

2020-2021 STUDENT CODE OF CONDUCT

TEX. EDUC. CODE Chapter 37; PISD Board Policy Manual (Adopted 8/4/2020)

The Student Code of Conduct (“Code” or “SCOC”) is the district’s response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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

This Student Code of Conduct has been adopted by the Plano ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside the school year until an updated version adopted by the board becomes effective for the next school year.

Because the Student Code of Conduct is adopted by the District’s Board of Trustees, it has the force of policy; therefore, in case of conflict between the Code and the Student Handbook, the Code shall prevail.

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

During summer instruction, the Student Handbook and Student Code of Conduct in place for the school year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.

A student who engages in one or more of the offenses listed below is subject to the appropriate discipline or action as stated. To assist students involved in violations of the

Drug/Alcohol Policy, the district requires an outside assessment by a trained professional. Additionally, in incidences involving threats to safety and security, the district **may** require an outside assessment by a trained professional.

School District Authority & Jurisdiction

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.

Standards of Conduct

Student responsibilities for achieving a positive learning environment at school or school-sponsored activities will include:

- Attending all classes daily and on time.
- Being prepared for each class with appropriate materials and assignments.
- Meeting district and campus standards of grooming and dress.
- Exhibiting an attitude of respect toward others, even when others do not.
- Conducting one's self in a responsible manner, always exercising self-discipline.
- Obeying all campus and classroom rules.
- Refraining from violations of the Student Code of Conduct.
- Respecting the rights and privileges of students, teachers, other district staff and volunteers.
- Respecting the property of others, including district property and facilities.
- Cooperating with and assisting the school staff in maintaining safety, order and discipline.
- Reporting to school officials and/or proper authorities threats to safety and security.
- Seeking changes in school policies and regulations in an orderly and responsible manner through appropriate channels.

Discipline Management Techniques

The following discipline management techniques include, but are not limited to, the following which may be used – alone, in combination or as part of progressive interventions – for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- Verbal correction.
- Cooling-off time or a brief “time-out” period in accordance with law.
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Restorative practices.

- Rewards or demerits.
- Behavior contracts.
- Counseling by teachers, special services or administrative personnel.
- Parent-teacher conferences.
- Grade reductions as permitted by policy.
- Detention.
- Sending the student to the office, or other assigned area, or to in-school suspension.
- Assignment of school duties other than school tasks.
- Withdrawal of privileges, including participation in extracurricular activities or honorary positions.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges as needed to maintain effective discipline and safety on the bus.
- Probation.
- Out of school suspension.
- Removal to a disciplinary alternative education program (DAEP).
- Expulsion.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other appropriate strategies and consequences as determined by school officials.

A student who engages in one or more of the offenses listed below is subject to the appropriate discipline or action as stated. To assist students involved in violations of the Drug/Alcohol Policy, the district requires an outside assessment by a trained professional be conducted. In incidences involving threats to safety and security, including but not limited to harmful, threatening, or violent behaviors, the district may conduct a threat assessment as required by District policies and procedures, and shall take appropriate disciplinary action. Further, the District may provide recommendations or referrals to outside resources.

District [Discipline Management Plan](#) Procedures MUST be followed for ALL offenses.

Prohibited Forms of Discipline

Aversive techniques are prohibited for use with students. Aversive techniques 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:

1. Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by District policy. [See policy [FO\(LOCAL\)](#).]
2. Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
3. Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
4. Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
5. 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.
6. Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
7. 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.
8. Restricting the student's circulation.
9. Securing the student to a stationary object while the student is standing or sitting.
10. Inhibiting, reducing, or hindering the student's ability to communicate.
11. 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 by the use of physical barriers. The board also prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or subjected to other physical force as a means of discipline for violations of the Student Code of Conduct.

Campus Discipline Management Offenses

Campus Discipline Management Offenses include but are not limited to:

- Dress Code. ([FNCA](#))
- Hazing¹, Organizations, Clubs. ([FNCC](#))
- Weapons including "look-alike" weapons, items intended to be used as a weapon or items that could be reasonably perceived as a weapon, ammunition, fireworks, knuckles, an air gun or BB gun, a hand instrument designed to cut or stab, a stun gun, pepper spray or mace, and any other item not generally considered to be weapons when the principal determines that a danger exists. ([FNCG](#))

¹ Hazing is defined by Section 37.151 of the Texas Education Code.

- Assault. ([FNCH](#))
- Drug and alcohol use. ([FNCF](#))
- Attendance. ([FED](#))
- Disruptive activities. ([FNCI](#), [GKA](#))
- Gambling.
- Publications and prior review. ([FMA](#))
- Possession of prohibited electronic or telecommunication devices. ([FNCE](#))
- Possession, use or being under the influence of restricted smoking material including, but not limited to, tobacco, electronic cigarettes² or other substances which can be reasonably converted for smoking purposes whether it is presented as incense, herbs, cannabidiol, spices or any blend thereof. ([FNCD](#))
- Damaging or vandalizing property owned by the district, other students or district employees. ([FNCEB](#))
- Using profanity or vulgar language, name calling, religious, ethnic or racial slurs, hate language, obscene gestures or derogatory statements. ([FFH](#))
- Engaging in sexual or gender-based harassment or verbal or physical harassment based on another person's race, color, gender, national origin, disability, religion, or other lawfully protected characteristic. ([FFH](#))
- Being disrespectful toward students, teachers, other school employees or school visitors.
- Cheating or copying the work of another student.
- Falsifying records or school-related documents.
- Throwing objects, outside supervised school activities, that can cause bodily injury or property damage.
- Leaving school grounds or school-sponsored events without permission.
- Insubordination or other disregard for authority, including failure to comply with lawful directives from school personnel or school policies, rules and regulations.
- Possession or use of prohibited items including matches, lighters, and pornographic material.
- Committing robbery or theft or assisting in another committing robbery or theft.
- Disobeying school rules about conduct on buses or other school district transportation. ([FOA](#))
- Fighting, committing physical abuse or threatening physical abuse. ([FNCI](#))

² "electronic cigarette" is defined as 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. 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.

- Committing extortion, coercion, blackmail, that is, obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
- Engaging in inappropriate physical or sexual conduct disruptive to other students or the school environment.
- Engaging in dating violence³, bullying, cyberbullying, harassment or making hit lists. ([FFI](#), [FFH](#))
- Engaging in any other conduct that disrupts the school environment or educational process. ([FNCI](#))
- Improper use of technology resources. ([FOD](#))
- Make false accusations or perpetuate hoaxes regarding school safety.
- Repeatedly violate other communicated campus or classroom standards of conduct.
- Possession, use or distribution of prescription, nonprescription or homeopathic medication, or dietary supplements, including CBD oil or products derived from hemp that contain less than 0.3% unless otherwise allowed in Board Policy [FFAC](#). Except as allowed in ([FFAC](#)), all medication should be provided to and administered by authorized school personnel.
- Engaging in conduct in violation of district personal protective equipment (“PPE”) guidelines and expectations.
- Intentionally coughing, sneezing or spitting on another student or staff member with the purpose of infecting and/or threatening the other student or staff member with COVID-19 while on school buses, other vehicles and/or in district facilities, on district property or at school-sponsored events.

Formal Removal

A teacher may also initiate a formal removal from class if:

1. The student’s behavior has been documented by the teacher as repeatedly interfering with the teacher’s ability to teach his or her class or with the student’s classmates’ 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.

A student may not be returned to the classroom without the teacher’s removal consent when a student has been formally removed for conduct containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder. A student may be returned to the teacher’s classroom after any other conduct without the teacher’s

³ Dating violence is defined in Section 71.0021 of the Texas Family Code.

consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Students may be suspended for any behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense subject to the restrictions identified herein. In accordance with Chapter 37 of the Texas Education Code, a student may be suspended no more than three school days per behavior incident/violation with no limit to the number of suspensions that may occur during the school year.

Discipline Alternative Education Placement (DAEP) Offenses

Mandatory DAEP Offenses

The District shall place a student in DAEP if the student's conduct includes the following:

- Engaging in conduct that contains elements of a terroristic threat under Penal Code 22.07.
- Engaging in conduct that contains elements of the offense of a false alarm or report under Penal Code 42.06.
- Commits the following on or within 300 ft. of school property, while attending a school-sponsored, or school-related activity on or off school property:
 - a) Sells, gives or delivers to another person or possesses, uses or is under the influence⁴ of any type of dangerous drug, marijuana or controlled substance as defined by law (see expellable offenses if punishable as a felony).⁵
 - b) Sells, gives or delivers to another person an alcoholic beverage⁶, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.
 - c) Engages in conduct that contains the elements of an offense relating to abusable, volatile chemicals under the Health and Safety Code.
 - d) Engages in conduct that contains the elements of the offense of assault under Penal Code 22.01(a)(1).
 - e) Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07 or indecent exposure under Penal Code 21.08.
 - f) Engages in conduct punishable as a felony.

⁴ "Under the influence" for purposes of student discipline is defined as any ingestion of a prohibited substance and does not require legal intoxication to trigger disciplinary action.

⁵ A student with a valid prescription for low-THC cannabis does not violate this provision.

⁶ "Alcoholic beverage" has the meaning assigned in the Alcoholic and Beverage Code §1.04.

- g) Engages in conduct that contains the elements of the offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in conduct that involves crimes under Title 5 in the Penal Code of violence against a person, such as but not limited to assault, sexual offenses or homicide or aggravated robbery regardless of location of the conduct.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of retaliation under Section 36.06 of the Penal Code against a school employee, either on or off school property.
- A student that is required to register as a sex offender, and who is under any form of court supervision, including probation, community supervision or parole must be removed to the DAEP for at least one semester, unless otherwise court-ordered to JJAEP.
- A student that is required to register as a sex offender but who is not under any form of court supervision, and the board or its designee determines that the student's presence:
 - a) Threatens the safety of other students or teachers,
 - b) Will be detrimental to the educational process, or
 - c) Is not in the best interests of the district's students.

POLICIES [FOE\(LEGAL\)](#) and [FOC\(LEGAL\)](#)

Discretionary DAEP Offenses

The District may place a student in DAEP for the following offenses:

- Involvement in a public school fraternity, sorority, secret society or gang, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society or gang.
- District reasonably believes the student engaged in conduct punishable as a felony, off school property and not at a school-sponsored or school-related activity that does not constitute a Title 5 felony or aggravated robbery, if the continued presence of the student threatens the safety of other students or teachers or will be detrimental to the educational process.
- **EMERGENCY.** A student's conduct is so unruly, disruptive or abusive that the teacher cannot communicate with the class. If deemed an emergency placement, oral notice will be provided and not later than the 10th day after the date of the placement, a conference will be provided for the assignment of DAEP.

- A student whose conduct constitutes serious or persistent misbehavior⁷. This may include the misuse of technology resources.
- A student whose conduct contains the elements of any criminal mischief whether committed on or off school property or at a school-related activity.
- A student uses, exhibits or possesses a switchblade or butterfly knife on school property or at a school-related event.
- A student engages in the following conduct:
 - a) Bullying⁸ that encourages a student to commit or attempt to commit suicide.
 - b) Incites violence against a student through group bullying.
 - c) Releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the adult student's consent.
- A student engages in assault (no bodily injury) with threat of imminent bodily injury or by offensive or provocative physical contact.
- A student fails to comply with directives of a school official conducting or attempting to conduct a search or security screening pursuant to Board Policy [FNF](#)(LOCAL).

Expulsion Offenses

Mandatory Expellable Offenses

A student must be expelled for engaging in the following conduct while on school property, while attending a school-sponsored, or at a school-related activity on or off school property, for the following conduct:

- Carrying an unlawful weapon, pursuant to Section 46.02 of the Penal Code or offense relating to prohibited weapons under Section 46.05 of the Penal Code.
- Conduct that contains the elements of:
 - a) Aggravated assault, sexual assault or aggravated sexual assault.
 - b) Arson under section 28.02 of the Penal Code.
 - c) Murder under section 19.02 of the Penal Code.
 - d) Criminal attempt to commit murder/capital murder under section 15.01 of the Penal Code.
 - e) Capital murder under section 19.03 of the Penal Code.
 - f) Indecency with a child under section 21.11 of the Penal Code.
 - g) Aggravated kidnapping under section 20.04 of the Penal Code.
 - h) Aggravated robbery under section 29.03 of the Penal Code.

⁷ Persistent misbehavior: the demonstration of a continued behavior that constitutes a major disruption to the learning environment or a threat to safety and security.

⁸ Bullying as defined in Section 37.0832 of the Texas Education Code.

- i) Manslaughter under section 19.04 of the Penal Code.
- j) Criminally negligent homicide under section 19.05 of the Penal Code.
- k) Continuous sexual abuse of a young child or children under section 21.02 of the Penal Code.
- Conduct related to an alcohol or drug offense as described under “DAEP offenses” above, that is punishable as a felony.
- Retaliation against a school employee in connection with any offense listed above, whether on or off school property or at a school-related activity.
- Bringing a firearm, as defined by federal law, on campus.

POLICIES [FOD\(LEGAL\)](#) and [FNCG\(LEGAL/LOCAL\)](#)

Discretionary Expellable Offenses

- The District may expel a student for the following conduct regardless of the location of the conduct, whether on or off school property for the following conduct:
 - a) Engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.
 - b) Engages in conduct against another student that contains the elements of aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit capital murder, or aggravated robbery.
 - c) Engages in criminal mischief, if punishable as a felony.
 - d) Engages in a breach of computer security if it involves accessing a district computer, computer network or computer 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.
 - e) Engages in bullying that encourages a student to commit or attempt to commit suicide;
 - f) Incites violence against a student through group bullying.
 - g) Releases or threatens 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.
 - h) Student who is required to register as a sex offender and who is under any form of court supervision, including probation, community supervision or parole.
- The District may expel a student for any of the following offenses occurring within 300 ft. of school property, while attending a school-sponsored or school-related activity on or off school property for the following conduct:

- a) Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of:
 - 1. Marijuana or a controlled substance as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. section 801 et seq.;⁹
 - 2. A dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - 3. An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.
 - b) Engages in conduct that contains the elements of the offense of deadly conduct under Section 22.05 of the Penal Code.
 - c) Engages in conduct that contains the elements of an offense under section 22.01(a)(1) of the Penal Code against a District employee or volunteer.
- **EMERGENCY.** The District may immediately expel if necessary to protect persons or property from imminent harm. When an emergency exists, the student will be given verbal notice of the reason for the action and the student will be given the appropriate due process within ten days after the date of the emergency expulsion.
- The district may expel a student who attends school in the district if:
 - a) The student engages in conduct for which expulsion would have been mandatory if the conduct had occurred on district property or while attending a district-sponsored or district-related activity; and
 - b) The student engages in that conduct on the property of another district or while attending a school-sponsored or school-related activity of another district in this state.
- The District may expel a student for the following conduct that occurs within 300 feet of school property:
 - a) Engages in conduct that contains the elements of:
 - 1. Aggravated assault, sexual assault or aggravated sexual assault.
 - 2. Arson under section 28.02 of the Penal Code.
 - 3. Murder under section 19.02 of the Penal Code.
 - 4. Criminal attempt to commit murder/capital murder under section 15.01 of the Penal Code.
 - 5. Capital murder under section 19.03 of the Penal Code.
 - 6. Indecency with a child under section 21.11 of the Penal Code.
 - 7. Aggravated kidnapping under section 20.04 of the Penal Code.
 - 8. Aggravated robbery under section 29.03 of the Penal Code.
 - 9. Manslaughter under section 19.04 of the Penal Code.

⁹ A student with a valid prescription for low-THC cannabis does not violate this provision.

- 10. Criminally negligent homicide under section 19.05 of the Penal Code.
- 11. Continuous sexual abuse of a young child or children under section 21.02 of the Penal Code.
- b) Carrying an unlawful weapon, pursuant to Section 46.02 of the Penal Code or offense relating to prohibited weapons under Section 46.05 of the Penal Code.
- c) Conduct related to an alcohol or drug offense as described under “DAEP offenses” above, that is punishable as a felony.
- d) Possession of a firearm, as defined by federal law.
- The District may expel a student to either DAEP or JJAEP if the student:
 - a) Has received deferred prosecution for a Title 5 felony or aggravated robbery;
 - b) Has been found by a court or jury to have engaged in delinquent conduct for a Title 5 felony or aggravated robbery;
 - c) Is charged with engaging in conduct defined as a Title 5 felony or aggravated robbery;
 - d) Has been referred to a juvenile court for allegedly engaging in delinquent conduct for a Title 5 felony or aggravated robbery;
 - e) Has received probation or deferred adjudication for a Title 5 felony or aggravated robbery;
 - f) Has been convicted of a Title 5 felony or aggravated robbery;
 - g) Has been arrested for or charged with a Title 5 felony or aggravated robbery; AND
 - h) The board or board’s designee determines that the student’s regular 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 interests of the district’s students.

POLICIES [FOD\(LEGAL\)](#) and [FOC\(LEGAL\)](#)

Length of Removal

The Campus Behavior Coordinator or other campus administrator in conjunction with the committee determines the duration of a student’s disciplinary placement. The duration of a student’s placement shall be determined on an individual basis in light of numerous factors, including but not limited to the student’s age and grade, seriousness of the offense, frequency of misconduct, and other statutory requirements. The length of expulsion or DAEP placements not to exceed 180 school days. A review of the disciplinary placement will occur at intervals not to exceed 120 days. Moreover, the

length of removal will comply with all requirements set forth in Chapter 37 of the Texas Education Code.

Considerations of Mitigating Factors

The following factors will be taken into consideration in each decision concerning suspension, removal to a disciplinary alternative education program, expulsion or placement in a juvenile justice alternative education program, regardless of whether the decision concerns a mandatory or discretionary action:

1. self-defense,
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.

Restrictions on Removal from Regular Setting

A student who is below grade three or 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 of school property, the student engages in:

- conduct that contains the elements of an offense related to weapons ([FNCG](#)),
- the elements of a violent offense: Assault, Sexual Assault, Aggravated Assault, Aggravated Sexual ([FNCH](#)), or
- selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: marijuana or a controlled substance, or a dangerous drug, or an alcoholic beverage ([FNCF](#)).

Notwithstanding any other provision of the Education Code, a student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun-Free Schools Act ([FOD](#)) shall be provided educational services in a DAEP.

A student who is younger than ten shall be removed from class and placed in a DAEP if the student in conduct for which expulsion would be required in [FOD](#).

Restrictions on Students During Period of Removal

A student placed in an alternative setting is prohibited from attending or participating in school-sponsored or school-related activities. Additionally, the District has the right to limit a student's participation in graduation activities for violations of the District's Code

of Conduct. For seniors who are in DAEP on the last instructional day, the placement in DAEP and participation in graduation activities will be determined by the campus principal.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law shall prevail. 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 until an ARD committee meeting has been held to review the conduct.

Campus Behavior Coordinator

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct. The district maintains a list of campus behavior coordinators on the district's website, www.pisd.edu.

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in-person of any violation that may result in an in-school or out-of-school suspension, placement in a DAEP, expulsion, or when the student is taken into custody by a law enforcement officer for a violation of a disciplinary provision of the Texas Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in-person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Until the requisite due process conference or hearing may occur, a student may be placed in another appropriate classroom, in-school suspension, or out-of-school suspension, as determined appropriate by the campus behavior coordinator or other administrator.

Conference - DAEP

When a student is removed from class for a DAEP offense, the campus behavior coordinator or other administrator, in conjunction with the campus committee shall

schedule a conference within three school days with the student's parent, the student and the teacher, if necessary, unless otherwise mutually agreeable by the campus and the parent. Reasonable efforts will be made to schedule the conference with the parents, however, in the event reasonable efforts fail, the District will hold the conference with or without parents' presence at the conference.

At the conference, the campus behavior coordinator or other appropriate administrator will provide notice to the student regarding the reasons for the removal, an explanation of the removal, and an opportunity to respond to the reasons for removal. A placement order will be issued and a copy of the order will be sent to the student and the student's parents pursuant to Board Policy [FOC](#).

Hearing - Expulsion

A student who is recommended for expulsion is entitled to a hearing. During the hearing, the student is entitled to: (1) representation by the student's parent or another adult; (2) an opportunity to testify, present evidence and witnesses in the student's defense; and (3) an opportunity to question witnesses presented by the District. Reasonable efforts will be made to schedule the hearing with the parents, however, in the event reasonable efforts fail, the District will hold the hearing with or without parents' presence at the conference.

Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher, campus behavior coordinator or campus administration, as appropriate, and in accordance with Policy ([FO](#)). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: <http://pol.tasb.org/Home/Index/312>.

Consequences will not be deferred or delayed pending the outcome of the appeal.

Withdrawal During the Disciplinary Process

If a student withdraws during the pendency of a disciplinary conference or hearing for removal from the educational setting, the Campus Behavior Coordinator, other appropriate administrator in conjunction with the committee may complete the placement proceedings and issue a placement order. If the student then returns to the District, the District may enforce the order at that time, less any period of the placement that the student served in another district.

Alternatively, if a Campus Behavior Coordinator does not complete the proceedings upon the student's withdrawal, the Campus Behavior Coordinator can re-initiate the proceedings upon the student's re-enrollment with the District.

Newly Enrolled Students

Absent extenuating circumstances, the District shall continue the DAEP placement of a student who enrolls in the District and was assigned to an alternative education placement in an open-enrollment charter school or another school district.

Coursework and Transition Services

During a removal from the regular, educational environment, the student will receive access to coursework for foundation curriculum courses, including one option for receiving the course work that does not require the use of the internet. Additionally, campus staff will provide transition service to a student returning to the regular educational environment after a removal to DAEP or JJAEP, as required by law.

Threat Assessment and Safe and Supportive School Team

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

Security Personnel

To ensure security and protection of students, staff, and property the board employs school resource officers (SROs) and security personnel. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff.

The law enforcement duties of SROs are: protecting the safety and welfare of any person in the jurisdiction of the peace officer; protecting the property of the school district; investigation of criminal offenses and incidents affecting the safety and welfare of students, staff and others; performing any duty required by law of peace officers; presenting approved educational or safety programs to students or staff members where such programs promote the safety and welfare of students, staff or others.

The law enforcement duties of contract peace officers serving as security personnel are: protecting the safety and welfare of any person in the jurisdiction of the peace officer; protecting the property of the school district; performing any duty required by law of peace officers.

Security Personnel who are not law enforcement officers shall have duties and responsibilities within the proper scope of their role or position, including activities that promote the safety and welfare of persons on district property, and the protection of district property.

UNDERSTANDING STUDENTS: A DISCIPLINE MANAGEMENT PLAN

“Understanding Students” is the title of the discipline management program for Plano ISD. The focus of the program is the student’s awareness that a school and parent partnership is formed to address the needs and problems of the student. The root cause of a student’s unacceptable behavior must be dealt with through the program if the student’s behavior is to be changed. A positive plan will be developed to help the student change inappropriate behavior.

The main goal of “Understanding Students” is to encourage students’ academic progress so that they can become positive contributors to school and to society. Throughout this plan, “parents” include single parents, legal guardians, or persons having lawful control of the student. In addition, “he” refers to both male and female students.

The “Understanding Students” program of discipline management was developed through individual conferences with principals in Plano ISD. Parental input was gained from a 25-member Parents in Action group from one of the senior high schools and from the Presidents’ Council of the PTA/PTSA which included a parent representative from each school in the district.

Student input was obtained from senior high school student senates (approximately 60 students). In addition, two conferences were held with officials at the Region 10 Education Service Center. All persons who had provided input unanimously endorsed the plan, which was adopted by the school board.

Discipline Management Steps

1. “Behaviors of concern” are inappropriate student behaviors such as unexcused absences or tardies, class disruptions including cell phones pagers, sexual harassment, name-calling and violations of school rules including drug/alcohol abuse.
1. When these behaviors of concern are observed and, depending upon the seriousness of the behavior, a teacher may schedule a student conference and/or a parent conference. Detentions may be assigned, students may be temporarily removed from the classroom or other appropriate discipline management may be used.
2. If necessary, a campus administrator may schedule a conference with the student and/or parent. The administrator may also assign detention, in-school suspension, or use other appropriate disciplinary measures.
3. The campus administrator may also ask the campus intervention team (that may be composed of a building administrator, a teacher, a counselor and a nurse) to discuss the student’s behaviors of concern. The purposes of the campus

intervention team are to determine the cause of the unacceptable behavior and to devise a plan to change the behavior. The student and his parent will be a part of this team meeting. Campus level action may be appealed to the building principal. The principal's decision is final. **POLICY [FO\(LOCAL\)](#).**

4. If the student's behaviors of concern are serious or persistent, he/she may be referred to a central intervention team composed of the principal or designee from the district alternative program, representatives from his/her home campus and the student and his/her parent. The central intervention team may refer the student to his/her home campus with a plan for improving behavior or the student may be assigned to the district alternative program. All discipline offenses that are Discipline Alternative Education Program (DAEP) violations may be appealed to an appeals panel consisting of the executive director of student and family services (chair of appeals panel) and two other designees appointed by the superintendent. All decisions at this level are final. **POLICIES [FO\(LOCAL\)](#), [FOA\(LEGAL\)](#), [FOC\(LEGAL\)](#), [FOCA\(LEGAL\)](#).** Expulsion offenses are appealable through the appeals panel. Decisions of the appeals panel on expulsion offenses may be appealed through the school board. **POLICIES [FO\(LOCAL\)](#), [FOD\(LEGAL\)](#).**
5. The district goal is to work with each student who exhibits behaviors of concern to assist the student to change his behavior and successfully attend classes at his/her home campus.

By state law, the Discipline Management Plan must encourage the commitment, cooperation and involvement of school district administrators, teachers, parents and students.

A person in each school is designated to implement and assess the program in that school and to identify and refer appropriate students to the program. All district teachers are trained in the Discipline Management Program adopted in the district.

Parental involvement in the Discipline Management Plan is required. The district must provide annually for signed statements by each student's parent that the parent understands and consents to the responsibilities outlined in the district's Student/Parent Policy Guide. (Signature forms are found on [Parent Portal](#).)

Requesting Notices of Certain Student Misconduct

A non-custodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to his or her child's misconduct that may involve placement in a Discipline Alternative Education Program (DAEP) or expulsion.

POLICY [FO\(LEGAL\)](#) and [Student Code of Conduct](#).

Roles and Responsibilities

Everyone involved in a student's school program, including each student, has one or more areas of responsibility for student success.

Parents Have the Responsibility to:

1. Make every effort to provide for the physical needs of the child.
2. Teach the child to pay attention and obey the rules.
3. Be sure their child attends and participates in school regularly and to promptly report and explain absences and tardies to the school.
4. Encourage and lead the child to develop proper study habits at home.
5. Participate in parent-teacher conferences to discuss their child's school progress and welfare.
6. Keep informed of school policies and academic requirements of school programs.
7. Be sure their child is appropriately dressed at school and school-related activities.
8. Discuss report cards and school assignments with their child.
9. Bring to the attention of school authorities any learning problem or condition that may relate to their child's education.
10. Maintain up-to-date home, work and emergency telephone numbers and other pertinent information at the school.
11. Be sure their child attends and engages in school tutorial(s) when required or as needed.
12. Submit a signed statement that they understand and consent to the responsibilities outlined in this plan.
13. Cooperate with school administrators and teachers.

Administrators Have the Responsibility to:

1. Respond to discipline problems referred to them by teachers.
2. Promote effective training and discipline of all students.
3. Encourage parent communication with the school, including participation in required parent-teacher conferences.
4. Provide appropriate assistance to students in learning mature self-discipline.
5. Assume responsibility and instructional leadership for discipline and for evaluation of the Discipline Management Plan.
6. Serve as contact person for teachers and other staff members reporting incidents of suspected child abuse or neglect and for investigators from the Child Protective Services division of the Texas Department of Protective and Regulatory Services investigating incidents of suspected child abuse or neglect.
7. Serve as appropriate role models for the students on their campus, in accordance with the standards of the profession.

8. Cooperate and establish rapport to build an effective working relationship with parents, teachers, students and other stakeholders.

Teachers Have the Responsibility to:

1. Use discipline management techniques developed in the district's Discipline Management Plan.
2. Be prepared to perform their teaching duties with appropriate preparation, assignments and resource materials.
3. Comply with district and school policies, rules, regulations and directives.
4. Maintain an orderly classroom atmosphere conducive to learning.
5. Teach to the standards of performance required by the district and state.
6. Establish rapport and an effective working relationship with parents, students and other staff members.
7. Teach students to strive toward self-discipline and positive social-emotional health.
8. Encourage good work habits that will lead to the accomplishment of personal goals.
9. Report to the Child Protective Services division of the Texas Department of Protective and Regulatory Services (1-800-252-5400) or any local or state law enforcement agency, incidents of suspected child abuse or neglect, as required by law.
10. Serve as appropriate role models for their students in accordance with the standards of the teaching profession.
11. Cooperate with parents and administrators.

Responsibilities of students are listed throughout this document.

Discipline Guidelines

When imposing discipline, district personnel will adhere to the following general guidelines:

1. Discipline will be administered when necessary to improve the student's behavior, to maintain essential order and discipline, or to protect students, school employees, or property.
2. Students will be treated fairly and equitably.
3. Discipline will be based on a careful assessment of the circumstances of each case. Factors to consider will include: the seriousness of the offense; the frequency of misconduct; the student's attitude; the potential effect of the misconduct on the school environment; requirements of Chapter 37 of the Tex. Educ. Code; the [Student Code of Conduct](#) adopted by the Board of Trustees; self-defense (as defined in the Tex. Educ. Code Chapter 37); intent or lack of intent at the time the student engaged in the conduct; the student's past

disciplinary history; and a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct. Students who violate policies, rules or regulations may be subject to disciplinary consequences including, but not limited to, the following which may be utilized in any order, in isolation and/or in combination circumstances and factors outlined herein:

- Counseling by teachers, special services or administrative personnel;
- Parent-teacher conference;
- Cooling-off or time-out;
- Behavioral contracts;
- Restorative practices;
- Assigned school duties other than class tasks;
- Verbal correction;
- Withdrawal of privileges, including participation in extracurricular activities and honorary positions;
- Sending the student to the office or other assigned area, or to in-school suspension;
- Detention;
- Seating changes within the classroom;
- Rewards or demerits;
- Probation;
- Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district;
- Temporary confiscation of items that disrupt the educational process;
- Grade reductions as permitted by policy;
- Penalties identified in individual student organizations' extracurricular standards of behavior;
- Withdrawal or restriction of bus privilege;
- Out-of-school suspension;
- Removal to a disciplinary alternative education program;
- Expulsion; and/or
- Other appropriate strategies and consequences as determined by school officials.

POLICIES [FO](#)(LEGAL/LOCAL), [FOA](#)(LEGAL), [FOB](#)(LEGAL), [FOC](#)(LEGAL), [FOD](#)(LEGAL), [FOE](#)(LEGAL) and [Student Code of Conduct](#).

DISCIPLINE PROCEDURES

Interrogations and Searches

Students shall be free from unreasonable searches and seizures by school officials. School officials may conduct searches of students, their belongings, and their vehicles by establishing reasonable cause or securing the student's voluntary consent and/or in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Where school officials have established reasonable cause to conduct a search, the consent of the student is not required. A student who fails to comply with instructions or directives by a school official conducting a search is subject to disciplinary action in accordance with the [Student Code of Conduct](#).

A search is reasonable if it meets both of the following criteria:

1. The action is justified at the inception (i.e., the school official has reasonable grounds for suspecting that the search will uncover evidence of a rule violation or a criminal violation).
2. The scope of the search is reasonably related to the circumstances that justified the search in the first place (i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction).

Students have full responsibility for the security of their lockers and for vehicles parked on school property. It is the student's responsibility to ensure that lockers and vehicles are locked and that the keys and combinations are not given to others. Students shall not place, keep or maintain any article or material that is forbidden by district policy in lockers or in vehicles parked on school property. Areas such as lockers, desks, district-provided technology or any other items, which are owned by the district, may be searched at any time. Vehicles parked on district property are also subject to search under the guidelines outlined herein and in district policy.

The district may, at any time, utilize trained detection dogs to sniff vehicles parked on district property, as well as classrooms, lockers and common areas. Students may be asked to leave a classroom or common area and to leave personal property in the classroom or common area. Detection dogs may then sniff the area and any student property remaining in the area.

In the event a detection dog alerts on a locked vehicle parked on district property or an administrator otherwise believes reasonable suspicion exists to believe a vehicle contains items forbidden by district policy, the student, owner or person bringing the vehicle onto district property shall be asked to open it for inspection. Refusal to open the

vehicle for inspection may result in referring the matter to law enforcement, disciplinary action including but not limited to suspension or expulsion for students, and immediate loss of parking privileges on district property. Visitors or patrons may be banned from district property. **POLICY [FNF\(LEGAL/LOCAL\)](#).**

Security Screening Procedures at Special Programs Campuses

Students 6th grade and above attending a special programs campus will be screened by school staff upon arrival at school each day. Screening includes the use of metal detectors. Parents and students will be provided information on specific security screening procedures prior to the student's first day at the special programs campus. **POLICY [FNF\(LOCAL\)](#).**

Random Metal Detector Searches at Secondary Campuses

In order to prevent and deter students from bringing weapons to school, students at all secondary campuses shall be subject to random, suspicion-less, administrative searches for weapons, as authorized in [FNF\(LEGAL/LOCAL\)](#). Such random searches shall be for weapons that violate the [Student Code of Conduct](#) and/or state and federal law. District officials shall not select a particular student to search except as authorized in [FNF\(LEGAL\)](#).

Random searches of students conducted under this policy shall be limited to the use of metal detectors and inspection of bags/personal items capable of concealing a weapon. A student who fails to comply with instructions or directives, or who activates the metal detector after being asked to remove any metal object from his or her person shall be escorted to a private area for additional search as provided by law. [See [FNF\(LEGAL\)](#)]. Students who refuse to comply with instructions or directives by a school official conducting a search shall be subject to appropriate disciplinary action in accordance with the [Student Code of Conduct](#). **POLICY [FNF\(LOCAL\)](#).**

Detention

Preceding the assignment of detention, the teacher will inform the student of the nature of the offense charged and the specific conduct which allegedly constitutes the violation and the student will be afforded an opportunity to explain or justify his actions to the teacher. In all cases in which detention is to be used, notice will first be given to the student's parent or legal guardian for the purpose of informing the parent of the reason for the detention and to permit arrangements for the necessary transportation of the student. The student's parent or legal guardian will be responsible for the transportation of the student when the student has been detained after school hours for disciplinary purposes.

All students detained for disciplinary purposes will be under the direct supervision of the teacher or another member of the professional staff. The principal will be responsible for

seeing that the time which the student spends for disciplinary purposes will be used constructively for educational purposes.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry 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 the person 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 days, unless the complaint is resolved before a board hearing.