



Horizon Montessori Public Schools

*"Tomorrow's Education Today"*

2402 E. Business Hwy. 83 Weslaco, Texas 78596

# Horizon Montessori Public Schools



Student Code of Conduct

**2021 – 2022**



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### **Student Code of Conduct Acknowledgement**

Dear Student and Parent:

As required by State law, the District has 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 discuss it among your family. If you have any questions about the behaviors and consequences, we encourage you to ask for an explanation from the student's teacher or campus administrator.

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

Thank you.  
Alim Ansari,  
Superintendent

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Horizon Montessori does not discriminate against any member of its community on the basis of gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disabilities or handicap in educational programs or activities.



### STUDENT CODE OF CONDUCT ACKNOWLEDGEMENT

We acknowledge that we have received a copy of the HMPS Student Code of Conduct for the 20201– 2022 School Year and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

Parent Name:	
Parent Signature:	
Student Name:	
Student ID:	
Grade Level:	
School:	
Date:	

**Please sign this page, remove it, and return it to the student's school.**

**Thankyou.**



## STUDENT CODE OF CONDUCT

### THE PURPOSE OF THE STUDENT CODE OF CONDUCT

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

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

In accordance with state law, the Student Code of Conduct will be posted at each school campus or will be available for review at the office of the campus principal. Parents will be notified of any Student Code of Conduct violation that may result in a student being suspended or expelled.

### INDEX

This code is organized into the following sections:

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The **Glossary** at the back of the Student Code of Conduct provides easy access to definitions of legal terms (pages 15-18)

In case of conflict between the Student Code of Conduct, Board policy or Student Handbook, the Student Code of Conduct will prevail. The Student Code of Conduct is adopted by the District's Board of Trustees and has the force of policy.

**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.

It is the policy of the HMPS not to discriminate on the basis of sex, age, handicap, religion, color, or national origin in its educational programs.



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### **BEHAVIORS**

Each student is expected to:

- Demonstrate courtesy even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and **on time**.
- Be prepared for each class; take appropriate materials and assignments to class.
- Meet District or campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of other students and of teachers and other District staff.
- Respect the property of others, including District property and facilities.
- Cooperate with or assist the school staff in maintaining safety, order, and discipline.
- Avoid violations of the Student Code of Conduct and/or Student-Parent Handbook.
- The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct and Student-Parent Handbook. These rules may be posted in classrooms or given to the student.

### **The following behaviors are prohibited at all school and school-related activities:**

- Cheating or copying the work of another.
- Throwing objects that can cause bodily injury or property damage.
- Failing to comply with directives given by school personnel.
- Leaving school grounds or school-sponsored events without permission.
- Disobeying rules for conduct on school buses or charter buses.
- Directing profanity, vulgar language, or obscene gestures toward other students or District employees.
- Fighting or scuffling.
- Hazing.
- Stealing from students, staff, or the school.
- Damaging or vandalizing property owned by others.
- Defacing or damaging school property-including textbooks, lockers, furniture, and other equipment-with graffiti or by other means.
- Possessing fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device.
- Discharging a fire extinguisher.
- Possessing razors, switchblades, box cutters, chains, or any other object used in a way that threatens or inflicts bodily injury to another person.
- Possessing or selling "look-alike" weapons.
- Possessing air guns or BB guns.
- Possessing ammunition.
- Possessing a stun gun.

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- Possessing mace or pepper spray.
- Possessing or using articles not generally considered weapons, including school supplies when the principal or designee determines that a danger exists.
- Gambling.
- Making false accusations or hoaxes regarding school safety.
- Falsifying records, passes, or other school-related documents.
- Committing extortion, coercion or blackmail (obtaining money or another object of value from an unwilling person).
- Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Being insubordinate.
- Refusing to accept discipline management techniques assigned by school personnel.
- Forcing an individual to act through the use of force or threat of force.
- Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed later in the Student Code of Conduct.)
- Bullying including intimidation by name-calling, using ethnic or racial slurs, or derogatory statements that could disrupt the school program or incite violence.
- Engaging in threatening behavior toward another student or District employee on or off school property.
- Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or District employee.
- Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
- Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or District employee.
- Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors directed toward another student or District employee.
- Inappropriate or indecent exposure of a student's private body parts.
- Possessing or using matches or a lighter.
- Possessing, smoking, or using tobacco products.
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs and contraband.
- Possessing or selling seeds or pieces of marijuana in less than a usable amount.
- Possessing, using, giving, or selling paraphernalia related to any prohibited substance.
- Abusing the student's own prescription drug, giving a prescription drug to another student, or being under the influence of another person's prescription drug on school property or at a school-related event.

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- Violating the District's policy on taking prescription drugs and over-the-counter drugs at school.
- Possessing a paging device, cellular phone, or other telecommunications device or any electronic devices at school during the school day.
- Possessing or using a laser pointer for other than an approved use.
- Violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent or guardian.
- Using the Internet to threaten students, employees, or cause disruption to the educational program on or off campus.
- Sending or posting messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property on or off campus.
- Possessing published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety, using e-mail or web sites at school to encourage illegal behavior, or threatening school safety.
- Possessing material that is pornographic.
- Violating dress and grooming standards as communicated in the student handbook.
- Violating extracurricular standards of behavior.
- Engaging in gang related activities or behaviors will not be permitted.
- Repeatedly violating other communicated campus or classroom standards of behavior may result in suspension or expulsion.

In an emergency, the principal or principal's designee may order the Immediate placement of a student into ISS when a student is so unruly, disruptive, or abusive that the student's presence seriously interferes- with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

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### **EXPULSIONS**

A student must be expelled for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property: *Education Code 37.007*

#### **Bringing to school a firearm, as defined by federal law. "Firearm" under federal law includes:**

1. Any weapon (including a starter gun) that will or is designed to or that 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 weapon.
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, orgrenade.

#### **Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:**

1. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
2. An illegal knife, such as a knife with a blade over 5% inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dir, stiletto, and poniard; bowie knife; sword; or spear.
3. A club such 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, including a blackjack, nightstick, mace, and tomahawk.
4. A prohibited weapon, such as an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; a switchblade knife; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun. (See glossary)

#### **Behavior containing the elements of the following offenses under the Texas Penal Code:**

1. Aggravated assault, sexual assault, or aggravated sexual assault.
2. Arson. (See glossary)
3. Murder, capital murder, or criminal attempt to commit murder.
4. Indecency with a child.
5. Aggravated kidnapping.
6. Behavior punishable as a felony that involves the selling, giving, or
7. Delivering to another person, possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
8. Retaliation against a school employee combined with one of the above- listed offenses on or off school property or at a school-related activity.
9. A student will be expelled for engaging in conduct relating to a bomb threat or a terroristic threat involving a public school. (See glossary)
10. A student will be expelled for committing any of the following offenses on school property or while attending a school-sponsored or school-related activity on or off school property'

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**Selling, giving, or delivering to another person, or knowingly possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug.**

**Selling, giving, or delivering to another person, or knowingly possessing, using, or being under the influence of any amount of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.**

**Engaging in conduct that contains the elements of an offense relating to abuse of glue, aerosol paint, or volatile chemicals.**

**Engaging in criminal mischief, if punishable as a felony, whether committed on or off school property or at a school-related event.**

**Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer on school property.**

**Engaging in conduct that contains the elements of assault and retaliation against a school employee or volunteer, regardless of where or when the conduct occurs**

- **Persistent (two or more) violations of the following'**

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

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

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### CONSEQUENCES

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

School rules and the authority of the District to administer discipline apply whenever the interest of the District is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities. The District has disciplinary authority over a student:

1. During the regular school day or while the student is going to and from school on District transportation;
2. For certain discretionary expulsion offenses, within 300 feet of school property as measured from any point on the school's real property boundary line;
3. While the student is in attendance at any school-related activity, regardless of time and location;
4. For any school related misconduct, regardless of time or location;
5. For any mandatory expulsion offense committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
6. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
7. When the student commits a felony, as provided by *Texas Education Code 37.006*; and
8. When criminal mischief is committed on or off school-related event.

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



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

A school administrator will report crimes as required by law. A school administrator who suspects that a crime has been committed on campus will call local law enforcement.

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

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

For rule violations of the Student Code of Conduct, the teacher is not required to make a Student Code of Conduct violation report, and the principal is not required to notify parents.

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

- Verbal correction.
- Cooling off time or "time-out."
- Seating changes within the classroom.
- Counseling by teachers or administrative personnel.
- Parent-teacher conferences.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Detention.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Out-of school suspension, as specified in the suspension section of this Student Code of Conduct.
- Expulsion, as specified in the expulsion section of this Student Code of Conduct.
- Assignment of school duties such as scrubbing desks or picking up litter.

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- Withdrawal of privileges, such as participation in extracurricular activities and eligibility for seeking and holding honorary offices, and/or membership in school-sponsored clubs or organizations.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.
- School-assessed and school-administered probation.
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- Other strategies and consequences as specified by the Student Code of Conduct.

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration. Consequences will not defer the outcome of a grievance.

General misconduct identified on the left will result in application of one or more discipline management techniques consistent with the law and Student Code of Conduct. State law requires that the violation be reported to the principal or other appropriate administrator who will send notification to the parent or guardian within 24 hours of receiving the report.

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation of the Student Code of Conduct that may result in a suspension or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists state and/or federal law prevail.

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### **DISCRETIONARY REMOVAL**

General misconduct will not necessarily result in the formal removal of the student from class or another placement but may result in a routine referral, formal removal, or the use of one or more discipline management techniques.

### **FORMAL REMOVAL**

Formal removal initiated by a teacher will occur if;

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

A teacher or administrator must remove a student from class if the student engages in behavior for which the Education Code requires the student to be expelled.

A teacher or administrator may remove a student from class for a behavior that the District has determined is a violation of the Student Code of Conduct.

Within three school days of receiving a Student Code of Conduct violation report, the principal will schedule a conference with the student's parent, the student and the teacher. General misconduct will result in application of one or more disciplinary management techniques consistent with law and the Student Code of Conduct.

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

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

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### **TEACHER REMOVAL OF A STUDENT FROM THE CLASSROOM**

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

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

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

At the conference, the principal or appropriate administrator will inform the student, 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 their attendance, the District may hold the conference and make a placement decision regardless of whether the student or student's parent attends the conference.

### **SUSPENSION**

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

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

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

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

### **STUDENTS WITH DISABILITIES**

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



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### **EXPULSION**

When a student under the age of ten engages in behavior that is expellable the student will not be expelled, but will be sent to the zoned district for disciplinary alternative educational placement. Notification will be provided to the resident district.

For students above age ten, state and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the Superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

### **EXPULSION HEARINGS**

If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time with the student's parent or guardian, the student, and the teacher if appropriate. The student's parent or guardian will be invited in writing to attend the hearing.

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

- Another appropriate classroom;
- In-school suspension; and/or
- Out-of-school suspension.

A student facing expulsion will be given appropriate due process. The student is entitled to:

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

The Board delegates to the Superintendent or his designee the authority to expel students.

A student expelled after the due process hearing may request that the Board review the expulsion decision. The student or parent/guardian must submit a written request to the Superintendent within ten days after receipt of the written decision. The Superintendent must provide the student or parent/guardian written notice of the date, time, and place of the meeting at which the Board will review the decision. Consequences will not be deferred pending the outcome of 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 parents attend.

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

The Board will hear statements made by the parties at the review and will base its decision on evidence 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 will not be deferred pending the outcome of the hearing.

After the due process hearing, if the student is expelled, the Board or its designee will deliver to the student and student's parents a copy of the order expelling the student.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order will give notice of the inconsistency. An expulsion may not exceed one year unless, after the 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.

When a student has violated the District's Code of Conduct in a way that requires expulsion from the District and the student withdraws from the District before the expulsion hearing takes place, the District will conduct the hearing after sending written notice to the parent and student. If the student returns during the school year or the next school year, he or she will be expelled for the time specified in the expulsion order.

If the student then reenrolls 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 principal, another appropriate administrator, or the Board fails to issue an expulsion order after the student withdraws, the next district with which the student enrolls may complete the proceedings. If during the expulsion, the student engages in additional conduct for which expulsion is required or permitted, additional proceedings may be conducted, and the principal, another appropriate administrator, or the Board may issue an additional disciplinary order as a result of those proceedings.

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No later than the second business day after the hearing, the Board's designee will deliver to the juvenile court a copy of the order expelling the student and the information required by section 52.04 of the Family Code.

The duration of expulsion shall not exceed 365 school days. 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.

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

No District academic credit will be earned for work missed during the period of expulsion (unless the student is enrolled in a Juvenile Justice Alternative Education Program or other District-approved program).

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

If a student expelled in another state enrolls in the District, the District may continue the expulsion under the terms of the expulsion order.

When an emergency expulsion occurs, the student will be given oral notice of the reason for the action. Within a reasonable amount of time after the emergency

expulsion the student will be given appropriate due process required for a student facing expulsion.

If emergency expulsion involves a student with disabilities who receives special education services, the term of the student's emergency expulsion is subject to the requirements of federal law.

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### GLOSSARY

**Armor-piercing ammunition** is handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers.

**Arson** occurs when a person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

- a. Any vegetation, fence, or structure on open-space land; or
- b. Any building, habitation, or vehicle:
  - a. Knowing that it is within the limits of an incorporated city or town;
  - b. Knowing that it is insured against damage or destruction;
  - c. Knowing that it is subject to a mortgage or other security interest;
  - d. Knowing that it is located on property belonging to another;
  - e. Knowing that it has located within it property belonging to another; or
- f. When the person is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

**Assault** is defined by Texas Penal Code 22.01(a) (1). A person commits an assault if the person intentionally, knowingly, or recklessly causes bodily injury to another.

**Chemical dispensing device** is a device other than a small chemical dispenser sold commercially for personal protection that is designed, made, or adapted for the purpose of causing an adverse psychological effect on a human being.

**Club** is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, mace and tomahawk.

**Deadly conduct** occurs when a person commits an offense by recklessly engaging in conduct that places another in imminent danger of serious bodily injury or by knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Deferred adjudication** may be offered to a student who is 17 or older, as an alternative to seeking a conviction in court.

**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.



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

**Explosive weapon** is any explosive or incendiary bomb, grenade, rocket, or mine 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, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

**False Alarm or Report** 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:

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

**Graffiti** is making marks with aerosol paint or an indelible marker on tangible property of the owner without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Harassment** means repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct related to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

**Hazing** involves any knowing, intentional, or reckless act, occurring on or off the campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

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

**Machine gun** is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

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**Paraphernalia** is any device that can be used to inhale, ingest, inject, or otherwise introduce a controlled substance into a human body.

**Possession** means to have on a student's person or in the student's personal property, including but not limited to the student's clothing, purse, or backpack; in any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; or any other school property used by the student, including but not limited to a locker or desk.

**Reasonable belief** determination can be made by the Superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure. Administrators may place a student in a disciplinary Alternative Education Program if they have a reasonable belief that the student engaged in felony conduct under Title 5. Administrators also may place a student in a disciplinary Alternative Education Program if they have a reasonable belief that the student committed felony conduct that is not a Title 5 offense, and the Superintendent believes the student's continued presence in the regular classroom threatens the safety of other students or teachers, or will be detrimental to the educational process.

**Self-defense** is using force against another when and to the degree a person reasonably believes the force is immediately necessary to protect him or herself.

**Short-barrel firearm** is 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.

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

**Terroristic threat** occurs when a person threatens to commit any offense involving violence to any person or property with intent to:

Cause a reaction of any type to his or her threat by an official or volunteer agency organized to deal with emergencies;

Place any person in fear of imminent serious bodily injury;

Prevent or interrupt the occupation or use of a building; room, place of assembly, place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or

Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service.

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**Title 5 offenses** involve injury to a person and include murder; kidnapping; sexual assault; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product.

**Use** means that a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech.

**Under the influence** means not having the normal use of mental or physical faculties; however, the student need not be legally intoxicated.

**Zip gun** is 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

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Horizon Montessori does not discriminate against any member of its community on the basis of gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disabilities or handicap in educational programs or activities.