

CODE OF CONDUCT

Education in this community represents a significant commitment of financial and human resources. The benefits a student derives from this investment depend very much on the student's attitude toward learning and the student's adherence to high standards of behavior.

The Student Code of Conduct that follows is the District's specific response to requirements of Chapter 37 of the Texas Education Code. The law requires the District to define misconduct that may or must result in a range of specific disciplinary consequences. This Code is an outgrowth of collaboration among District and campus staff, parents, and other community members. This Code, adopted by the Board of Trustees, provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct.

In case of conflict between the Student Code of Conduct and Board policy or the student handbook, the Student Code of Conduct will 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.

STANDARDS FOR STUDENT CONDUCT

EXPECTED BEHAVIORS

Each student is expected to:

- Demonstrate courtesy and respect for others even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet District or campus standards of grooming and dress.
- Be well groomed and dress appropriately.
- Obey all campus and classroom rules.
- Respect the rights and privileges of other students and of teachers and other District staff.

- Cooperate with or assist the school staff in maintaining safety, order, and discipline.
- Respect the property of others, including District property and facilities.
- Avoid violations of the Student Code of Conduct.

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

DISCIPLINARY AUTHORITY OF THE SCHOOL

A student, whose behavior shows disrespect for others, including interference with learning and a safe environment will be subject to disciplinary action.

School rules and the authority of the District 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 and while the student is going to and from school on District transportation; or during lunch periods in which a student is allowed to leave campus.
2. While the student is participating in any activity during the school day on school grounds;
3. Within 300 feet of school property.
4. While the student is in attendance at any school-related activity, regardless of time and location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee occurs or is threatened, regardless of time or location;
7. When the student commits a felony, as provided by Texas Education Code 37.006;
8. When criminal mischief is committed on or off school property or at a school-related event.

In general, discipline will be designed to correct the misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be correlated to 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. Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

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

The District has a right to search a student's locker whenever there is reasonable cause to believe it contains articles or materials prohibited by the District.

The District has the right to revoke the transfer of a transfer student for violating the District's Student Code of Conduct

ROUTINE DISCIPLINE MANAGEMENT TECHNIQUES

A student who violated campus or classroom rules that are not Student Code of Conduct violations may be disciplined by one or more of the discipline management techniques listed below. For these violations that are not violations of the Student Code of Conduct, the teacher is not required to make a Student Code of Conduct violation report, and the principal is not required to notify parents.

The following discipline management techniques may be used-alone or in combination for misbehavior violating the Student Code of Conduct or campus or classroom rules:

- Oral correction.
- Cooling-off time or "time-out."
- Seating changes within the classroom.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Temporary confiscation of items that disrupt the educational process.
- Grade reductions as permitted by policy.
- Rewards or demerits.
- Behavioral contracts.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Out-of-school suspension and or placed in a disciplinary Alternative Education Program.
- Assigned school duties other than class tasks.
- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.

- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment.
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- Other strategies and consequences as specified by the Student Code of Conduct.

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate and in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office. Also online at this website under board policy.

GENERAL MISCONDUCT VIOLATIONS

GENERAL MISCONDUCT BEHAVIORS

Students are prohibited from:

- Cheating or copying the work of another.
- Throwing objects that can cause bodily injuries or property damage.
- Leaving school grounds or school sponsored events without permission.
- Directing profanity, vulgar language, or obscene gestures towards other students or District employees.
- Scuffling or fighting, Fighting, committing physical abuse, or threatening physical abuse. **IF YOU FIGHT, YOU GO HOME !!**
- Stealing from students, staff, or the school.
- Damaging or vandalizing property owned by others and or defacing or damaging school property - including textbooks, furniture, and other equipment - with graffiti or other means.
- Possessing fireworks of any kind, smoke or stink bombs, or and other pyrotechnic devices.
- Discharging a fire extinguisher.
- Pulling a fire alarm.
- Possessing razors, switchblades, box cutter, chains, or any other objects used in a way that threatens or inflicts bodily injury to another person.
- Possessing or selling "look-alike" weapons.
- Possessing air guns or BB guns.

- Possessing mace or pepper spray.
- Possessing or using articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.
- Gambling.
- Making bomb threats.
- Making false threats, hoaxes, or accusations regarding school safety.
- Violating safety rules as communicated in the student handbook or campus or classroom rules.
- Disobeying school rules about conduct on school buses.
- Hazing.
- Failing to comply with directives given by school personnel.
- Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person).
- Forcing an individual to act through the use of force or threat of force.
- Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed later in the Student Code of Conduct.)
- Name-calling, ethnic or racial slurs, or derogatory statements that school officials have reason to believe will substantially disrupt the school program or incite violence.
- Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
- Engaging in appropriate physical or sexual contact.
- Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors.
- Inappropriate or indecent exposure of a student's private body parts.
- Possessing or using matches or a lighter.
- Possessing, smoking, or using tobacco products.
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs and contraband.
- Possessing or selling seeds or pieces of marijuana in less than usable amount
- Possessing, using, giving, or selling of paraphernalia related to any prohibited substance.
- Possessing a paging device or cellular telephone.
- Violating computer use policies, rules, agreements signed by the student, and/or agreements signed by the student's parent or guardian.
- Using the Internet to threaten students, employees, or cause disruption to the educational program.
- Sending or posting messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property.
- Possessing published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety.

- Possessing material that is pornographic.
- Violating dress and grooming standards as communicated in the student handbook or by sponsors of extracurricular activities.
- Violating extracurricular standards of behavior.
- Repeatedly violating other communicated campus or classroom standards of behavior.

GENERAL MISCONDUCT CONSEQUENCES

General misconduct identified above will result in application of discipline management techniques. State law requires that the violation be reported to the principal or other appropriate administrator who will send notification to the parent or guardian within 24 hours of receiving the report. Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

DISCRETIONARY REMOVAL

General misconduct violations will not necessarily result in the formal removal of the student from class or another placement but may result in a routine referral, formal removal, or the use of any other discipline management technique.

FORMAL REMOVAL

Formal removal initiated by a teacher will occur if the student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or the behavior is so unruly, disruptive, or abusive that the teacher cannot teach and the students in the classroom cannot learn.

Any removal of a student by a teacher for behavior described above requires that the teacher report the offense to the principal or appropriate administrator. The principal or appropriate administrator will then send a copy of the report to the student's parent or guardian within 24 hours of receiving the teacher's report.

A teacher or administrator may also remove a student from class if the student engages in behavior for which the Education Code requires disciplinary Alternative Education Program placement and/or suspension.

A teacher or administrator may also remove a student from class for a behavior for which the District has determined a student may be suspended and/placed in a disciplinary Alternative Education Program.

Within three school days of receiving the Student Code of Conduct violation report, the principal will schedule a conference with the student's parent, the teacher, and the student

in the case of a teacher removal.

At the conference, the principal or appropriate administrator will inform the student of the misconduct for which he or she is charged and give the student an opportunity to give his or her version of the incident. The principal or appropriate administrator will notify the student of the consequences of the Student Code of Conduct violation.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place a student in:

- Another appropriate classroom.
- In-school suspension.
- A disciplinary Alternative Education Program in which the student must be separated from other students for the entire school program day, and which will provide counseling and instruction in the core subjects.

When a student has been formally removed from class by a teacher, the principal may not return the student to the teacher's class without the teacher's consent unless the placement review committee determines that the teacher's class is the best or only alternative available.

State law prohibits students placed in a disciplinary Alternative Education Program for mandatory removal reasons from attending or participating in school-sponsored or school-related extracurricular and non curricular activities during the period of placement including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

The District does not permit a student who is placed in a disciplinary Alternative Education Program for any reason determined by the District to participate in any school-sponsored or school-related extracurricular or non curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate, and 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 on the web site www.burkeville.com

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING

BEHAVIORS THAT MAY CAUSE A STUDENT TO BE SUSPENDED

Students may be suspended for any reason that may require placement in a disciplinary Alternative Education Program.

SUSPENSION CONSEQUENCES

Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

State law allows a student to be suspended for as many as 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.

A student who is to be suspended will be given an informal conference by the principal or appropriate administrator advising the student of the conduct with which he or she is accused. The student will be given the opportunity to explain his or her version of the incident.

The number of days of a student's suspension, which cannot exceed three school days, will be determined by the principal or other appropriate administrator.

Any restrictions on participation in school-sponsored or school related extracurricular and non curricular activities will be determined by the principal or other appropriate administrator.

BEHAVIORS THAT REQUIRE PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM

A student must be placed in a disciplinary Alternative Education Program for any of the following offenses if the student commits these offenses on school property or within 300 feet of school property 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
- Makes a terroristic threat.
- Sells, gives or delivers to another person, or possesses, used, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount

- not constituting a felony offense. (School-related felony drug offenses are addressed in the expulsion section in this Student Code of Conduct.)
- 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 (School-related felony alcohol offenses are addressed in the expulsion section in the Student Code of Conduct.)
 - Behaves in a manner that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness.
 - Behaves in a manner that contains the elements of the offense of indecent exposure.
 - A student under the age of ten engages in an expellable conduct.
 - Engages in conduct that contains the elements of the offense of retaliation against any school employee, regardless of where or when the conduct occurs. (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.)
 - Engages in conduct punishable as a felony that occurs off school property and not at a school-sponsored or school-related event that injures a person in a way listed as a Title 5* offense in the Texas penal Code, and: who receives deferred prosecution, or who is determined to be delinquent, or whom the Superintendent has a reasonable belief committed the felony offense.
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- * Title 5 offenses includes murder; kidnapping; sexual assault; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terrorist threat; aiding a person to commit suicide; and tampering with a consumer product.

A student may be suspended pending a conference and may be placed in a disciplinary Alternative Education Program for one of the following offenses:

- Engaging in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, and for which the Superintendent or designee has reasonable belief that the student's presence in the regular classroom threaten the safety of other students or teachers or will hinder the education of students.
- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society.

REMOVAL TO AN ALTERNATIVE EDUCATION PROGRAM

Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

The Board has delegated to the Superintendent the authority to remove a student to a disciplinary Alternative Education Program.

The duration of a student's placement in a disciplinary Alternative Education Program will be determined by the Superintendent.

A student who on school property or at a school-related event on or off school property sells, gives, delivers, possesses, uses or is under the influence of prohibited drugs, alcohol, or an inhalant if the conduct is not punishable as a felony will be placed in a disciplinary Alternative Education Program on the first offense; however, if the student sells, gives, delivers, possesses, uses or is under the influence of prohibited drugs, alcohol, or an inhalant of any amount a second time in the same school year, the student will be expelled.

Within three school days of receiving the Student Code of Conduct violation report, the principal will schedule a conference with the student's parent, the student, and the teacher in the case of a teacher removal.

Until a conference can be held as a result of a formal teacher removal or administrator removal, the principal may place a student in:

- Another appropriate classroom.
- In-school suspension.
- A disciplinary Alternative Education Program in which the student must be separated from other students for the entire school program day, and which will provide instruction in the core subjects and counseling.

At the conference, the principal or appropriate administrator will inform the student, orally or in writing, of the allegations against him or her, the reason for the placement, and give the student an opportunity to give his or her version of the incident. The principal or appropriate administrator will inform the student of the consequences of the misbehavior and the student's length of placement in the disciplinary Alternative Education Program.

Not later than the second business day after the conference, the Board's designee will deliver to the juvenile court a copy of the order placing a student in an Alternative Education Program and information required by Section 52.04 of the Family Code.

Parental question or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriated and 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 on www.burkeville.com under Board Policy.

State law prohibits students placed in a disciplinary Alternative Education Program for mandatory removal reasons from attending or participating in school-sponsored or school-related extracurricular or non curricular activities during the period of placement including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

The District does not permit a student who is placed in a disciplinary Alternative Education Program for any reason determined by the District to participate in any school-sponsored or school-related extracurricular and non curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in the disciplinary Alternative Education Program will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

A student placed in a disciplinary Alternative Education Program will be provided a review of the student's placement, including academic status, by the campus principal at intervals not to exceed 120 days. In the case of high school student, the student's progress toward graduation and the student's graduation plan will also be reviewed. At the review, the student or the student's parent or guardian will 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.

For placement in a disciplinary Alternative Education Program to extend beyond the end of the school year, Superintendent must determine that:

- 1. The student's presence in the regular classroom or campus presents a danger of physical harm to students or others.
- 2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

Students who are in a disciplinary Alternative Education Program at the end of the school

year and have met all criteria for graduation (will) be allowed to participate in the graduation ceremony or in other related graduation activities at the discretion of the superintendent or other chief administration officer. The juvenile court will notify the District, if:

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

On receipt of the notice mentioned above from the juvenile court, the Superintendent or designee will review the student's placement in the disciplinary Alternative Education Program. The student may not be returned to the regular classroom pending the review. The Superintendent or designee will schedule a review of the student's placement with the student's parent or guardian not later than the third day after the Superintendent or designee receives notice from the juvenile court.

After reviewing the notice and receiving information from the student's parent or guardian, the Superintendent or designee may continue the student's placement in the disciplinary Alternative Education Program 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 or guardian may appeal the Superintendent's decision to the Board. The student may not be returned to the regular classroom pending the appeal.

This appeals process does not apply to placements resulting from offenses for which the state requires mandatory disciplinary Alternative Education Program placement.

The Board will, at the next scheduled meeting, review the notice from the juvenile court and receive information from the student, the student's parent or guardian, and the Superintendent or designee, and confirm or reverse the decision of the Superintendent or designee. The Board will make a record of the proceedings.

If the Board confirms the decision of the Superintendent or designee, the Board shall inform the student and the student's parent or guardian of the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

EMERGENCY PLACEMENT BEHAVIORS

In an emergency, the principal or the principal's designee may order the immediate

placement of a student into a disciplinary Alternative Education Program, when a student is so unruly, disruptive, or abusive that the student's presence seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

EMERGENCY PLACEMENT CONSEQUENCES

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Within a reasonable amount of time after the emergency placement, the student will be given appropriate due process required for placement in a disciplinary Alternative Education Program. If emergency placement involves a student with disabilities who receives special education services, the term of the student's emergency removal is subject to the requirements of federal law.

EXPULSION

EXPULSION BEHAVIORS

A student must be expelled 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:

- Bringing to school a firearm, as defined by federal law.

Firearm under federal law includes:

1. Any weapon (including a starter gun) which will or is designed to or which may be 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 weapon.
 4. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade.
- Use, exhibition, or possession of the following, as defined by the Texas Penal Code:

1. A firearm.
 2. A club.
 3. A prohibited weapon, such as an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; a switchblade knife; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun.
 4. An illegal knife, such as a knife with a blade over 5 # inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- Behavior containing the elements of the following under the Texas Penal Code:
 1. Aggravated assault, sexual assault, or aggravated sexual assault.
 2. Arson.
 3. 3. Murder, capital murder, or criminal attempt to commit murder.
 4. 4. Indecency with a child.
 5. 5. Aggravated kidnapping.
 6. Behavior punishable as a felony that involves the selling, giving, or delivering to another person, 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.
 7. Retaliation against a school employee combined with one of the above listed offenses on or off school property or at a school-related activity.

DISCRETIONARY EXPULSIONS

A student may be expelled for any of the following offenses if the student on school property or while attending a school sponsored or school-related activity on or off school property:

- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of alcohol; or commits a serious act of offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of marijuana, a controlled substance, or a dangerous drug.
- Engages in conduct that contains the elements of an offense relating to abusable glue, aerosol paint, or volatile chemicals.
- Engages in criminal mischief, if punishable as a felony, whether committed on or off school property or at a school-related event.
- Engages in serious or persistent misbehavior and, while in a disciplinary Alternative Education Program continues to violate the District's Student Code of

Conduct. The District defines "persistent" to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation. Serious offenses include, but are not limited to, the following:

1. Vandalism.
2. Robbery or theft.
3. Extortion, coercion, or blackmail.
4. Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities.
5. Hazing.
6. Insubordination.
7. Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.
8. Fighting, committing physical abuse, or threatening physical abuse.
9. Possession or distribution of pornographic materials.
10. Leaving school grounds without permission.
11. Making or assisting in making threats, including threats against individuals and bomb threats.
12. Sexual harassment of a student or District employee.
13. Possession of or conspiring to possess any explosive or explosive device.
14. Falsification of records, passes, or other school-related documents.
15. Refusal to accept discipline management techniques proposed by the teacher or principal.

EXPULSION CONSEQUENCES

Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

When a student under the age of ten engages in behavior that is an expellable behavior, the student will not be expelled, but will be placed in a disciplinary Alternative Education Program.

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 or other appropriate administrator may modify the length of the expulsion on a case-by-case basis and/or the District may provide educational services to the expelled student in a disciplinary Alternative Education Program. The District must provide education services in the disciplinary Alternative Education Program if the student is younger than ten years of age. The Board delegates to

the Superintendent the authority to expel students. The principal or other appropriate administrator will schedule a hearing within a reasonable time with the student's parent or guardian, the student, and the teacher if appropriate. The student's parent or guardian will be invited in writing to attend the hearing.

Until a hearing can be held, the principal may place the student in :

- Another appropriate classroom
- In-school suspension.
- Out-of-school suspension.

A student facing expulsion will be given appropriate due process as required by the federal Constitution. The student is entitled to:

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

Not later than the second business day after the hearing, the Board's designee will deliver to the juvenile court a copy of the order expelling the student and information required by Section 52.04 of the family code.

The duration of a student's expulsion will be determined by the Superintendent. If the Board delegates the authority to expel a student to the Superintendent or other administrator, a student may appeal the decision to the Board in accordance with policy FNG (LOCAL).

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 will be earned for work missed during the period of expulsion [unless the student is enrolled in a Juvenile Justice Alternative Education Program or other District-approved programs].

The District will not accept any student expelled from another district during the period of the expulsion order.

EMERGENCY EXPULSION BEHAVIORS

In an emergency, the principal or the principal/s designee may order the immediate expulsion of a student when people or property are in imminent danger of harm.

EMERGENCY PLACEMENT CONSEQUENCES

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Within a reasonable amount of time after the emergency placement, the student will be given appropriate due process required for placement in a disciplinary Alternative Education Program. If emergency placement involves a student with disabilities who receives special education services, the term of the student's emergency removal is subject to the requirements of federal law.

ZERO TOLERANCE Jr/Sr High

Faculty, staff and administration of Burkeville Jr/Sr High School strongly support a positive and mutually respectful school climate. They believe the discipline management techniques listed in the student handbook are effective procedures for addressing most infractions. However, in regard to the more serious offenses listed below, the faculty, staff, and administration support the policy of

"Zero Tolerance"

A. Tobacco use at school bears the following penalties:

1. **1st Offense:** three day suspension from school (State # 24)
2. **2nd Offense:** Recommended for expulsion for remainder of term or AEC placement (recommendation: campus principal and /or Superintendent)

B. Drug/Alcohol use of possession at school bears the following penalties:

1. **1st Offense:** 90 - day placement in AEC (State #25)
2. **2nd Offense:** Recommended AEC placement or for expulsion for remainder of term (recommendation: campus principal and / or Superintendent)

C. Weapons at school: Possessing razors, knives, switchblades, box cutters, chains or any other object that may be used in a way that threatens or inflicts bodily injury to another person

Expelled on 1st offense for one calendar year

(recommendation campus principal and/ or superintendent)(State #15)

1. **1st Offense:** Three days suspension from school (knives)

(State #33)

D. Assault / Fighting at school bear the following penalties:

1. **1st Offense:** Three day suspension from school
2. **2nd Offense:** Three day suspension from school
3. **3rd Offense:** Three day suspension from school
4. **4th Offense:** Discretion of the principal. Possible AEC placement or expulsion.

E. Insubordination / Deliberate failure to comply with directives bear the following penalties:

1. **1st Offense:** In-school suspension to a limit of four days (State #5)
2. **2nd Offense:** In-school suspension to a limit of four days
3. **3rd Offense:** In-school suspension to a limit of four days
4. **4th Offense:** Three day suspension

F. Directing profanity, vulgar language or obscene gestures toward any member of the staff bear the following penalties:

1. **1st Offense:** In-school suspension to a limit of four days
2. **2nd Offense:** In-school suspension to a limit of four days
3. **3rd Offense:** In-school suspension to a limit of four days
4. **4th Offense:** Three day suspension
5. **5th Offense:** Discretion of the principal. Possible AEC placement or expulsion.
(State #4)

- Upon 10 total days of removal for regular educational setting, the student will be assigned to AEC for a minimum of 10 days. Subsequent rule violations will cause the student to be placed in AEC for 6 weeks.

G. Continuing to disrupt the educational process will bear the same penalties as outlined above in numbers D. and E. (State #29)

1. **ALL Offenses:** Minor infractions: Principal may administer corporal punishment or assign in-school suspension.

H. Suspension in school or out of school will result in that student being prohibited from attending the first activity of the week beginning on the day of the offense and continuing through the remainder of the week including Saturday unless the student is assigned to detention for tardies.

I. Cheating reported by a classroom teacher will bear the following penalties:

1. **1st Offense:** Zero given on assignment
2. **2nd Offense:** Zero given on assignment
3. **3rd Offense:** In-school suspension for three days and zero given on assignment.
4. **4th Offense:** In-school suspension for three days and zero given on assignment.

J. Tardies: Students are permitted two tardies per six weeks period. Upon receiving a third tardy, the students will be notified through the office. **No build up of tardies will be permitted.** For every 3 tardies the student will be required to attend **after school detention**. If the student does not attend after school detention the following morning they will complete 2 days ISS.

CORPORAL PUNISHMENT:

Corporal punishment is limited to spanking or paddling the student, and is governed by the following guidelines:

1. The student is told the reason for the corporal punishment.
2. Corporal Punishment may be given by the principal, assistant principal, or teacher.
3. The instrument to be used shall be approved by the principal.
4. Corporal punishment shall be administered in the presence of one other district professional employee and out of view of other students.

IN SCHOOL SUSPENSION

The objective of this Alternative Education Program (AEP) is to provide controlled education for the students guilty of incorrigible conduct. The student will be in isolation. Each student will be under the same attendance rules as all other students.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate, and 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 online @ www.burkeville.com (Under Board Policy)