

Graham Independent School District

2024 - 2025

Student Code of Conduct



GISD Board of Trustees

Chris Blanton
Kristina Pettus
Dr. Brandon Bates
Lauren Mahaney
Jason Smith
Brandon Joy
John Brown

Approved by the GISD Board of Trustees
August 14, 2024

GISD Letter from our Superintendent

Dear Parent or Guardian,

The publication contains the Student Code of Conduct, Extracurricular Code of Conduct, and the Student Agreement for Acceptable Use of Electronic Communications for this school district. It is designed to inform you and your child of the type of conduct expected in the Graham ISD. It is important that you and your child review this information together so that you will clearly understand the rules of acceptable conduct and the consequences for violation of the established rules. With your support and encouragement, I am confident your child will meet the behavioral expectations of the district. Those who fail to do so should expect to experience standard discipline management techniques, detention, in-school suspension, suspension, removal to DAEP or expulsion.

By signing the acknowledgement form you confirm that you have received and reviewed this behavioral policy with your child. The completed form should be returned to your child's campus by August 31st. If your response has not been received prior to ten days after enrollment, we shall assume that you have read and are familiar with the policies and stated rules. If you have any questions relating to Student Behavior Policy, please call or visit with your campus principal.

Sincerely,

Sonny Cruse

Sonny Cruse
Superintendent of Schools, Graham ISD

Acknowledgement

Dear Student and Parent:

The Graham Independent School District Board of Trustees officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it among your family. If you have any questions about the rules and consequences, we encourage you to ask for an explanation from the student's teacher, the school counselor, or campus administrator.

The student and parent should each sign this page on the space provided below, then return the page to the student's school. Thank you.

We acknowledge that we are responsible for reading and understanding the rules and other information contained in the handbooks for the 2024-2025 school year.

- GISD Student Code of Conduct (pp. 6-49)
- GISD Extracurricular Code of Conduct (pp. 50-53)
- GISD Acceptable Use Agreement for Electronic Communication Systems (pp. 61-62)

Student's Printed Name: _____

Student's Signature: _____ Date: _____

Parent's Printed Name(s): _____

Parent's Signature: _____ Date: _____

School: _____ Grade Level: _____

Corporal Punishment Option - Graham ISD will honor the parent choice to deny corporal punishment if indicated. **(Please check if opting out)**

_____ DO NOT USE CORPORAL PUNISHMENT

(Parent's Signature)

- Please sign this page, remove it, and return it to the student's school.
- If this page is not signed and returned, then GISD will assume that you, the parent or guardian, have read and understand the contents of this booklet.

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Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Robert Loomis, GISD Asst. Superintendent. robert.loomis@grahamisd.com (549-0595)

Purpose

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

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

This Code of Conduct has been adopted by the Graham 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 of Conduct remains in effect during summer school and at all school related events and activities outside the school year until the board adopts an updated version for the next school year.

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

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

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

School District Authority and Jurisdiction

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

The district has disciplinary authority over a student:

During the regular school day;

1. While the student is traveling on district transportation;
2. During lunch periods in which a student is allowed to leave campus;
3. At any school related activity, regardless of time or location;
4. For any school related misconduct, regardless of time or location;
5. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
6. When a student engages in cyberbullying, as defined by Education Code 37.0832;
7. When criminal mischief is committed on or off school property or at a school related event;
8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
9. For certain offenses committed while on school property or while attending a school sponsored or school related activity of another district in Texas;
10. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
11. 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 (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The CBC 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 CBC. Contact information may be found at Grahamisd.com

- Graham HS Necia Marin
- Graham JH Katherine Frazier
- Woodland Katy Morris
- Crestview Mary Roberts
- Pioneer Donna Gatlin

Threat Assessment and Safe and Supportive School Team

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

Conducting Investigations

How will the school determine whether my student has committed an act that is punishable as prohibited conduct under the Student Code of Conduct? Campus administration is tasked with conducting a complete investigation in response to reports of prohibited conduct in violation of this Code. Campus administrators have authority to gather all information necessary to reach a determination regarding a student's reported violation of this Code, including the right to interview a student at any time during school hours regarding the event, regardless of whether District has obtained parental consent to question their student. In addition, campus administrators or their designee(s) are authorized to conduct searches of student property when they have formed a reasonable belief that the student has violated a provision of this Code and there are reasonable grounds to suspect that the search will uncover evidence of such a violation.

Searches

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

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

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

Reporting Crimes

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

Security Personnel

The board utilizes police officers (If needed), a school resource officer (SRO), and school marshals to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the [CKE policy](#) series.

The law enforcement duties of school resource officers are: A school resource officer is a peace officer who is assigned by the officer's employing political subdivision to provide a police presence at a public school, safety or drug education to students of a public school, other similar services.

“Parent” Defined

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

Participating in Graduation Activities

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

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

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

The valedictorian and 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 the semester immediately preceding graduation.

GRADUATING SENIORS IN THE DAEP:

When a graduating senior student is placed in the DAEP through the end of May, they **WILL NOT** be allowed to participate in graduation ceremonies. The period of ineligibility from extracurricular participation due to behavior that places a student in DAEP extends to all end of year activities, including graduation exercises.

Unauthorized Persons

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

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

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

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

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 18, **DAEP Placement** on page 20, **Placement and/or Expulsion for Certain Offenses** on page 27, and **Expulsion** on page 30, 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 18.

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 20, 28.)
- 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.
 - Making ethnic, racial, or religious slurs or any other harassment based on race, color, national origin, religion, or disability
 - Verbal abuse or derogatory or offensive remarks addressed to others.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 27.)
- 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 27.)
- 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 pocket-knife 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.

*For weapons and firearms, see **DAEP-Placement and/or Expulsion for Certain Offenses** on page 30. 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 district and 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 p.20 and **Expulsion** on p. 30 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)

- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including cyberbullying and “sexting,” either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

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 of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

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

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an Admission, Review, and Dismissal (ARD) committee meeting has been held to review the conduct.

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

Techniques

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

- Verbal correction, oral or written.
- 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.
- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension (ISS).
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, 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 18.
- Placement in a DAEP, as specified in **DAEP** on page 20.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 27-37.
- Expulsion, as specified in **Expulsion** on page 30-37.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.

- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

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

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy [FO\(LOCAL\)](#).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The CBC shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The CBC shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of 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 CBC shall send written notification. If the CBC is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy [FNG\(LOCAL\)](#). A copy of the policy may be obtained from the principal's office, the CBC's office, or the central administration office or through Policy Online® at the following address: Grahamisdpolicyonline.com

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

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

Prohibited Bus Behaviors

- Follow the GISD Student Code of Conduct
- Tobacco use is prohibited
- Use of obscene/offensive language or gestures is prohibited
- Destruction of property (riders' or district property) is prohibited
- Follow the directions of the driver
- Students should stay seated at all times
- body parts and belongings should not be in the aisle
- Students should keep body parts and belongings inside the bus at all times
- Students should keep hands, feet, belongings, etc. to themselves
- Students should refrain from yelling or making loud/distracting noises
- Only water is permitted on GISD buses
- Students should refrain from being rude or discourteous to the driver and other riders
- Students should refrain from creating distractions for the driver

When a student does not adhere to the bus rider behavior expectations the following actions will be taken by the bus driver:

- Move student to an assigned seat for 5 days. Note sent home to parent.
- Move student to an assigned seat for 5 days. Parent or guardian contacted by phone.

- Submit a Transportation Safety Report to the appropriate school for disciplinary action.

When a school receives a Transportation Safety Report from the Transportation Office, the following actions will be taken:

- 1st incident - Phone call to parents and a three-day bus suspension from GISD Transportation.
- 2nd incident - Phone call to parents and a three to five-day bus suspension from GISD Transportation
- 3rd incident - Phone call to parents and up to a ten-day bus suspension from GISD Transportation.
- 4th incident - Phone call to parents and a removal from GISD Transportation for the remainder of the current semester.

Removal from the Regular Educational Setting

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

Routine Referral

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

Formal 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 CBC or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

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

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

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

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault may not be returned to the teacher's class without the teacher's 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 of Conduct 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 CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

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

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

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

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

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

Where is the DAEP? Will it operate during the school day? Is transportation provided?

GISD's disciplinary alternative education program is located at 701 Tennessee Street and operates between the hours of 8:05 a.m. and 3:55 p.m. District transportation is not provided, and parents are responsible for making sure students attend while assigned. Failure to attend the DAEP is a violation of compulsory attendance laws. Parents may be prosecuted if their child fails to attend while assigned; students may be referred to Truancy Court for failure to attend while assigned.

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

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

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

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

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for the following conduct violations:

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.

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

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 a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in **Expulsion** on page 31.) (See **glossary** for "under the influence", "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
 - 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 six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on p.33.)
- 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:
 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 CBC.

Conference

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

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

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

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

Consideration of Mitigating Factors

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

12. Self-defense (see **glossary**),
13. Intent or lack of intent at the time the student engaged in the conduct,
14. The student's disciplinary history,
15. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
16. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
17. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the CBC shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the

student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

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

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

DAEP at Capacity

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

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

Coursework Notice

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

Length of Placement

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

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The 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 CBC or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code of Conduct.

Exceeds 60 Days

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy [ENG\(LOCAL\)](#). A copy of this policy may be obtained from the principal's office, the CBC's office, the central administration office, or through Policy Online® at the following address: grahamisdpolicyonline.com

Appeals shall begin at Level III with the GISD Superintendent and the GISD Board of Trustees.

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

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

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

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

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

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

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

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

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

Withdrawal During Process

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

Newly Enrolled Students

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

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

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

Emergency Placement Procedure

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

Transition Services

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

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the student shall be placed in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP for one semester or placed in a regular classroom. The student may not be placed in the regular classroom if the board or its designee determines that the student's presence:

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

Review Committee

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

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

Newly Enrolled Students

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

Appeal

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

Certain Felonies

Regardless of whether DAEP placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or CBC makes certain findings and the

following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must have:

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the CBC or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall

also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

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

Expulsion

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

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

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 .)

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.

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

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug. 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.
- 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 controlled substance or dangerous drug offenses, not including THC.
- 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 student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

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

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

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**.)
- 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 a controlled substance or a dangerous drug.
- 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 CBC or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

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

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

Hearing

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

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

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

The board of trustees delegates to the GISD Assistant Superintendent for Administrative Services authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

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

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

Expulsion Order

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

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

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the GISD Assistant Superintendent for Administrative Services shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

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

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

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

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

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

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

Withdrawal During Process

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

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

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

Additional Misconduct

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

Restrictions During Expulsion

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

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

Newly Enrolled Students

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

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

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

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

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

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. 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\(LEGAL\)](#) and [FODA\(LEGAL\)](#) for more information.

Summer School

Our summer school program is not part of the regular school year program. Some students voluntarily attend summer school to earn additional credits, to re-take courses they did not pass in the regular school year, or to complete courses necessary for graduation that were incomplete because of the student's expulsion or placement in DAEP. Other students are required to attend summer school in order to receive intensive instruction in those subjects or areas where the student was not successful on the state assessment instruments.

During summer school, all students are expected to abide by the rules of conduct that are in place during the school year. We will handle minor, isolated violations of conduct expectations through parent conferences; however, students who commit serious offenses or who have persistent behavior problems while enrolled in summer school will be withdrawn from the program after a parent conference for DAEP removal or expelled after an expulsion hearing if the conduct warrants expulsion. When a student is withdrawn from summer school for conduct that would warrant DAEP removal or expulsion, the summer campus administrator may withdraw the student and defer the assessment of the term of removal or expulsion to be served during the following school year.

Unauthorized Persons (Refusal of Entry, Ejection, Identification)

A person posing a substantial risk of harm to any person or behaving in a manner that is inappropriate for a school setting may be refused entry or ejected from property under the district's control by a school administrator, school resource officer, or school district peace officer if the person refuses to leave peacefully upon request. In the circumstance of inappropriate behavior, the administrator/resource officer/peace officer must first give a verbal warning to the person that if the behavior does not stop, he/she may be refused entry or ejected.

The District shall maintain a record of the verbal warnings issued, including the name of the person to whom the warning was issued and the date of issuance. The term of refusal to allow entry or ejection may not exceed two years. At the time of refused entry or ejection, the District shall give the person written information explaining the appeal process established under Texas Education Code section 37.105(h). Under Texas Administrative Code Title 19, section 103.1207, a person refused entry to or ejected

from school property may appeal such action through the District's grievance process. The person is permitted to address the school district's board of trustees in person within 90 days of the commencement of the appeal, unless the appeal is granted before the school district's board of trustees considers the appeal. Parents or guardians that are refused entry or ejected shall be accommodated in order that they may participate in their student's admission, review, and dismissal committee meetings (ARDC Meetings).

GISD Dress Code [\(FNCA \(Local\)\)](#)

Dress and Grooming Code

We expect students to come to school in clothes that are clean and neat, and we expect students to exhibit basic cleanliness and grooming that will not be a health or safety threat to themselves or to other students or staff. We do not permit students to wear clothing with pictures, emblems, or writing that is lewd, offensive, vulgar, or obscene or that advertises or depicts tobacco products, alcoholic beverages, drugs, or any other substance that students are prohibited from having or using at school. The principal makes decisions about dress and grooming violations.

In the event of a temporary school closure due to a widespread illness or epidemic, such as COVID-19, all dress and grooming policies will apply to virtual learning on remote platforms as they would during classroom instruction.

Appropriate Attire

1. Male students must wear clean clothing (shirt, slacks, jeans, trousers, shorts).
2. Female students must wear clean clothing (dress, blouse, shirt, skirt, slacks, jeans, shorts).
3. Sleeveless shirts for female students with 3 finger wide straps or wider are permitted as long as arm holes are tight fitting and all undergarments are covered.
4. Pants must be worn with the waist at waist level, and shirts or blouses must be buttoned.
5. All students must wear shoes and appropriate undergarments.
6. Student's shorts, skirts, and dresses may not be shorter than the student's fingertips while the student is standing erect with his/her arms and shoulders relaxed at their sides
7. Leggings, yoga pants, spandex, or similar body-hugging type material for females are allowed if the shirt is deemed appropriate, (i.e. not showing midriff), with the attire as long as the leggings are not sheer and do not show undergarments.

Appropriate Grooming

1. All students will exemplify grooming standards that project a positive image for the student, school, and District.
2. Hair must be a natural color, clean and neatly groomed and worn in a style that does not cover the eyes.
3. Neatly groomed facial hair such as beards, mustaches, and goatees are permitted.
 - Male students' facial hair must be neat and no longer than ½ an inch. (Grades 6-12)
4. Sideburns may extend no lower than the bottom of the ear and must be trimmed in a straight line without flares at the bottom.

Inappropriate Grooming

The following hair styles or colorings are inappropriate grooming for any student at school or a school-related or –sanctioned activity:

1. No unnatural hair colors allowed
2. Spikes or other sculptured hair styles
3. Hair coloring or bleaching for the purpose of creating extreme differences in color, shade, or tone (i.e. “color blocking”) between areas of hair on the head.
4. Patterns or designs shaved or cut into the eyebrows or hair, e.g., “mohawks,” partially shaved heads, eyebrows, etc.

Inappropriate or Unacceptable Attire

The following clothing and accessories are inappropriate attire for any student at school or a school-related or –sanctioned activity:

1. Shorts, skirts, or dresses that are shorter than the student’s fingertips while the student is standing erect with his/her arms and shoulders relaxed at their sides.
2. Pants worn below the natural waistline or sagging, bagging, or extremely loose pants.
3. Shirts or blouses that reveal undergarments or cleavage, midriff length tops that leave exposed skin, or halter tops.
4. Exposed undergarments.
5. Bedtime attire, pajamas, undershirts, or undergarments worn as outerwear, e.g., boxer shorts.
6. Clothing made of any see-through material, fish net, or very loosely- woven fabric, unless other clothing is worn underneath.
7. Shirts or blouses that are split up the side such that the vent or split is unfinished or extends above the natural waistline.
8. Clothing with tears or holes that expose areas of the body required to be covered under policy.
9. Unhemmed or cut-off clothing of any kind.
10. Muscle shirts, shirts with oversized armholes, or backless shirts, blouses, or tops.
11. Exterior body coverings such as trench coats, over-sized hoodies etc. Slippers or house shoes.
12. Sunglasses, hats, caps or other items used as head coverings worn inside a school building. Exceptions for medical or religious purposes may be obtained from building principals.
13. Hair rollers, hair curlers, plastic hair bags, and other similar grooming items worn inside a school building.
14. Unnatural eye contacts.
15. Blankets are not outerwear and are not appropriate for school.

Clothing With Words or Pictures

Clothing worn at school or school-related or-sanctioned activities may not display printed statements or pictures:

1. that are vulgar or obscene;
2. that are related to or depict sexual activity;
3. that promote hate or violence in general or are directed at any specific person or group of persons; or
4. that are related to or depict the use of drugs, alcohol, or tobacco.

Jewelry, Tattoos, Body Piercings

1. Students may not wear on the outside of their clothing any jewelry or similar artifacts that are obscene or distracting or that are likely to cause disruption to the educational environment. This includes items hanging from the body or clothing such as chains
2. Male students may wear earrings. (Grades 6-12)
3. Female students may wear a single stud nose piercing. This may be allowed only on the left or right side of the nostrils for students in grades 6-12, no other facial piercings allowed.
4. Other than #2 or #3 directly above, students may not wear facial jewelry of any kind, other than non-distracting earrings worn on the earlobe. Tapers or gauges or any other device that serves the same function, such as, but not limited to, ropes, coins, strings etc. may not be worn.
5. Students may wear clear plastic spacers in the ear that are intended for temporary use.
6. Any tattoos, including temporary tattoos, must be covered at all times while students are under the school's jurisdiction.

Gang Attire and Grooming

Clothing, grooming, or any attire that identifies or connects a student with a gang as defined in the Student Code of Conduct is prohibited. The principal will maintain and regularly update a list of clothing, grooming, and other attire that has been identified as gang-related and will make the list available to teachers and parents for review.

Principal's Authority

The principal will determine if clothing or attire not addressed in this policy creates a distraction to the educational process and may prohibit that clothing or attire for his or her campus.

Administrators have the discretion to determine the appropriateness of dress and grooming and to make special exceptions, including for religious or medical necessities.

If your child comes to school wearing clothes that violate the dress code or in any other way violates

our dress and grooming standards, she or he will be placed in in-school suspension until she or he is in compliance. We will make efforts to notify you as soon as possible, and if the student changes clothes or otherwise comes into compliance with the dress and grooming standards, she or he will return to regular classes immediately. On the third violation of the dress code and any subsequent violation, days of ISS will be assigned.

If the student's dress or grooming is objectionable under these provisions, the administration shall request the student make appropriate corrections. If the principal determines that the student's grooming violates the dress code, the following disciplinary actions shall be taken:

1st Violation - A change of clothes shall be required and a warning issued to the student.

2nd Violation - A change of clothes shall be required and a warning issued to the student.

3rd Violation - A change of clothes, a conference with the principal or designee, and ISS assignment shall be required as well as a report to parents indicating a Code of Conduct violation.

Students who willfully and maliciously violate this policy shall be subject to suspension or placement in GISD's Disciplinary Alternative Education Program after due process. The building principal shall retain the authority to grant exceptions to the dress code for special occasions or special conditions

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate these standards may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action if the administration believes:

- The dress or grooming creates a hazard to the student's safety or to the safety of others.
- The student's dress or grooming will prevent, interfere with, or adversely affect the purpose, direction, or effort required for the activity to achieve its goal.

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:
 - f. 65 years of age or older, or
 - g. 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:
 - h. Any vegetation, fence, or structure on open-space land; or
 - i. 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:
 - j. Recklessly damaging or destroying a building belonging to another, or
 - k. Recklessly causing another person to suffer bodily injury or death.

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

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

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

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

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

5. 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;

6. 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
7. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

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

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

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

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

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

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

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

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

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

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

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

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

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

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

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

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

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

Such term does not include an antique firearm.

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

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

Harassment includes:

1. Conduct that meets the definition established in district policies [DIA\(LOCAL\)](#) and [FFH\(LOCAL\)](#);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint;

or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or

3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - l. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - m. 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;
 - n. 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;
 - o. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - p. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - q. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - r. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - s. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
 - t. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or

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;
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 and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

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

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by 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
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

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

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

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

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

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

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

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

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;

- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to 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.

GISD Extracurricular Student Code of Conduct

Extracurricular Activities

The term “extracurricular activities” means, without limitation, all interscholastic athletics, cheerleading, drill/dance team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of GISD. The term includes any non-curricular event and membership or participation in groups, clubs, and organizations recognized and approved by the Board of Trustees and the school district and sponsored by the district or a campus. All extracurricular activity participants, including elected and appointed officers of all campus organizations, are subject to the provisions of this *Extra-Curricular Code of Conduct*.

Jurisdiction

Student participation in extracurricular activities is encouraged. Graham ISD makes extra-curricular activities available as an extension of the regular school program, with this important difference: participation in the regular curriculum is a right afforded to each student, while participation in the extracurricular program is a privilege that carries additional expectations for acceptable conduct. Students engaging in extracurricular activities represent not only themselves, but also other students and the school district when performing, competing, or participating in extracurricular activities and while wearing uniforms or other clothing that identifies the students to the community or public in any setting as Graham ISD students. For this reason, their behavior must be exemplary and reflect the finest attributes of the total Graham ISD student body at all times and places.

Important goals of the extracurricular program are to give students direction in developing self-discipline, responsibility, pride, loyalty, leadership, teamwork, respect for authority, and healthy living habits.

Because participation in extracurricular activities is a privilege and not a right, Graham ISD is authorized to set higher standards for participants of extracurricular activities than it would for those students who choose not to participate in these activities. Therefore, this Extracurricular Code of Conduct extends beyond the Graham ISD Student Code of Conduct not only in types of behavior prohibited, but also in corresponding consequences and jurisdiction for imposing discipline. This Extracurricular Code of Conduct will be enforced with all students in Grades 7-12 participating in extracurricular activities:

- regardless of whether school is in session:

- depending on the severity and nature of the disciplinary infraction, regardless of whether the offense occurs on or off school property or at a school-related event;
- regardless of whether the student is actively participating in the extracurricular activity at the time the prohibited conduct occurs;
- regardless of whether the extracurricular activity is in-season;
- depending on the severity and nature of the disciplinary infraction, regardless of where or when the conduct occurs.

It is possible that a student who violates the *Graham ISD Student Code of Conduct* will incur consequences from both the appropriate school administrator and from his or her coach or sponsor for the same particular violation. It is also possible that a student participating in extra-curricular activities could violate the *Extracurricular Code of Conduct* and be subject to discipline by a coach or sponsor without having violated the *Graham ISD Student Code of Conduct*.

Good Standing

Good Standing - Travel and Participation while not considered to be “In Good Standing.”

- Graham ISD defines ‘Good Standing’ as it pertains to extracurricular activities as maintaining extracurricular eligibility as required by UIL and complying with the 90% attendance rule defined in Section 25.092 of the Texas Education Code. Compliance with the 90% attendance rule shall be calculated per semester.
- When a student is not “In Good Standing”, he/she will be allowed to practice but will not be allowed to travel with the team/group or participate in any home or away extracurricular contests until they are considered to be “In Good Standing” and approved by the campus principal.
- Scrimmages and tournament games count as contests.

ISS - Travel and Participation While Assigned to ISS

- When a student is assigned to ISS, he/she will be allowed to practice but will not be allowed to travel with the team/group or participate in extracurricular contests until they have completed the assigned time in ISS.
- Example- student is assigned 3 days of ISS to begin on Tuesday. He/she will be ineligible to travel with the team/group and participate in contests on Tuesday, Wednesday, and Thursday. He/she will be eligible to travel with the team/group the day following the successful completion of the ISS assignment.
- Should the assignment begin on a day of the week and require completion the following week, the student will be allowed to practice but ineligible to travel and participate in contests until the day following the successful completion of the ISS assignment.
- Scrimmages and tournament games count as contests.
- When a student who participates in an extracurricular activity is assigned to ISS, the coach or sponsor may issue an additional consequence.

Conduct Expectations

The following conduct is expected of all participants. Failure to meet these expectations can result in disciplinary action by the coach or sponsor:

- Student commitment to a team or organization is expected for the entire season or activity. Students are encouraged to participate in more than one extracurricular activity; however, students may not quit one sport or organization in order to participate in another while the sport or club that he/she quit is still active. This rule can be waived with the mutual consent of BOTH sports coaches.
- Students who participate in extracurricular activities that involve competition among schools and school districts will conduct themselves in a sportsmanlike manner at all times. This includes behavior toward visiting teams or hosting teams as well as the opponent's fans. Graham ISD participants will be noted for clean, tough, competitive play. Praise your opponents and play beyond your ability.
- Students should arrive at practices (including workouts), meetings, and events on time and prepared.
- Students who cannot be present for a practice (including workouts), meeting, or event should call the coach, sponsor, team captain, or club president as soon as they are aware that they will be absent. Each activity will decide when missed practices, meetings, or workouts will be made-up; however, disciplinary action may still be taken if a participant is absent more than two times in a semester.
- Injured or ill students who are unable to participate, but are able to attend a practice (including workouts), meeting, or event are required to dress appropriately and sit or stand with the rest of the group.
- Students are required to show respect at all times to coaches and sponsors.
- Students should refrain from wearing hair styles or hair colors that draw attention to themselves. **Male students participating in sports are required to be clean shaven. (Take this line out.)**
- Students engaging in extracurricular activities are required to participate in the extracurricular drug testing program administered under the authority of policy FNF (LOCAL). Students found to have violated policy FNF (LOCAL) will be subject to disciplinary measures as outlined in that policy.
- Students should follow the rules promulgated in the *Graham ISD Student Code of Conduct*. Failure to do so may result in additional disciplinary measures related to the student's participation in extracurricular activities as determined by the coach or sponsor.

Prohibited Conduct

Graham ISD students who participate in extracurricular activities are prohibited at all times from:

- stealing
- fighting
- conduct that causes injury or harm to persons or property;
- Any use of social media platforms that gives school officials reasonable cause to believe the conduct will substantially disrupt the school program, or incite violence
- possessing, smoking, or using tobacco products;
- possessing, smoking or using E-cigarettes, a vaporizer (“vape pen”) or other non-tobacco nicotine designed to deliver any type of substance
- possessing or using drug paraphernalia;
- possessing, distributing, or using any substance represented to be an illegal drug, a dangerous drug, a controlled substance, or alcohol
- possessing, selling, giving, delivering to another person, using, or being under the influence of marijuana, alcohol, a controlled substance, or any dangerous drug;
- engaging in conduct that contains the elements of an offense relating to glue, aerosol paint, or volatile, mood-altering chemicals;
- attending any event at which underage drinking or smoking or any drug use is occurring (students will be allowed a slight concession for an amount of time long enough to determine that a violation is occurring and to leave the premises);
- riding in a vehicle containing alcohol unless a parent, guardian, or other responsible adult is present and aware of the presence of the alcohol;
- inappropriate or offensive physical or sexual contact, whether or not it is consensual (ex: Public displays of affection)
- **any conduct that is detrimental to the organization, program, or team (ADD)**
- engaging in serious misbehavior, as that term is defined in *the Graham ISD Student Code of Conduct*. (Refer to pg. 20-23)

Procedures

The coach and/or sponsor will determine whether an *Extracurricular Code of Conduct* violation has occurred. Upon determination of an *Extracurricular Code of Conduct* violation, the following individuals will be notified:

- The student and the student’s parent(s) or guardian(s); and/or
- The appropriate school counselor to provide counseling, support, and guidance in dealing with issues associated with alcohol, drugs, mood-altering chemicals, and other prohibited activities.
- Campus Principal, Campus Asst. Principal

Disciplinary Action

Coaches and sponsors will review all the facts and circumstances surrounding a particular violation and impose appropriate disciplinary action. Coaches and sponsors will strive for consistency in meting out punishment for *Extracurricular Code of Conduct* violations, but will also exercise sound professional discretion.

Nothing in this *Extracurricular Code of Conduct* limits the authority of a coach or sponsor to impose reasonable sanctions, which may include extra workouts, suspension from practice or competition, or removal from the activity, for students who breach team or organization conduct expectations but do not engage in “Prohibited Conduct.”

Violation of any of the above-mentioned rules under “Prohibited Conduct” by a student participating in extracurricular activities will be subject to suspension from contests for the following time periods:

Violations for Prohibited Conduct (Suspension)

1. 1 st Offense	7 Calendar Days
2. 2 nd Offense	21 Calendar Days
3. 3 rd Offense	45 Calendar Days
4. 4 th Offense	90 Calendar Days
5. 5 th Offense	365 Calendar Days

The principal will not ordinarily interfere in a coach’s or sponsor’s judgment regarding appropriate discipline but has the authority to increase or decrease the punishment based on his or her assessment of the situation.

Insurance for Students in Extracurricular Activities

Graham ISD is not responsible for injuries of its students who are participating in sports. However, Graham ISD will offer supplemental insurance that can be purchased by the athlete covering participation in practice or competition for athletes. The coverage for each injury will vary according to the accident. More detailed information can be obtained by calling Michael Carroll, GISD Athletic Trainer at (940)-549-4277. He will answer any questions you have concerning our athletic program’s procedures for dealing with insurance and injuries.

As part of completing the UIL participation form, you have the option of requesting the administration of an electrocardiogram (ECG) from your physician. To learn more, please read UIL’s Sudden Cardiac Awareness Form.

GISD Extracurricular Drug Testing Program

The Board encourages students to participate in school-sponsored extracurricular activities, but believes the opportunity to participate is a privilege offered to eligible students on an equal opportunity basis. The use of alcohol or other drugs by students participating in extracurricular activities presents a hazard to the health, safety, and welfare of the student participant. The Board believes testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among students. Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extracurricular activities and upon the positive image these students project to other students and to the community on behalf of the District. For the safety, health and well-being of students in extracurricular activities and/or who drive and park on school property, the District has adopted this policy.

Purpose

1. Educate students of the serious physical, mental and emotional harm caused by illegal drug use.
2. Alert students with possible substance abuse problems to the potential harms that drug use poses for their physical, mental, and emotional well-being and offer them the privilege of competition as an incentive to stop using such substances.
3. Ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.
4. Prevent injury, illness, and harm for students that may arise as a result from illegal and performance-enhancing drug use.
5. Offer students practices, competition and school activities free of the effects of illegal and performance-enhancing drug use
6. Prevent injury, illness, and harm that may arise as a result of youthful, inexperienced drivers consuming controlled substances and then driving on school premises, which are traditionally occupied by teenagers.
7. Educate youthful drivers regarding the dangers to themselves and others that result from the use of controlled substances while operating a motor vehicle.

Definition

“School-sponsored extracurricular activity” shall mean, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the District.

Required Testing

To be eligible to participate in any school-sponsored extracurricular activity, a secondary student in grades 9–12 must agree to participate in a drug-testing program.

Use of Results

The results of any drug test administered under this policy shall be used only to determine eligibility for participation in school sponsored extracurricular activities.

Confidentiality

Results shall be kept confidential and disclosed only to the student, his or her parents/guardians, and school officials designated by the Superintendent. Results shall not be placed in student records. Students shall not be penalized in any other way. Action shall not be taken by the school against the student, other than suspension from participating in extracurricular activities, as outlined below.

Prohibited Conduct

Student participants in school-sponsored extracurricular activities shall not at any time during the school year use, possess, sell, distribute, or be under the influence of any illegal drug, anabolic steroid, or alcohol.

Parent/Student Meeting

A meeting with potential student participants and their parents or guardians shall be scheduled in the spring for students desiring to participate in the following school year. The drug-testing plan shall be discussed and copies of the policy, procedures, and the consent form shall be provided for each participant at that time.

Consent Form

Student participants must sign a consent form agreeing to participate in the drug-testing program. The consent form must also be signed by the student's parent or guardian before the beginning of the school year, semester, or specific activity, e.g., casting and production of a dramatic presentation. Consent forms are valid until revoked by the student or parent. **Consent forms are found at the end of this document.**

If the student participant or his or her parent or guardian declines to sign the consent form, the student shall not be permitted to participate in school-sponsored extracurricular activities.

Only one form shall be required for each student regardless of the number of school activities in which he or she participates.

Only one form shall be required for the entire enrollment of the student at the District high school.

Testing Procedure

A licensed medical facility or third-party administrator selected by the Superintendent and approved by the Board shall conduct all testing for the presence of drugs in student urine samples. The Superintendent shall be designated as the program manager and shall administer the program with the selected drug-testing provider.

Substances specifically tested for shall include substances that are illegal to buy, possess, use, sell, or distribute under state or federal law and alcohol, including prescription drugs. These substances

Include: marijuana, cocaine, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, metabolites of any of these substances, and performance-enhancing substances.

Samples shall be taken under conditions that are no more intrusive to students than the conditions experienced in a public restroom. The Superintendent, in cooperation with the selected drug-testing provider, shall develop administrative regulations for collection and testing.

Any student who refuses to be tested during a semester or who tampers with, or assists others in tampering with, any sample shall be removed from extracurricular activities from one calendar year.

Random Tests

Random tests shall be conducted from time to time during the school year or semester. Students shall not be notified in advance of any drug test. When selected for testing, a student shall be escorted to the school's testing site by a school employee and shall remain under employee supervision until a sample is provided. If a student is in school and fails to report for testing at the appointed time, he or she shall be removed from extracurricular activities from one calendar year.

Positive Test Results

All positive results must be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps shall be taken:

1. A positive test result does not automatically identify the donor as an illegal drug user. The medical review officer (MRO) shall assess and determine whether an alternative medical explanation could account for the positive test result. Once the review process is complete and if it is determined as a positive test, per law, the MRO shall contact the student and the parent or guardian of the student, if the student is a minor and has tested positive for an illegal drug.
2. The MRO shall notify the company of the positive test. The company shall complete the appropriate paperwork and notify the District official.
3. The District official to whom results are reported shall notify the principal and athletic director if the student is in interscholastic athletics.
4. The principal shall notify the student's parent or guardian, the student, and the sponsor or coach of the affected activity. The principal shall inform parents of the opportunity to respond to a positive test. The principal shall schedule a meeting with the parent or guardian and the student to develop a plan of assistance for the student and a timetable to complete the sanctions.
5. At the meeting, the principal shall give the student and parent a copy of the test results and provide them an opportunity to offer an explanation for the results. Parents may also request a retest to confirm the results, but the retest shall be a test of a hair follicle at the parent's expense. A request to retest must be made in writing within 48 hours of the meeting with the principal. The retest shall be in accordance with the testing provisions of this policy.

Sanctions

The sponsor or coach may allow the student to continue to attend practices. Any student who tests positive, receives counseling, and is reinstated shall be retested once a month for as long as he or she participates in school-sponsored extracurricular activities for the remainder of the school year.

If a student tests positive for the first time, the student shall be removed from participation in

competition, until the following criteria are fulfilled based on a positive test:

1. The student athlete has missed a minimum of 14 calendar days of the activity in which they are currently “in season” or the activity of the next competitive season in which they complete.
2. Within 10 days, the student must provide the campus principal proof of 4 hours of drug abuse counseling with a licensed psychologist or licensed professional counselor at the parent’s expense.
3. The student is retested by the testing agency with a negative result.

If a student tests positive a second time, the student shall be removed from participation in competition, until the following criteria are fulfilled:

1. The student athlete is removed for 90 calendar days from participation in extracurricular activities of the activity in which they are currently “in season” or the activity of the next competitive season in which they complete.
2. Within 30 days, the student must provide the campus principal proof of 12 hours of drug abuse counseling with a licensed psychologist or licensed professional counselor at the parent’s expense.
3. The student is retested by the testing agency with a negative result.

When determining whether a positive test is a subsequent positive test:

1. A positive test conducted within 30 days after the date of a test which was punished as a “first positive test” shall not be considered a “third positive test”, unless:
 - a. The test reflects the presence of a different substance than that detected in the “second positive test”; or,
 - b. The level of the original substance detected has not decreased to a level that indicates the discontinued use of such substance after the “second positive test.”
2. A positive test conducted more than 30 days after the date of a test which was considered a “second positive test” shall be considered a “third positive test”, unless:
 - a. The levels originally detected have decreased enough to be reasonably interpreted as residual traces from before the “second positive test” and do not reasonably indicate a new policy violation.

If a student tests positive a third time, the student shall be removed from participation in extracurricular activities permanently.

When determining whether a positive test is a subsequent positive test:

1. A positive test conducted within 30 days after the date of a test which was punished as a “second positive test” shall not be considered a “third positive test”, unless:
 - a. The test reflects the presence of a different substance than that detected in the “second positive test”; or,
 - b. The level of the original substance detected has not decreased to a level that indicates the discontinued use of such substance after the “second positive test.”
2. A positive test conducted more than 30 days after the date of a test which was considered a “second positive test” shall be considered a “third positive test”, unless:
 - a. The levels originally detected have decreased enough to be reasonably interpreted as

residual traces from before the “second positive test” and do not reasonably indicate a new policy violation.

Appeal

An appeal of the sanction may be instituted by the parent by giving written notice to the Superintendent within five days. The student shall be ineligible for participation pending the appeal. Using the procedures in FNG(LOCAL) for a Level Three presentation, the Board shall determine whether the sanction was justified.

Student Drivers

Students who drive to and from school and who park on school property shall be subject to the same initial and random drug testing requirements as students who participate in school sponsored extracurricular activities.

In addition to any other sanctions that may be imposed based on a student driver’s participation in school-sponsored extracurricular activities, a student who has a positive test result shall not be permitted to park on school property for 30 school days. After this 30-day period and upon subsequent testing with a negative test result, the student shall be permitted to park on school property.

Nothing in this policy limits or prohibits the application of Board policy providing for disciplinary action for students using, under the influence of, in possession of, or distributing illegal drugs or alcohol on school property or at school events.

Acknowledgement

A condition to participating in any extracurricular activity or holding any office (elected or appointed) is to sign an acknowledgement that the student has read and understands the Student Code of Conduct, the Extracurricular Code of Conduct, and the Acceptable Use Agreement for Electronic Communication Systems. The Student and Parent signatures page can be found on page 2 of this handbook. By signing the acknowledgement form, all parties understand the consequences for inappropriate behavior.

The GISD Extra Curricular Activities Drug Testing Program has a stand alone signature page:

- The GISD Drug Testing Consent Form is on the following page
- Please print and sign this form, then return it to the Graham HS front office
- Each party will only have to sign this form one time during their HS career

Graham ISD - Drug Use Testing Consent Form

Student's Name (Print): _____
last name first name middle initial

I understand after having received and read Graham ISD Policy [FNF \(Local\)](#) concerning student drug and alcohol testing that GISD will enforce this policy out of concern for my safety and health. I realize that the personal decisions that I make daily in regard to the use of illegal drugs and/or alcohol may affect my health and well being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated.

Signature of Student

Date

I have received, read and understand GISD Policy [FNF \(Local\)](#) concerning student drug and alcohol testing. I understand that it is the practice of the district to conduct drug and/or alcohol tests for the purpose of carrying out this policy. I desire that my child named above participate in and be subject to the terms of the drug-testing program. I understand that I may withdraw this request for participation at any time in writing to the campus principal. I further understand and accept that if I withdraw my consent after my child has been selected for drug testing or if my child refuses to take the drug test he/she will be unable to participate in the above-mentioned activities. If my child later decides to participate in extracurricular activities offered by GISD, and/or drive on GISD property, my child will be unable to participate in the above-mentioned activities until such test is taken. I accept the method of obtaining urine and/or hair samples, testing of such samples, and all other aspects of the program.

I authorize the employees of GISD to release my child's student identification number, and biological specimens to MDS (Mobile Drugscreening Services). I authorize the officers, employees, and agents of MDS and the district to communicate among themselves for official purposes, my child's drug and/or alcohol test results both orally and in writing, and to communicate such test results at any district administrative proceeding. I also authorize the officers, employees, and agents of MDS and the district to have continued access to my child's biological specimens for the purpose of any further analysis or study that may be necessary, and require the results be communicated to me prior to any district administrative proceedings.

Printed Name of Parent/Guardian

Date

Parent/Guardian Signature

Date

**** Please print, sign and return to the GHS Office**

GISD Student Agreement for the Acceptable Use of the Electronic Communication System

You are being given access to the District's electronic communication system. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other electronic information systems/networks. You will have access to hundreds of databases, libraries, and computer services all over the world.

In accordance with the Children's Internet Protection Act, Graham Independent School District educates staff and students regarding appropriate online behavior, including interacting with other individuals on social networking websites (including chat rooms). Graham ISD also educates staff and students on cyber bullying awareness to ensure Internet safety, including use of email and Web 2.0 resources, and has deployed filtering technology and protection measures to restrict access to inappropriate content such as those that are illegal, harmful, or contain potentially offensive information. While every effort is made to provide the most secure and optimal learning environment by monitoring on-line activities, it is not possible to absolutely prevent access (accidental or otherwise) to inappropriate content. It is possible that you may run across areas of adult content and some material you (or your parents) might find objectionable. While the District will take reasonable steps to restrict access to such material, it is not possible to absolutely prevent such access. It is each student's responsibility to read district policy, regulations and agreement forms and ask questions if you need help in understanding and following the guidelines for appropriate and acceptable use.

Inappropriate system use will result in the loss of the privilege to use this educational tool. It will be your responsibility to follow the rules for appropriate use.

Rules for Appropriate Use

You will have access through the District's resources for class assignments and research with your teacher's permission and/or supervision.

- You will be held responsible at all times for the proper use of your account, and the District may suspend or revoke your access if you violate the rules.
- Remember that people who receive e-mail from you with a school address might think your message represents the school's point of view.
- Users are expected to observe the following network etiquette:
 - Be polite; messages typed in capital letters are the computer equivalent of shouting and are considered rude.
 - Use appropriate language; swearing, vulgarity, ethnic or racial slurs, and any other inflammatory language are prohibited.
 - Pretending to be someone else when sending/receiving messages is considered inappropriate.
 - Transmitting obscene messages or pictures is prohibited.

- Using the network in such a way that would disrupt the use of the network by other users is prohibited.

Inappropriate Uses

- Using the system for any illegal purpose.
- Disabling or attempting to disable any Internet filtering device.
- Encrypting communications to avoid security review.
- Tampering with anyone else's computer, files, or email.
- Posting personal information about yourself or others (such as addresses and phone numbers).
- Downloading or using copyrighted information without permission from the copyright holder, including violating District software licensing agreements or installing any personal software on District equipment without approval of the Technology Director.
- Intentionally introducing a virus to the computer system.
- Posting messages or accessing materials that are abusive, racist, excessively violent, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Personal, political use to advocate for or against a candidate, office-holder, political party, or political position. Research or electronic communications regarding political issues or candidates shall not be a violation when the activity is to fulfill an assignment for class credit.
- Forgery of electronic mail messages or transmission of unsolicited junk e-mail chain messages.
- Use that violates the Student Code of Conduct.
- Use related to commercial activities or for commercial gain.
- Advertisement for purchase or sale of a product.
- Participating in chat rooms other than those sponsored and overseen by the District.
- Wasting school resources through the improper use of the computer system.
- "Hacking" i.e., attempting unauthorized access to any computer whether within the District's network or outside it.

Consequences for Inappropriate Use

- Suspension of access to the system;
- Revocation of the computer system account; or
- Other disciplinary or legal action, in accordance with the Student Code of Conduct and applicable laws.
- This may also require restitution for costs associated with system restoration, hardware, or software costs.

Notice to Parents

Right to Review Teacher Qualifications

As a parent of a student in Graham ISD, you have the right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child's classroom teachers and requires us to give you this information in a timely manner if you ask for it. Specifically, you have the right to ask for the following information about each of your child's classroom teachers:

- Whether the Texas Education Agency has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the Texas Education Agency has decided that the teacher can teach in a classroom without being licensed or qualified under the state regulations because of special circumstances.
- The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any teachers' aides or similar paraprofessionals provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please call Mr. Sonny Cruse, GISD Superintendent of Schools, at 549-0595.