

Brazosport Independent School District

Student Code of Conduct

2026 - 2027

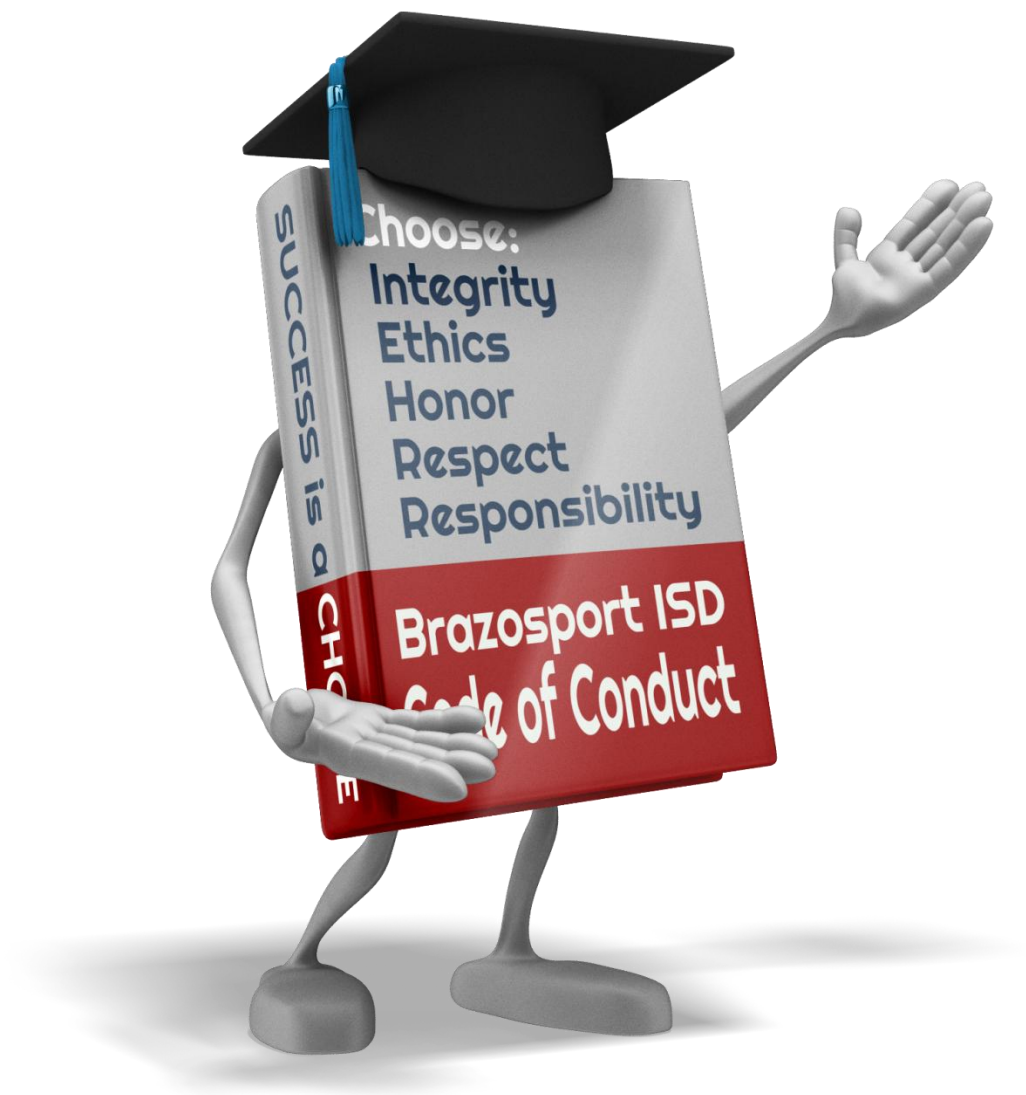


Table of Contents

Student Code of Conduct

Accessibility

Purpose

School District Authority and Jurisdiction

Campus Behavior Coordinator

Threat Assessment and Safe and Supportive School Team

Searches

Reporting Crimes

Security Personnel

“Parent” Defined

Participating in Graduation Activities

Unauthorized Persons

Standards for Student Conduct

Dress Code

General Conduct Violations

Disregard for Authority

Mistreatment of Others

Property Offenses

Possession of Prohibited Items

Possession of Personal Communication Devices

Illegal, Prescription, and Over-the-Counter Drugs

Misuse of Technology Resources and the Internet

Safety Transgressions

Miscellaneous Offenses

Discipline Management Techniques

First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette

Students with Disabilities

Techniques

Prohibited Aversive Techniques

Notification

Parental Involvement

Appeals

Removal from the School Bus

Removal from the Regular Educational Setting

- Routine Referral

- Formal Teacher Removal

- Returning a Student to the Classroom

- Appeals of Formal Teacher Removals

In-School Suspension

- Process

Out-of-School Suspension

- Misconduct

- Process

- Alternative Assignment

- Coursework During Suspension

Disciplinary Alternative Education Program (DAEP) Placement

- Discretionary Placement: Misconduct That May Result in DAEP Placement

- Mandatory Placement: Misconduct That Requires DAEP Placement

- Sexual Assault and Campus Assignments

- Process

- Length of Placement

- Appeals

- Restrictions During Placement

- Placement Review

- Additional Misconduct

- Notice of Criminal Proceedings

Withdrawal During Process

- Newly Enrolled Students

- Emergency Placement Procedure

- Transition Services

Placement and/or Expulsion for Certain Offenses

- Registered Sex Offenders

Expulsion

- Discretionary Expulsion: Misconduct That May Result in Expulsion

- Mandatory Expulsion: Misconduct That Requires Expulsion

- Under Age 10

Virtual Expulsion Program
Consideration of Virtual Education as Alternative to Expulsion
Process
Length of Expulsion
Withdrawal During Process
Additional Misconduct
Restrictions During Expulsion
Newly Enrolled Students
Emergency Expulsion Procedures
DAEP Placement of Expelled Students
Transition Services
Certain Felonies
Hearing and Required Findings
Length of Placement
Placement Review
Glossary
Student Acceptable Use Agreement (Student AUA) For Internet/Network Access

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the district at ***301 West Brazoswood Drive, Clute, TX 77531 or by phone at 979-730-7000.***

Purpose

The Student Code of Conduct (“Code of Conduct”), as required by [Chapter 37](#) of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences, including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), or expulsion from school.

This Code of Conduct has been adopted by the ***Brazosport Independent School District*** board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code of Conduct remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator’s office and posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under [Chapter 37](#) of the Education Code.

Texas Education Agency (TEA) prepared and provided to each school district a report identifying each law relating to school discipline that was amended or added by the 89th Legislature, Regular Session, 2025. Annually, a school district shall provide to each student and the parent of or person standing in parental relation to the student the prepared report. This report can be accessed here: [Overview of School Discipline in Texas For Parents](#).

Because the Code of Conduct is adopted by the district’s board of trustees, it has the force of policy. In the event of a conflict between the Code of Conduct and the Student Handbook, the Code of Conduct shall prevail.

Please note: The discipline of students with disabilities who are eligible for services under federal law ([Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973](#)) is subject to the provisions of those laws.

School District Authority and Jurisdiction

School rules and the district's authority to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

1. During the regular school day;
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by [Education Code 37.0832](#);
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by [Education Code 37.006](#), [37.007](#), or [37.0081](#); and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a single person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal, or any other campus administrator selected by the principal. Additional staff members may assist the CBC in the performance of the CBC's duties, provided that the CBC personally verifies that all aspects of [Chapter 37, Subchapter A](#) are appropriately implemented. The CBC is primarily responsible for maintaining student discipline. The CBC shall monitor disciplinary referrals and report the following behavior to the campus's threat assessment and safe and supportive school team:

- Conduct that contains the elements of the offense of terroristic threat under [Penal Code 22.07](#);
- Conduct that contains the elements of the offense of unlawfully carrying weapons under [Penal Code 46.02](#);

- Conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under [Education Code 37.125](#); and
- Any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others.

The district shall post on its website , for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found in the [Campus Behavior Coordinator List](#) .

Threat Assessment and Safe and Supportive School Team

The CBC or other appropriate administrator will work closely with the campus threat assessment and safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

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

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

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

Reporting Crimes

The principal or CBC and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

The board utilizes police officers and security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

The law enforcement duties of district police officers are:

- Protect the safety and welfare of students, staff, and guests, as well as property of the district.
- Patrol school district buildings and property.
- Provide security at specified district events.

- Enforce all laws and investigate criminal incidents occurring on school district property.
- Arrest and file charges for crimes occurring on district property.
- Network with area law enforcement agencies.
- Support administrators and staff in creating and maintaining a safe learning environment.
- Develop positive relationships with students, staff, parents, and the community.
- Present crime prevention programs to students, staff, parents, and the community.
- Complete mandated state training and remain current on legal issues.
- Respond to and immediately address any active threat incident on campus
- Patrol assigned campus and be visible throughout the day, especially during passing periods, lunch periods, drop-off, and pick-up.
- Assist with and be visible during drop-off and pickup.
- Conduct frequent exterior door sweeps to ensure all doors are locked, closed, and functioning properly.
- Conduct frequent interior door sweeps to ensure staff are following the BEST PRACTICE standard that all doors are locked and closed when students are present.
- Immediately brief Campus Administration & direct supervisor (Safety & Security Executive Chief & Chief of Police) on safety or security issues discovered and/or brought to their attention.
- Work closely with campus staff and other district personnel to promote a safe and secure environment.
- Conduct Safety and Security Inspections at the assigned campus.
- Demonstrate and maintain firearms proficiency as determined by the district.
- Participate as a member of the Campus Emergency Planning Team.
- Assist in drills and exercises that promote the emergency preparedness of the campus.
- Promote and reinforce district policies and procedures relating to safety and security.

The law enforcement duties of district security personnel are:

- Respond to and immediately address any active threat incident on campus.
- Patrol assigned campus and be visible throughout the day, especially during passing periods, lunch periods, drop-off, and pick-up.
- Assist with and be visible during drop-off and pickup.
- Conduct frequent exterior door sweeps to ensure all doors are locked, closed, and functioning properly.
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- Immediately brief Campus Administration & direct supervisor (Safety & Security Executive Chief & Chief of Police) on safety or security issues discovered and/or brought to your attention.
- Work closely with campus staff and other district personnel to promote a safe and secure environment.
- Conduct Safety and Security Inspections at the assigned campus.
- Demonstrate and maintain firearms proficiency as determined by the district.
- Participate as a member of the Campus Emergency Planning Team.
- Assist in drills and exercises that promote the emergency preparedness of the campus.
- Promote and reinforce district policies and procedures relating to safety and security.
- Serve as liaison between campuses and law enforcement, fire/EMS personnel, and other outside agencies responding to incidents or investigating matters of concern to the district.
- Provide security coverage at campus or district special events and functions, as needed.
- Maintain a high level of confidentiality and professional conduct at all times.
- Serve as a resource to the campus in areas of safety, security, and emergency preparedness.
- Protect the safety and welfare of students, staff, and guests, as well as the property of the district.
- Attend training as required or directed.
- Present crime prevention programs to students, staff, parents, and the community.
- Develop positive relationships with students, staff, parents, and the community.

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code of Conduct.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutarian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

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

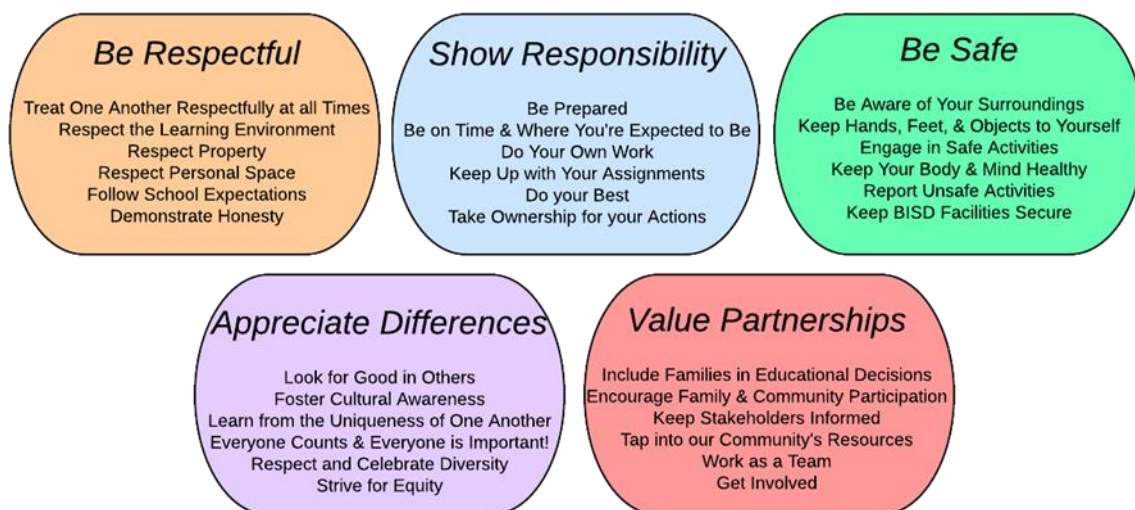
1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

[See Restrictions During Placement for information regarding a student assigned to DAEP at the time of graduation.]

Standards for Student Conduct

Behavior expectations for our School Community



Student responsibilities related to standards of conduct are:

- Attend the entire instructional day, except when ill or otherwise excused.
- Be on time to all classes.

- Be prepared for each class with assigned work and appropriate materials.
- Strive toward self-discipline, setting individual goals and utilizing good work habits.
- Pursue mastery of the curriculum as prescribed by the district and the state.
- Ask teachers, counselors, support staff, parents, school administrators, and other adults for help in solving problems.
- Establish and maintain an effective working relationship with parents, peers, and school personnel.
- Show respect for others, including peers, teachers, school staff, and campus guests.
- Show respect for the property of yourself and others.
- Manage personal and district technology appropriately, including when off campus.
- Express opinions and ideas in a respectful and courteous manner.
- Follow all district policies, including the Student Code of Conduct, as well as all campus-established rules and procedures.
- Cooperate with and follow directives issued by school personnel.
- Report threats, bullying, or harassment through KEEP BISD SAFE or to a teacher or administrator.
- Seek changes in school policies and regulations through approved channels in an orderly and responsible manner and in collaboration with teachers and administrators.
- Assume responsibility for making choices and accept consequences for your behaviors.

Dress Code

Appropriate student dress and grooming is that which is deemed in good taste, reflecting the standards of the community of which the schools are an integral and visible part. The dress and grooming of students convey an image of the schools and students, influencing how others respond to and judge the Brazosport Independent School District and its students, as well as contributing to the school climate to which students themselves respond.

Since it is impractical to list every possibility of dress and grooming, final decisions concerning what is acceptable are left to a building administrator. Guidelines and administrative decisions regarding appropriate dress will reflect concern for health and safety of students and the influence of specific dress or grooming on the overall educational climate of the school. The guidelines are reviewed periodically to ensure they continue to reflect community expectations while permitting individual choices and recognizing acceptable current fashions.

The principal or assistant principal under the supervision of the Superintendent shall determine appropriateness of dress. Clarification regarding apparel should be obtained from the principal or assistant principal prior to wearing it to school.

Regulations in reference to grooming and dress for extracurricular activities such as athletics, fine arts, etc. shall be governed by the immediate person in charge of these

activities, under the direction of the principal and the Deputy Superintendent of Administrative Services. Student's dress and grooming that create a hazard to the student's safety and/or safety of others will not be allowed. The student's dress and grooming will not be allowed if it prevents, interferes with, or adversely affects the purpose, direction or effort required for the activity to achieve its goals. [See (FO)(LOCAL).]

These regulations are applicable to the conduct of students while in attendance at school, while on school property, or at school-sponsored activities. These regulations also apply to student behavior at other times that impairs, interferes with, or obstructs the missions, processes, or functions of the district. Additionally, more restrictive dress code policies are in place for students assigned to the district alternative education program.

All students are expected to dress in a manner that is appropriate for the age of the child and for the activities in which he/she participates.

District-wide Dress Code Policies:

1. Hats and head-coverings of any kind are not to be worn within school buildings except in the interest of religious practices, safety, cleanliness, for medical reasons, or with the permission of the principal. "Hats" should be interpreted broadly to include caps, visors, bandanas, durags, beanies, hoods, scarves or kerchiefs and similar hat-like apparel.
2. Hair shall be clean, neat, and well-groomed. Hairstyles shall not, in the opinion of the administration, cause a health or safety hazard or cause disruption of the educational process.
3. Facial hair must be neat, clean, well-groomed, and not cause a disruption of the educational process.
4. Uncovered halters, see-through garments without undershirts, strapless tops, spaghetti strap tops, tank tops, bare midriff, or bare tops may not be worn.
5. Cleavage should be completely covered.
6. Shorts/skirts/dresses may be no higher than fingertip length while standing upright; slits in skirts and shorts must be no higher than fingertip length when standing upright.
7. Holes in pants must not expose skin above fingertip length and may not be above the inseam, even if tights or leggings are worn underneath.
8. Leggings and yoga pants may only be considered as outerwear pants if worn with a shirt that extends beyond the top of the inseam, even when arms are lifted.
9. Form-fitting stretch clothing such as biking shorts, bodysuits, leotards, and tights shall not be worn except when worn appropriately as an undergarment beneath a garment that extends below the fingertips. These are permitted to be worn only as appropriate for physical education classes and extracurricular school sponsored/approved activities.

10. House shoes and bedtime attire may not be worn at school without principal permission (i.e., pajama day).
11. Clothing shall be of appropriate size, length, and fitting to cover undergarments when the student is standing, sitting, stooping, or bending. Pants must be worn to fit at the waist, the crotch, and the length – no sagging allowed.
12. Oversized jackets are not permitted. Trench coats, or other long coats that resemble the style of a trench coat, are not acceptable as a form of outerwear and are not permitted at school.
13. Any item of clothing, accessory, or outerwear deemed unsuitable for school by the administration will be prohibited, including, but not limited to, those that depict or promote gang memberships, prison activities, death, suicide, violence, drugs, alcohol, tobacco, weapons, profanity, sex, cultural divisiveness, or racial intolerance.
14. Appropriate footwear is required. House shoes, slippers, and other similar soft-soled footwear are not acceptable for school. Shoes with wheels are not permitted. Appropriate shoes are required for PE and/or any other student activity as determined by the campus administrator.
15. Earrings are permitted, but excessive body piercings or piercings that cause a safety concern are not allowed.
16. Tattoos shall be covered if they are offensive, signify gang association, or cause a disruption of the educational process.
17. Blankets and other bedding are not permitted.
18. Oversized backpacks and oversized totes or bags are not permitted, except as necessary for transporting required school gear such as athletic equipment.
19. The district prohibits any other clothing or grooming that, in the principal's or designee's judgment, may reasonably be expected to cause disruption or interference with normal school operations.

All students shall be in compliance with the provisions of the dress code and grooming codes in order to enroll in school at the beginning of the school term. New students to the district shall be required to comply with the provisions of the dress and grooming codes upon enrolling and prior to attending class. During the school year, if a student's dress and grooming is in violation of the provisions of the dress code, the student may be subject to disciplinary action at the discretion of the campus administration. Persistent violation of the dress code may result in additional disciplinary action. Students who violate a provision of the dress code relating to extracurricular activities may be removed or excluded from the extracurricular activity for such a period as the principal may determine. All students shall be accorded certain safeguards before any disciplinary action may be taken. An exception to the dress code above regarding No. 1 (Hats, caps, visors, or bandanas) will be made for students who, as a matter of their sincerely held religious belief, wear religious head wear or clothing, including but not limited to the Sikh dastaar (turban), the Muslim hijab (head scarf), or the Jewish yarmulke (skull cap).

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on In-School Suspension, Out-of-School Suspension, Disciplinary Alternative Education Program (DAEP) Placement, Placement and/or Expulsion for Certain Offenses, and Expulsion, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in Removal from the Regular Educational Setting.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. [See Placement and/or Expulsion for Certain Offenses for assault.]
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in any behavior that violates the Student Code of Conduct and is motivated by antisemitism. [See Glossary]
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See Glossary for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. [See Glossary]
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. [See Glossary]
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.

- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. [See Placement and/or Expulsion for Certain Offenses for felony criminal mischief.]
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. [See Placement and/or Expulsion for Certain Offenses for felony robbery, aggravated robbery, and theft.]
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- 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 that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- A short barrel firearm;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;

- Mace or pepper spray;
- Pornographic material;
- Tobacco products (including nicotine pouches), cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*See Placement and/or Expulsion for Certain Offenses for weapons and firearms. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Personal Communication Devices

Students shall not use a personal communication device, including a cell phone, or other electronic device on school property during the school day.

Students shall store the device in accordance with the method of storage established by the district.

The district may authorize the use of a personal communication device for the following reasons:

- To implement an individualized education program (IEP) or for a plan created under [Section 504, Rehabilitation Act of 1973 \(29 U.S.C Section 794\)](#) or a similar program or plan;
- With documented need based on a directive from a qualified physician; or
- To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.

Inappropriate use of a personal communication device during the school day will result in disciplinary action in accordance with this Code of Conduct as follows:

Personal Communication Devices

Use Restrictions

- Students may possess a telecommunication or communication-capable device, provided it remains powered off or silenced and stored out of sight (e.g., in a backpack, locker, or bag) during the school day.
- The school day begins when the student enters the building for school and ends when the end-of-day dismissal bell rings.
- Student use of any telecommunication or communication-capable electronic device not issued by the campus/district is prohibited during the school day.
- Use includes texting, calling, taking photos or video, checking the time, accessing the internet or apps, or listening to audio, regardless of intent.
- No exceptions may be made by staff to allow students to use communication devices that are outside of those allowable by HB 1482 (see above).

Consequences for Violations

1st Offense

- The device will be confiscated by staff/administration and may be picked up at the end of the day by the student.
- The violation will be documented, with no further actions if the student is compliant.
- Parents are notified

2nd Offense

- The device will be confiscated by staff/administration and may be picked up by the parent/guardian at the times communicated by the campus administration.
- The violation will be documented, with no further actions if the student is compliant.
- Parents are notified

3rd Offense (Level III SCOC)

- The device will be confiscated by staff/administration and may be picked up by the parent/guardian at the times communicated by the campus administration.
- Parent is notified
- The Student will be assigned discipline for Level III Offense - (Repeated violations of offenses outlined in levels I and II).

Refusal to Comply

Any student who refuses to relinquish a telecommunication device upon request by an administrator will be subject to further disciplinary measures in accordance with the Student Code of Conduct. This may include in-school suspension, out-of-school

suspension, or other disciplinary action as appropriate.

Retention and Disposal of Confiscated Devices

- Confiscated devices not retrieved by a parent or guardian will be retained by the district for a period of 90 days.
- After 90 days, unclaimed devices may be disposed of in accordance with Texas Education Code § 37.082.
- Parents/guardians will be given reasonable written notice prior to disposal.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. [See Disciplinary Alternative Education Program (DAEP) Placement and Expulsion for mandatory and permissive consequences under state law.]
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. [See Glossary for “paraphernalia.”]
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. [See Glossary for “abuse.”]
- Abuse over-the-counter drugs. [See Glossary for “abuse.”]
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. [See Glossary for “under the influence.”]
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of

others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.

- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in this Student Code of Conduct.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, unauthorized use of artificial intelligence, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.

- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district 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.

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, 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.

First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette

An appropriate administrator may place a student in a disciplinary alternative education program for the first-time offense of possession or use of a nicotine delivery product or e-cigarette, as defined by [Section 161.081, Health and Safety Code](#).

If a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under [Education Code 37.008](#), the student shall be placed in in-school suspension for a period of at least 10 school days.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the [Education Code](#), a student who receives special education services may not be disciplined in a manner that results in a change to the student's educational placement for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists [see Glossary] until an Admission, Review, and Dismissal (ARD) committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Warning.
- Reflection paper.
- Cooling-off time or a brief “time-out” period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Conduct marks or demerits.
- Behavioral contracts.
- Conference with the student.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Behavioral contract.
- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension (ISS).
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, including participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations’ extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.

- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- In-school suspension, as specified in In-School Suspension.
- Out-of-school suspension, as specified in Out-of-School Suspension.
- Placement in a DAEP, as specified in Disciplinary Alternative Education Program (DAEP) Placement.
- Expulsion and/or placement in an alternative educational setting, as specified in Placement and/or Expulsion for Certain Offenses.
- Expulsion, as specified in Expulsion.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL)]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.

- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The CBC shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The CBC shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of [Education Code 37.0012\(d\)](#).

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

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

Parental Involvement

The district has not adopted a policy for parental involvement in school disciplinary placements under [Education Code 37.0014](#).

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the central administration office or online at [FNG \(Local\)](#).

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. [See policies FFH(LEGAL) and [FFH \(Local\)](#)].

Removal from the School Bus

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the Director of Transportation, the Principal or the CBC may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

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

Routine Referral

A routine referral occurs when a teacher sends a student to the CBC's office as a discipline management technique. The CBC shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

Formal Teacher Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn.
2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student in the classroom.
3. A student engages in conduct that constitutes bullying, as defined by [Education Code 37.0832.0](#).

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

Within three school days of the formal removal, the CBC or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the CBC or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- Out-of-school suspension.
- DAEP.

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 placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault may not be returned to the teacher's class without the teacher's written consent.

A student who has been formally removed by a teacher for any other conduct may not be returned to the teacher's class without the teacher's written consent unless the placement review committee determines that the teacher's class is the best or only alternative, and not later than the third class day after the day the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student.

Appeals of Formal Teacher Removals

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

In-School Suspension

An in-school suspension is not subject to any time limit.

A school's principal or other appropriate administrator shall review the in-school suspension of a student at least once every 10 school days after the date of the suspension begins to evaluate the educational progress of the student and to determine if continued in-school suspension is appropriate.

During in-school suspension, a student shall receive appropriate behavioral support services and comparable educational services as the student would receive in the classroom. If the student receives special education services, the student must continue to receive special education and related services specified in the student's

individualized education program (IEP) and continue to have an opportunity to progress in the general curriculum.

[See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for limitations to the general rule.]

Process

Before being suspended, a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension.

In deciding whether to order in-school suspension, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.

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

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

- Conduct that contains the elements of a weapons offense, as provided in [Penal Code sections 46.02 or 46.05](#);
- Conduct that threatens the immediate health and safety of other students in the classroom;

- Documented conduct that results in repeated or significant disruption to the classroom; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

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

Process

State law allows a student to be assigned to out-of-school suspension for no more than three school days or parts of 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 shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC shall determine the number of days of a student's suspension, not to exceed three school days.

In deciding whether to order out-of-school suspension, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Alternative Assignment

A parent or person standing in parental relation to the student may submit a written request to the principal or other appropriate administrator to reassign a student placed in out-of-school suspension. The parent or person standing in parental relation to the student must provide information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. It is the sole discretion of the principal or other appropriate administrator to reassign the student placed in out-of-school suspension.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to ISS or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten-grade 5 and secondary classification shall be grades 6-12.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

(Level III)

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code of Conduct.

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Engaging in bullying that encourages a student to die by suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. [see Glossary]
- Involvement in criminal street gang activity. [see Glossary]
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.
- Engages in conduct that contains the elements of the offense of disruptive activities under [Education Code 37.123](#).
- Engages in conduct that contains the elements of the offense of disruption of classes under [Education Code 37.124](#).
- Possesses or uses an e-cigarette, as defined by [Section 161.081, Health and Safety Code](#), except that if a student who possesses or uses an e-cigarette is not placed in a disciplinary alternative education program for the first-time offense under [Education Code 37.008](#), the student shall be placed in in-school suspension for a period of at least 10 school days. See First-Time Offense of Possession or Use of Nicotine Delivery Product or E-Cigarette for additional information.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief [see Glossary] that the student engaged in conduct punishable as a felony that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. Aggravated robbery or felonies listed as offenses in Title 5 [see Glossary] of the Penal Code are punishable as mandatory expulsions.

The CBC **may** place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

(Level IV)

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP for:

- Abusive language/Inappropriate language/profanity directed towards a Teacher or school employee.
- Bullying/cyberbullying that meets the provisions of SB 179
- Dating Violence
- Pornography/Obscene material that threatens or incites violence
- Possession of non-armor piercing ammunition
- Possession of a non-prohibited weapon as defined by the state
- Possession of drug paraphernalia
- Sexual harassment
- Theft over \$50
- Vandalism over \$50
- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. [see Glossary]
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault [see Glossary] under [Penal Code 22.01\(a\)\(1\)](#).
 - Except as provided by [Education Code 37.007\(a\)\(3\)](#), sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. [School-related felony drug offenses are addressed in Expulsion.] [See Glossary for "under the influence," "controlled substance," and "dangerous drug."]
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by [Chapter 487 of the Health and Safety Code](#) does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Sells, gives, or delivers to another person an e-cigarette, as defined by [Section 161.081, Health and Safety Code](#).
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. [see Glossary]

- Engages in conduct that contains the elements of an offense of harassment against an employee under [Penal Code sections 42.07\(a\)\(1\), \(2\), \(3\), or \(7\)](#).
- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation under [Penal Code 36.06](#) against any school employee or volunteer on or off school property.
- Engages in conduct that contains the elements of harassment under [Penal Code 42.07](#) against any school employee or volunteer on or off of school property.

The student receives deferred prosecution [see Glossary], or a court or jury finds that the student has engaged in delinquent conduct [see Glossary], or the superintendent or designee has a reasonable belief [see Glossary] under [Section 53.03, Family Code](#), for conduct defined as any of the following offenses under the Penal Code:

1. A felony offense under [Title 5](#);
2. The offense of deadly conduct under [Section 22.05](#);
3. The felony offense of aggravated robbery under [Section 29.03](#);
4. The offense of disorderly conduct involving a firearm under [Section 42.01\(a\)\(7\) or \(8\)](#); or
5. The offense of unlawfully carrying weapons under [Section 46.02](#), except for an offense punishable as a Class C misdemeanor under that section.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the CBC.

Conference

When a student is removed from class for a DAEP offense, the CBC or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and, in the case of a teacher removal, the teacher.

At the conference, the CBC or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by [Section 52.04 of the Family Code](#).

If the student is placed in a DAEP and the length of placement is inconsistent with the guidelines included in this Code of Conduct, the placement order shall give notice of the inconsistency.

DAEP at Capacity

If a DAEP is at capacity at the time the CBC is deciding placement for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical, the student shall be placed in ISS then transferred to a DAEP for the remainder of the period if space becomes available before the expiration of the period of the placement.

If a DAEP is at capacity at the time the CBC is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to

marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

Coursework Notice

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal, and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The CBC shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements. The length of placement for most first-time assignments is typically for 35 days with successful outcomes at 30 days, or if the offense is drug-related, a first-time placement will typically be for 50 days with successful outcomes at 45 days. A return placement during the school year will typically be for 50-85 days, depending on multiple factors as outlined in the chart below.

	# Days Assigned	#Days served w/Successful Outcomes
1 st DAEP placement w/in school year	35	30
1 st DAEP placement w/in school year for a drug/alcohol offense	50	45
2 nd DAEP placement w/in <i>calendar</i> year (when not both drug offenses)	55	45
2 nd DAEP placement w/in <i>school</i> year (when not both drug offenses)	70	60
2 nd DAEP placement w/in <i>calendar</i> year for drug/alcohol offenses	75	60
2 nd DAEP placement w/in <i>school</i> year for drug/alcohol offenses	85	70

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days assigned OSS or days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the CBC or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or
2. The student has engaged in serious or persistent misbehavior [see Glossary] that violates the district's Code of Conduct.

Exceeds 60 Days

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

Appeals

BISD adheres to Due Process procedures and provides an appeal process for students suspended, removed to a DAEP, and/or expelled.

In-School Suspension and Out-of-School Suspension

The Board designates the Principal or the Principal's designee of each school, under the supervision of the Superintendent, as the Board designee to assign a student to an in-school suspension center or to suspend (according to law) a student for violation of this Student Code of Conduct and/or any applicable district policies. As the Board's designee, the Principal or the Principal's designee, under the supervision of the Superintendent, shall set the term for assignments to the in-school suspension center. Any decision of the Principal or the Principal's designee, under the supervision of the Superintendent, to assign a student to the in-school suspension center, or to suspend a student (according to law) is final and may not be appealed beyond the campus level.

Project G.R.O.W. and Secondary DAEP

The Board designates the Principal or the Principal's designee, under the supervision of the Superintendent, of each school as the Board designee to assign a student to Project G.R.O.W. or the Secondary DAEP as provided in this Student Code of Conduct and applicable with District policies.

A student, his/her parent, guardian, or representative desiring to appeal a decision of the campus principal may appeal to the Superintendent or designee. The student, his/her parent, guardian, or representative shall give written notice of the appeal to such officials within ten (10) school days after the decision of the principal is communicated to the parents, guardian, or representative. The District form for making this appeal can be accessed by contacting the school Principal and requesting to initiate an appeal. Failure to give timely notice of appeal shall constitute a waiver of the student's right to appeal.

Any notice of appeal shall contain the student's name, the date of issuance of the decision under appeal, the name of the official whose decision is under appeal, the aspects of the decision which the student wishes to appeal, and the grounds for such appeal. Promptly (within seven school days) following receipt of timely notice of appeal, the Superintendent or designee shall notify the student's parent, guardian, or representative, usually in writing, of the date, time, and place at which the appeal will be heard.

Level One appeals are heard by the Campus Principal. Level Two appeals are heard by a panel of three administrators, including one chairperson appointed by the Superintendent or designee. The Principal and the student's parent, guardian, and/or representative making the appeal shall both participate in the hearing.

When a decision to place a student at DAEP is made, the student shall enroll at the Lighthouse Learning Center, even if an appeal is made. Pending the outcome of the student's appeal of a DAEP assignment, the student shall continue attending the DAEP or will return to the home campus at that time. The decision of the Superintendent or designee/panel on an appeal of a DAEP assignment shall be final. No appeal to the Board is available.

Expulsions

The decision of the Superintendent or designee in proceedings for expulsion of a student may be appealed to the Board. The parents, guardian, or representative of a student desiring to appeal to the Board the decision of the Superintendent or his designee in an expulsion proceeding, shall give written notice of appeal to the Superintendent within seven school days after the date the decision which is under appeal is communicated to parents, guardian, or representative. Failure to give timely notice of appeal or to prosecute such appeal in a reasonable time shall constitute a waiver of the student's right to appeal.

Any notice of appeal shall contain the student's name, the date of issuance of the decision under appeal, the name of the official whose decision is under appeal, the aspects of the decision which the student wishes to appeal, and the grounds for such

appeal. Promptly, (within seven school days) following receipt of timely notice of appeal, the Superintendent, or designee, as the case may be, shall notify the student's parent, guardian, or representative, in writing, of the date, time and place at which the appeal will be heard.

During the time of an appeal in an expulsion proceeding, a student will be denied the privileges of the home campus unless the Superintendent or designee determines otherwise. However, the student will not be charged with unexcused absences during the time of the appeal and will be allowed to remain current on all coursework. However, if the appeal is denied, credit will not be given for any coursework performed during the time of the appeal unless the decision on appeal provides that such credit shall be given.

An expulsion hearing before the Board shall be limited to the matters and issues set forth in the student's notice of appeal and shall generally be conducted on the basis of the testimony given and evidence introduced during the initial hearing, unless the District official or appellate body determines that it is the interest of the educational process to permit introduction of new or additional matters during the appeal. The student shall be entitled to representation in any appeal by an adult of the student or parent's choice. Expulsion hearings before the Board will be heard before a quorum of the Board members and may be heard in a closed meeting, unless the parent requests in writing an open meeting. The Campus Principal and the student's parent, guardian, and/or representative making the appeal both participate in the hearing.

All decisions on appeal shall be made on the basis of the evidence received at the appellate hearing. Decisions on appeal shall be announced as soon as possible after the conclusion of the appellate hearing and shall be communicated in writing to the student's parents, guardian, or representative. The decision of a majority of the Board members hearing an appeal shall constitute the decision of the Board in an appeal, and is final unless the student is entitled to timely appeal under applicable federal or state law.

A student who appeals a decision of the Board shall give the Board notice of such appeal by delivering a copy of the document by which such appeal is perfected to the Superintendent. During the time of such further appeal in an expulsion proceeding, the student shall be expelled pending further appeals and no educational services shall be provided.

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's IEP or Section 504 plan.

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

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the CBC or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the CBC may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

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

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

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's

parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the district's Code of Conduct in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the CBC may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the CBC or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees, or if the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. [See policy FOCA(LEGAL) for more information.]

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the [Education Code](#) provides unique procedures and specific consequences.

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district 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 student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed 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.

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

(Level V)

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. [see Disciplinary Alternative Education Program (DAEP) Placement]

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to die by suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Criminal mischief, if punishable as a felony.
- Breach of computer security. [see Glossary]
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student **may** be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, unless the conduct is punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by [Chapter 487 of the](#)

[Health and Safety Code](#) does not violate this provision. [See Glossary for “under the influence.”]

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in deadly conduct. [see Glossary]

Within 300 Feet of School

A student may be expelled for possession of a firearm, as defined by federal law, while within 300 feet of school property, as measured from any point on the school’s real property boundary line.

Property of Another District

A student may be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

A student may be expelled for engaging in documented serious misbehavior that violates the district’s Code of Conduct, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by [Penal Code 1.07](#); or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under [Penal Code 21.07](#);
 - b. Indecent exposure under [Penal Code 21.08](#);
 - c. Criminal mischief under [Penal Code 28.03](#);
 - d. Hazing under [Education Code 37.152](#); or
 - e. Harassment under [Penal Code 42.07\(a\)\(1\)](#) of a student or district employee.

(Level VI)

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on or off school property.

Under Federal Law

Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. [see Glossary]

Note: Mandatory expulsion under the [federal Gun Free Schools Act](#) does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by [Penal Code 46.02](#):
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. [see Glossary] Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
- A location-restricted knife, as defined by state law. [see Glossary]
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. [see Glossary]
- Engages in conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125.
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. [see Glossary]
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Kidnapping or aggravated kidnapping.
 - Burglary, robbery or aggravated robbery.

- Manslaughter.
- Criminally negligent homicide.
- Continuous sexual abuse of a young child or disabled individual.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance or a dangerous drug.
- Engaging in conduct that contains elements of assault against a school employee or volunteer.

Under Age 10

When a student under the age of 10 engages in behavior that is expellable behavior, the student shall not be expelled but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Virtual Expulsion Program

In some circumstances, a student may be placed in a virtual expulsion program.

- The school must ensure students in the program have the necessary technology and internet and must provide it if needed.
- The virtual program must, as much as possible, meet the same requirements as an in-person disciplinary alternative education program (DAEP).
- The student's placement must be reviewed every 45 school days.
- If an in-person spot becomes available, the school should plan the student's return to in-person learning.
- If continued virtual placement is appropriate, the school must document the decision.

Consideration of Virtual Education as Alternative to Expulsion

Before a school district may expel a student, the district must consider the appropriateness and feasibility of, as an alternative to expulsion, enrolling the student in a full-time hybrid program, full-time virtual program, full-time hybrid campus, or full-time virtual campus. This requirement does not apply to a student expelled under [Education Code 37.0081 or 37.007\(a\), \(d\), or\(e\)](#).

Process

If a student is believed to have committed an expellable offense, the CBC or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.

- Out-of-school suspension.
- DAEP.

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district;
2. An opportunity to testify and to present evidence and witnesses in the student's defense; and
3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustees delegates to the *Campus Principal* authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after 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 will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or CBC shall take into consideration:

1. Self-defense [see Glossary];
2. Intent or lack of intent at the time the student engaged in the conduct;
3. The student's disciplinary history;
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall 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 *CDC or Campus Principal* shall deliver to the juvenile court a copy of the expulsion order and the information required by [Section 52.04 of the Family Code](#).

If the length of the expulsion is inconsistent with the guidelines included in the Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

1. The student is a threat to the safety of other students or to district employees;
or
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the CBC or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be

conducted, and the CBC or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

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

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order; and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

1. The student is a threat to the safety of other students or district employees; or
2. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Emergency expulsion may be ordered based on a single incident of behavior by the student. Within 10 days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than 10 years of age.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

Certain Felonies

Regardless of whether DAEP placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with [Education Code 37.0081](#), a student may be expelled and placed in either DAEP or JJAEP if the board or CBC makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 [see Glossary] of the Penal Code. The student must have:

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

The district may expel the student and order placement under these circumstances regardless of:

1. The date on which the student's conduct occurred;
2. The location at which the conduct occurred;
3. Whether the conduct occurred while the student was enrolled in the district; or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

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

Any decision of the board or the board's designee under this section is final and may not be appealed.

Length of Placement

The student is subject to the placement until:

1. The student graduates from high school;
2. The charges are dismissed or reduced to a misdemeanor offense; or
3. The student completes the term of the placement or is assigned to another program.

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the CBC or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by [Penal Code 29.03\(a\)](#) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older; or
 - b. A disabled person.

Antisemitism is defined by [Government Code section 448.001](#) as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

Armor-piercing ammunition is defined by [Penal Code 46.01](#) as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by [Penal Code 28.02](#) as a crime that involves:

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

2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another; or
 - b. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by [Penal Code 22.01](#) as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in [Penal Code 33.02](#), if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes school district property or information or commits a breach of any other computer, computer network, or computer system.

Bullying is defined as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

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

Chemical dispensing device is defined by [Penal Code 46.01](#) as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by [Penal Code 46.01](#) as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in [Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act](#). The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by [Agriculture Code 121.001](#), or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by [Penal Code 71.01](#) as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by [Education Code 37.0832](#) as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by [Health and Safety Code 483.001](#) as a device or a drug that is unsafe for self-medication and that is not included in [Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act](#). The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by [Section 71.0021 of the Family Code](#).

Deadly conduct under [Penal Code 22.05](#) 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 adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by [Penal Code 46.01](#) as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under [Penal Code 42.06](#) occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies;
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by [federal law \(18 U.S.C. 921\(a\)\)](#) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by [Penal Code 46.01](#) as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in [Education Code 37.001\(b\)\(2\)](#); or
3. Conduct that is punishable as a crime under [Penal Code 42.07](#), including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or

- i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

Hazing is defined by [Education Code 37.151](#) as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in [Education Code 37.151](#), including:

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit list is defined in [Education Code 37.001\(b\)\(3\)](#) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by [Penal Code 46.01](#) as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by [Penal Code 21.08](#) as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by [Civil Practices and Remedies Code 98B.001](#) and [Penal Code 21.16](#) as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by [Penal Code 46.01](#) as a knife with a blade over five and one-half inches.

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

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine gun as defined by [Penal Code 46.01](#) is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

Paraphernalia are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Personal Communication Device means a telephone, cell phone such as a smartphone or flip phone, tablet, smartwatch, radio device, paging device, or any other electronic device capable of telecommunication or digital communication.

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;
3. Personal communication devices or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under [Penal Code 46.05\(a\)](#) means:

1. The following items, unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
 - a. An explosive weapon; or
 - b. A machine gun.
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; or
6. An improvised explosive device.

Public Lewdness is defined by [Penal Code 21.07](#) as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, when the person is reckless about whether another is present who will be offended or alarmed by the act.

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its

membership rather than on the free choice of a qualified student. Educational organizations listed in [Education Code 37.121\(d\)](#) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information and must consider the information furnished in the notice of a student's arrest under [Code of Criminal Procedure Article 15.27](#).

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by [Penal Code Section 1.07](#); or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under [Penal Code 21.07](#);
 - b. Indecent exposure under [Penal Code 21.08](#);
 - c. Criminal mischief under [Penal Code 28.03](#);
 - d. Hazing under [Education Code 37.152](#); or
 - e. Harassment under [Penal Code 42.07\(a\)\(1\)](#) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by [Penal Code 46.01](#) as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by [Penal Code 22.07](#) as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by [Penal Code 46.01](#) as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in [Title 5 of the Penal Code](#) that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under [Sections 19.02–.05](#);
- Kidnapping under [Section 20.03](#);
- Trafficking of persons under [Section 20A.02](#);
- Smuggling or continuous smuggling of persons under [Sections 20.05–.06](#);
- Assault under [Section 22.01](#);
- Aggravated assault under [Section 22.02](#);
- Sexual assault under [Section 22.011](#);
- Aggravated sexual assault under [Section 22.021](#);
- Unlawful restraint under [Section 20.02](#);
- Continuous sexual abuse of a young child or disabled individual under [Section 21.02](#);
- Bestiality under [Section 21.09](#);

- Improper relationship between educator and student under [Section 21.12](#);
- Voyeurism under [Section 21.17](#);
- Indecency with a child under [Section 21.11](#);
- Invasive visual recording under [Section 21.15](#);
- Disclosure or promotion of intimate visual material under [Section 21.16](#);
- Sexual coercion under [Section 21.18](#);
- Injury to a child, an elderly person, or a disabled person of any age under [Section 22.04](#);
- Abandoning or endangering a child under [Section 22.041](#);
- Deadly conduct under [Section 22.05](#);
- Terroristic threat under [Section 22.07](#);
- Aiding a person to die by suicide under [Section 22.08](#); and
- Tampering with a consumer product under [Section 22.09](#).

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the in-fluence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by [Penal Code 46.01](#) as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

Brazosport Independent School District

Student Acceptable Use Agreement (Student AUA)

For Internet/Network Access

Brazosport ISD is committed to using technology as a powerful tool for learning, fostering creativity, problem-solving, and collaboration. As we prepare our students to contribute to today's connected world, we also emphasize the importance of safety, responsibility, and legal behavior online. This Acceptable Use Agreement (AUA) supports our vision of technology use and upholds in our users a strong sense of digital citizenship. This policy applies to all Brazosport Independent School District (BISD) computer networks (including the resources made available by them), and all devices connected to those networks.

Responsible Use and Digital Citizenship

- **Respect Yourself:** I will select online names that are appropriate, and I will be polite and use appropriate language/content in all online posts.
- **Protect Yourself:** I will not publish personal details, contact details, or a schedule of activities for myself or anyone else. I understand that, unless otherwise authorized, I am responsible for all activity initiated by and/or performed under these accounts. I understand that it is my responsibility to appropriately secure my account credentials. I understand that I am responsible for maintaining and backing up all of my own data. If I am uncertain whether a specific computer activity is permitted or appropriate, I will ask a teacher/administrator before engaging in that activity.
- **Respect Others:** I will not use technologies to bully, threaten, or harass other people. I will not make audio or video recordings of students/employees without their prior permission. I understand that posing as someone else is forbidden, and I will not pose as a user other than myself when online. I will not access, download, or modify accounts, files, or data belonging to others. I will be careful and aware when printing to avoid wasting resources and printing unnecessary items.
- **Protect Others:** I will help maintain a safe computing environment by notifying appropriate campus officials of inappropriate behavior, vulnerabilities, risks, and breaches involving campus/district technology.
- **Respect Intellectual Property:** I will suitably cite any and all use of websites, books, media, etc. I will respect all copyrights.
- **Protect Intellectual Property:** I will request to use the software and media that others produce.

The BISD Digital Citizenship and CyberSafety curriculum resources are located at www.brazosportisd.net under Parent & Student Information.

Guidelines for Appropriate Use

1. Acceptable Use

- The purpose of a BISD user account is to access the BISD network and facilitate creativity and innovation. We use this network to support communication and collaboration. We use technology to extend research and information fluency, to collect and analyze data, and to solve problems. The use of the network (including the Internet) must be in support of education and research consistent with the educational goals of the BISD.
- The following practices using District-wide area networks shall be prohibited:
 - Any use of computing resources for commercial purposes, product advertising, political lobbying, or political campaigning,
 - Any use that disrupts the educational and administrative goals of the District,
 - Any use of a network account by anyone but the authorized owner of the account, and
 - Access to materials that have been deemed inappropriate for school use.
- Users may not send, save, view, forward, or create harassing or offensive content/messages. Offensive material includes, but is not limited to, pornographic, obscene, or sexually explicit material, sexual comments, jokes or images that would violate school policies. The school policies against harassment and discrimination apply to the use of technology.

2. Privileges

- The use of the Internet is a privilege, not a right, and inappropriate use may result in cancellation of those privileges.
- Students whose behavior or device repair record indicates careless use or abuse of school-issued devices or other District technology will be referred to appropriate disciplinary action consistent with this AUA.
- The Chief Operations and Technology Officer, in accordance with the Superintendent and Board, will deem what constitutes inappropriate use, and this decision is final. This document and any other applicable district policy or law govern any further consequences related to inappropriate use.
- The administration, faculty, and staff of BISD may request the Chief Operations and Technology Officer to deny, revoke, or suspend specific user access. The Chief Operations and Technology Officer may suspend or revoke access at any time for inappropriate use.

3. Filtering

- No internet filtering device is 100% accurate, and BISD's filter is not an exception. The District can make no guarantee that all inappropriate content will be filtered, as new internet sites and proxy servers are created every day. BISD follows all requirements of CIPA (Children's Internet Protection Act) compliance and makes every effort to protect students from harmful content.
- The Chief Operations and Technology Officer will select, implement, and maintain appropriate technology for filtering Internet sites containing material considered inappropriate or harmful to minors. All Internet access within a district site will be filtered for minors on devices with Internet access.
- The categories of material considered inappropriate and to which access will be blocked include, but are not limited to: nudity/pornography; images or descriptions of sexual acts, promotion of violence, illegal use of weapons, drug use, discrimination, or participation in hate groups,

instructions for performing criminal acts (e.g., bomb making); online gambling, bullying, and social networking.

- All Google searches and YouTube videos are recorded and monitored.
- Immediately notify your teacher or a staff member if inappropriate material is accessed unintentionally.
- If you need access to a blocked appropriate site, ask your teacher to use the proper procedure to request that the site be reviewed. Only requests submitted by BISD employees will be considered for review through the work order system.
- Only sites used for instructional or school business purposes will be considered for unblocking.
- BISD is not responsible for the content accessed by users who connect via their own wireless device (cell phones, air-cards, etc.) or off-site.

Downloading/Streaming

- Downloading from the Internet: Students shall not download or install any unapproved software on district technology devices.
- Downloading of content or music clips by students shall be monitored at all times and must be only for direct instructional purposes, and must be legal.
- Audio or Video Streaming from Internet: Students shall not access the internet for streaming (live) audio (music, etc.) or video (clips, movies, etc.) at any time, unless approved by their immediate teacher for educational purposes.

4. Security

- If you feel you can identify a security problem on the Internet, you must notify the classroom teacher immediately.
- For the security of data that may be accessible from your networked computer, you must always lock or log out of your computer when you are not sitting in front of it.
- Your password must be kept secure at all times. Do not share it with other students/people or post it in an accessible location.
- Posting of personal addresses or phone numbers of students or colleagues is prohibited.
- Posting of student pictures with full names is prohibited.
- Physical or electronic tampering with computer resources will result in cancellation of privileges and possible disciplinary action.
- Internet file sharing services, also called Peer-to-Peer Networks, are strictly prohibited, and violations may result in disciplinary action.
- Personal portable storage devices (jump drives, flash drives, etc.) may be attached to a district computer. Data on the personal portable storage device is subject to review, inspection, and confiscation by the Chief Operations and Technology Officer or other district personnel.
- Any and all hacking on BISD equipment and applications is strictly prohibited. For the purposes of this document, hacking is defined as any attempt (whether successful or not) to access, override, and/or manipulate any and all BISD data, applications, servers, routers, switches, access points, and any other devices connected to the BISD network. An example of hacking would be the creation and/or distribution of a computer virus/spyware on the BISD network. Hacking will result in disciplinary action (which may include cancellation of privileges) and prosecution to the fullest extent of the law.

Government Laws

Technology is to be utilized in conformity with the laws of the United States and the State of Texas. Violations include, but are not limited to, the following:

1. Criminal Acts – These include, but are not limited to:
 - Unauthorized tampering
 - Harassing email
 - Cyberstalking
 - Child pornography
 - Vandalism
 - Cyberbullying
2. Libel Laws – You may not publicly defame people through published material.
3. Copyright Violations – Copying, selling, or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), and/or engaging in plagiarism.

Google Apps and Other Third-Party Accounts

In accordance with our district's mission, goals, and vision for technology, our students may require accounts in third-party systems. Many of these accounts will be used at school for school-related projects, but may also be accessed outside of school with their parents' permission. The use of these accounts will help our students to master effective and proper online communications as required in the PreK-12 Technology Applications Standards.

COPPA Consent

In order for BISD to continue to be able to provide your student with the most effective web-based tools and applications for learning, we need to abide by federal regulations that require a parental signature as outlined below.

BISD utilizes several computer software applications and web-based services, operated not by BISD but by third parties. These include Google Workspace for Education and similar educational programs. In order for our students to use these programs and services, certain personal identifying information, generally the student's name and email address, must be provided to the website operator. Under federal law, these websites must provide parental notification and obtain parental consent before collecting personal information from children under the age of 13.

The law permits schools such as BISD to consent to the collection of personal information on behalf of all of its students, thereby eliminating the need for individual parental consent given directly to the website operator.

Your approval of the Acceptable Use Agreement will constitute consent for BISD to provide personal identifying information for your child, consisting of first name, last name, email address, and username to Google Workspace for Education and to the operators of any additional web-based educational programs and services which BISD may add during the upcoming academic year.

Please be advised that without approval of the Acceptable Use Agreement, your enrollment package will not be considered complete, as BISD will be unable to provide your student (s) with the resources, teaching, and curriculum offered by our EmpowerEd (1:1) Program.

Limitation of Liability

The District makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the District system will be error-free or without defect. The District will not be responsible for any damage users may suffer, including but not limited to data loss or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system. The District shall not be liable for the user's inappropriate use of the District's technology resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. Users will indemnify and hold the department and its respective districts harmless from any losses sustained by the department as a result of intentional misuse of the system by a user. Data contained in the District technology resource systems remains the property of BISD. Electronic mail transmissions and other use of BISD technology resource systems, including Internet access and data storage, shall not be considered confidential and may be monitored by authorized individuals at any time to ensure appropriate use for educational purposes.

Consequences for Inappropriate Internet/Network Use

By signing the Acknowledgement of Electronic Distribution of Student Handbook & Student Code of Conduct signature page, the user certifies that they understand and will abide by this Acceptable Use Agreement. If the user breaks the agreement, the consequences could include:

- Suspension of access to the Internet and/or Network account;
- Disciplinary and/or legal action, in accordance with District policies and applicable laws.

The required signatures on the Internet/Network Acceptable Use Agreement signature page are legally binding and indicate that the parties who signed have read the terms and conditions carefully and understand their significance.

The signature page titled 2026-2027 Acknowledgement of Electronic Distribution of Student Handbook & Student Code of Conduct can be found at the back of the Student Code of Conduct under Section VI Miscellaneous.

STUDENT-AUA REV.
6/2026

Brazosport Independent School District

2026 – 2027

ACCEPTABLE USE AGREEMENT

USER/STUDENT

I have read and will abide by the BISD Acceptable Use Agreement. I understand that the use of the District's electronic communication system is a privilege and violation of these provisions is unethical and may result in access to the system being revoked and/or disciplinary/legal action being taken.

User's Printed Name: _____

User Signature: _____ Student ID#: _____

School: _____ Grade: _____ Date: _____

PARENT OR GUARDIAN (Must be signed if the user is a minor)

As the parent or guardian of this student, I have read the BISD Acceptable Use Agreement and agree to promote its provisions with my child. I recognize it is impossible for the school district to restrict access to all controversial materials. I further understand that the use of the District's electronic communication system is a privilege and violation of these provisions is unethical and may result in access to the system being revoked and / or disciplinary/legal action being taken.

Signature of parent or guardian: _____ Date: _____

ACKNOWLEDGEMENT OF ELECTRONIC DISTRIBUTION OF STUDENT HANDBOOK & STUDENT CODE OF CONDUCT

We accept responsibility for accessing the Student Handbook and the ***Student Code of Conduct*** by visiting the web address at www.brazosportisd.net. We understand that hard copies of the Student Handbook and the ***Student Code of Conduct*** are available at all Principal offices on each BISD campus if access to the web is not an option.

We understand that the handbook contains information that my child and I may need during the school year and that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the ***Student Code of Conduct***. If we have any questions regarding this handbook or the Code of Conduct, we will direct those questions to the Principal at the home campus.

Failure to sign and return this form does not exempt me/us from compliance with laws, policies, rules and regulations of the State of Texas and of Brazosport Independent School District.

Student Name (Please Print)

Grade

Campus

Parent/Guardian Signature

Date

Student Signature

Date

Please sign and return this form to your student's school. Thank you.