37, Subchapter A, under which a student may be removed from a classroom, campus, or disciplinary alternative education program (DAEP).
2. Specify the conditions that authorize or require a principal or other appropriate administrator to transfer a student to DAEP.
3. Outline conditions under which a student may be suspended, as provided by Education Code 37.005 [see FOB], or expelled, as provided by Education Code 37.007 [see FOD].
4. Specify whether consideration is given, as a factor in suspension, removal to a DAEP, 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.
5. Provide guidelines for setting the length of removal to a DAEP or of expulsion. Except as provided by Education Code 37.007(e) (Gun-Free Schools Act [see FOD]), the District is not required to specify a minimum term of removal or expulsion.
6. Address the notification of the parent or guardian of a student's violation of the Student Code of Conduct that results in suspension, removal to a DAEP, or expulsion.
7. Prohibit bullying, harassment, and making hit lists and ensure that District employees enforce those prohibitions.

"Bullying" means engaging in written or verbal expression or physical conduct that the Board or its designee determines:

  - a. Will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or

STUDENT DISCIPLINE

FO  
(LEGAL)

- b. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

“Harassment” means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health or safety.

“Hit list” means a list of people targeted to be harmed using:

- c. A firearm, as defined by Penal Code 46.01(3) [see FNCG];
  - d. A knife, as defined by Penal Code 46.01(7) (any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument); or
  - e. Any other object to be used with intent to cause bodily harm.
8. Provide, as appropriate for students at each grade level, methods, including options, for:
- a. Managing students in the classroom and on school grounds;
  - b. Disciplining students; and
  - c. Preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.

The methods adopted must provide that a student who is enrolled in a special education program under Education Code Chapter 29, Subchapter A, may not be disciplined for bullying, harassment, or making of hit lists until an admission, review, and dismissal (ARD) committee meeting has been held to review the conduct. [See FOF]

CHANGES IN SCOC

Once the Student Code of Conduct is promulgated, any change or amendment shall be approved by the Board.

POSTING

The Student Code of Conduct shall be posted and prominently displayed at each school campus or made available for review at the office of the campus principal.

*Education Code 37.001*

STUDENT DISCIPLINE

FO  
(LEGAL)

NOTICE TO PARENTS	Each school year, the District shall provide parents with notice of and information regarding the Student Code of Conduct. <i>Education Code 37.001(d)</i>
NONCUSTODIAL PARENT	A noncustodial parent may request in writing that, for the remainder of the school year in which the request is received, the District provide that parent with a copy of any written notification that is generally provided to a student's parent or guardian, relating to student misconduct under Education Code 37.006 or 37.007. The District may not unreasonably deny the request. Notwithstanding this requirement, the District shall comply with any applicable court order of which the District has knowledge. <i>Education Code 37.0091(a)</i>
NO UNSUPERVISED SETTING	Except for students who are suspended or expelled, no student may be placed in an unsupervised setting as a result of conduct for which a student may be placed in a DAEP. <i>Education Code 37.008(h)</i>
CONTINUATION OF DISCIPLINARY ACTION	<p>If the District takes disciplinary action against a student and the student subsequently enrolls in another district or school before the expiration of the period of disciplinary action, the district or school taking the disciplinary action shall provide to the district or school in which the student enrolls, at the same time other records of the student are provided, a copy of the order of disciplinary action.</p> <p>"Disciplinary action" means a suspension, expulsion, placement in an alternative education program, or other limitation in enrollment eligibility of a student.</p> <p>"District or school" includes an independent school district, a home-rule school district, a campus or campus program charter holder, or an open-enrollment charter school.</p> <p><i>Education Code 37.021</i></p>
OPPORTUNITY TO COMPLETE COURSES	If a student is placed in in-school suspension or other alternative setting other than a DAEP, the District shall offer the student the opportunity to complete, before the beginning of the next school year, each course in which the student was enrolled at the time of removal. The District may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. <i>Education Code 37.021</i>
CORPORAL PUNISHMENT	Reasonable corporal punishment is not prohibited in order to preserve an effective educational environment, free from disruption.
REASONABLE AND MODERATE	Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age, and condition of the student, the type of instrument to be used, the amount of force to be used, and

STUDENT DISCIPLINE

FO  
(LEGAL)

the part of the body to be struck shall be considered before administering any corporal punishment.

*Baker v. Owen, 395 F.Supp. 294 (M.D.N.C. 1975), aff'd, 423 US 907 (1975); Ingraham v. Wright, 430 US 651 (1977)*

MAINTAIN  
DISCIPLINE

The use of force, but not deadly force, against a student is justified if the teacher or administrator is entrusted with the care, supervision, or administration of the student when, and to the degree the teacher or administrator reasonably believes the force is necessary, to further the purpose of education or to maintain discipline in a group. *Penal Code 9.62*

VIDEOTAPES AND  
RECORDINGS

A District employee may, without consent of a child's parent, make a videotape or recording of the child if the videotape or recording is to be used only for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses. *Education Code 26.009(b)(1)* [See FNG]

REPORTS

The District shall annually report to the Commissioner:

DISCIPLINARY  
ALTERNATIVE  
EDUCATION  
PROGRAMS

1. For each placement in DAEP:
  - a. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
  - b. Information indicating whether the placement was based on:
    - (1) Conduct violating the Student Code of Conduct;
    - (2) Conduct for which a student may be removed from class by a teacher [see FOA and the Student Code of Conduct];
    - (3) Conduct for which placement in a DAEP is required [see FOC and the Student Code of Conduct]; or
    - (4) Conduct occurring while a student was enrolled in another district and for which placement in a DAEP is permitted by Education Code 37.008(j);
  - c. The number of full or partial days the student was assigned to the program and the number of full or partial days the student attended the program; and
  - d. The number of placements that were inconsistent with the guidelines on length of placement in the Student Code of Conduct.

STUDENT DISCIPLINE

FO  
(LEGAL)

EXPULSIONS

2. For each expulsion:
  - a. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
  - b. Information indicating whether the expulsion was based on:
    - (1) Conduct for which expulsion is required, including information specifically indicating whether a student was expelled for bringing a firearm to school; or
    - (2) Conduct for which expulsion is permitted;
  - c. The number of full or partial days the student was expelled; and
  - d. Information indicating whether:
    - (1) The student was placed in a juvenile justice alternative education program;
    - (2) The student was placed in a DAEP; or
    - (3) The student was not placed in a juvenile justice or other DAEP; and
  - e. The number of expulsions that were inconsistent with the guidelines on length of expulsion in the Student Code of Conduct.

*Education Code 37.020*

STUDENT DISCIPLINE

FO  
(LOCAL)

- GENERAL GUIDELINES District personnel shall adhere to the following general guidelines when imposing discipline:
1. A student shall be disciplined when necessary to improve the student's behavior, to maintain essential order, or to protect other students, school employees, or property.
  2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
    - a. The seriousness of the offense;
    - b. The student's age;
    - c. The frequency of misconduct;
    - d. The student's attitude;
    - e. The potential effect of the misconduct on the school environment;
    - f. Requirements of Chapter 37 of the Education Code; and
    - g. The Student Code of Conduct adopted by the Board.
- STUDENT CODE OF CONDUCT At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:
1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
  2. Made available on the District's Web site and/or as hard copy to students, parents, teachers, administrators, and to others on request.
- REVISIONS Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.
- 'PARENTS' DEFINED Throughout the Student Code of Conduct and discipline policies, the term "parents" includes a parent, legal guardian, or other person having lawful control of the child.
- DETENTION For violations of the Student Code of Conduct or campus or classroom rules, teachers or administrators may detain students after school hours on one or more days, as provided by the discipline management program and/or Student Code of Conduct. Before being assigned to detention, a student shall be informed of the behavior that allegedly constitutes the violation and shall be given an opportunity to explain his or her version of the incident. The period

STUDENT DISCIPLINE

FO  
(LOCAL)

of time for which a student is assigned to detention shall be used for educational purposes.

NOTICE TO PARENTS	When detention is assigned, notice shall first be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for the necessary transportation. Except in the case of a student who is 18 years of age or older, the detention shall not begin until the parents have been notified. The student's parents, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.
CORPORAL PUNISHMENT	Corporal punishment may be used as a discipline management technique in accordance with the Student Code of Conduct. Corporal punishment shall be limited to spanking or paddling the student and shall be administered only in accordance with the following guidelines:
GUIDELINES	<ol style="list-style-type: none"><li>1. The student shall be told the reason corporal punishment is being administered.</li><li>2. Corporal punishment shall be administered only by the principal or designee.</li><li>3. The instrument to be used in administering corporal punishment shall be approved by the principal.</li><li>4. Corporal punishment shall be administered in the presence of one other District professional employee and in a designated place out of view of other students.</li></ol>
PARENT REQUEST	The District shall honor a parent request that corporal punishment not be administered to his or her child; however, the District shall impose other disciplinary measures consistent with the offense.
DISCIPLINARY RECORDS	The disciplinary record of any corporal punishment shall include any related disciplinary actions, the corporal punishment administered, the name of the person administering the punishment, the names of witnesses present, and the date and time of punishment.
PHYSICAL RESTRAINT	Within the scope of an employee's duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to: <ol style="list-style-type: none"><li>1. Protect a person, including the person using physical restraint, from physical injury.</li><li>2. Obtain possession of a weapon or other dangerous object.</li><li>3. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or</li></ol>



STUDENT DISCIPLINE

FO  
(LOCAL)

other school property, in order to restore order or to impose disciplinary measures.

4. Control an irrational student.
5. Protect property from serious damage.

EXTRACURRICULAR  
STANDARDS OF  
BEHAVIOR

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities 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 at any time, on or off school property. Extracurricular behavioral standards shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

Students shall be informed of any extracurricular behavior standards at the beginning of each school year or when the students first begin participation in the activity. 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.

Standards of behavior for 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 violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

VIDEO/AUDIO  
MONITORING

Video/audio equipment shall be used for safety purposes to monitor student behavior on buses and in common areas on District campuses.

NOTICE

Students and parents shall be notified regarding the use of video cameras on school buses and on campuses. Signs stating that students may be video recorded shall be posted in District buildings and on buses. Students shall not be notified when the equipment is turned on.

USE OF  
RECORDINGS

Recordings shall be reviewed as needed by the principal, and evidence of student misconduct shall be documented. A student found to be in violation of the District's Student Code of Conduct shall be subject to appropriate discipline.

STUDENT DISCIPLINE

FO  
(LOCAL)

ACCESS TO  
RECORDINGS

Recordings shall remain in the custody of the campus principal and shall be maintained as required by law. A parent or student who wishes to view a video recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See FL(LEGAL)]