

LAKE DALLAS INDEPENDENT SCHOOL DISTRICT  
Board of Trustees



**Regular Meeting**

Monday, July 18, 2022 5:30 PM

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**Meetings of the Board are held at 104 Swisher Rd., Lake Dallas, TX 75065**

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

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**Agenda**

1. Call to Order, Roll Call, and Establishment of Quorum
2. Executive Session

The open session of the meeting will adjourn. The Board of Trustees will reconvene in executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code). The Board of Trustees will reconvene in open session to take any final action, decision, or vote on a matter deliberated in executive session.

- A. Private consultation with the Board's attorney regarding threatened litigation, *Student vs Lake Dallas Independent School District*, Texas Education Agency Docket No. 069-DM-0422. (TCG 551.071)
- B. Discussing or deliberating purchase, exchange, lease or value of real property (TCG 551.072)
- C. Discussing or deliberating negotiated contract for prospective gift or donation to the school district (TCG 551.073)
- D. Discussing or deliberating appointment, employment, evaluation, reassignments, duties, discipline, or dismissal of a public officer (TCG 551.074)
- E. Discussing or deliberating the deployment, or specific occasions for implementation of security personnel or devices; or a security audit (TCG 551.076)
- F. Discussing or deliberating discipline of a public school child or employee complaint against another employee (TCG 551.082)

- G. Discussion of a matter regarding a student or that would reveal personally identifiable information of a student, including threatened litigation, *Student vs Lake Dallas Independent School District*, Texas Education Agency Docket No. 069-DM-0422. (TCG 551.0821)
  - H. Investigation; exclusion of witness from a hearing during examination of another witness (TCG 551.084)
  - I. Discussing economic development negotiations or offer of financial or other incentive to business prospects (TCG 551.086)
3. Reconvene to Open Session, Moment of Silence and Pledges of Allegiance
  4. Introductions
  5. Public Comment

At regular Board meetings, the Board shall permit public comment, regardless of whether the topic is an item on the agenda posted with notice of the meeting. Individuals who wish to participate during the Open Comment portion of the meeting shall sign up with the presiding officer or designee before the meeting begins as specified in the Board's procedures on public comment and shall indicate the agenda item or topic on which they wish to address the Board. An individual's comments to the Board shall not exceed five minutes per meeting.

6. Trustee Reports
7. Superintendent Report
8. CONSENT AGENDA ITEMS

Consent Agenda Items are items identified as routine, procedural, informational or self-explanatory presented as a single motion to be acted on at one time.

- 8.A. Consideration/Approval of the Minutes of the June 20, 2022 REGULAR Board Meeting
- 8.B. Consideration/Approval of Monthly Financial Statements and Quarterly Investment Report
- 8.C. Consideration/Approval of Budget Amendment #5
- 8.D. Consideration/Approval of T-TESS Appraisal Calendar and Appraisers
- 8.E. Consideration/Approval of Student Code of Conduct
9. ACTION ITEMS
  - 9.A. Consider and possible action regarding threatened litigation, *Student v. Lake Dallas Independent School District*, Texas Education Agency Docket No. 069-DM-0422.
  - 9.B. Consideration/Approval of TASB Policy Update 119
  - 9.C. Consideration/Approval of Staff Development Plan
  - 9.D. Consideration/Approval of a Resolution to Convene the School Health Advisory Council (SHAC)
10. FUTURE ITEMS
  - 10.A. Nominations for TASB Board of Directors for Region 11
  - 10.B. Budget Update - Debt Service & Food Service Budgets, and Final Review of the Budget

11. INFORMATION ITEMS

11.A. Budget Update - General Fund

11.B. Upcoming Meetings & Events

12. Executive Session (if needed)

13. Adjournment

# Minutes of Regular Board Meeting

## The Board of Trustees

### Lake Dallas Independent School District

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A Regular Meeting of the Board of Trustees of Lake Dallas Independent School District was held Monday, June 20, 2022, beginning at 5:30 PM at 104 Swisher Rd., Lake Dallas, TX 75065.

PRESENT: President Lance Stacy, Vice President Alicia McKinley, Secretary Mark Tucker, Trustees Stephen Richardson, Bruce Smith and Ginger Collier, and Superintendent Dr. Mike Rockwood

ABSENT: Scott Baird

**1. Call to Order, Roll Call, and Establishment of Quorum – 5:30 PM**

**2. Executive Session**

The open session of the meeting adjourned at 5:30 PM. The Board of Trustees moved to executive session pursuant to one or more of the sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code).

**3. Reconvene to Open Session, Moment of Silence and Pledges of Allegiance**

The Board reconvened to Open Session at 6:29 PM. A moment of silence was observed and Karla Landrum led the Pledges of Allegiance.

**4. Staff Report/Recognitions**

**A. U.S. News Best High Schools**

Mollie Avelino, Principal of Lake Dallas High School, recognized her campus and leadership team for being named one of the U.S. News 'Best High Schools'.

**B. Dallas Business Journal's 40 Under 40**

President Lance Stacy recognized Dr. Rockwood for his selection into the Dallas Business Journal 2022 40 Under 40 Awards. The honorees are rising stars in business, dentistry, fitness, food & beverage, health care, nonprofits, interior design, education, finance, and marketing.

**5. Introductions**

Karla Landrum introduced three new Falcon district and campus administrators to the Board of Trustees: Cala High, LDE Assistant Principal, Alyssa Stevenson, SSE Assistant Principal, and Bry Kenney, Director of Child Care

**6. Public Comment**

Persons desiring to address the Board of Trustees were given the opportunity to sign up to speak. No one signed up to address the Board.

## 7. **Trustee Reports**

Members of the Board of Trustees were given the opportunity to share positive comments about district meetings and events.

- Trustee Bruce Smith expressed his excitement to serve as a Trustee.
- Vice President Alicia McKinley stated her thankfulness to Wes Eversole for his budget update and to the athletic department for hosting summer camps. She also said that she was impressed with the learning she saw when she visited summer school.
- Trustee Stephen Richardson thanked our staff and administrators and encouraged everyone to take time to recharge this summer.
- Trustee Mark Tucker thanked the principals and administrators for their hard work during the hiring season.
- President Lance Stacy congratulated the Class of 2022, and expressed his regrets for missing graduation, but happy to greet new granddaughter.

## **Superintendent Reports**

Dr. Rockwood shared positive comments about the following district meetings and events:

- Graduation and Rose Cutting
- LCEF Golf Tourney

## 8. **CONSENT AGENDA ITEMS**

Consent Agenda Items are items identified as routine, procedural, informational or self-explanatory presented as a single motion to be acted on at one time.

**It was MOVED by Mark Tucker and SECONDED by Bruce Smith to approve the consent agenda:**

- A. Consideration/Approval of the Minutes of the May 16, 2022, REGULAR Board Meeting**
- B. Consideration/Approval of Monthly Financial Statements**
- C. Consideration/Approval of Budget Amendment #4**

Budget Amendment #4 amends the budget to purchase uniforms for the High School Highsteppers and a Falcon mascot suit.

- D. Consideration/Approval of Interlocal Agreement with the City of Corinth to provide transportation services**  
The resolution provides an interlocal agreement for bus service for Corinth Police Department summer CSI Camps and the Youth Mini-Academy.
- E. Consideration/Approval of SRO Agreement with the City of Corinth**  
Every five years, the Lake Dallas ISD Board of Trustees reviews and considers an Interlocal Agreement with the City of Corinth Police Department to provide a School Resource Officer (SRO) for LDISD. This individual offices out of Lake Dallas High School and routinely visits Corinth Elementary and Shady Shores Elementary.

**F. Consideration/Approval of 2022-2023 Board of Trustees Meeting Dates**

The meeting dates for the 2022-23 are:

September 19, 2022	REGULAR
October 17, 2022	REGULAR
November 14, 2022*	REGULAR
December 12, 2022*	REGULAR
January 23, 2023*	REGULAR
February 20, 2023	REGULAR
March 20, 2023	REGULAR
April 17, 2023	REGULAR
May 15, 2023	REGULAR
June 19, 2023	REGULAR
July 17, 2023	REGULAR
August 14, 2023**	REGULAR
August 28, 2023	SPECIAL

\* Moved due to school holidays on 3rd Monday

\*\* Moved due to Special Meeting for budget on 4th Monday

**G. Consideration/Approval of Staff Development Waiver Days & Calendar Adjustment**

The Lake Dallas ISD Board of Trustees approved the 2022-2023 academic calendar at the January 2022 Board Meeting that includes PLC and data days built in throughout the school year. These days require a waiver from the Texas Education Agency that was released this month. The days the waiver will cover are highlighted green in the attachment. This waiver makes a change to instructional minutes counted, but does not impact student days.

The University of North Texas released graduation openings for the class of 2023. Graduation will be held on Wednesday, May 24, 2023 at 5:00pm. Lake Dallas ISD Administration is recommending the Board of Trustees adjust May 24th, 2023 to an early release day.

These changes still ensure students have the required number of minutes as required by the Texas Education Agency.

**H. Consideration/Approval of ESC XI Contracted Services Agreement**

Region XI Educational Service Center provides multiple services to the District as part of an annual agreement. The 2022-2023 agreement includes 8 contracts: Comprehensive Services Basic Contract, HR Resources, Instructional Solutions & Support, Superintendent & School Board Training, Technology Services, TEKS Resource System, TSDS (PEIMS/ECDS), and OnDataSuite. Other options are being explored to possibly replace Digital Learning Video Streaming and TEKSbank.

***MOTION PASSED 6-0.***

**10. ACTION ITEMS**

**A. Consideration/Approval of LDISD Strategic Plan**

Dr. Shorr Heathcote, Chief Administrative Officer, presented the LDISD Strategic Plan. Strategic planning began in March 2022. Parents, students, staff, and community members had the opportunity to provide feedback through an online survey that was open from March 28, 2022-

April 15, 2022. In addition, Dr. Rockwood held a Listening and Learning Tour in which he visited each campus where a SWOT (Strength, Weakness, Opportunity, and Threat) Analysis was completed. The Strategic Planning Community Committee created belief statements and mission. The committee also reaffirmed the current LDISD vision and slogan.

***Ginger Collier MOVED to approve the LDISD Strategic Plan. Bruce Smith SECONDED. MOTION PASSED 6-0.***

**B. Budget Update & Consideration/Approval of 2022-2023 Compensation Package**

Wes Eversole presented the campus budget updates including athletic, health services and band.

He also presented the compensation package that included a salary schedule with a \$1,815 salary increase for each full-time teacher working 187 days. The increase is based on 3% of the average teacher's salary. The starting teacher salary will be \$56,615. The salary increase will apply to teachers and other salary- scheduled professional employees and will be prorated based on salary scheduled days. Also proposed are a \$.60/hour salary schedule raise for each educational aid, food service worker, maintenance worker, bus driver, and custodian and a 3% increase for other salaried employees. These schedules are revised annually and should not be construed as a step schedule for future salary projections.

***Alicia McKinley MOVED to approve the 187-day teacher salary schedule and other salary increases described above for the 2022-23 school year. Ginger Collier SECONDED. MOTION PASSED 6-0.***

**11. FUTURE ITEMS**

**A. Budget Update – General Fund, Food Service & Debt Service**

**12. INFORMATION ITEMS**

**A. Upcoming Meetings & Events**

TASB Summer Leadership Institute is June 30 through July 2 at the Fort Worth Omni Hotel.

**13. Executive Session – if needed**

The Board did not move into executive session.

**14. Adjournment - The meeting was adjourned at 7:37 pm.**

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Board President

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Board Secretary

LAKE DALLAS ISD  
 COMPARISON OF REVENUE AND EXPENDITURES  
 GENERAL FUND  
 MAY 2022

	Prior Month YTD	Current Month YTD	Current Budget	Balance	%
<b>REVENUE</b>					
Local Revenue	24,225,747	24,338,083	24,810,974	472,891	98.1%
State Revenue	6,964,468	7,736,997	14,431,911	6,694,914	53.6%
Federal Revenue	762,104	763,630	666,462	(97,168)	114.6%
<b>Total Revenue</b>	<b>31,952,319</b>	<b>32,838,710</b>	<b>39,909,347</b>	<b>7,070,637</b>	<b>82.3%</b>
<b>EXPENDITURES</b>					
Instruction	15,049,955	16,933,689	23,284,956	6,351,267	72.7%
Inst. Res./Media Services	311,472	348,785	487,332	138,547	71.6%
Curriculum Dev. & Inst. Staff Devel	516,511	575,915	766,967	191,052	75.1%
Inst. Leadership	536,861	603,608	779,098	175,490	77.5%
School Leadership	1,530,038	1,719,008	2,313,760	594,752	74.3%
Guidance/Counseling/Evaluation	895,615	1,005,714	1,342,436	336,722	74.9%
Social Work Services	7,706	8,669	12,838	4,169	67.5%
Health Services	223,395	252,149	375,058	122,909	67.2%
Pupil Transportation	1,038,825	1,194,267	1,557,491	363,224	76.7%
Cocurr./Extracurr. Activities	767,798	846,403	1,222,119	375,716	69.3%
Gen Administration	951,099	1,062,624	1,478,936	416,312	71.9%
Plant Maintenance & Operations	3,014,093	3,366,645	5,153,722	1,787,077	65.3%
School Monitoring Services	164,019	173,527	306,628	133,101	56.6%
Data Processing Services	675,525	741,024	972,622	231,598	76.2%
Community Services	6,978	6,978	6,980	2	100.0%
Facilities Acq. & Construction	10,093	10,093	14,000	3,908	72.1%
Payments to JJAEP Program	1,089	1,089	4,000	2,911	27.2%
Other Intergovernmental Charges	157,041	157,041	220,896	63,855	71.1%
<b>Total Expenditures</b>	<b>25,858,114</b>	<b>29,007,226</b>	<b>40,299,839</b>	<b>11,292,613</b>	<b>72.0%</b>
<b>Grand Revenue Totals</b>	<b>31,952,319</b>	<b>32,838,710</b>	<b>39,909,347</b>		
<b>Grand Expenditure Totals</b>	<b>25,858,114</b>	<b>29,007,226</b>	<b>40,299,839</b>		
<b>Grand Totals</b>	<b>6,094,204</b>	<b>3,831,483</b>	<b>(390,492)</b>		

LAKE DALLAS ISD  
 COMPARISON OF REVENUE AND EXPENDITURES  
 FOOD SERVICE FUND  
 MAY 2022

	Prior Month YTD	Current Month YTD	Current Budget	Balance	%
<b>REVENUE</b>					
Local Revenue	157,844	168,895	169,730	835	99.5%
State Revenue	7,150	7,150	10,000	2,850	71.5%
Federal Revenue	2,185,216	2,477,949	1,698,448	(779,501)	145.9%
<b>Total Revenue</b>	<b>2,350,209</b>	<b>2,653,993</b>	<b>1,878,178</b>	<b>(775,815)</b>	<b>141.3%</b>
<b>EXPENDITURES</b>					
Food Service	1,500,638	1,690,208	1,870,652	180,444	90.4%
<b>Total Expenditures</b>	<b>1,500,638</b>	<b>1,690,208</b>	<b>1,870,652</b>	<b>180,444</b>	<b>90.4%</b>
<b>Grand Revenue Totals</b>	<b>2,350,209</b>	<b>2,653,993</b>	<b>1,878,178</b>		
<b>Grand Expenditure Totals</b>	<b>1,500,638</b>	<b>1,690,208</b>	<b>1,870,652</b>		
<b>Grand Totals</b>	<b>849,572</b>	<b>963,786</b>	<b>7,526</b>		

LAKE DALLAS ISD  
 COMPARISON OF REVENUE AND EXPENDITURES  
 DEBT SERVICE FUND  
 MAY 2022

	Prior Month YTD	Current Month YTD	Current Budget	Balance	%
<b>REVENUE</b>					
Local Revenue	11,955,959	12,011,654	12,187,043	175,389	98.6%
State Revenue	171,647	171,647	171,263	(384)	100.2%
<b>Total Revenue</b>	<b>12,127,606</b>	<b>12,183,301</b>	<b>12,358,306</b>	<b>175,005</b>	<b>98.6%</b>
<b>EXPENDITURES</b>					
Debt Services	2,726,741	2,726,741	12,357,256	9,630,515	22.1%
<b>Total Expenditures</b>	<b>2,726,741</b>	<b>2,726,741</b>	<b>12,357,256</b>	<b>9,630,515</b>	<b>22.1%</b>
<b>Grand Revenue Totals</b>	<b>12,127,606</b>	<b>12,183,301</b>	<b>12,358,306</b>		
<b>Grand Expenditure Totals</b>	<b>2,726,741</b>	<b>2,726,741</b>	<b>12,357,256</b>		
<b>Grand Totals</b>	<b>9,400,866</b>	<b>9,456,560</b>	<b>1,050</b>		

LAKE DALLAS ISD  
BALANCE SHEET  
GENERAL FUND, FOOD SERVICE AND DEBT SERVICE  
AS OF MAY 31, 2022

General Fund

Cash & Investments	43,653,131
Receivables	2,196,283
Deferred Expenses	45,922
<b>Total Assets</b>	<u>45,895,336</u>

Current Payables	(27,264,060)
Accrued Expenses	(136,220)
Deferred Revenue	(1,986,972)
<b>Total Liabilities</b>	<u>(29,387,253)</u>

Reserve for Encumbrances	1,438,137
Undesig. Fund Balance	(16,508,083)
Reserve for Encumbrances	(1,438,137)
<b>Total Equity</b>	<u>(16,508,083)</u>

Food Service

Cash & Investments	2,010,638
Receivables	292,689
<b>Total Assets</b>	<u>2,303,327</u>

Current Payables	(791,531)
Accrued Expenses	(28,253)
<b>Total Liabilities</b>	<u>(819,785)</u>

Reserve for Food Encumbrances	(429,304)
Undesig. Fund Balance	(1,089,836)
Reserve for Encumbrances	35,597
<b>Total Equity</b>	<u>(1,483,543)</u>

Debt Services

Cash & Investments	10,966,675
Receivables	773,821
<b>Total Assets</b>	<u>11,740,496</u>

Current Payables	0
Deferred Revenue	(197,422)
<b>Total Liabilities</b>	<u>(197,422)</u>

Reserve for Long Term Debt	(1,900,470)
Undesig. Fund Balance	(9,642,604)
<b>Total Equity</b>	<u>(11,543,074)</u>

**Lake Dallas ISD  
Summary Of Tax Collections Comparison  
May 2022**

<u>Current Tax Collections</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Current Tax Roll Status:	\$37,169,279	\$35,179,135	\$34,413,500
+/- Supplemental Adjustments	620,981	944,340	251,880
Balance Taxes Due After Adjustments	<u>37,790,260</u>	<u>36,123,475</u>	<u>34,665,380</u>
Current Collection Activity:			
General Operating Fund	23,734,200	22,775,495	22,301,003
Debt Service Fund	11,863,541	10,842,375	10,437,612
Total Current Collections	<u>35,597,741</u>	<u>33,617,870</u>	<u>32,738,615</u>
Unpaid Current Taxes Due @ End of Month	2,192,519	2,505,606	1,926,765
Collection % to Current Tax Role	94.20%	93.06%	94.44%

**Delinquent Tax Collections**

Prior Years Delinquent Tax Roll:	741,793	530,140	556,060
+/- Supplemental Adjustments	(148,451)	(126,036)	(21,133)
Balance Taxes Due After Adjustments	<u>593,342</u>	<u>404,104</u>	<u>534,927</u>
Delinquent Collection Activity:			
Less General Operating Funds Collected	59,497	-13,558	55,653
Less Debt Service Collected	28,294	(6,019)	23,768
Total Delinquent Collections	<u>87,791</u>	<u>-19,578</u>	<u>79,421</u>
Unpaid Delinquent Taxes Due @ End of Month	505,551	423,682	455,506
Collection % to Delinquent Tax Role	14.80%	-4.84%	14.85%

**Penalties, Interest, Attorney Fees**

Penalties and Interest:			
Penalty and Interest Paid On Taxes	150,643	72,236	86,566
Amount Paid to Tax Attorney	59,528	14,104	12,332
Total Penalties, Interest, Attorney Fees	<u>210,170</u>	<u>86,340</u>	<u>98,898</u>

**Collection Summary**

Current Taxes Collected	35,597,741	33,617,870	32,738,615
Delinquent Taxes Collected	87,791	-19,578	79,421
Penalties, Interest, Attorney Fees	210,170	86,340	98,898
Total Tax Collections	<u>35,895,703</u>	<u>33,684,632</u>	<u>32,916,934</u>
Total Unpaid Current Taxes Due @ End of Month	2,192,519	2,505,606	1,926,765
Total Unpaid Delinquent Taxes Due @ End of Month	505,551	423,682	455,506
Total Taxes Outstanding	<u>2,698,070</u>	<u>2,929,287</u>	<u>2,382,271</u>




**LAKE DALLAS ISD**  
**QUARTERLY INVESTMENT REPORT**  
**QUARTER ENDED MAY 31, 2022**  
**SUMMARY OF FIXED TERM INVESTMENTS**

FUND	INVESTMENT INSTRUMENT	PURCHASE DATE	INVESTED AMOUNT	STATED YIELD	MATURITY DATE	MARKET VALUE	MATURITY VALUE	MATURITY INTEREST
INTEREST AND SINKING FUND	TEXAS TERM	3/22/2022	10,000,000	0.98%	7/27/2022	10,019,063	10,034,099	34,099
CLEARING FUND	TEXAS TERM	3/22/2022	4,000,000	0.78%	6/7/2022	4,006,069	4,006,582	6,582
CLEARING FUND	TEXAS TERM	3/22/2022	3,000,000	0.93%	7/19/2022	3,005,427	3,009,096	9,096
CLEARING FUND	TEXAS TERM	3/22/2022	3,000,000	1.08%	8/16/2022	3,006,302	3,013,049	13,049
CLEARING FUND	TEXAS TERM	3/22/2022	8,000,000	1.25%	9/16/2022	8,019,452	8,048,767	48,767
TOTAL			28,000,000			28,056,314	28,111,593	111,593

TOTAL INVESTMENTS BY FUND	GENERAL FUND	INTEREST AND SINKING ACTIVITY	CONSTRUCTION	TOTAL INVESTMENTS
	615,993	557,787	349,049	7,226,364
		5,703,534		

The Lake Dallas Independent School district complies to the objectives and policies adopted by the Lake Dallas School Board. The objectives and priorities of the investment policy of Lake Dallas Independent School District are as listed. To comply with the laws of the State of Texas as defined in Government Code 10 (Chapter 2256), known as the "Public Funds Investment Act". To provide for the safety of principal of all Lake Dallas ISD funds. To provide sufficient funds to meet the cash needs of the continuing operations of Lake Dallas ISD. To earn the highest possible rates of return on investments consistent with foregoing objectives and guidelines. To allow for diversification in the types, issues and maturities of investments so as to avoid incurring unreasonable and avoidable risks. To maintain the highest professional and ethical standards as custodians of the public trust.

  
 Wes Eversole, Deputy Superintendent/CFO, District Investment Officer  
 Date 7.15.2022



# Lake Dallas High School

## Price By Collection

07/15/2022

Items	Description	Unit Price	Quantity	Extended Price	Sub Total
Group 1					
WS224FP		\$111.95	27	\$3,022.65	\$3,022.65
TTBRDMD2		\$18.25	27	\$492.75	\$492.75
MFBLR224W		\$85.95	27	\$2,320.65	\$2,320.65
S306		\$79.95	27	\$2,158.65	\$2,158.65
Sub Total		\$296.10			\$7,994.70
Shipping		\$17.50			\$556.00
Group 1 Totals		\$313.60			\$8,550.70
Sub Total		\$296.10			\$7,994.70
Shipping		\$17.50			\$556.00
Totals		\$313.60			\$8,550.70

This is not an invoice. Tax is an estimate.

Sales tax, when applicable, is calculated at the time your order is shipped

Title and risk of loss transfers to the customer upon delivery of goods to the common carrier.

# Lake Dallas High School

## Price By Collection

07/15/2022

Items	Description	Unit Price	Quantity	Extended Price	Sub Total
Group 1					
WS116RA		\$140.00	27	\$3,780.00	\$3,780.00
CFDDAR4		\$58.00	27	\$1,566.00	\$1,566.00
MFBLR116CV		\$73.95	27	\$1,996.65	\$1,996.65
S1206		\$0.00	27	\$0.00	\$0.00
Sub Total		\$271.95			\$7,342.65
Shipping		\$17.50			\$510.50
Group 1 Totals		\$289.45			\$7,853.15
Sub Total		\$271.95			\$7,342.65
Shipping		\$17.50			\$510.50
Totals		\$289.45			\$7,853.15

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# Lake Dallas ISD Appraisal Calendar 2022-2023

The appraisal period excludes the two weeks following the orientation and prohibits appraisals on the last day of instruction before official school holidays.

**Thursday, July 28, 2022**

## **T-TESS Orientation**

- For teachers new to T-TESS, the district and when district policy has changed from the last orientation
- Will be conducted no later than the first three weeks of school and at least two weeks before the first appraisal.

**Tuesday, August 2, 2022**

## **T-TESS Refresher**

- Presented on individual campuses

**Wednesday, August 17, 2022**

**May begin classroom observations** (at least 2 weeks after completion of orientation)

**Friday, September 2, 2022**

**No appraisals may be conducted.**

**Not Later Than Thursday, September 8, 2022**

## **Completed *Goal Setting and Professional Development Plan***

- New teachers submit to the appraiser for approval within six weeks from the day of completion of the orientation.
- A GSPD Conference is required for a teacher in the first year of appraisal under T-TESS and teachers new to the district.

**Not Later Than Thursday, September 22, 2022**

- Returning teachers review the goal(s) established at the EOY Conference to determine if changes are needed and submit within first six weeks of instruction.

**Friday, October 7, 2022**

**No appraisals may be conducted.**

**Friday, November 18, 2022**

**No appraisals may be conducted.**

**Wednesday, December 14, 2022**

**No appraisals may be conducted.**

**Friday, January 13, 2023**

**No appraisals may be conducted.**

**Wednesday, February 22, 2023**

**No appraisals may be conducted.**

**Friday, March 10, 2023**

**No appraisals may be conducted.**

**Thursday, April 6, 2023**

**No appraisals may be conducted.**

**Not Later Than Friday, May 5, 2022**

## **End of Year Conference**

- **At least** 15 Days Prior to the Last Day of Instruction
- Review summative scores for Domains I, II and III
- Review the data and evidence gathered throughout the appraisal year for Domain IV, including the teacher's evidence for this domain/dimensions
- Review results of the performance of the teachers' students
- Review potential goals and professional development plans for the next school year

*Note: Domain IV is not scored until after the teacher has been afforded an opportunity to present evidence related to each of the four dimensions during the end-of-year conference.*

## **Professional Development and Appraisal System Lake Dallas I.S.D. Approved Appraisers 2022-2023**

Mollie Avelino  
Kerri Blevins  
Jessica Bovan  
Jennifer Bryant  
Randall Caldwell  
Mike Cromis  
Rendee Garrison

Karla Landrum  
Russell Lopez  
John Modica  
Jonathan Mosby  
Arely Potts  
Jennifer Phillips  
Shelly Wendt

The formal appraisal of all District teachers shall be in accordance with the Texas Teacher Evaluation and Support System (T-TESS) developed by the Texas Education Agency. The purpose of T-TESS is to improve planning, instruction, the learning environment, and professional practices and responsibilities so that the refinement of each teacher's craft leads to improved student performance.

T-TESS aligns with the Texas Teacher Standards (TEC, Chapter 140, Section 149.1001) and is intended to be used for continuous professional growth through ongoing feedback and support which results in refinement of knowledge, skills and practices that ultimately impact student performance.

All appraisers shall complete required T-TESS Appraisal Training and Appraiser Certification exam prior to performing appraisals.

All District teachers shall be appraised annually except as allowed by DNA(Local). Components of the appraisal process, such as classroom observations and walk-throughs, shall be conducted more frequently as necessary to ensure that teachers receive appropriate guidance.

The District shall establish an appraisal calendar each year.

Complaints regarding teacher appraisal shall be addressed in accordance with DGBA(LOCAL).



# **Lake Dallas Independent School District**

## **2022-2023 School Year Student Code of Conduct**

If you have difficulty accessing the information in this document because of disability, please contact the Director of Student Services at 940-497-4039.

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# Lake Dallas ISD Student Code of Conduct

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## **Student Code of Conduct**

### **Accessibility**

If you have difficulty accessing the information in this document because of disability, please contact the Director of Student Services at 940-497-4039.

### **Purpose**

The Student Code of Conduct (“Code”), 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 Student Code of Conduct has been adopted by the *Lake Dallas ISD* 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 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 shall be posted at each school campus or shall be available for review at the campus principal’s office. Additionally, the Code 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.

Because the Student 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 and the Student Handbook, the Code 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.

## **Lake Dallas ISD Student Code of Conduct**

### **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 or 37.0081; and
12. When the student is required to register as a sex offender.

### **Campus Behavior Coordinator**

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as campus behavior coordinator. Contact information may be found at <https://www.ldisd.net/Page/1854> and at <https://www.ldisd.net/Page/1850>.

### **Threat Assessment and Safe and Supportive School Team**

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

### **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.

## **Lake Dallas ISD Student Code of Conduct**

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* campus behavior coordinator 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**

To ensure the security and protection of students, staff, and property, the board employs police officers as school resource officers (SROs). In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).

### **“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.

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 salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during their senior year.

### **Unauthorized Persons**

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

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and 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

## ***Lake Dallas ISD Student Code of Conduct***

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 **DAEP—Restrictions During Placement** on page 21 for information regarding a student assigned to DAEP at the time of graduation.

## ***Lake Dallas ISD Student Code of Conduct***

### **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

## **General Conduct Violations**

The categories of conduct below are prohibited at school, 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 **Out-of-School Suspension** on page 15, **DAEP Placement** on page 16, **Placement and/or Expulsion for Certain Offenses** on page 24, and **Expulsion** on page 27, 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** as detailed on page 14.

### **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. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 24.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- 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.

## **Lake Dallas ISD Student Code of Conduct**

### **Property Offenses**

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 24.)
- 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. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 24.)
- 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;
- 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, 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.

## **Lake Dallas ISD Student Code of Conduct**

\*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 24. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

### **Possession of Telecommunications or Other Electronic Devices**

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of campus rules.

### **Illegal, Prescription, and Over-the-Counter Drugs**

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 16 and **Expulsion** on page 27 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.

## **Lake Dallas ISD Student Code of Conduct**

- 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.

### **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 the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, 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. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

## **Lake Dallas ISD Student 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.

### **Students with Disabilities**

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. 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 for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, 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 Student Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- 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.
- Rewards or demerits.
- Behavioral contracts.
- 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.

## **Lake Dallas ISD Student Code of Conduct**

- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as 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.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 15.
- Placement in a DAEP, as specified in **DAEP** on page 16.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 24.
- Expulsion, as specified in **Expulsion** on page 27.
- 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.

## **Lake Dallas ISD Student Code of Conduct**

- 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 campus behavior coordinator 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 campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made 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 campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator 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.

### **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, 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 the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through Policy On Line at the following address: <http://pol.tasb.org/Policy/Code/392?filter=FNG>.

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 (LOCAL).

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which 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 principal or the campus behavior coordinator 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 campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator 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 to maintain effective discipline in the classroom.

### **Formal Removal**

A teacher may initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator 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 campus behavior coordinator 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 campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- 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 consent.

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

## **Out-of-School Suspension**

### **Misconduct**

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

The district shall not use out-of-school suspension for students in grade 2 or below 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 contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

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

### **Process**

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

Before being suspended a student shall have an informal conference with the campus behavior coordinator 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 campus behavior coordinator 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 campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. 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.

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

### **Coursework During Suspension**

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

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity 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.

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### **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.

Summer programs provided by the district shall serve students assigned to a DAEP separately from those students who are not assigned to the program.

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 campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. 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.

### **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.

#### **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 commit or attempt to commit 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.

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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, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, 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.

The campus behavior coordinator **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.

### **Mandatory Placement: Misconduct That Requires DAEP Placement**

A student **must** be placed in a DAEP if the student:

- 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).
  - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page 27.) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page 27.)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - 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 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and 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 against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 27.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:

## **Lake Dallas ISD Student Code of Conduct**

1. The student receives deferred prosecution (see **glossary**),
2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

### **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 campus behavior coordinator.

### **Conference**

When a student is removed from class for a DAEP offense, the campus behavior coordinator 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 campus behavior coordinator 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 campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. 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.

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### **Placement Order**

After the conference, if the student is placed in a DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order 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, the placement order shall give notice of the inconsistency.

### **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 campus behavior coordinator 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 maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, 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 campus behavior coordinator 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

## **Lake Dallas ISD Student Code of Conduct**

2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

### **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**

Questions from parents regarding disciplinary measures should be addressed to the campus administration. DAEP appeals can only be made for placements that exceed 60 days or the end of the next grading period, whichever is shorter. The Board has designated the campus principal as the person to whom appeals must be made and their decision shall be final. The appeal must be made in writing within 5 days of the DAEP placement conference. Upon receiving the written appeal, the campus principal shall schedule an appeal conference with the parents within 5 school days, and shall render a decision within 10 school days following the appeal conference.

Student or parent appeals regarding the process used for the placement decision should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On-Line at the following address: <http://pol.tasb.org/Home/Index/392>.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

### **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 individualized education program (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 campus behavior coordinator 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.

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

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### **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 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.

## **Lake Dallas ISD Student Code of Conduct**

### **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.

#### **Certain Felonies**

Regardless of whether 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 campus behavior coordinator 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:

## **Lake Dallas ISD Student Code of Conduct**

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Have 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 campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

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### **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.

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### **Expulsion**

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. 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.

### **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 **DAEP Placement** on page 16.)

#### **Any Location**

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit 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.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.
- 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.

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### **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 marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering 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, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

### **Within 300 Feet of School**

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- 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.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

### **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

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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, 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.

### **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 school property or while attending a school-sponsored or school-related activity 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**.)

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- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- 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.
  - Aggravated kidnapping.
  - 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 marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses

### **Under Age Ten**

When a student under the age of ten 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.

### **Process**

If a student is believed to have committed an expellable offense, the campus behavior coordinator 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 campus behavior coordinator or other administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- 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,

## **Lake Dallas ISD Student Code of Conduct**

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 superintendent or his designee the 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 campus behavior coordinator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. 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 board's designee, 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 Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

## **Lake Dallas ISD Student Code of Conduct**

### **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 campus behavior coordinator 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 campus behavior coordinator 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:

## **Lake Dallas ISD Student Code of Conduct**

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. Within ten 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 ten 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(LLEGAL) and FODA(LLEGAL) for more information.

## **Lake Dallas ISD Student Code of Conduct**

### **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.

**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

## **Lake Dallas ISD Student Code of Conduct**

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.

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**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.

## **Lake Dallas ISD Student Code of Conduct**

**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. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
  - e. 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.

**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:

## **Lake Dallas ISD Student Code of Conduct**

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.

**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;

## **Lake Dallas ISD Student Code of Conduct**

3. Telecommunications 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: An explosive weapon;
  - a. A machine gun;
  - b. A short-barrel firearm;
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, including 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 Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Penal Code 21.07;
  - b. Indecent exposure under Penal Code 21.08;
  - c. Criminal mischief under Penal Code 28.03;
  - d. Hazing under Education Code 37.152; or

## **Lake Dallas ISD Student Code of Conduct**

- 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;

## **Lake Dallas ISD Student Code of Conduct**

- 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 commit 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.

# POLICY UPDATE 119



Dr. Shorr Heathcote  
Lake Dallas ISD July School Board Meeting  
July 18, 2022

# POLICY UPDATE 119

- Legal Policy
  - State Law
  
- Local Policy
  - LDISD Board of Trustees Reviews and Adopts changes to Local Policy



# LOCAL POLICY UPDATES



# LOCAL POLICY UPDATE 119

- **CPC (LOCAL):** Office Management/Records Management
- **DMA (LOCAL):** Professional Development/Required Staff Development
- **EHAA (LOCAL):** Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, & Sex Trafficking
- **EHB (LOCAL):** Curriculum Design - Special Programs
- **EHBAA (LOCAL):** Special Education - Identification, Evaluation, & Eligibility
- **EHBB (LOCAL):** Special Programs - Gifted and Talented Students
- **EIC (LOCAL):** Academic Achievement - Class Rank
- **EIF (LOCAL):** Academic Achievement - Graduation
- **FFBA (LOCAL):** Crisis Intervention - Trauma Informed Care
- **FFH (LOCAL):** Student Welfare - Freedom from Discrimination, Harassment & Retaliation



# CPC (LOCAL) - OVERVIEW

- **CPC (LOCAL):** Office Management/Records Management

- Adds language for electronic records management
- The District will develop procedures for ensuring all electronic records for students remain part of their educational record



# DMA (LOCAL) - OVERVIEW

- **DMA (LOCAL):** Professional Development/Required Staff Development
  - New local policy
  - SB 1267 (Regular Session)
  - Requires SBEC to publish a professional development clearinghouse by June 1, 2022
  - The local school board shall approved a professional development plan by August



# **EHAA (LOCAL) - OVERVIEW**

- **EHAA (LOCAL):** Instruction on Prevention of Child Abuse, Family Violence, Dating Violence, & Sex Trafficking
  - SB 9 (Second Called Session)
  - Board resolution for the SHAC to convene and make a recommendation on curriculum for instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking



# EHB (LOCAL) - OVERVIEW

- **EHB (LOCAL):** Curriculum Design - Special Programs
  - New local policy
  - Requires the District to provide regular training to teachers on dyslexia to meet the requirements set forth by TEA



# EHBAA (LOCAL) - OVERVIEW

- **EHBAA (LOCAL):** Special Education - Identification, Evaluation & Eligibility
  - New local policy
  - When students transitions from early childhood intervention to early childhood education services the District will implement an individualized education program (IEP) by the child's third birthday



# **EHBB (LOCAL) - OVERVIEW**

- **EHBB (LOCAL):** Special Programs - Gifted and Talented Students
  - HB 1525 (Regular Session)
  - Removes requirement for District to report to the Commissioner of Education



# EIC (LOCAL) - OVERVIEW

- **EIC (LOCAL): Academic Achievement - Class Rank**
  - Change language from 6 week period to 9 week period
  - LDISD calculates class rank after the 3rd 9 week period
  - 4th 9 week grades are used for the semester average



# EIF (LOCAL) - OVERVIEW

- **EIF (LOCAL): Academic Achievement - Graduation**
  - Defines methods by which a student can confirm completion and submission of a financial aid application to meet graduation requirements
  - Aligns with the Texas Education Agency guidance



# FFBA (LOCAL) - OVERVIEW

- **FFBA (LOCAL):** Crisis Intervention - Trauma Informed Care
  - SB 1267 (Regular Session)
  - Trauma-informed care should be approved by the Board on the annual professional development plan
  - Removes requirement to report number of employees who participated in trauma-informed care training to the Texas Education Agency



# FFH (LOCAL) - OVERVIEW

- **FFH (LOCAL):** Student Welfare - Freedom from Discrimination, Harassment & Retaliation
  - SB 9 (Second Called Session)
  - Revised Statement of Nondiscrimination



# Any Questions?





**LAKE DALLAS**

**INDEPENDENT SCHOOL DISTRICT**

*Small School Atmosphere, Big School Opportunities*

## **2022-2023 LDISD Staff Compliance Training**

Lake Dallas ISD requires annual compliance training of staff in accordance with the *TEA Continuing Education and Training Clearinghouse* as outlined in SB 1267.

**The following trainings are completed by staff members through the ESC XI online portal prior to the first day of instruction:**

*Suicide Prevention*

*Teen Dating Violence and Healthy Relationships*

*Bullying Prevention*

*Child Abuse, Trafficking, and Maltreatment*

*Anaphylaxis and Epinephrine Use*

*UIL Safety Training* is provided annually to coaches, trainers, sponsors for an extracurricular activity, and directors responsible for school marching band. Trainings will be conducted August 3 and August 9, 2022.

*Trauma Informed Training* will be provided through campus-based trainings using TEA's Mental Health Resource "Project Restore". Trainings will be conducted throughout the 2022-2023 school year.

**LDISD also requires additional compliance training, to be completed by staff members through the ESC XI online portal prior to the first day of instruction:**

*ADA Compliance for Online Content*

*Bloodborne Pathogens*

*Copyright*

*Diabetes Overview*

*FERPA: Family Educational Rights & Privacy Act*

*Section 504 Introduction*

*Texas Educator's Code of Ethics*

*Title IX Overview*

# STAFF DEVELOPMENT PLAN



Dr. Shorr Heathcote  
Lake Dallas ISD July School Board Meeting  
July 18, 2022

# 2022-2023 LDISD Staff Compliance Training

Lake Dallas ISD requires annual compliance training of staff in accordance with the *TEA Continuing Education and Training Clearinghouse* as outlined in SB 1267.

**The following trainings are completed by staff members through the ESC XI online portal prior to the first day of instruction:**

*Suicide Prevention*

*Teen Dating Violence and Healthy Relationships*

*Bullying Prevention*

*Child Abuse, Trafficking, and Maltreatment*

*Anaphylaxis and Epinephrine Use*

*UIL Safety Training* is provided annually to coaches, trainers, sponsors for an extracurricular activity, and directors responsible for school marching band. Trainings will be conducted August 3 and August 9, 2022.

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# Any Questions?





**LAKE DALLAS**

**INDEPENDENT SCHOOL DISTRICT**

*Small School Atmosphere, Big School Opportunities*

**LAKE DALLAS INDEPENDENT  
SCHOOL DISTRICT**

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF LAKE DALLAS INDEPENDENT SCHOOL DISTRICT  
CONVENING THE LOCAL SCHOOL HEALTH ADVISORY COUNCIL**

**WHEREAS**, the Board of Trustees (“Board”) of the Lake Dallas Independent School District (“District”) is authorized by Texas Education Code § 11.151 to govern and oversee the management of the public schools in the District; and

**WHEREAS**, the Texas Education Code and Board Policies EHAA(LEGAL) and (LOCAL) contain requirements related to the consideration and adoption of curriculum materials for instruction regarding the prevention of child abuse, family violence, dating violence, and sex trafficking;

**WHEREAS**, the Board now wishes to convene the local School Health Advisory Council for the purpose of making recommendations to the Board regarding the adoption of curriculum materials for the District’s instruction regarding the prevention of child abuse, family violence, dating violence, and sex trafficking;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT AS FOLLOWS:**

**RESOLVED**, the Board hereby convenes the local School Health Advisory Council (“SHAC”) for the purpose of making recommendations to the Board concerning the adoption of curriculum materials for the District’s instruction regarding the prevention of child abuse, family violence, dating violence, and sex trafficking. The SHAC will comply with all requirements of Texas Education Code § 28.004 and Board Policies EHAA(LEGAL) and (LOCAL). The SHAC will present its recommendations to the Board at a public meeting of the Board at a later date in accordance with applicable law and policy.

**PASSED AND APPROVED** this 18 day of July 2022, by the Board of Trustees for the Lake Dallas Independent School District.

By:

Lance Stacy, Board President

Attest:

Mark Tucker, Board Secretary

# BOARD RESOLUTION



Dr. Shorr Heathcote  
Lake Dallas ISD July School Board Meeting  
July 18, 2022

# EHAA (LOCAL) Resolution

- EHAA (LOCAL)
- Student Health Advisory Committee
- Prevention of child abuse, family violence, dating violence, & sex trafficking
- Review curriculum and make a recommendation to the LDISD Board of Trustees



# Any Questions?





# LAKE DALLAS

INDEPENDENT SCHOOL DISTRICT

*Small School Atmosphere, Big School Opportunities*



# UPCOMING EVENTS

*Lake Dallas Independent School District*

EVENT	DATE	TIME	LOCATION
Leadership Retreat	<b>JULY</b> 19-20	All Day	CoServ
New Teacher Orientation	27-28	All Day	Various
Popsicles with Principals	<b>AUGUST</b> 1	5 PM	Elementary Campuses
Professional Development	2-5	All Day	All Campuses
LDHS Fish Camp	4	4:30 PM	LDHS
LDHS Open House	4	6:00 PM	LDHS
BTS Fair	<b>6</b>	9 AM	Thousand Hills Church
Professional Development	8-9	All Day	All Campuses
LDMS Falcon Camp	8	8:45 AM	LDMS
LDMS New Falcon Tours	8	5 PM	LDMS
Meet the Teacher	9	5 PM	Elementary Campuses
Teacher Work Day	10	All Day	All Campuses
First Day of School	11	All Day	All Campuses
Football vs. Little Elm (Scrimmage)	12	TBD	Falcon Stadium
Cross Country @ Boyd	12	TBD	Boyd 6 Mile Relay
Board of Trustees Meeting	15	5:30 PM	LDISD Board Room
Football @ Azle HS (Scrimmage)	18	TBD	Azle High School
Cross Country @ Denton Ryan	25	TBD	Denton Ryan Gingerbread Jamboree
Football vs. Greenville	26	7:30 PM	Falcon Stadium
Special Board Meeting	29	5:30 PM	LDISD Board Room