



Administrative Student Discipline Handbook

2024-25 SOCORRO ISD

August/agosto 2024						
S	M	T	W	T	F	S
28	*29	*30	*31	*1	*2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



2024-2025 SISD Calendar

Socorro Independent School District

Leading • Inspiring • Innovating

July

29-August 2.Staff Development

August

3.....Teacher Work Day
5.....1st Nine Weeks Begins

September

2.....Labor Day Holiday

October

Sept. 30-11.....Fall Intersession for Students
14-15.....Staff Development
16.....2nd Nine Weeks Begins
21.....Fall Middle School Open House
22.....Fall Elementary/K-8 Open House
23.....Fall High School Open House

November

11.....Veteran's Day Holiday
25-29.....Thanksgiving Break

December

20.....Early Release (Teachers & Students)
23-Jan. 3.....Winter Break

January

1.....New Year's Day
6-7.....Staff Development
8.....3rd Nine Weeks Begins
20.....Martin Luther King, Jr. Holiday

March

10-21.....Spring Intersession for Students
24-25.....Staff Development
26.....4th Nine Weeks Begins
31.....Spring Middle School Open House

April

1.....Spring Elementary/K-8 Open House
2.....Spring High School Open House
18.....Good Friday Holiday

May

26.....Memorial Day Holiday

June

5.....Last Day of School
Early Release (Teachers & Students)
6-7.....Teacher Work Day

Teacher Inservice/Workdays

11 Staff Development Days
3 Workdays

Instructional Days (173)

Fall: 81 Spring: 92

Instructional Minutes

Fall: 36,225 Spring: 41,175
Total: 77,400

*State Assessment Dates subject to change by TEA, log on to www.tea.state.tx.us

SISD shall follow smart snack guidelines in place of FMNV days.

Legend

- Inclement Weather Make Up Days
- In Session
- Intersession
- Holidays/District Closure
- Staff Development
- Teacher Work Day
- Open House (Parent Nights)
- ▶ Beginning of Nine Weeks
- End of Nine Weeks
- Early Release - Students & Teachers
- State Assessment Test Day
- TELPAS Testing Window

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The Socorro Independent School District does not discriminate on the basis of race, national origin, sex, disability, or age in its programs, activity or employment.

February/febrero 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March/marzo 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April/abril 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May/mayo 2025						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June/junio 2025						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July/julio 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	*28	*29	*30	*31	*1	2

*Tentative 2025-2026 Calendar

September/septiembre 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October/octubre 2024						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November/noviembre 2024						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December/diciembre 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January/enero 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

School Directory

Elementary & PK-8 Schools

- 1 **Benito Martínez (PK-5)**
2640 Robert Wynn St. 79936
937-8000, FAX: 937-8089
- 2 **Bill Sybert (PK-8)**
11530 Edgemere Blvd. 79936
937-4400, FAX: 851-7777
- 3 **Cactus Trails (PK-5)**
14701 Ralph Seitsinger Dr. 79938
938-2600 FAX: 851-7090
- 4 **Campestre (PK-5)**
11399 Socorro Rd. 79927
937-7300, FAX: 851-1715
- 5 **Chester E. Jordan (PK-5)**
13995 Jason Crandall Dr. 79938
937-8800, FAX: 937-8889
- 6 **Col. Ben Narbutth (PK-5)**
12901 Bob Hope Dr. 79928
938-2800, FAX: 851-7900
- 7 **Desert Wind (PK-8)**
1100 Colina de Paz 79928
937-7800, FAX: 851-7840
- 8 **Dr. Sue A. Shook (K-5)**
13777 Paseo del Este 79928
937-7100, FAX: 937-7197
- 9 **Elida P. Chavez (PK-5)**
11720 Pebble Hills 79936
937-8300, FAX: 856-9993
- 10 **Ernesto Serna Fine Arts Academy (PK-8)**
11471 Alameda Ave. 79927
937-4800, FAX: 851-7580
- 11 **Escontrías STEAM Academy (PK-5)**
PK - 1st: 937-4200, FAX: 937-4292
10400 Alameda Ave. 79927
2nd - 5th: 937-4100, FAX: 937-4196
205 Buford Rd. 79927
- 12 **H. D. Hilley (PK-5)**
693 N. Rio Vista Rd. 79927
937-8400, FAX: 860-3778
- 13 **Helen Ball (PK-5)**
1950 Firehouse Dr. 79936
937-8200, FAX: 856-1478
- 14 **Horizon Heights (PK-5)**
13601 Ryderwood Ave. 79928
937-7400, FAX: 937-7497
- 15 **Hueco (PK-5)**
300 Old Hueco Tanks Rd. 79927
937-7600, FAX: 860-1125
- 16 **James P. Butler (PK-5)**
14251 Ralph Seitsinger 79938
937-8900, FAX: 937-8910
- 17 **Jane A. Hambric (PK-8)**
3535 Nolan Richardson 79936
937-4600, FAX: 851-7560
- 18 **John Drugan (PK-8)**
12451 Pellicano, 79928
937-6800, FAX: 937-6815
- 19 **Loma Verde (PK-5)**
12150 Ted Houghton 79936
937-8600, FAX: 851-7780
- 20 **Lujan-Chávez (K-5)**
2200 Sun Country Dr. 79938
937-8700, FAX: 937-8790
- 21 **Mission Ridge (K-5)**
150 Nonap Rd. 79928
938-2000, FAX: 851-7441
- 22 **Myrtle Cooper (PK-5)**
1515 Rebecca Ann Dr. 79936
937-7700, FAX: 855-7645
- 23 **O'Shea Keleher Whole Child Academy (PK-5)**
1800 Leroy Bonse Dr. 79936
937-7200, FAX: 921-1506
- 24 **Paso del Norte Fine Arts Academy (PK-5)**
12300 Tierra Este Rd. 79938
937-6200, FAX: 851-7061
- 25 **Purple Heart (PK-5)**
14400 GR Campuzano 79938
938-2200, FAX: 851-7030
- 26 **Robert R. Rojas (PK-5)**
500 Bauman Rd. 79927
937-8500, FAX: 937-8513
- 27 **Sgt. Jose F. Carrasco (PK-5)**
14900 Tierra Mirage 79938
938-2400, FAX: 938-2490

- 28 **Sgt. Roberto Ituarte (PK-5)**
12840 Tierra Sonora 79938
937-7000, FAX: 937-7095
- 29 **Sierra Vista STEAM Academy (PK-5)**
1501 Bob Hope Dr. 79936
937-8100, FAX: 849-1263
- 30 **Vista del Sol Environmental Science Academy (PK-5)**
11851 Vista del Sol Dr. 79936
937-7500, FAX: 855-7523

Middle Schools

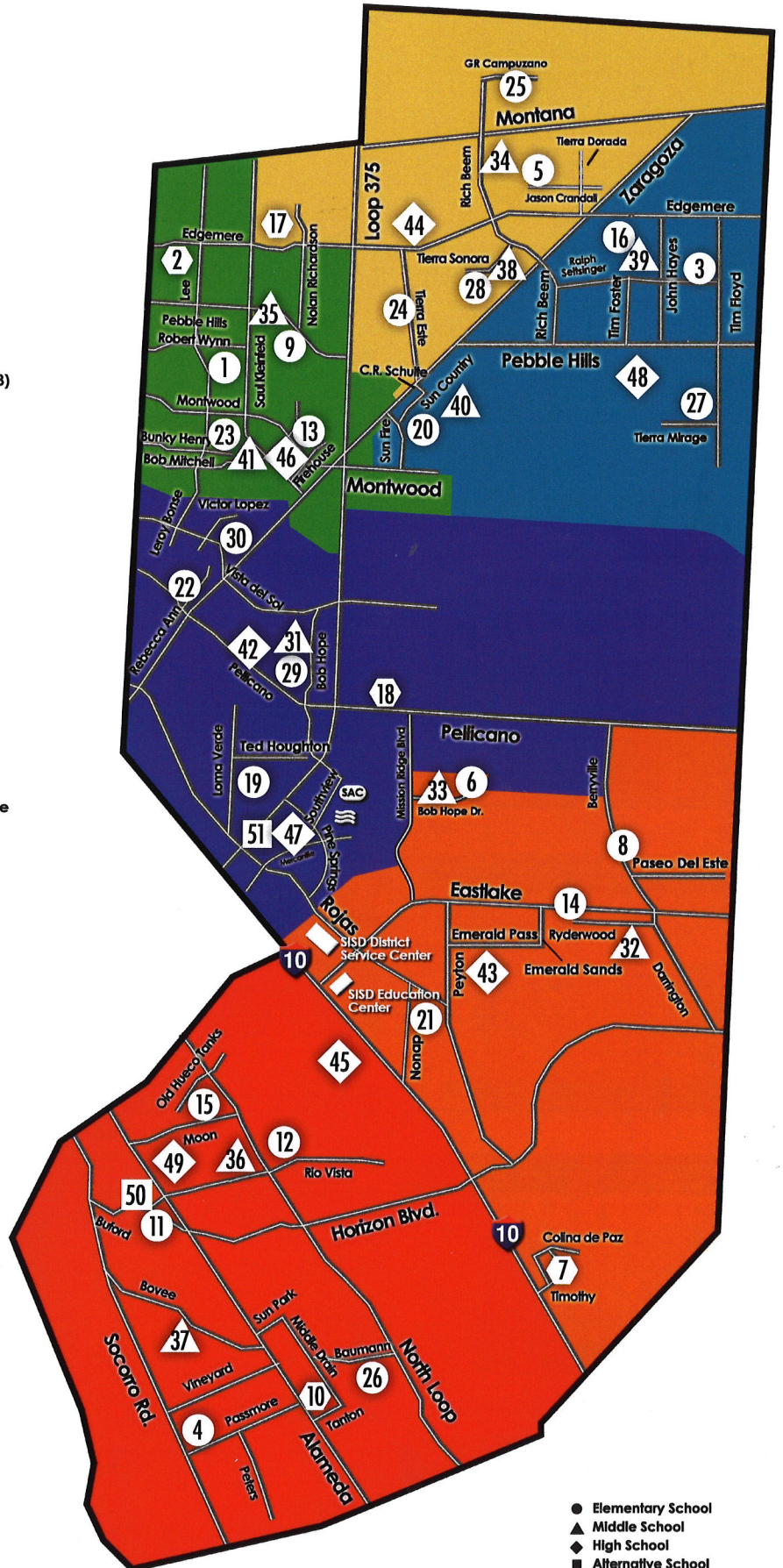
- 31 **Capt. Walter E. Clarke Middle (6-8)**
1515 Bob Hope Dr. 79936
937-5600, FAX: 857-3765
- 32 **Col. John O. Ensor Middle (6-8)**
13600 Ryderwood Ave. 79928
937-6000, FAX: 851-7590
- 33 **Eastlake Middle (6-8)**
12901B Bob Hope Dr. 79928
938-3000, FAX:
- 34 **Hurshel Antwine Middle (6-8)**
3830 Rich Beem Blvd. 79938
937-6400, FAX: 851-7830
- 35 **Montwood Middle (6-8)**
11710 Pebble Hills 79936
937-5800, FAX: 856-9909
- 36 **Salvador H. Sanchez Middle (6-8)**
321 N. Rio Vista Rd. 79927
937-5200, FAX: 859-6636
- 37 **Socorro Middle (6-8)**
321 Bovee Rd. 79927
937-5000, FAX: 859-6955
- 38 **Spec. Rafael Hernandez III Middle (6-8)**
3451 Rich Beem Blvd. 79938
937-9800, FAX: 937-8987
- 39 **SSG. Manuel R. Puentes Middle (6-8)**
3216 Tim Foster 79938
937-9200, FAX: 937-9210
- 40 **Sun Ridge Middle (6-8)**
2210 Sun Country Dr. 79938
937-6600, FAX: 851-7730
- 41 **William D. Slider Middle (6-8)**
11700 School Ln. 79936
937-5400, FAX: 857-5804

High Schools

- 42 **Americas High (9-12)**
12101 Pellicano Dr. 79936
937-2800, FAX: 855-6898
- 43 **Eastlake High (9-12)**
13000 Emerald Pass 79928
937-3600, FAX: 937-3799
- 44 **El Dorado High (9-12)**
12401 Edgemere 79938
937-3200, FAX: 851-7820
- 45 **Mission Early College (9-12)**
10700 Gateway East 79927
937-1200, FAX: 860-2935
- 46 **Montwood High (9-12)**
12000 Montwood Dr. 79936
937-2400, FAX: 937-2422
- 47 **Options High (9-12)**
12380 Pine Springs 79928
937-1300, FAX: 859-2603
- 48 **Pebble Hills High (9-12)**
14400 Pebble Hills Blvd. 79938
937-9400, FAX: 851-7912
- 49 **Socorro High (9-12)**
10150 Alameda Ave. 79927
937-2000, FAX: 937-2394

Alternative Schools

- 50 **KEYS Elementary (3-5)**
205 Buford Rd. 79927
937-4100, FAX: 937-9212
- 51 **KEYS Academy (6-12)**
12380 Pine Springs 79928
937-4000, FAX: 937-4006



Updated June 21, 2023
This boundary map is a general representation of SISD by feeder pattern, to view a more detailed map, please log on to: <http://www.sisd.net/maps>

- Elementary School
- ▲ Middle School
- ◆ High School
- Alternative School
- PK-8 School
- Student Activities Complex
- Aquatics Center
- District Service Center (Main Administrative Offices)
- Education Center
- Feeder Boundaries



CAMPUS BEHAVIOR COORDINTOR MEETING DATES 2024-2025 SCHOOL YEAR

DATE	LOCATION	TIME
August 26, 2024 (Monday)	TEAMS	4:00 pm
September 25, 2024 (Wednesday)	TEAMS	4:00 pm
October 30, 2024 (Wednesday)	TEAMS	4:00 pm
November	No Meeting	No Meeting
December	No Meeting	No Meeting
January 28, 2025 (Tuesday)	TEAMS	4:00 pm
February 26, 2025 (Wednesady)	TEAMS	4:00 pm
March 25, 2025 (Tuesday)	TEAMS	4:00 pm
April 29, 2025 (Tuesday)	TEAMS	4:00 pm
May	No Meeting	No Meeting
June	No Meeting	No Meeting

Dates, location and time subject to change.

Amanda Martinez
Coordinator for Administrative Services
Email: amarti36@sisd.net
ext: 70054 cell: (915) 740-9115



2024-2025 Campus Behavior Coordinators

Campus #	Elementary Schools	Name	Office #	Email	Principals
101	Robert R. Rojas	Sonia Baez-Morales	937-8503	sbaezm@sisd.net	Jennifer Marquez
102	H.D. Hilley	Sandra Aguirre	937-8403	saguir10@sisd.net	Darlene Hernandez
103	O'Shea Keleher	Christina Reveco	937-7209	crevec@sisd.net	Laura Garcia
104	Campestre	Jennifer Ham McCullough	937-7303	jham@sisd.net	Randi Shreve
105	Horizon Heights	Erica Luna	937-7427	eluna01@sisd.net	Jenifer Hansen
106	Vista Del Sol	Irma Ojeda	937-7503	iojeda08@sisd.net	Cynthia Velazquez
107	Hueco	Steven Olivas	937-7603	soliva14@sisd.net	Greg Hatch
109	Myrtle Cooper	Nora Macias	937-7711	nmacia@sisd.net	Alicia Miranda
111	Escontrias Elementary	Maria Sosa	937-4103	msosa02@sisd.net	Jesse Aguirre
112	Benito Martinez	Paula Figueroa	937-8003	pmiran@sisd.net	Kertrenia Wright
113	Sierra Vista	Ryan Marquez	937-8103	rmarqu04@sisd.net	Ashley Adcox
114	Helen Ball	Lorenza Gonzalez	937-8204	lgonza212@sisd.net	Ana Soto
115	Elvida P. Chavez	Sara Schwantner	937-8304	sschwa@sisd.net	Rachel Sendek
119	Lujan-Chavez	Angie Pena	937-8712	amendo010@sisd.net	Brenda Mills
121	Loma Verde	Jeffrey Stevens	937-8603	jsteve01@sisd.net	Claudia Tristan
123	Paso Del Norte	Angelina Escobar	937-6204	aescob18@sisd.net	Melissa Smith
126	Dr. Sue Shook	Richard Estrada	937-7103	restra18@sisd.net	Cristina Chavira
127	Sgt. Roberto Ituarte	Laura Juarez	937-7003	ljuaer05@sisd.net	Jon Flores
128	Chester Jordan	Rosie Serrato	937-8804	rserra@sisd.net	Maribel Pidone
129	James P. Butler	Paula Figueroa	937-8903	pmiran@sisd.net	Rosa Chavez
130	Mission Ridge	Raquel Fraga	938-2003	rfraga@sisd.net	Jesus Mendez
131	Purple Heart	Lorena Martinez	938-2204	lormartinez@sisd.net	Gloria Aguirre
132	Sgt. Jose F. Carrasco	Dr. Danielle Navariz	938-2404	dfranc05@sisd.net	VACANT
133	Cactus Trails	Nancy Guereque	938-2604	nguere01@sisd.net	Carolyn Leslie Thomas
134	Ben Narbuth	Melissa Rodriguez	938-2804	mrodri04@sisd.net	Fernando Miranda
Pre-K to 8th Schools					
116	Jane A. Hambric	Michelle Escajeda	937-4604	mescaj03@sisd.net	Ruth Taylor
117	Ernesto Serna	Yvonne Vallejo	937-4804	yguerr04@sisd.net	Raul Caldera
120	Desert Wind	Robert Guerrero	937-7804	rquerr09@sisd.net	Leticia Terrazas
122	Bill Sybert	Moises Loya	937-4406	mloya04@sisd.net	Rebecca Parada
124	John Drugan	Raquel Alva	937-6804	ralva@sisd.net	Frenda Serda-Gerardo
Middle Schools					
41	Socorro Middle	Nidia Moreno-Holguin	937-5003	vmoren09@sisd.net	Gerardo Talamantes
42	Salvador H. Sanchez	Ana Carroll	937-5204	acarro01@sisd.net	Lourdes Coria
43	William D. Slider	Cassandra Hernandez	937-5403	cherna08@sisd.net	Manuel Rios
44	Capt. Walter E. Clarke	Lorenzo J. Lopez Jr.	937-5605	llopez01@sisd.net	Luz Palmer
45	Montwood Middle	Noe Cantu	937-5803	ncantu03@sisd.net	Melissa Saenz
46	Col. John O. Ensor	Adrian Ramirez	937-6004	aramir61@sisd.net	Stephen Fernandez
47	Sun Ridge	David Woods	937-6606	dwoods02@sisd.net	Janet Carrillo
48	SPC. Rafael Hernando III	Raul Nava	937-9804	rnava01@sisd.net	Dr. Jesse Sepulveda
49	SSG. Manuel R. Puentes	Ericka Flores	937-9210	eflore717@sisd.net	Greta Brasgalla
50	Eastlake MS	Lorena Alvarez	938-3004	lalvar12@sisd.net	Gabriela Elliott
51	Hurshel Antwine	Israel Galindo	937-6404	igalin01@sisd.net	Patricia Fernandez
High Schools					
001	Socorro HS	Lara Reyes	937-2006	rlara01@sisd.net	Ignacio Estorga
002	Montwood HS	Yolanda Solis	937-2403	ysolis06@sisd.net	David Herrera
003	Americas HS	Edith Ortiz	937-2908	eortiz11@sisd.net	Nancy Torres
004	El Dorado HS	Robert Norton	937-3206	rnorto01@sisd.net	Venessa Betancourt
005	Mission Early College	Angelica Zubia	937-1204	azubia03@sisd.net	Benjamin Ortega
006	Eastlake HS	Desi Gonzalez	937-3608	dggonza37@sisd.net	Gilbert Martinez
007	Pebble Hills HS	Luis Carrillo	937-9406	lcarr02@sisd.net	Ivan Ramirez
DAEP/DROPOUT RECOVERY					
3	KEYS/Options HS	Daniel Delgado	937-4003	ddelga313@sisd.net	Theresa Hentges
118	KEYS Elementary	Kertrenia Wright	937-8002	kwright@sisd.net	Kertrenia Wright



2024-2025 Administrative Student Discipline Handbook

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Section 1: Coding Chart

2024-2025 PEIMS Data Standards - Discipline Codes Level 3			Disciplinary Action Codes Based on Behavior Location Codes					
			Code 00 Not Applicable	Code 01 On Campus	Code 02 Off - Campus 300ft	Code 03 School Activity	Code 04 Off Campus / No School Activity	Code 05 On another Districts' School Property
PEIMS Code	PEIMS Sub-Code	Disciplinary Action Reason Code (Incident Code)	Mandatory DAEP 9 to 18 Week Placement/KEYS	Mandatory JJAEP Expulsion Up to 180 Days/Cesar Chavez	Discretionary DAEP 9 Week Placement/ KEYS	Discretionary DAEP Expulsion Up to 180 Days/KEYS	Unsafe School Choice Option (USCO) trigger	
001		Permanent Removal by a Teacher from Class			01			
002		Conduct punishable as a Felony	01, 02, 03		04, 05			
005		Poss./sold/used/under the influence of alcoholic beverage	01, 02, 03			01, 02, 03		
006		Abuse of volatile chemical (Glue/Aerosol Paint)	01, 02, 03			01, 02, 03		
007		Public lewdness/indecent exposure	01, 02, 03					
008		Retaliation against school employee	01, 02, 03, 04			01, 02, 03, 04		
009		Felony, Penal Code Title 5 offense - Non-school activity (Offense to Person)	04			**04		
010		Felony, Penal Code Non-Title 5 offense - Non-school activity (Offense not to a Person)			04	**04		
021	021A	Code of Conduct violation - dress code/school uniform violation			00			
021	021B	Code of Conduct violation - allegation harass/bullying basis of sexual orientation						
021	021C	Code of Conduct violation - being insubordinate			00			
021	021D	Code of Conduct violation - using of offensive, profane, vulgar language			00			
021	021E	Code of Conduct violation - defacing/damaging school property			00			
021	021F	Code of Conduct violation - engaging in physical contact inappropriate to school environment			00			
021	021G	Code of Conduct violation - tardiness or unexcused absences			00			
021	021H	Code of Conduct violation - academic dishonesty			00			
021	021I	Code of Conduct violation - sexual harassment of student			00			
021	021J	Code of Conduct violation - allegation harass/bullying basis of religion						
021	021K	Code of Conduct violation - other			00			
021	021L	Code of Conduct violation - school fire - not considered a felony			00			
021	021M	Code of Conduct violation - truancy - non court required appearance			00			
021	021N	Code of Conduct violation - cell phone/social media misconduct (NOT BULLYING)			00			
021	021O	Code of Conduct violation - damaging student property			00			
021	021P	Code of Conduct violation - disorderly conduct/disruptive behavior			00			
021	021Q	Code of Conduct violation - location restricted knife/small knife-blade less than 5.5 inches			00			
021	021S	Code of Conduct violation - Sexual Misconduct/consensual sexual intercourse			00			
021	021T	Code of Conduct violation - robbery/theft			00			
021	021U	Code of Conduct violation - possession of drug paraphernalia			00			
021	021V	Code of Conduct violation - deliberate false report against district employee			00			
021	021W	Code of Conduct violation-Health and Wellness Protocols			00			
021	021X	Code of Conduct violation - allegation harass/bullying basis of sex						
021	021Y	Code of Conduct violation - allegation harass/bullying basis of race, color, national origin						
021	021Z	Code of Conduct violation - allegation harrass/bullying basis of disability						
023		Emergency Placement/Expulsion			00	00		
026		Terroristic Threat	01, 02, 03, 04, 05			01, 02, 03, 04, 05		
027		Assault under Penal Code Section 22.01 against a school district Employee/Volunteer	01, 02, 03			01, 02, 03		
028		Assault under Penal Code Section 22.01 against someone other than a school district Employee/Volunteer	01, 02, 03					
035		False alarm/false report	01, 02, 03, 04, 05			01, 02, 03, 04, 05		
041		Fighting/Mutual combat (excludes all Penal Code offense)			00			
049		Engages in deadly conduct			01, 02, 03	01, 02, 03	√	
055		Student required to register as a sex offender/under court supervision	00			00		
056		Student required to register as a sex offender/ NOT under court supervision			00			
060		Harassment against employee	01,02,03					
061	061A	Bullying: To include Cyberbullying			00	00		
061	061B	Bullying: Engages in bullying that encourages a student to commit or attempt to commit suicide			00	00		
061	061C	Bullying: Inciting violence against a student through group bullying			00	00		
061	061D	Bullying: Releasing or threatening to release intimate material of a minor or a student 18 yrs of age or older without student's consent			00	00		
062		Possessed, Sold, Gave, Used, Delivered, Or Was Under Influence of Marijuana or Tetrahydrocannabinol	01,02,03			01,02,03		
063		Possessed, Sold, Gave, Delivered, Or Used E-Cigarette	01,02,03			01,02,03		
064		Possessed, Sold, Gave, Used, Delivered, Or Was Under the Influence of Other Controlled Substance	01,02,03			01,02,03		
* The use of this code is limited based upon the behavior the student has committed.			** When recommending expulsion-Offense becomes Level 4					
Activity must be reported to the appropriate Law Enforcement Agency								
Shaded area indicated that the disciplinary action reason code will require a sub-code in Skyward								

* The use of this code is limited based upon the behavior the student has committed.

** When recommending expulsion-Offense becomes Level 4

Activity must be reported to the appropriate Law Enforcement Agency

Shaded area indicated that the disciplinary action reason code will require a sub-code in Skyward



2024-2025 PEIMS Data Standards - Discipline Codes Level 4			Disciplinary Action Codes Based on Behavior Location Codes					
			Code 00 Not Applicable	Code 01 On Campus	Code 02 Off - Campus 300ft	Code 03 School Activity	Code 04 Off Campus / No School Activity	Code 05 On another Districts School Property
PEIMS Code	PEIMS Sub-Code	Disciplinary Action Reason Code (Incident Code)	Mandatory DAEP 9 to 18 Week Placement/KEYS	Mandatory JJAEP Expulsion Up to 180 Days/Cesar Chavez	Discretionary DAEP 9 Week Placement/KEYS	Discretionary DAEP Expulsion Up to 180 Days/KEYS	Unsafe School Choice Option (USCO) trigger	
011		Used/exhibit/possession of firearm (Brought Firearm to School)		01, 03		02, 05	√	
011	011A	Used/exhibit/possession of any firearm (Unlawful Carrying of a Handgun)		01, 03		02, 05	√	
011	011B	Used/exhibit/possession of firearm (Starter Gun)		01, 03		02, 05	√	
011	011C	Used/exhibit/possession of firearm (Frame or Receiver of weapon)		01, 03		02, 05	√	
011	011D	Used/exhibit/possession of firearm (Muffler/Firearm Silencer)		01, 03		02, 05	√	
011	011E	Used/exhibit/possession of firearm (Destructive Device)		01, 03		02, 05	√	
012		Used/exhibit/possession of Illegal knife (Blade greater than 5.5 inches)		01, 03		02, 05	√	
014	014A	Used/exhibited/possession of Prohibited Weapon (explosive weapon)		01, 03		02, 05	√	
014	014B	Used/exhibited/possession of Prohibited Weapon(machine gun)		01, 03		02, 05	√	
014	014C	Used/exhibited/possession of Prohibited Weapon (short-barrel firearm)		01, 03		02, 05	√	
014	014D	Used/exhibited/possession of Prohibited Weapon (firearm silencer)		01, 03		02, 05	√	
014	014E	Used/exhibited/possession of Prohibited Weapon (a tire deflation device)		01, 03		02, 05	√	
014	014G	Used/exhibited/possession of Prohibited Weapon (armor-piercing ammunition)		01, 03		02, 05	√	
014	014H	Used/exhibited/possession of Prohibited Weapon (chemical dispensing device)		01, 03		02, 05	√	
014	014I	Used/exhibited/possession of Prohibited Weapon (zip gun)		01, 03		02, 05	√	
014	014J	Manufacturing, transporting, repairing, or selling of a Prohibited Weapon		01, 03		02, 05	√	
016		Arson		01, 03		02, 05	√	
017		*Murder, Capital Murder, Criminal attempt to commit murder		01, 03		02, 05	√	
018		*Indecency with a child		01, 03		02, 05	√	
019		*Aggravated Kidnapping		01, 03		02, 05	√	
022		Criminal Mischief				00		
029		*Aggravated assault under Penal Code Section 22.02 against a school district employee or volunteer		01, 02, 03, 04, 05			√	
030		*Aggravated assault under Penal Code Section 22.02 against someone other than a school district		01, 03		02, 05	√	
031		*Sexual assault against a District employee/volunteer		01, 03		02, 05	√	
032		*Sexual assault against a Non District employee/volunteer		01, 03		02, 05	√	
036		Felony controlled substance violation (Felony Drug)		01, 03		05	√	
037		Felony alcohol violation		01, 03		05	√	
046		Aggravated robbery		01, 03		02, 04, 05	√	
047		*Manslaughter		01, 03		02, 04, 05	√	
048		*Criminally negligent homicide		01, 03		02, 04, 05	√	
057		*Continuous sexual abuse of a young child or children occurring on school property		01, 03		02, 05	√	
058		Breach of Computer Security				01, 02, 03, 04, 05		
059		Serious Misbehavior, while expelled to/placed in a DAEP				01		
*TITLE 5 FELONY (Off Campus-DAEP EXPULSION)								
** District Decision DAEP instead of JJAEP								
Activity must be reported to the appropriate Law Enforcement Agency			Shaded area indicated that the disciplinary action reason code will require a sub-code in Skyward					
PEIMS	Disciplinary Action Code		Non-PEIMS	Disciplinary Non-PEIMS Action Code		PEIMS	Disciplinary Length Difference Reason Code	
01	Expulsion without placement (Formal Hearing)		73	Days Detention		00	No difference between official and actual lengths	
02	Expulsion placement JJAEP (Formal Hearing)		74	Administrator Conference w/ Parent		01	Term modified by district	
03	Expulsion placement on-campus DAEP (Formal Hearing)		75	Administrator Conference w/ Student		02	Term modified by court order	
04	Expulsion placement off-campus DAEP (Formal Hearing)		76	Counselor Conference w/ Parent		03	Term modified mutual agreement district, studen, and/or Parents	
05	Days Out-of-School Suspension (limit 3 days)		77	Counselor Conference w/ Student				
06	Days In-School Suspension (limit 3 days, unless pending DAEP)		78	Teacher Conference w/ Parent		04	Student Completed Term Requirements Sooner Than Expected	
07	Placement on/off-campus DAEP (Conference)		79	Teacher Conference w/ Student		05	Student Incarcerated	
08	Continuation other District's DAEP Placement		80	Telephone Call or Note to Parent		06	Term Decreased Due to Extenuating Health-Related Circumstances	
09	Continuation other District's expulsion order		81	Community Service				
10	Continuation District's DAEP placement (prior year)		83	Pending ARD		07	Student Withdrew from School	
11	Continuation District's expulsion order (prior year)		84	Reassignment of Classes		08	School year ended before completion of disciplinary action assignment	
12	Continuatin of District's JJAEP Placement (prior year)		85	Referral to Outside Agency				
13	Placement in JJAEP by Court Order		86	Referral to SpED/504		09	Continuation of Previous Year's Disciplinary Action Assignment	
14	Placement in a DAEP by Court Order		87	Revoking Pupil Transfer		10	Term modified by placement program due to student behavior	
15	Continuation in other District's expulsion w/ JJAEP Placement		88	Withdrawing of Privileges		11	Term modified by district - Disciplinary Alternative Educatin	
25	Partial day Out-of-School Suspension		99	On Campus Alternative Education Program			Program Capacity	
26	Partial day In-School Suspension					99	Other	
27	Mandatory disciplinary action NOT taken by district as a result of ARD committee manifestation hearing determination							
28	Mandatory disciplinary action NOT taken							





Juvenile Justice Alternative Education Offense Codes

TEXAS
JUVENILE
JUSTICE
DEPARTMENT

**New items shown in italics*

Offense Code	Offense Description (Updates are in Italics)	Offense Type
37.007A12A	Unlawful Weapon: Handgun [Penal Code (PC) 46.02(a)] [Education Code (EC) 37.007 A(1)]	Mandatory
37.007A12B	<i>Unlawful Weapon: Location-Restricted Knife [PC 46.02 (a)] [EC 37.007 (a)(1)] (For students who are under the age of 18)</i>	Mandatory
37.007A12C	Unlawful Weapon: Club [PC 46.02(a)] [EC 37.007 (a)(1)]	Mandatory
37.007A15A	Prohibited Weapon: Explosive Weapon [PC 46.05 (a)(1)] [EC 37.007 (a)(1)]	Mandatory
37.007A15B	Prohibited Weapon: Machine Gun [PC 46.05 (a)(1)] [EC 37.007 (a)(1)]	Mandatory
37.007A15C	Prohibited Weapon: Short-Barrel Firearm [PC 46.05 (a)(3)] [EC 37.007 (a)(1)]	Mandatory
37.007A15D	Prohibited Weapon: Firearm Silencer (Penal Code 46.05 (a) (1)(D)) (37.007 A(1))	Mandatory
37.007A15F	Prohibited Weapon: Armor-Piercing Ammunition [PC 46.05 (a)(6)] [EC 37.007 (a)(1)]	Mandatory
37.007A15G	Prohibited Weapon: Chemical Dispensing Device [PC 46.05 (a)(7)] [EC 37.007 (a)(1)]	Mandatory
37.007A15H	Prohibited Weapon: Zip Gun [PC 46.05 (a)(8)] [EC 37.007 (a)(1)]	Mandatory
37.007A15I	Prohibited Weapon: Tire Deflation Device [PC 46.05 (a)(9)] [EC 37.007 (a)(1)]	Mandatory
37.007A15J	<i>Prohibited Weapon: Improvised Explosive Device [PC 46.05 (a)(7)] [EC 37.007 (a)(1)]</i>	Mandatory
37.007A2A1	Aggravated Assault	Mandatory
37.007A2A2	Aggravated Sex Assault	Mandatory
37.007A2A3	Sex Assault	Mandatory
37.007A2B	Arson	Mandatory
37.007A2C1	Murder	Mandatory
37.007A2C2	Capital Murder	Mandatory
37.007A2C3	Attempted Murder	Mandatory
37.007A2D	Indecency With A Child	Mandatory
37.007A2E	Aggravated Kidnapping	Mandatory
37.007A2F	Aggravated Robbery	Mandatory
37.007A2G	Manslaughter	Mandatory
37.007A2H	Criminally Negligent Homicide	Mandatory
37.007A2I	Continuous Sex Abuse Of A Young Child Or Children (PC 21.02)	Mandatory
37.007A3	Felony Drug	Mandatory
37.007D(M)	Retaliation	Mandatory
37.007B1	Felony Terroristic Threat	Mandatory
37.007E	Federal Firearm	Mandatory



PEIMS Discipline Data - Questions and Answers

Additional PEIMS Reporting Information Regarding Disciplinary Alternative Education Program (DAEP) Conferences, Expulsion Hearings, Placement Reviews, and Other Actions

1. What is required if a student brings a firearm to school?

In accordance with federal law (20 U.S.C. Section 7151), a local educational agency (LEA), including a school district, home-rule school district, or open-enrollment charter school, shall expel a student who brings a firearm, as defined by 18 U.S.C. Section 921, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that:

- (a) the superintendent or other chief administrative officer of the school district or of the other LEA, as defined by 20 U.S.C. Section 2891, may modify the length of the expulsion in the case of an individual student;
- (b) the district or other LEA shall provide educational services to [the] an expelled student in an alternative education program as provided by TEC, §37.008 if the student is younger than 10 years of age on the date of expulsion; and
- (c) the district or other LEA may provide educational services to an expelled student who is older than 10 years of age in an alternative education program as provided in TEC, §37.008.

TEC, §37.007(a)(1) requires that a school expel a student whose conduct contains the elements of the offense of "Unlawfully Carrying Weapons" on school property or while attending a school-sponsored or school related activity on or off school property.

2. What is a Campus Behavior Coordinator?

Under the requirements of TEC, §37.0012, each campus must have a staff person designated as the Campus Behavior Coordinator.

The person designated may be the principal of the campus or any other campus administrator selected by the principal.

The campus behavior coordinator is primarily responsible for maintaining student discipline and the implementation of this subchapter.

The campus behavior coordinator is required to promptly notify a student's parent or guardian if the student is placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled, or placed in a juvenile justice alternative education program or is taken into custody by a law enforcement officer. A campus behavior coordinator must comply with this subsection by:

- 1. promptly contacting the parent or guardian by telephone or in person; and
- 2. making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.



If a parent or guardian entitled to notice of a student's disciplinary removal has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, the campus behavior coordinator must mail written notice of the disciplinary action to the parent or guardian at the parent's or guardian's last known address. If a Campus Behavior Coordinator is unable or not available to promptly provide the required notice to a parent or guardian of a student, the principal or other designee shall provide the notice.

3. What is required in order to send a student to a Disciplinary Alternative Education Program?

Before removing a student to a DAEP under Texas Education Code (TEC) §37.008, the appropriate administrator shall schedule a conference among the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice 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. **If the student has been alleged to have committed an offense as described in TEC, §37.006 then the district official holding the conference meeting must present substantiated documentation of the alleged behavior as provided by a law enforcement agency or as created/obtained by the school district administrator.**

4. What is required in order to expel a student?

Before a student may be expelled under TEC, §37.007, the board or the board's designee must provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parent or guardian is invited, in writing, to attend. At the hearing, the student is entitled to be represented 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 school district. If the decision to expel a student is made by the board's designee, the decision may be appealed to the board. The decision of the board may be appealed by trial de novo to a district court of the county in which the school district's central administrative office is located. If the student has been alleged to have committed an offense as described in TEC, §37.007 then a district official holding the expulsion hearing must present substantiated documentation of the alleged behavior as provided by a law enforcement agency or as created/obtained by the school district administrator.

5. What is the maximum length for an out-of-school suspension placement?

In accordance with TEC, §37.005, under no circumstance may an out-of-school suspension (OSS) for a particular incident exceed (3) three school days. If a student receives OSS for a partial school day (even if for one class period), that partial day is considered one of the three total allowable out-of-school suspension days.

6. What is the minimum grade for suspending a student with an out-of-school suspension?



In accordance with TEC, §37.005(c), a student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

1. conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
2. conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - (a) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;
 - (b) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - (c) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

7. What is the statutory alternative to suspending a student less than grade three with an out-of-school-suspension?

In accordance with TEC, §37.0013, each school district and open-enrollment charter school may develop and implement a program, in consultation with campus behavior coordinators employed by the district or school and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in conduct described by Section 37.005(a) and is not subject to Section 37.005(c). The program must:

1. be age-appropriate and research-based;
2. provide models for positive behavior;
3. promote a positive school environment;
4. provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and
5. provide behavior management strategies, including:
 - (a) positive behavioral intervention and support;
 - (b) trauma-informed practices;
 - (c) social and emotional learning;
 - (d) a referral for services, as necessary; and
 - (e) restorative practices.

8. What is required if a student's DAEP placement will extend beyond the end of the next grading period?



If the student's **placement** in a DAEP is to extend beyond the end of the next grading period, a student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before the board of trustees of the school district or the board's designee, as provided by policy of the board of trustees of the district. Any decision of the board or the board's designee under this subsection is final and may not be appealed.

9. What is required if the student's DAEP placement will extend beyond the end of the current school year and into the next school year?

Before assigning a student to a disciplinary alternative education setting that extends beyond the end of the school year in which the initial assignment was made, the board or the board's designee must determine that:

1. the student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or to another individual, **or**
2. the student has engaged in serious or persistent misbehavior that violates the district's student code of conduct.

A student placed in a DAEP under TEC, §37.002 or 37.006 shall be provided a review of the student's status, including a review of the student's academic status, by the board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parents or guardian, shall review the student's progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student.

At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus.

10. What is required regarding special education students who commit behaviors that require a disciplinary removal action?

The disciplinary placement of all students who are served in special education with an Individualized Education Program (IEP) must be determined by an Admission, Review, and Dismissal (ARD) committee. TEC, §37.004(a). Further, any disciplinary action regarding a student with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the student's ARD committee conducts a manifestation determination review under 20 U.S.C. Section 1415(k)(4) and its subsequent amendments. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulation, including laws or regulations requiring the provision of:

1. Functional behavioral assessments;
2. Positive behavioral interventions, strategies, and supports; and
3. Behavioral intervention plans. TEC, §37.004(b)

For disciplinary removals of a student, who is receiving special education and related services, from the student's current educational placement, a change of placement occurs if the removal is for more than 10 consecutive days (CFR §300.530 - §300.536). The ARD committee that deals with the



change of placement must review the student's IEP to detail the special education and related services to be administered to the student while he is removed for discipline reasons. Be careful not to confuse the 10-day change of placement requirement for special education purposes with the 1-day removal requirement for reporting student disciplinary removals. The 44425 Student Discipline Interchange data is required for all students who are receiving special education and related services and are removed from their regularly scheduled classes for one day or more. A change of placement occurs when the removal is for more than 10 consecutive days, and a change of placement may occur when the removal is for more than 10 cumulative days in a school year based on factors such as the length of each removal, the total amount of the time the child is removed, and the proximity of the removals to one another. An ARD committee must be involved when the removal or series of removals constitute a change in placement.

11. What is the minimum age that a student can be placed in a Disciplinary Alternative Education Program?

Under TEC, §37.006(a), (b), (c), and (l), all students, who are at least 6 years of age on the date that an offense is committed, **must be removed to a DAEP**, for a time period that is determined by the local Student Code of Conduct, if one of the following acts are committed: on or within 300 feet of school property, or while the student is attending a school-sponsored, or school related activity, on or off of school property. The school administrator designated must first establish a reasonable belief that the act has been committed and then corroborate and document that belief with appropriate law enforcement officials.

12. What is the minimum age that a student can be expelled?

Under TEC, §37.007(a), (d), and (h), and §37.007(f) students who are younger than 10 years of age on the date that an offense is committed, and have committed a mandatory expellable offense other than bringing a firearm to school, **must be placed in a DAEP** for a period of time that is determined by the superintendent or their designee.

Under TEC, §37.007(e), (student brings a firearm to school), students who are younger than 10 years of age on the date that an offense is committed, **must be expelled and placed in a DAEP** for a minimum term of one year, unless the expulsion term is reduced by the superintendent or their designee.

13. What are the required procedures for using Disciplinary Action Reason Code 23 – Emergency Placement/Emergency Expulsion?

DISCIPLINARY-ACTION-REASON-CODE 23, as authorized by TEC, §37.019, allows for either emergency placement or emergency expulsion. The use of this code is limited to reasons for which placement in a DAEP or expulsion may be made on a non-emergency basis. At the time of an emergency placement or expulsion, the student shall be given oral notice of the reason for the action.

Not later than the tenth day after the date of the placement or expulsion, the student shall be accorded the appropriate due process as required until TEC, §37.009. Thus emergency action under TEC, §37.019, should not be the only/final disciplinary action taken.



For additional constraints related to a student's behavior and the use of emergency placement/expulsion, please see TEDS Data Submission>Technical Resources>PEIMS Discipline Data - Disciplinary Action Reason Codes and Definitions for DISCIPLINARY-ACTION-REASON-CODE 23.

14. What are the requirements for keeping documentation under Article 15.27, Code of Criminal Procedure received from law enforcement personnel investigating alleged criminal behaviors at/for a school?

With regards to the documentation related to “TEC, §37.017 Destruction of Certain Records” states Information received by a school district under Article 15.27, Code of Criminal Procedure, these records may not be attached to the permanent academic file of the student who is the subject of the report. The school district shall destroy the information at the end of the school year in which the report was filed. Despite the requirement to destroy information received under Article 15.27, Code of Criminal Procedure, the district must retain documentation other than the information received under Article 15.27, Code of Criminal Procedure to support the discipline data submitted through the 44425 Student Discipline Interchange data for a period of 5 years.

15. How should a school handle situations where a student(s) has committed multiple violations in the course of one disciplinary event?

Multiple violations are sometimes committed in the course of one disciplinary event. When reporting the 44425 Student Discipline Interchange data, the district should report only the violations DISCIPLINARY-ACTION-REASON-CODE(s) for which disciplinary action(s) DISCIPLINARY-ACTION-CODE(s) are taken. If actions are only taken for the most serious violation, then only one DISCIPLINARY-INCIDENT-NUMBER should be reported in the 44425 Student Discipline Interchange data when reporting the DISCIPLINARY-ACTION-REASON-CODEs and DISCIPLINARY-ACTION-CODEs.

If the district takes disciplinary action on each violation that occurred during one disciplinary event, the district should enter a new DISCIPLINARY-INCIDENT-NUMBER for each separate DISCIPLINARY-ACTION-REASON-CODE (violation) being reported.

16. What should a school do if a student attempts to withdraw from school before a disciplinary removal action has been determined for a particular incident?

If a student is involved in a reportable disciplinary incident, and the student attempts to withdraw from school before the disciplinary assignment is made, the district/school should complete the due-process proceedings that result in the required disciplinary assignment before the student is allowed to withdraw. After completion of the due process proceedings, the district/school is required to report the 44425 Student Discipline Interchange data reflecting that assignment in order to remain in compliance with TEC, §37.009.

17. What is an In-School Suspension setting?



In-school-suspension (ISS) includes any disciplinary setting other than DAEP, JJAEP, or OSS. For Special Education student's behavior management or behavior adjustment classes are not considered ISS programs as established by the ARD committee and are not considered ISS removals.

18. When is it appropriate to use Discipline Action Code 13 – Court Ordered Placement to a JJAEP and 14 – Court Ordered Placement to a DAEP?

DISCIPLINARY-ACTION-CODE 13 may only be used when a Court order requires a student to attend the JJAEP independent of any action required to be taken by the school district and described in TEC, Chapter 37. Do not use DISCIPLINARY-ACTION-CODE 13 for students that are incarcerated in either a jail or juvenile detention center. A term of incarceration does not constitute a removal by a school district. The DISCIPLINARY-ACTION-REASON-CODE for DISCIPLINARY-ACTION-CODE 13 should always be 21 because the district is reporting a court ordered placement for a behavior which the district either could not or would not have acted.

DISCIPLINARY-ACTION-CODE 14 may only be used when a Court order requires a student to attend a DAEP independent of any action required to be taken by the school district and described in TEC, Chapter 37. Do not use DISCIPLINARY-ACTION-CODE 14 for students that are incarcerated in either a jail or juvenile detention center. A term of incarceration does not constitute a removal by a school district. The DISCIPLINARY-ACTION-REASON-CODE for DISCIPLINARY-ACTION-CODE 14 should always be 21 because the district is reporting a court ordered placement for a behavior which the district either could not or would not have acted.

When reporting DISCIPLINARY-ACTION-CODEs 13 (Placement in a JJAEP by Court order) and 14 (Placement in a DAEP by Court Order), please refer to the ADMINISTRATOR ADDRESSED letter dated May 29, 2002. This letter is available on the TEA website under the Correspondence link. In order to place a student in a JJAEP or DAEP by a Court order, there must be a MOU between the court ordering the placement and the school district that will affect and make the placement. **In all circumstances of court ordered placements to a JJAEP or DAEP, the DISCIPLINARY-ACTION-REASON-CODE must be a 21 (Violation of student code of conduct not included under TEC, §§37.002(b), 37.006, or 37.007). The use of DISCIPLINARY-ACTION-REASON-CODEs 09 (Off-Campus Title 5 Felony) and 10 (Off-Campus Non-Title 5 Felony) for Court ordered placements to a JJAEP or DAEP is not acceptable because the school district has original jurisdiction and a due-process responsibility to hold a conference meeting to enforce a DAEP removal/action as required or permitted in TEC, §37.006 (c) and (d).** The provisions for these court ordered placements must also be outlined in the Local Student Code of Conduct. Any behavior that a student engages in at school or a school related activity for which they will receive disciplinary attention as provided for under either the minimum requirements of TEC, §37.006/TEC, §37.007, or the minimum standards of the Local Student Code of Conduct, must be initiated and actuated by the local school district.

In the event that a school district finds it necessary to continue a Court ordered placement to a JJAEP or a DAEP from a prior school year or a prior school district, a new 44425 Student Discipline Interchange data event must be reported with a **DISCIPLINARY-ACTION-REASON-CODE of 21** and a **DISCIPLINARY-ACTION-CODE of 13 or 14** depending on the action taken. Remember that DAEP assignments that continue into a new school year are subject to the requirements of TEC, §37.009(c) referenced on the first page of Appendix E.



19. Please explain the Discipline Action Reason Code 01 – Permanent Removal from Class by a Teacher.

Permanent removal by a teacher from class (DISCIPLINARY-ACTION-REASON-CODE 01) under TEC, §37.002(b) is limited for use in those situations where the teacher has refused re-admittance of the student to that teacher's class. Otherwise, if the teacher allows re-admittance of the student to the class, then Code 21 (other Student Code of Conduct violation) should be used.

20. What are the consequences of a school not reporting its discipline removal events through the Texas Student Data System PEIMS submission on the 44425 Student Discipline Interchange data?

Under TEC, §37.008(m-1), failure to report all disciplinary removal actions as required by state and federal law may result in a review by the commissioner of education and notice to the local school board of any problems noted in the district's data, or a violation of a law or other rule. This review may also result in a notification to the county attorney, district attorney, criminal district attorney, as appropriate, and the attorney general. This provision can apply to missing, inaccurate, and/or falsified information/data.

21. Which LEAs are required to participate in the county run Juvenile Justice Alternative Education Program (JJAEP)?

In counties where the population is over 125,000, state law requires that expelled students be placed in an alternative education setting of some type. Districts located in these counties may place discretionary expelled students in a DAEP operated by the district and Mandatory expelled students in a JJAEP operated by the juvenile board for the county.

22. What options exist for an LEA that expels a student in a county that does not have a JJAEP?

If a student has been expelled in a county that does not have a Juvenile Justice Alternative Education Program, the LEA may either expel the student without academic placement, or the student may be expelled with placement to the LEA Disciplinary Alternative Education Program.

23. What kind of knives require that a student be expelled from school?

House Bill 1935, 85th legislative session, revised the definition of illegal knives to be known as Location-restricted knives and defines a Location restricted knife as being a knife with a blade length greater than 5.5 inches. A student that is found in possession of a Location-restricted knife must be expelled if the possession occurs knife on school campus or off campus at a school sponsored or school related activity.



24. What is the definition of an Off-Campus DAEP?

An **off-campus** DAEP:

1. has its own **campus identification number**;
2. has its own **building** (is **not** a program on a regular campus or an at-risk alternative education campus);
3. has its own **budget**;
4. has its own **administrator**;
5. serves only students removed under the TEC, Chapter 37 (no other non-discipline program may be operated on the campus);
6. must use the services of **certified teachers** and
7. must provide for a **43,200-instructional minute school year**.

Note: If your school district or charter school has chosen to operate or participate in, through a shared services arrangement (SSA), an off-campus DAEP, your district or school must register the campus with the TEA as a DAEP instructional campus.

25. What is the definition of an On-Campus DAEP?

An **on-campus** DAEP is one that **may have its own campus identification number**. If an on-campus DAEP has its own campus identification number, then the campus must:

1. have an **administrator** (administrator can serve more than one campus);
2. have its own **budget**;
3. use the services of **certified teachers for delivering educational and behavioral instruction** to the students assigned to the on-campus DAEP;
4. provide for students who are assigned to the DAEP to be **separated from students who are not assigned to the DAEP** ("sight and sound barrier" should exist to provide adequate separation);
5. provide for a **43,200-instructional minute school year**, and;
6. **share a facility** with a non-disciplinary program.

Note: If your school district or charter school has chosen to operate or participate in, through an SSA, an on-campus DAEP your district or school must register the campus with the TEA as a DAEP instructional campus.

If an on-campus DAEP does not have its own campus number, then a student should remain enrolled at the campus at which the student was enrolled when he or she was removed while placed in the on-campus DAEP.



26. Is a campus which does not include secondary students in the enrollment required to have a secondary student on their campus' bullying prevention committee?

A campus that does not include secondary students in the enrollment, is not required to include a secondary student on the campus' bullying prevention committee. However, an LEA may choose to place elementary students or secondary students on the committee at their discretion.

27. Where can a district find examples of instruction research-based content designed to reduce bullying for students?

Here is the link to the [Minimum Standards for Bullying Prevention](#). On the right-hand sidebar of this webpage there is a list of organizations and resources that districts can use for support in meeting the instructional requirements. Essentially, we are encouraging a growth mindset regarding bullying behavior and that bullying behaviors can be unlearned and replaced with more positive prosocial behaviors. At this current time, there is no official or approved TEA curriculum.

The Supportive Schools division at TEA is collaborating with experts in academia and the field to continue to add to TEA resources for districts regarding research-based best practices and will make those available as they are developed.



PEIMS Discipline Data - Disciplinary Action Reason Codes and Definitions

Discipline Action Reason Code	Translation/Definition
01	<p><u>Permanent Removal by a Teacher from Class</u></p> <p>TEC, §37.002(c) - A teacher may permanently remove a student from the classroom (1) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or (2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.</p>
02	<p><u>Engages in Conduct Punishable as a Felony</u></p> <p>TEC, §37.006(a)(2)(a) - Includes all felony activities that are not otherwise more specifically defined or included as a behavior that requires a mandatory expulsion action.</p>
05	<p><u>Alcoholic Beverage Conduct</u></p> <p>Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code Section 1.04 commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.</p> <p>Alcoholic Beverage Code Section 1.04 defines an alcoholic beverage as alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.</p> <p>"Alcohol" violation is a mandatory DAEP placement and may be a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
06	<p><u>Abusable Volatile Chemical Conduct</u></p> <p>Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical (glue, aerosol paint, etc.) under Sections 485.031 through 485.034, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.</p> <p>Chapter 485.031, Health and Safety Code, defines the offense abuse of a volatile chemical as when a person inhales, ingests, applies, uses, or</p>



Discipline Action Reason Code	Translation/Definition
	<p>possesses a volatile chemical with the intent to inhale, ingest, apply, or use a volatile chemical (glue, aerosol paint, etc.) in a manner contrary to the directions for use, cautions or warnings appearing on a label of a container of chemical and is designed to affect the persons central nervous system, create or induce a condition of intoxication, hallucination, or elation or change or distort or disturb the person's eyesight, thinking process, balance or coordination.</p> <p>"Abuse of a Volatile Chemical" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
07	<p><u>Public Lewdness or Indecent Exposure</u></p> <p>Engages in conduct that contains the elements of the offense of public lewdness under Penal Code Section 21.07 or indecent exposure under Section 21.08, Penal Code.</p> <p>Penal Code Chapter 21.07 defines public lewdness as when a person knowingly engages in any of the following acts in a public place or, if not in a public place, is reckless about whether another is present or will be offended or alarmed by:</p> <ul style="list-style-type: none"> (a) an act of sexual intercourse; (b) act of deviate sexual intercourse; (c) act of sexual contact; or (d) act involving contact between the person's mouth or genitals and the anus or genitals of an animal or fowl. <p>Penal Code Chapter 21.08 defines indecent exposure as an offense when a person exposes his anus or any part of his genitals with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended or alarmed by his act.</p>
08	<p><u>Retaliation against School Employee</u></p> <p>Engages in conduct that contains the elements of the offense of retaliation under Penal Code Section 36.06 against any school employee.</p> <p>Penal Code Section 36.06 defines the offense of retaliation as when a person intentionally or knowingly harms or threatens to harm another by an unlawful act in retaliation for or on account of the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who</p>



Discipline Action Reason Code	Translation/Definition
	<p>the actor knows intends to report the occurrence of a crime or to prevent or delay the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime.</p> <p>"Retaliation against School Employee" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p> <p>If a violation under this reason is committed at a felony level, then the student must be expelled from their regular education setting.</p>
09	<p><u>Title 5 Felony Committed Off Campus</u></p> <p>A student who commits an off-campus felony must be removed from their regular education program and placed in a DAEP if:</p> <ul style="list-style-type: none"> (a) the student receives deferred prosecution for conduct and the conduct is defined as a felony under Title 5 of the Penal Code; (b) a court or jury finds that the off-campus conduct engaged in by the student constitutes delinquent conduct and is defined as a felony under Title 5 of the Penal Code; or, (c) the superintendent or the superintendent's designee has a reasonable belief that the student engaged in conduct defined as a felony under Title 5 of the Penal Code. <p>Title 5 felonies include: murder; capital murder; manslaughter; criminally negligent homicide; kidnapping; aggravated kidnapping; indecency with a child; felony assault; sexual assault; aggravated assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; terroristic threat; aiding suicide; and tampering with a consumer product.</p> <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a)(2)(A) or (C) (murder, capital murder, criminal attempt to commit murder or capital murder; aggravated assault under Penal Code §22.02; sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal code §22.021), against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.</p>



Discipline Action Reason Code	Translation/Definition
	The provision for a discretionary expulsion under for these offenses is dependent on the local Student Code of Conduct.
10	<p><u>Non-Title 5 Felony Committed Off Campus</u></p> <p>A student may be removed from class and placed in a DAEP under TEC §37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:</p> <ul style="list-style-type: none"> (a) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in Title 5, Penal Code; and (b) the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of aggravated robbery under Penal Code §29.03, against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.</p> <p>The provision for a discretionary expulsion under this offense is dependent on the local Student Code of Conduct.</p>
11	<p><u>Firearm</u></p> <p>Brought a Firearm to School – TEC 37.007(e) or Unlawful Carrying of a Handgun under Penal Code 46.02 – TEC 37.007(a)(1) 18 U.S.C. Section 921</p> <p>Under 18 U.S.C. Section 921, the term “firearm” means:</p> <ul style="list-style-type: none"> (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. <p>Under 18 U.S.C. Section 921, antique firearms (manufactured prior to 1899) are not included in the definition of a firearm.</p>



Discipline Action Reason Code	Translation/Definition
	BB and pellet guns are not considered firearms under this definition. The use, exhibition, or possession of these items, while probably prohibited by the local Student Code of Conduct, is not an acceptable reason for expelling a student.
12	<p><u>Location-Restricted Knife</u></p> <p>Unlawful Carrying of a Location-restricted Knife under Penal Code 46.02 – TEC 37.007(a)(1) (Location Restricted knife - blade longer than 5.5 inches).</p> <p>Penal Code Section 46.01(6) defines a location-restricted knife as a knife with a blade length longer than 5.5 inches.</p>
14	<p><u>Prohibited Weapon</u></p> <p>Conduct Containing the Elements of an Offense Relating to Prohibited Weapons Under Penal Code 46.05 – TEC 37.007(a)(1).</p> <p>Penal Code Section 46.05 defines a prohibited weapon as one of the following:</p> <ul style="list-style-type: none"> (a) an explosive weapon (Penal Code 46.01(2)), (b) a machine gun (Penal Code 46.01(9)), (c) a short-barrel firearm (Penal Code 46.01(10)), (d) armor-piercing ammunition (Penal Code 46.01(12)), (e) a chemical dispensing device (Penal Code 46.01(14)), (f) a zip gun (Penal Code 46.01(16)), (g) a tire deflation device (Penal Code 46.01(17)), or (h) an improvised explosive device (Penal Code 46.01(19)).



Discipline Action Reason Code	Translation/Definition
16	<p><u>Arson</u></p> <p>Penal Code Section 28.02 defines arson as when a person starts a fire or causes an explosion with intent to destroy or damage any vegetation, fence, structure, open-space land, building or vehicle knowing that it is within the limits of an incorporated city or town, it is insured, it is subject to mortgage, or it is located on property belonging to another.</p>
17	<p><u>Murder, Capital Murder, or Criminal Attempt to Commit Murder/Capital Murder</u></p> <p>Penal Code Section 19.02 defines murder as when a person intentionally or knowingly causes the death of another person, intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual or commits or attempts to commit a felony, other than manslaughter, and in the course thereof he commits an act clearly dangerous to human life that causes the death of an individual.</p> <p>Penal Code Section 19.03 defines capital murder as when a person commits an offense defined under Section 19.02 and the person murders a peace officer or fireman who is acting in the lawful discharge of an official duty, the person intentionally commits murder during the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, or obstruction or retaliation. A person also commits capital murder if the person commits murder for remuneration or the promise of remuneration or employs another to commit murder for remuneration.</p> <p>Section 15.01, Penal Code, defines criminal attempt as when a person if, with specific intent to commit an offense, does the act amounting to more than mere preparation but fails to affect the commission of the offense intended.</p>
18	<p><u>Indecency with a Child</u></p> <p>Penal Code Section 21.11 defines indecent with a child as when a person, with a person younger than 17 years, engages in sexual contact with student or exposes his anus or any part of his genitals knowing the student is present with intent to arouse or gratify the sexual desire of any person.</p>
19	<p><u>Aggravated Kidnapping</u></p> <p>Penal Code Section 20.04 defines aggravated kidnapping as when a person intentionally or knowingly abducts another person with intent to hold him for ransom, use him as a hostage, facilitate the commission of a felony, afflict</p>



Discipline Action Reason Code	Translation/Definition
	bodily injury on him or abuse him sexually, terrorize him or a third person, or interfere with the performance of any governmental or political function.
21	<p><u>Violation of Student Code of Conduct</u></p> <p>This category includes bullying, harassment, and making hit lists (TEC §37.001) and reasons not specifically identified in TEC Chapter 37 that are adopted by the local school board and itemized and identified in the local Student Code of Conduct.</p> <p>Also, Code '21' should be used for a Court Ordered JJAEP or DAEP</p>
22	<p><u>Criminal Mischief</u></p> <p>A student may be expelled under Section 37.007(f) for conduct that contains the offense of criminal mischief if that conduct is punishable as a felony. Otherwise, the most severe action that may be taken would be placement in a DAEP.</p> <p>Penal Code Section 28.03 defines criminal mischief as when a person intentionally or knowingly damages or destroys the tangible property of the owner, intentionally or knowingly tampers with the tangible property of the owner and causes a pecuniary loss or substantial inconvenience to the owner or a third person. A felony under this section occurs when damage exceeds \$1,500. For example, this section would apply to cases of graffiti if the total cost of repair and cleaning exceeds \$1,500.</p>
23	<p><u>Emergency Placement/Expulsion</u></p> <p>The use of this code is limited to reasons for which placement in a DAEP or expulsion may be made on a non-emergency basis according to TEC, §37.019(c). Not later than the tenth day after the date of the placement or expulsion, the student shall be awarded the appropriate due process as required under TEC, §37.009.</p> <p><u>Emergency DAEP Placement</u></p> <p>Chapter 37 authorizes the immediate placement of a student in a DAEP if the principal or their designee reasonably believes that the student's behavior is so unruly, disruptive, or abusive that it 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.</p>



Discipline Action Reason Code	Translation/Definition
	<p><u>Emergency Expulsion</u></p> <p>Chapter 37 authorizes the immediate expulsion of a student if the principal or their designee reasonably believes that the immediate expulsion of the student is necessary to protect persons or property from imminent harm.</p>
26	<p><u>Terroristic Threat</u></p> <p>Under Penal Code Section 22.07, a person commits an offense if he threatens to commit any offense involving violence to any person or property with the intent to:</p> <ul style="list-style-type: none"> (a) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; or (b) place any person in fear of imminent serious bodily injury; or (c) prevent or interrupt the occupation or use of a building; room; place of assemble; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or (d) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service. <p>A person who receives a terroristic threat must not only believe the threat, but also believe that the person making the threat will carry it out.</p> <p>"Terroristic Threat" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
27	<p><u>Assault of School District Employee or Volunteer</u></p> <p>Penal Code Section 22.01 (a) (1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person.</p> <p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>
28	<p><u>Assault of Someone other than School District Employee or Volunteer</u></p> <p>Penal Code Section 22.01 (a) (1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person.</p>



Discipline Action Reason Code	Translation/Definition
	<p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury. Two or more students cannot assault each other.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>
29	<p><u>Aggravated Assault against School District Employee or Volunteer</u></p> <p>Aggravated assault against a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>
30	<p><u>Aggravated Assault against Student</u></p> <p>Aggravated assault against someone other than a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>
31	<p><u>Sexual Assault/Aggravated Sexual Assault against School District Employee or Volunteer</u></p> <p>Sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person,</p>



Discipline Action Reason Code	Translation/Definition
	<p>without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021, defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>
32	<p><u>Sexual Assault/Aggravated Sexual Assault against Student</u></p> <p>Sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against someone other than a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person, without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the</p>



Discipline Action Reason Code	Translation/Definition
	<p>anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021 defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>
35	<p><u>False Alarm/False Report</u></p> <p>A student who commits an offense if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he knows is false or baseless and that would ordinarily:</p> <ul style="list-style-type: none"> (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, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance. <p>"False Alarm/False Report" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
36	<p><u>Felony Controlled Substance Violation</u></p> <p>Examples would include any amount of cocaine, fentanyl, and other controlled substances.</p> <p>Always get corroboration from law enforcement before using this Action Reason code.</p>
37	<p><u>Felony Alcohol Violation</u></p> <p>An example would be intoxication manslaughter.</p>



Discipline Action Reason Code	Translation/Definition
	Always get corroboration from law enforcement before using this Action Reason code.
41	<p><u>Fighting/Mutual Combat</u></p> <p>Fighting is defined as two or more students or persons that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s) or person(s).</p>
46	<p><u>Aggravated Robbery</u></p> <p>Penal Code §29.03 defines aggravated robbery as when a person commits robbery as defined in Section 29.02, and he: (1) causes serious bodily injury to another; (2) uses or exhibits a deadly weapon; or (3) causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is: (A) 65 years of age or older; or (B) a disabled person.</p> <p>Penal Code §29.02 defines robbery as a person commits an offense if, in the course of committing theft as defined in Chapter 31 and with intent to obtain or maintain control of the property, he: (1) intentionally, knowingly, or recklessly causes bodily injury to another; or (2) intentionally or knowingly threatens or places another in fear of imminent bodily injury or death.</p>
47	<p><u>Manslaughter</u></p> <p>Penal Code §19.04 defines manslaughter as a person commits an offense if he recklessly causes the death of an individual.</p>
48	<p><u>Criminally Negligent Homicide</u></p> <p>Penal Code §19.05 defines criminally negligent homicide as a person commits an offense if he causes the death of an individual by criminal negligence.</p>
49	<p><u>Deadly Conduct</u></p> <p>Penal Code §22.05 defines deadly conduct as when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, or a person commits an offense if he knowingly discharges a firearm at or in the direction of: (1) one or more individuals; or (2) a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor</p>



Discipline Action Reason Code	Translation/Definition
	believed the firearm to be loaded. For purposes of this section, "building," "habitation," and "vehicle" have the meanings assigned those terms by Section 30.01. An offense under Penal Code §22.05(a) is a Class A misdemeanor. An offense under Penal Code §22.05(b) is a felony of the third degree.
55	<p><u>Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Under Court Supervision</u></p> <p>TEC §37.304. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007.</p>
56	<p><u>Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Not Under Court Supervision</u></p> <p>TEC §37.305. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007.</p>
57	<p><u>Continuous Sexual Abuse of Young Child or Disabled Individual Under §21.02 Penal Code</u></p> <p>TEC §37.007(a)(2)(I)</p>
58	<p><u>Breach of Computer Security Under Penal Code §33.02 – TEC 37.007</u></p> <p>A student engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02 if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly: (i) alters, damages, or deletes school district property or information; or, (ii) commits a breach of any other computer, computer network, or computer system.</p>
59	<p><u>Serious Misbehavior, as defined by TEC §37.007(c), while expelled to/placed in a Disciplinary Alternative Education Program (DAEP)</u></p> <p>TEC §37.007(c) defines serious misbehavior as:</p> <ul style="list-style-type: none"> (1) deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat;



Discipline Action Reason Code	Translation/Definition
	<p>(3) conduct that constitutes coercion, as defined by Penal Code §1.07, or</p> <p>(4) conduct that constitutes the offense of:</p> <ul style="list-style-type: none"> (a) public lewdness under Penal Code §21.07, (b) indecent exposure under Penal Code §21.08; (c) criminal mischief under Penal Code §28.03; (d) personal hazing under Penal Code §37.152; or (e) harassment under Penal Code §42.07(a)(1), of a student or district employee.
60	<p><u>Harassment Against an Employee of the School District under Texas Penal Code 42.07(a)(1), (2), (3), or (7)</u></p> <p>TEC 37.006(a)(2)(G)</p> <p>Texas Penal Code Section 42.07(a)(1), (2), (3), and (7) defines this behavior as:</p> <p>A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:</p> <ul style="list-style-type: none"> (1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene; (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property; (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; (4) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.



Discipline Action Reason Code	Translation/Definition
61	<p><u>Bullying</u></p> <p>TEC 37.0052(b)</p> <p>TEC Sec.37.0052 (b) defines bullying behavior as:</p> <ul style="list-style-type: none"> (1) engages in bullying that encourages a student to commit or attempt to commit suicide; (2) incites violence against a student through group bullying; or (3) releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
62	<p><u>Possessed, Sold, Gave, Used, Delivered, Or Was Under the Influence of Marihuana or Tetrahydrocannabinol (THC) – TEC 37.006(a)(2)(C-1)</u></p> <p>Marihuana as defined by §481.002, Health and Safety Code, or tetrahydrocannabinol (THC), as defined by rule adopted under §481.003 of that code;</p>
63	<p><u>Possessed, Sold, Gave, Delivered, or Used an E-Cigarette – TEC 37.006(a)(2)(C-2)</u></p> <p>E-Cigarette is defined by §161.081, Health and Safety Code;</p> <p>E-Cigarette means: (1) an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device; or (2) a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this subdivision.</p> <p>The term "e-cigarette" includes: (1) a device described by this subdivision regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and (2) a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.</p>



Discipline Action Reason Code	Translation/Definition
64	<p><u>Possessed, Sold, Gave, Used, Delivered, or Was Under the Influence of Other Controlled Substance – TEC, §37.007(b)</u></p> <p>§481.002 Health and Safety Code defines Controlled Substance as a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance.</p> <p>Always get corroboration from law enforcement before using this Action Reason code.</p>

PEIMS Discipline Data - Chart for Determining DAEP Placements and Expulsions

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts. It does not apply to open-enrollment charter schools except for reason code 11 (Brought a Firearm to School or Unlawful Carrying of a Handgun), unless an open-enrollment charter school has adopted one of the other provisions into its student code of conduct.

Table Key:

DAEP: District Alternative Education Program

TEC: Texas Education Code

Disciplinary Action Code Mandatory DAEP Placement: ■ Mandatory DAEP placement is not applicable.

Disciplinary Action Code Mandatory Expulsion: ■ Mandatory Expulsion is not applicable.

Disciplinary Action Code Discretionary DAEP Placement: ■ Discretionary DAEP placement is not specified in TEC Chapter 37.

Disciplinary Action Code Discretionary Expulsion: ■ Discretionary Expulsion is not applicable.

*DISCIPLINARY-LENGTH-DIFFERENCE-REASON-CODE '11' Term Modified By District – Disciplinary Alternative Education Program Capacity is applicable.

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164) Mandatory DAEP Placement	DISCIPLINARY ACTION CODES (C164) Mandatory Expulsion	DISCIPLINARY ACTION CODES (C164) Discretionary DAEP Placement	DISCIPLINARY ACTION CODES (C164) Discretionary Expulsion
01	Permanent removal by a teacher from class (Teacher has removed the student from classroom and denied the student the right to return. TEC §37.003 has been invoked.) TEC §37.002(c)	On campus (01)	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
02	Conduct Punishable as a Felony TEC §37.006(a)(2)(A)	On campus (01)				
	TEC §37.006(a)(2)(A)	Off campus, within 300 feet (02)				

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164) Mandatory DAEP Placement	DISCIPLINARY ACTION CODES (C164) Mandatory Expulsion	DISCIPLINARY ACTION CODES (C164) Discretionary DAEP Placement	DISCIPLINARY ACTION CODES (C164) Discretionary Expulsion
	TEC §37.006(a)(2)(A)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			
	TEC §37.006(d)	Off Campus, no school related or sponsored activity (04)				
	TEC §37.0081	On school property, or at school related or sponsored activity, of another school district (05)				
05*	Possessed, sold, used, or was under the influence of an alcoholic beverage TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)(iii)	On campus (01)	Mandatory DAEP Placement			
	TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)(iii)	Off campus, within 300 feet (02)	Mandatory DAEP Placement			
	TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)(iii)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			
06*	Abusable Volatile Chemical TEC §37.006(a)(2)(E) TEC §37.007(b)(2)(B)	On campus (01)	Mandatory DAEP Placement			

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	TEC §37.006(a)(2)(E) TEC §37.007(b)(2)(B)	Off campus, within 300 feet (02)	Mandatory DAEP Placement			Discretionary Expulsion
	TEC §37.006(a)(2)(E) TEC §37.007(b)(2)(B)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			Discretionary Expulsion
07	Public lewdness or Indecent Exposure TEC §37.006(a)(2)(F)	On campus (01)	Mandatory DAEP Placement			
	TEC §37.006(a)(2)(F)	Off campus, within 300 feet (02)	Mandatory DAEP Placement			
	TEC §37.006(a)(2)(F)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			
08	Retaliation against school employee TEC §37.006(b) TEC §37.007(d)	On campus (01)	Mandatory DAEP Placement			Discretionary Expulsion Must be coupled with an offense in TEC §37.007(a) or (d).
	TEC §37.006(b) TEC §37.007(d)	Off campus, within 300 feet (02)	Mandatory DAEP Placement			Discretionary Expulsion Must be coupled with an offense in

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
						TEC §37.007(a) or (d).
	TEC §37.006(b) TEC §37.007(d)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			Discretionary Expulsion Must be coupled with an offense in TEC §37.007(a) or (d).
	TEC §37.006(b) TEC §37.007(d)	Off Campus, no school related or sponsored activity (04)	Mandatory DAEP Placement			Discretionary Expulsion Must be coupled with an offense in TEC §37.007(a) or (d).
09	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5, Penal Code TEC §37.006(c), TEC §37.007(b)(4) and TEC §37.0081	Off Campus, no school related or sponsored activity (04)	Mandatory DAEP Placement			Discretionary Expulsion
10	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony	Off Campus, no school related or sponsored activity (04)			Discretionary DAEP	Discretionary Expulsion

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	offenses not in Title 5, Penal Code TEC §37.006(d) TEC §37.007(b)(4)					
11	Brought a Firearm to School or Unlawful Carrying of a Handgun Penal Code §46.02 defines a handgun. TEC §37.007(e) and TEC §37.007(a)(1)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(B)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(1) and TEC §37.007(e)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
12	Unlawful Carrying of a Location-restricted Knife Penal Code §46.02 defines a Location-restricted Knife as a knife with a blade longer than 5.5 inches. TEC §37.007(a)(1)	On campus (01)		Mandatory Expulsion		

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	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(1)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
14	Conduct Containing the Elements of an Offense Relating to Prohibited Weapons Penal Code §46.05 defines prohibited weapons. TEC 37.007(a)(1)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(1)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion

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16	Arson TEC §37.007(a)(2)(B)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(B)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
17	Murder, capital murder, criminal attempt to commit murder, or capital murder TEC §37.007(a)(2)(C)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(C)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		

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	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
18	Indecency with a child TEC §37.007(a)(2)(D)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(D)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
19	Aggravated kidnapping TEC §37.007(a)(2)(E)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion

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	TEC §37.007(a)(2)(E)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
21	Violation of student code of conduct not included under TEC §37.006, TEC §37.007, or TEC §37.002(c)	Not Applicable (00)			Discretionary DAEP	
22	Criminal mischief (felony violation) TEC §37.007(f)	Not Applicable (00)				Discretionary Expulsion
23	Emergency Placement/Expulsion TEC §37.019	Not Applicable (00)			Discretionary DAEP	Discretionary Expulsion
26	Terroristic threat TEC §37.006(a)(1) TEC §37.007(b)(1)	On campus (01)	Mandatory DAEP			Discretionary Expulsion
	TEC §37.006(a)(1) TEC §37.007(b)(1)	Off campus, within 300 feet (02)	Mandatory DAEP			Discretionary Expulsion

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			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.006(a)(1) TEC §37.007(b)(1)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP			Discretionary Expulsion
	TEC §37.006(a)(1) TEC §37.007(b)(1)	Off Campus, no school related or sponsored activity (04)	Mandatory DAEP			Discretionary Expulsion
	TEC §37.006(a)(1) TEC §37.007(b)(1)	On school property, or at school related or sponsored activity, of another school district (05)	Mandatory DAEP			Discretionary Expulsion
27	Assault against a school district employee or volunteer Assault is defined under Penal Code §22.01(a)(1). TEC §37.006(a)(2)(B) TEC §37.007(b)(2)(C)	On campus (01)	Mandatory DAEP			Discretionary Expulsion
	TEC §36.006(a)(2)(B) TEC §37.007(b)(2)(C)	Off campus, within 300 feet (02)	Mandatory DAEP			Discretionary Expulsion
	TEC §36.006(a)(2)(B) TEC §37.007(b)(2)(C)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP			Discretionary Expulsion

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28	Assault against someone other than a school district employee or volunteer Assault is defined under Penal Code §22.01(a)(1) TEC §37.006(a)(2)(B)	On campus (01)	Mandatory DAEP			
	TEC §37.006(a)(2)(B)	Off campus, within 300 feet (02)	Mandatory DAEP			
	TEC §37.006(a)(2)(B)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP			
29	Aggravated assault against a school district employee or volunteer Aggravated assault is defined under Penal Code §22.02. TEC §37.007(d)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(d)	Off campus, within 300 feet (02)		Mandatory Expulsion		
	TEC §37.007(d)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164) Mandatory DAEP Placement	DISCIPLINARY ACTION CODES (C164) Mandatory Expulsion	DISCIPLINARY ACTION CODES (C164) Discretionary DAEP Placement	DISCIPLINARY ACTION CODES (C164) Discretionary Expulsion
	TEC §37.007(d)	Off Campus, no school related or sponsored activity (04)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)		Mandatory Expulsion		
30	Aggravated assault against someone other than a school district employee or volunteer Aggravated assault is defined under Penal Code §22.02. TEC §37.007(a)(2)(A)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(A)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC 37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
31	Sexual assault or aggravated sexual assault against a school district employee or volunteer	On campus (01)		Mandatory Expulsion		

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	Sexual assault is defined under Penal Code §22.011. Aggravated sexual assault is defined under Penal Code §22.021. TEC §37.007(d)					
	TEC §37.007(d)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(d)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
32	Sexual assault or aggravated sexual assault against someone other than a school district employee or volunteer Sexual assault is defined under Penal Code §22.011. Aggravated sexual assault is defined under §22.021. TEC §37.007(a)(2)(A)	On campus (01)		Mandatory Expulsion		

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164) Mandatory DAEP Placement	DISCIPLINARY ACTION CODES (C164) Mandatory Expulsion	DISCIPLINARY ACTION CODES (C164) Discretionary DAEP Placement	DISCIPLINARY ACTION CODES (C164) Discretionary Expulsion
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)	Mandatory Expulsion			Discretionary Expulsion
	TEC §37.007(a)(2)(A)	School Related or Sponsored Activity Off Campus (03)				
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
35	False Alarm or False Report TEC §37.006(a)(1) TEC §37.007(b)(1)	On campus (01)	Mandatory DAEP			
	TEC §37.006(a)(1) TEC §37.007(b)(1)	Off campus, within 300 feet (02)	Mandatory DAEP			
	TEC §37.006(a)(1) TEC §37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	Mandatory DAEP			
	TEC §37.006(a)(1) TEC §37.007(b)(1)	Off Campus, no school related or sponsored activity (04)	Mandatory DAEP			

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			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.006(a)(1) TEC §37.007(b)(1)	On school property, or at school related or sponsored activity, of another school district (05)	Mandatory DAEP			Discretionary Expulsion
36	Felony Controlled Substance Violation TEC §37.007(a)(3)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(a)(3)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
37*	Possessed, sold, used, or was under the influence of an alcoholic beverage TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)	On campus (01)	Mandatory DAEP Placement			Discretionary Expulsion
	TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)	Off campus, within 300 feet (02)	Mandatory DAEP Placement			Discretionary Expulsion
	TEC §37.006(a)(2)(D) TEC §37.007(b)(2)(A)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP Placement			Discretionary Expulsion

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
41	Fighting/Mutual Combat Excludes all offenses under Penal Code §22.01.	Not Applicable (00)			Discretionary DAEP	
46	Aggravated Robbery TEC §37.007(a)(2)(F)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(F)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.0081	Off Campus, no school related or sponsored activity (04)				Discretionary Expulsion
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
47	Manslaughter TEC §37.007(a)(2)(G)	On campus (01)		Mandatory Expulsion		

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			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.007(a)(2)(G)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(G)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		
	TEC §37.0081	Off Campus, no school related or sponsored activity (04)				Discretionary Expulsion
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
48	Criminally Negligent Homicide TEC §37.007(a)(2)(H)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(H)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.0081	Off Campus, no school related or sponsored activity (04)				
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				
49	Engages in Deadly Conduct TEC §37.007(b)(2)(D)	On campus (01)				
	TEC §37.007(b)(2)(D)	Off campus, within 300 feet (02)				
	TEC §37.007(b)(2)(D)	School Related or Sponsored Activity Off Campus (03)				
55	Student Is Required to Register as A Sex Offender Under Chapter 62 Of the Code of Criminal Procedure and Is Under Court Supervision. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007. TEC §37.304	Not Applicable (00)	Mandatory DAEP			

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
56	Student Is Required to Register as A Sex Offender Under Chapter 62 Of the Code of Criminal Procedure and Is Not Under Court Supervision. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007. TEC §37.305	Not Applicable (00)			Discretionary DAEP	
57	Continuous Sexual Abuse of Young Child or Disabled Individual. Continual sexual abuse is defined under Penal Code §21.02. TEC §37.007(a)(2)(I)	On campus (01)		Mandatory Expulsion		
	TEC §37.007(b)(3)(A)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(a)(2)(I)	School Related or Sponsored Activity Off Campus (03)		Mandatory Expulsion		

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164) Mandatory DAEP Placement	DISCIPLINARY ACTION CODES (C164) Mandatory Expulsion	DISCIPLINARY ACTION CODES (C164) Discretionary DAEP Placement	DISCIPLINARY ACTION CODES (C164) Discretionary Expulsion
	TEC §37.007(i)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
58	Breach of Computer Security TEC §37.007(b)(5)	On campus (01)				Discretionary Expulsion
	TEC §37.007(b)(5)	Off campus, within 300 feet (02)				Discretionary Expulsion
	TEC §37.007(b)(5)	School Related or Sponsored Activity Off Campus (03)				Discretionary Expulsion
	TEC §37.007(b)(5)	Off Campus, no school related or sponsored activity (04)				Discretionary Expulsion
	TEC §37.007(b)(5)	On school property, or at school related or sponsored activity, of another school district (05)				Discretionary Expulsion
59	Serious Misbehavior while expelled to or placed in a Disciplinary Alternative Education Program (DAEP) TEC §37.007(c)	On campus (01)				Discretionary Expulsion

DISCIPLINARY ACTION REASON CODES (C165)	DISCIPLINARY ACTION REASON CODES Translations	BEHAVIOR LOCATION CODES (C190)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	DISCIPLINARY ACTION CODES (C164)	
			Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion	
63*	E-Cigarettes TEC §37.006(a)(2)(C-2)	On campus (01)	Mandatory DAEP				
	TEC §37.006(a)(2)(C-2)	Off campus, within 300 feet (02)	Mandatory DAEP				
	TEC §37.006(a)(2)(C-2)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP				
64	Other Controlled Substances TEC §37.006(a)(2)(C) TEC §37.007(b)(2)(A)(i)	On campus (01)	Mandatory DAEP				
	TEC §37.006(a)(2)(C) TEC §37.007(b)(2)(A)(i)	Off campus, within 300 feet (02)	Mandatory DAEP				Discretionary Expulsion
	TEC §37.006(a)(2)(C) TEC §37.007(b)(2)(A)(i)	School Related or Sponsored Activity Off Campus (03)	Mandatory DAEP				Discretionary Expulsion



Section 2: DAEP/KEYS

**DAEP/KEYS CHECKLIST FOR REMOVALS:**

- ❑ Call the police if an offense requires mandatory removal or if the offense is discretionary but serious (e.g., theft). *Please note: Misdemeanor and felony offenses committed on campus, within 300 feet of campus, lunch periods in which a student is allowed to leave campus, or at a school related activity must be reported to the appropriate law enforcement agency.*
- ❑ Provide the student with due process. Explain your understanding of the incident and allow student to explain his/her actions.
- ❑ You may suspend the student or assign the student to SAC for up to three days while you arrange for a removal conference, but this is not a requirement if there is no safety concern. (In cases where more than three days is necessary to have the conference, a student may be emergency placed at the KEYS Academy (DAEP) – in this case, give oral notice to the student and parent, call KEYS, enter an emergency placement in Skyward SIS (Reason Code: 23, Action Code: 07), and schedule the conference as soon as possible. *Emergency removals must be followed by a removal conference.*)

Emergency placement: The principal or designee may place a student at KEYS if there is reason to believe that the student's behavior is so unruly, disruptive or abusive that it seriously interferes with a teacher's ability to communicate with students in a class, with the ability of the student's classmates to learn or with the operation of the school. At the time of this emergency placement the student and student's parents must receive oral notice of the reasons for the action. A removal conference must be held within five school days. Emergency placement may not be used as a substitute for removal. If emergency placement involves a student with disabilities who receives special education services, the term of the student's emergency removal is subject to the requirements of federal law.

- ❑ Disseminate the Teacher Notification and Feedback Forms to teachers (page 4). Administration should notify any service providers of the offense.
- ❑ Send notice of removal conference letter to parent/guardian. If the student receives Special Education or 504 services, include required notices/safeguards.
- ❑ Schedule conference (*even if student withdraws or it is the end of the year*). If you have made a good faith effort to contact the parent/guardian, you may hold the disciplinary conference without their presence.
- ❑ If student receives Special Education or 504 services, hold manifestation determination, please include a representative from KEYS, scripts are provided in Appendix B.
- ❑ Hold conference. Use script and report form provided. In attendance are the presenting Administrator/Campus Behavior Coordinator, SRO (if applicable), counselor, parent/ guardian, and student.
- ❑ Notify the parent of the decision and provide appeal form (if the decision is to remove). Parents/guardians should be provided with a copy of the Decision to Remove or Decision Not to Remove letter. If the student is to be removed, provide a Removal Appeal Form at the removal conference *and* with the Decision to Remove letter.

If you decide not to remove the student because you do not have a reasonable belief the offense occurred (e.g., lack of evidence), please indicate the reason and conference date in the comments section of the suspension or SAC (if applicable). If the offense was a mandatory offense and you found you did not have reasonable belief, you should change the offense code for any preceding disciplinary actions (e.g., ISS, OSS) to another code.



Please see guidelines for removal lengths the Removal Section of the Discipline Handbook.

*Please see **Section 8** regarding transfers for victims of certain offenses under federal and state law.*

- ❑ Enter removal into Skyward SIS discipline module immediately BEFORE the student is inactivated.
- ❑ If a student returns early (e.g., successful completion of early release program), adjust the Action Length in the Skyward SIS discipline module and assign a Difference Code.
- ❑ See Page 3 for notification requirements.

Note: Remember that all Special Education rules must be followed.

NOTE:

If a student is enrolling from another district and is under an open removal order:

- (1) If the student will be attending KEYS to complete the removal period, his/her teachers at the KEYS need to be informed of the offense; and/or
- (2) If the student will be enrolling at your campus, his/her teachers need to be informed of the offense.



REMOVAL NOTIFICATION

1. KEYS: DAEP KEYS ACADEMY INTAKE CHECKLIST (pg. 1 of KEYS Packet)

1. *To secure an intake date, the following documents are **REQUIRED** to be completed and faxed to 851-7287 or emailed to keysasi@sisd.net. Date:

- Discipline referrals entered into Skyward must match KEYS packet (all signatures & dates)
- Discipline history
- Notice of Removal Conference
- Removal Conference Report (2 pages)
- Copy of MDR proceedings
- Student HB4545 hours (if applicable)
- DAEP Removal Notice letter
- Notice to schools/ Police Report (if applicable)
- STAAR/SAT/ACT/EOC Report
- Withdrawal Form
- Attendance Record
- Grades in Progress and latest report card
- Transcript
- Copy of Discipline Transition plan for repeat offenders (TEC 37.023)
- Special Program documentation (SPED, LPAC, GT, etc).
- If honoring previous district placement: Provide their removal conference, notification of appeal process, discipline referral from previous campus as well as the other items related to current school

2. Obtain intake date from intake secretary. Intake Date: _____ Corresponding exit date: _____

3. Complete Student Referral and Information Form and gather all needed information:

- ELL/LPAC Meeting held: _____

For Transfer/Re-Entry students, please ensure that original copies of the following items are on file in the blue folder.

- Copies of Blue Folder
- Last LPAC minutes
- LOC
 - No Loss of Credit Contract
 - Student is currently being served for Loss of Credit. Committee Meeting Date: _____
 - Contract Agreement and attendance history attached

4. All items listed in the checklist section are required to be faxed to (915) 851-7287 or emailed to keysasi@sisd.net to receive an intake date. If any item(s) is (are) missing, KEYS secretary will communicate with campus administration and will schedule intake once packet is complete.



**TEACHER NOTIFICATION AND FEEDBACK FORM
REMOVAL CONFERENCE/EXPULSION HEARING**

A ☐ Removal Conference *or* ☐ Expulsion Hearing is going to be held for:

Student Name _____ Student ID _____ Grade _____

Hearing Date _____ Time _____

For the following offense: _____

Please note that this information is confidential and the State Board for Educator Certification may revoke or suspend the certification of a teacher or TA who intentionally violates this requirement.

Return this form to _____ by _____

Teachers:

1 st Per _____	5 th Per _____
2 nd Per _____	6 th Per _____
3 rd Per _____	7 th Per _____
4 th Per _____	

Describe academic behavior (on task, completion of work, homework, test taking...)

Approximate average _____	as of _____
Number of assignments _____	not done _____
Number of tests _____	not taken _____

Attitude and general conduct with teacher:

Attitude and general conduct with students:

Teacher interventions/Strategies tried:

Additional comments:



KEYS Academy: APPEAL PACKET TO ASSISTANT SUPERINTENDENT

Delivers to APPROPRIATE ASSISTANT SUPERINTENDENT

APPEAL CHECKLIST

- ☐ KEYS (DAEP) Removal Notice Letter
- ☐ KEYS (DAEP) Appeal Form
- ☐ Supplemental Report: School Notification (Mandatory DAEP)
- ☐ Discipline Referral Form
- ☐ Notice of Removal Conference
- ☐ Removal Conference Report
- ☐ Intervention Checklist
- ☐ Police/Staff/Student statements if applicable
- ☐ Student Demographic Page (SKYWARD SNAPSHOT)
- ☐ Copy of Withdrawal Form
- ☐ Grade Report
- ☐ Attendance History

Additional information may be requested for discretionary removals for persistent misbehavior (e.g., BIP for all special ed students.)

Note: A possessory conservator (noncustodial) parent may request in writing that the district provide them with a copy of any written notification relating to student misconduct that is generally provided by the district to a student's parent or guardian. Campus staff can confirm noncustodial parental status with a divorce decree or parent's name on the student's birth certificate.



REMOVAL CONFERENCE SCRIPT

Administrator/Campus Behavior Coordinator:

We are meeting to consider whether to remove or otherwise discipline (student's name) who presently is a student at (school). Everyone present at the meeting please state your name and relationship to the student.

As the Administrator/Campus Behavior Coordinator of the school, I will be acting as the Superintendent's Designee and will, therefore, be making the decision regarding the removal.

On (date), the student, parent/guardian, and/or representative were notified of: 1) the removal conference, 2) the reasons for the conference, 3) his/her right to explain his/her version of the incident(s), and 4) their right to participate in the conference.

My decision will be based upon the findings of this conference.

Before a student may be removed to a disciplinary alternative education program, I must determine that I have reasonable belief that (student's name) committed one of the following: (Choose 1, 2 or 3 as appropriate)

1. *(a) the student has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with other students in the class or with their ability to learn, or*

(b) the student has been determined by the teacher to be so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the students to learn, or
2. *The student has engaged in conduct specified in Section 37.006 of the Texas Education Code.*
3. *The student has engaged in serious or persistent misbehavior as defined in the SISD Student Code of Conduct.*

I will determine if the student is to be removed and the length of placement in the disciplinary alternative education program.

NOTE: If information is presented that criminal charges related to an alleged felony offense committed in the community have been dismissed or reduced to a misdemeanor the conference and removal process may be terminated.

(Use the following only if removal beyond the end of the school year is considered)

A student may be removed to a disciplinary alternative education program past the end of the school year if the student's presence in the regular classroom or at the home campus presents a danger of physical harm to the student or to other individuals.

At this time we will consider the behavior that has caused this conference to be held.

PRESENTATION OF FACTS by presenting Administrator/Campus Behavior Coordinator, probation officers or other law enforcement personnel. At this point state the basic charge(s).

Administrator/Campus Behavior Coordinator: (To student, parent, or representative) *I now want to hear from the student and parent or his/her representative one at a time.*



If the student receives Special Education or Section 504 services, consider the results of the manifestation determination at this time.

DISCUSSION OF DECISION

Inform the student, student's parent/guardian or representative of your decision or indicate when they will be notified.
Provide the parent/guardian with a copy of the removal appeal form.

NOTE: In situations where removal is considered for alleged felony offenses in the community and you determine that there is cause to believe that the student did engage in the conduct, explain to parents that the removal will be reviewed upon receipt of additional information from the juvenile or criminal justice system.

Does anyone have anything else to ask or to present? If not, the meeting is adjourned.

ADJOURN CONFERENCE



KEYS ACADEMY

Discovering Excellence

Please make sure ALL fields are complete and ALL documents are sent to DAEP. If not, this may delay the student intake date

Reason Code: _____ Home Campus: _____

KEYS Academy Intake Packet Checklist

Student Name: _____ Grade: _____ DOB: _____

Student ID#: _____ TSDS# _____ Case Number: _____

Placement (circle one): Mandatory or Discretionary

Special Programs (Circle applicable)

Dyslexia: Yes / No

ELL: Yes / No

GT: Yes / No

504: Yes / No if yes, Manifestation Date: _____

Special Ed: Yes / No if yes, MD/ARD Date: _____

Was FBA requested and BIP reviewed/ accepted through ARD (HB 785)?

Yes / No

Is the student undergoing a SPED evaluation of any type?

Yes / No

Is student currently placed in a specialized support (SS) class?

Yes / No

Checklist

- | | |
|---|--|
| ___ Discipline referrals (all signatures & dates) | ___ LOC contracts |
| ___ DAEP Removal Conference Report (2 pages) | ___ Notice of Right to Appeal |
| ___ Transcript (high school only) | ___ Notice to Law Enforcement/ Police Report |
| ___ Current student schedule | ___ Copy of MDR proceedings |
| ___ Grades in Progress (all classes must have grades) | ___ Copy of Discipline Transition plan |

If honoring previous district placement: Provide their removal conference, notification of appeal process, discipline referral from previous campus as well as the other items related to current school.

Campus Behavior Coordinator: _____ Signature: _____ Date: _____

Campus Administrator: _____ Signature: _____ Date: _____

*Administrator's signature indicates that all required documentation has been reviewed and included in the DAEP packet

Notes:

1. If student is assigned to an SS class or any unit, staffing is required.
2. All students are early exit eligible on their 1st placement of the school year regardless of previous school year discipline.
3. If a student is not eligible for early exit (repeat placements) or to participate in graduation, campus must specify within this document.
4. All documents must be legible, filled out completely, and require all party's signatures before scheduling an intake.
5. Please remit completed packet via email to keysasi@sisd.net.
6. Upon review of packet, KEYS will notify home campus of scheduled intake via email. Parent/ student may not attend an intake until such time.
7. Parent/ student must arrive on time for intake and remain for the entire process (approx. 2-3 hours) or they will be rescheduled and will accrue an unexcused absence at their home campus. Parents must bring ID and proof of residence.



KEYS ACADEMY

Discovering Excellence

Student: _____

Student ID: _____

Incident Date: _____

School: _____

On _____, a removal conference was held concerning the student's educational and behavioral records, to consider all relevant facts regarding the alleged offense(s), to consider the criteria for a removal to a disciplinary alternative education program, and to consider placement in a disciplinary alternative education program.

NOTICE to STUDENT and PARENT/GUARDIAN

Date of Notification: _____

If student has been charged with engaging in conduct punishable as a misdemeanor/felony provide
Police Case # _____

The Removal Conference was convened because of the following alleged offense(s):

The school administration's concise description supporting information regarding the alleged offense(s):

Mitigating Factors:

- _____ 1. Self-Defense
- _____ 2. Intent or Lack of Intent at the time the student engaged in conduct
- _____ 3. A student's disciplinary history; and
- _____ 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).
- _____ 6. A student's status as homeless.

STUDENT'S RESPONSE TO THE OFFENSE(S) AND EVIDENCE/SUPPORTING DATA

The student admitted to the alleged offense(s): Yes _____ No _____

Significant statement(s) made by the student and parents are as follows: [the following should be a concise description of the student's response to the alleged offense(s)]:

[Attach any written statements and accounts that were presented by the student, staff, or witnesses during the conference or investigation.]



KEYS ACADEMY

Discovering Excellence

CONFERENCE ISSUES (Circle applicable)

- The Administrator/Campus Behavior Coordinator did/did not determine that the information provided during the conference is sufficient to require removal.
- The parent/guardian agrees/disagrees with the decision to remove the student.
- The student and parents were/ were not given written notice of the Administrator/Campus Behavior Coordinator's decision on _____ (date).
- The conference was tape recorded: Yes _____ No _____
- Participants were/were not given the opportunity to provide additional comments in writing. (Please attach)

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM

The campus Administrator has decided that the student should/should not be removed to a DAEP (KEYS).

PEIMS Offense Code _____, which is a Mandatory/ Discretionary KEYS placement (circle one)

DAEP (KEYS) PLACEMENT (1st Offense of the SY is 9 Weeks & early exit eligible):

Mandatory or discretionary (circle one)

☐ Level 3: Secondary Students – Max 9 Weeks: 30 school days with parent involvement (3 sessions)

TERM ASSIGNED: ☐ 9 WEEKS ☐ 18 WEEKS

DISCRETIONARY EXPULSION DAEP (KEYS):

☐ Level 3: ☐ Level 4:

DAEP EXPULSION TERM ASSIGNED: ☐ 9 WEEKS ☐ 18 WEEKS ☐ 180 DAYS

If student is NOT removed, state the duration and conditions of any behavior contract or probation:

If removal is to extend beyond the end of the school year, it must be determined that the student's presence in the regular classroom or at the home campus presents a danger of physical harm to the student or to other individuals.

My signature below indicates that the discipline policy has been followed; this report has been reviewed and contains the required information. I have fairly and reasonably considered the information presented during the conference.

Parent's Signature

Date

Assistant Principal's Signature

Date

Campus Behavior Coordinator Signature

Date



KEYS ACADEMY

Discovering Excellence

Notice of Right to Appeal

Student's Name: _____ Date: _____ School: _____

Home Phone: _____ Address: _____ Work Phone: _____

The Socorro Independent School District's Student Code of Conduct provides for the appeal of a student's removal to the Discipline Alternative Educational Program. **An appeal form must be filed within 3 school calendar days of the date of the removal notice to the appropriate administrator at the level indicated below.** Untimely appeals will not be considered.

☐ **Level I: Principal**

☐ **Level II: Appropriate Assistant Superintendent**

☐ **Enrique Herrera, Assistant Superintendent (K-8 Middle/Middle)**

(915) 937-0301

☐ **Carlos Guerra, Assistant Superintendent (High Schools)**

(915) 937-0129

☐ **Level III: Appeals Committee:**

☐ **Dr. Andrea Cruz, Assistant Superintendent/Administrative Services**

(915) 937-0053

Within ten school calendar days of the receipt of your appeal, a meeting at the appropriate level will be scheduled to consider your appeal. You will receive written notice of the decision resulting from this appeal (please initial).

Were you notified of the hearing? Yes: _____ No: _____

Did you and/or your child attend the hearing? Yes: _____ No: _____

Were you and your child given an opportunity to present his/her side of the situation during the hearing?

Yes: _____ No: _____

Are you in agreement that the event occurred? Yes: _____ No: _____

Did your son/daughter admit involvement in the alleged offense(s)? Yes: _____ No: _____

If "No," what is your child's side of the situation? (please attach additional information if needed)

Please explain the reason for the appeal:

Parent's Signature: _____

Date: _____

By signing this form, I acknowledge that I have been made aware of the appeal process.



KEYS ACADEMY

Discovering Excellence

Notice of Right to Appeal -- *Derecho de Apelación*

Student's Name: _____ Date: _____ School: _____
Estudiante Fecha Escuela

Home Phone: _____ Address _____ Work Phone: _____
Su teléfono dirección teléfono en su trabajo

The Socorro Independent School District's Student Code of Conduct provides for the appeal of a student's removal to the Discipline Alternative Educational Program. **An appeal form must be filed within 3 school calendar days of the date of the removal notice to the appropriate administrator at the level indicated below.** Untimely appeals will not be considered.

El Código de Conducta Estudiantil del Distrito de Socorro autoriza la apelación de estudiante asignados al Programa Educativo Alternativo de Disciplina. Se debe presentar la apelación dentro de 3 días escolares posteriores a la fecha de este aviso, y presentarse al administrador apropiado en el nivel que se indica a continuación. No se tomarán en cuenta las apelaciones extemporáneas.

- ☐ **Level I: Principal** (*Director/a Escolar*)
- ☐ **Level II: Appropriate Assistant Superintendent** (*Asistente Superintendente apropiado/a*)
- ☐ **Enrique Herrera, Assistant Superintendent (K-8 Middle/Middle)** (*Escuelas de Kinder al 8*) **(915) 937-0301**
- ☐ **Carlos Guerra, Assistant Superintendent (High Schools)** (*Escuelas Secundarias 9 al 12*) **(915) 937-0129**
- ☐ **Level III: Appeals Committee:** *Comite de Apelaciones*
Dra. Andrea Cruz, Assistant Superintendent/Administrative Services (*Servicios Administrativos*) **(915) 937-0053**

Within ten school calendar days of the receipt of your appeal, a meeting at the appropriate level will be scheduled to consider your appeal. You will receive written notice of the decision resulting from this appeal (please initial _____).
Dentro de diez días escolares, posteriores a la fecha de recibir su apelación, se programará una reunión en el nivel apropiado para considerar su apelación. Ud. recibirá notificación por escrito de la decisión resultante de su apelación (por favor, inicie _____).

Were you notified of the hearing? *¿Se le notificó de la audiencia?* Yes/sí: _____ No: _____
Did you and/or your child attend the hearing? *¿Usted y/o su hijo/a asistieron a la audiencia?* Yes/si: _____ No: _____
Were you given an opportunity to present his/her side of the situation during the hearing?
¿Les dieron la oportunidad de presentar su versión de la situación durante la audiencia? Yes/si _____ No: _____
Are you in agreement that the event occurred? *¿Está de acuerdo en que el evento ocurrió?* Yes/si _____ No: _____
Did your son/daughter admit involvement in the alleged offense(s)?
¿Admitió su hijo/a participación en los presuntos delitos? Yes/sí: _____ No: _____

If "No," what is your child's side of the situation? (please attach additional information if needed)
Si la respuesta es "No", ¿cuál es el punto de vista de la situación de su hijo? (adjunte información adicional si es necesario).

Please explain the reason for this appeal: *Explique cual es el motivo de esta apelación:*

By signing this form, I acknowledge that I have been made aware of the appeal process.
Mi firma indica que he sido informado del proceso de apelación.

Parent's Signature(*Firma*): _____ Date (*fecha*): _____



KEYS Elementary

(Grades 3-5)

Please make sure ALL fields are complete and ALL documents are sent to DAEP. If not, this may delay the student intake date.

Reason Code: _____

Student ID#: _____

Sub Code: _____

Home Campus: _____

Placement (circle one): Mandatory or Discretionary

KEYS Elementary Intake Packet Checklist

Student Name: _____ Grade: _____ DOB: _____

Grade: _____ Case Number: _____

Special Programs

Dyslexia: Yes / No

ELL: Yes / No

GT: Yes / No

504: Yes / No if yes, Manifestation Date: _____

Special Ed: Yes / No if yes, MD/ARD Date: _____

Was FBA requested and BIP reviewed/ accepted through ARD (HB 785)?

Yes / No

Is the student undergoing a SPED psychological/counseling evaluation?

Yes / No

Is student currently placed in a specialized support (SS) class (Resource) or unit (BIC, PAS)?

Yes / No

Did the student participate in Campus Alternative Education Placement (CAEP)?

Yes / No

Checklist

___ Discipline referrals (all signatures & dates)

___ Discipline history report

___ Notice of Removal Conference

___ Removal Conference Report (2 pages)

___ DAEP Removal Notice letter

___ LPAC decision-making document w/accommodations

___ Attendance Record

___ Copy of MDR proceedings

___ Copy of Discipline Transition plan for repeat offenders (TEC 37.023)

___ If honoring previous district placement: Provide their removal conference, notification of appeal process, discipline referral from previous campus as well as the other items related to current school

___ Campus administration agrees to visit student during placement at KEYS Elementary.

___ LOC contracts

___ Student HB4545 hours (if applicable)

___ Notice to schools/ Police Report (if applicable)

___ STAAR Report

___ Withdrawal Form

___ Grades in Progress

___ Principal has been notified of placement

Campus Behavior Coordinator: _____ Signature: _____ Date: _____

Campus Administrator: _____ Signature: _____ Date: _____

*Administrator's signature indicates that all required documentation has been reviewed and included in the DAEP packet

Notes:

1. If student is assigned to an SS class or any unit, staffing is required.
2. If a student is not eligible for early exit and/or to participate in graduation, campus must specify within this document.
3. All documents must be legible, filled out completely, and require all party's signatures before scheduling an intake.
4. Please remit completed packet via email to kwright@sisd.net.
5. Upon review of packet, KEYS Elementary will notify home campus of scheduled intake via email. Parent/ student may not attend an intake until such time.
6. Parent/ student must arrive on time for intake Parents must bring ID.



KEYS Elementary

INTERVENTION CHECKLIST (required for discretionary placement)

The presenting Administrator/Campus Behavior Coordinator at the removal conference must discuss the interventions implemented for this student and the principal or principal's designee must sign the completed checklist and forward it as part of the removal paperwork.

Student Name **I. D. #** **Grade** **Date of Birth**

Intervention	Date (s)	Number of times implemented and outcomes
Teacher/team conference with student		
Campus Alternative Education Program		
Problem solving conference with parents		
Problem solving conference with administration		
Behavior strategies: including positive reinforcement, social skills training, self-control strategies, time out, modeling, environmental management		
Referral to community agency		
Peer mediation or conflict resolution		
Individual counseling sessions		
Behavior Intervention Plan		
Community Service		
Special Education / 504 Students: <ul style="list-style-type: none">FBA/BIP development, review, level of implementation of BIPSpecial Education Support Staff involvement (behavior specialist, special education counselor, assessment staff)ARD/504 committee meeting to review appropriateness of placement prior to manifestation or removal		
Other		

The appropriate interventions listed above have been attempted. Use back for further detail or explanation.

Assistant Principal Signature

Date

Campus Behavior Coordinator Signature

Date



KEYS Elementary

NOTICE OF REMOVAL CONFERENCE (DAEP)

Date _____

Name _____

Address _____

City, State, Zip Code _____

Student Name _____ D.O.B: _____ Date: _____

Dear Parent:

This letter is to confirm that you were notified of the following information by telephone on _____.

At this time, your presence and participation at a conference to discuss this possible placement to the DAEP will be held on _____ (date), _____ (time), in _____ (room).

Be advised that this removal will prohibit your child from attending any home campus activities until the student exits the program. The possible placement to the DAEP is for the following reasons:

Your child _____ is entitled to a hearing regarding this recommended placement. Your request for a hearing should be made within three (3) school calendar days from the receipt of this letter. If you do not request a hearing within the three (3) school calendar days, you will waive the right to act immediately on the recommended placement.

You have the right to be represented, if you desire to be represented, the appointment of your representative must be in writing. At the hearing you may present witnesses, written evidence and make reasonable arguments.

If you have any questions regarding the reason for this placement, or the need for more information concerning the hearing process, please feel free to contact me.

Sincerely,

Campus Behavior Coordinator (name and signature) SCHOOL PHONE

Parent Signature acknowledge receipt of the information: _____

Enclosures:

If Special Education: ARD/Manifestation Determination meeting notice and procedural safeguards

If 504: 504 Manifestation Determination meeting notice3 and procedural safeguards



KEYS Elementary

DAEP REMOVAL CONFERENCE REPORT (page 1)

School: _____
Incident Date: _____

Student: _____
Student ID: _____

On _____, a removal conference was held concerning the student's educational and behavioral records, to consider all relevant facts regarding the alleged offense(s), to consider the criteria for a removal to a disciplinary alternative education program, and to consider placement in a disciplinary alternative education program.

___ Student Receiving SPED/504 Services

A manifestation determination was held and it was determined that the behavior is /is not a manifestation of the disability. If it is, the maximum possible suspension removal is a total of 10 cumulative days. If not, regular education procedures are followed.

NOTICE to STUDENT and PARENT/GUARDIAN

Date of Notification: _____

IN ATTENDANCE

Administrator / Campus Behavior Coordinator	_____
Student	_____
Parent (s) / Guardian	_____
Counselor	_____
Diagnostician (if applicable)	_____
Other Present	_____

The Removal Conference was convened because of the following alleged offense (s):

The school administration's supporting information regarding the alleged offense(s) (concise description for considering removal):

Topics Discussed:

___ Self Defense
___ Intent or lack of intent at the time the student engaged in conduct
___ Student's disciplinary history
___ Disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct
___ Intervention Checklist (Discretionary Placement)



KEYS Elementary

REMOVAL CONFERENCE REPORT (page 2)

STUDENT'S RESPONSE TO THE OFFENSE(S) AND EVIDENCE / SUPPORTING DATA

The student admitted to the alleged offense(s): Yes _____ No _____

Significant statement(s) made by the student and parents are as follows: (concise description of the student's response to the alleged offense(s):

(Attach any written statements and accounts that were presented by the student or staff during the conference.)

CONFERENCE ISSUES

- The Administrator/Campus Behavior Coordinator did / did not determine that the information provided during the conference is sufficient to require removal.
- The parent/guardian agrees / disagrees with the decision to remove the student.
- The student and parents were given written notice of the Administrator / Campus Behavior Coordinator's decision on _____ (date).
- The conference was tape recorded: Yes _____ No _____
- Participants were / were not give the opportunity to provide additional comments in writing. (Please attach)

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM

The Administrator / Campus Behavior Coordinator has decided that the student should / should not be removed to a DAEP (KEYS).

PLACEMENT: _____ Discretionary _____ Mandatory Early Exit Eligible: Yes _____ No _____

TERM ASSIGNED: _____ 3 weeks _____ 6 weeks _____ 9 weeks

If student is NOT removed, state the duration and conditions of any behavior contract or probation:

If removal is to extend beyond the end of the school year, it must be determined that the students' presence in the regular classroom or at the home campus presents a danger of physical harm to the student or to other individuals.

My signature below indicates that the disciplinary policy has been followed; this report has been reviewed and contains the required information. I have fairly and reasonably considered the information presented during the conference.

Parent's Signature

Date

Assistant Principal's Signature

Date

Campus Behavior Coordinator Signature

Date

xc: KEYS Elementary Principal



KEYS Elementary

DAEP REMOVAL NOTICE LETTER

Date: _____

Name _____

Address _____

City, State, Zip Code _____

RE: _____ (student's name)

Dear Parent:

On _____ (date), I approved the removal to a disciplinary alternative education program of your son/daughter (referenced above) from _____ (school) for a term of:

☐ 3 WEEKS

☐ 6 WEEKS

☐ 9 WEEKS

In addition, I have forwarded notice of the removal to the Principal at KEYS Elementary for implementation of the district's Discipline Alternative Education Program. You will be notified via telephone of your scheduled intake appointment date at KEYS Elementary located at Benito Elementary, 2640 Robert Wynn St., El Paso, TX 79936.

The disciplinary decisions are based on a reasonable belief that a violation occurred. Reasonable belief may be based upon, but not limited to, the following: witnesses, affidavits, arrest warrants, and judicial dispositions. Please be advised that a no-bill by a Grand Jury, or a reduction or acquittal of charges by a court, while taken into serious consideration, may not in and of itself negate the district's reasonable belief.

If you do not agree with this decision, an appeal form must be filed within 3 school calendar days of the date of this removal notice. Attached is an appropriate form for this purpose should you desire the appeal.

Please be advised your son/daughter is prohibited from attending any SISD functions. If he/she is found on campus or at a school function, the administration will file trespassing charges against him/her.

If you need further assistance, please contact me at _____ (telephone number).

Sincerely,

Assistant Principal

Campus Behavior Coordinator Signature

Parent Signature for acknowledgement of receiving this information: _____

xc: KEYS Elementary P



KEYS Elementary

DAEP APPEAL FORM

(to be provided to parent)

Student's Name: _____ Date: _____
School: _____ Home Phone: _____
Address: _____ Work Phone: _____

The Socorro Independent School District's Student Code of Conduct provides for the appeal of a student's removal to the Discipline Alternative Educational Program. **An appeal form must be filed within 3 school calendar days of the date of the removal notice to the appropriate administrator at the level indicated below.** Untimely appeals will not be considered.

- ☐ **Level I: Principal**
☐ **Level II: Appropriate Assistant Superintendent**
 ☐ Jennifer Trejo, Assistant Superintendent (Elementary/Elementary Academies/K-8 Elementary) (915) 937-0301
 ☐ Enrique Herrera, Assistant Superintendent (PK-8 Middle) (915) 937-0118
☐ **Level III: Appeals Committee:**
 Dr. Andrea Cruz, Assistant Superintendent/Administrative Services (915) 937-0053

Within ten school calendar days of the receipt of your appeal, a meeting at the appropriate level will be scheduled to consider your appeal. You will receive written notice of the decision resulting from this appeal.

Were you notified of the hearing? Yes: _____ No: _____
Did you and/or your child attend the hearing? Yes: _____ No: _____
Were you and your child given an opportunity to present his/her side of the situation during the hearing? Yes: _____ No: _____
Are you in agreement that the event occurred? Yes: _____ No: _____
Did your son/daughter admit involvement in the alleged offense(s)? Yes: _____ No: _____
The appeal process has been explained to me. Yes: _____ No: _____

If "No," what is your child's side of the situation? (please attach additional information if needed)

Please explain the reason for the appeal:

Parent's Signature: _____ Date: _____



KEYS ACADEMY

Discovering Excellence

Please make sure ALL fields are complete and ALL documents are sent to DAEP. If not, this may delay the student intake date

Reason Code: _____

Student ID#: _____

Sub Code: _____

Home Campus: _____

Placement (circle one): Mandatory or Discretionary

KEYS Academy Intake Packet Checklist

Upholding Other District Placement Order

Student Name: _____ Grade: _____ DOB: _____

Grade: _____ DOB: _____ TSDS# _____ Case Number: _____

Special Programs

Dyslexia: Yes / No

ELL: Yes / No

GT: Yes / No

504: Yes / No if yes, Manifestation Date: _____

Special Ed: Yes / No if yes, MD/ARD Date: _____

Was FBA requested and BIP reviewed/ accepted through ARD (HB 785)? Yes / No

Is the student undergoing a SPED psychological/counseling evaluation? Yes / No

Is student currently placed in a specialized support (SS) class (Resource) or unit (BIC, PAS)? Yes / No

Checklist

- | | |
|--|--|
| ___ Discipline referrals (all signatures & dates) | ___ LOC contracts (current yr grad. cohort) |
| ___ Notice of Removal Conference | ___ Transcript (high school only) |
| ___ Removal Conference Report (Previous District Decision) | ___ Student HB4545 hours (if applicable) |
| ___ DAEP Removal Notice letter | ___ Notice to schools/ Police Report (if applicable) |
| ___ LPAC decision-making document w/accommodations | ___ STAAR/SAT/ACT/EOC Report |
| ___ Attendance Record | ___ Withdrawal Form |
| ___ Copy of MDR proceedings | ___ Grades in Progress |

Campus Behavior Coordinator: _____ Signature: _____ Date: _____

Campus Administrator: _____ Signature: _____ Date: _____

*Administrator's signature indicates that all required documentation has been reviewed and included in the DAEP packet

Notes:

1. If student is assigned to an SS class or any unit, staffing is required.
2. If a student is not eligible for early exit and/or to participate in graduation, campus must specify within this document.
3. All documents must be legible, filled out completely, and require all party's signatures before scheduling an intake.
4. Please remit completed packet via email to keysasi@sisd.net.
5. Upon review of packet, KEYS will notify home campus of scheduled intake via email. Parent/ student may not attend an intake until such time.
6. Parent/ student must arrive on time for intake and remain for the entire process (approx. 2-3 hours) or they will be rescheduled and will accrue an unexcused absence at their home campus. Parents must bring ID and proof of residence.



[Type here]

KEYS ACADEMY

Discovering Excellence

Date: _____

KEYS Academy:

Attached please find documentation to substantiate the continuation of a DAEP placement/expulsion for the following newly enrolled student:

Date of Enrollment: _____

Student Name: _____

ID# _____

DOB: _____

PLACEMENT ORDERED BY: _____ ISD

PERIOD OF ORIGINAL PLACEMENT: _____ DAYS

of DAYS to serve at KEYS: _____

If you have any questions, please contact me.

Thank you,

Administrator's Signature

Campus Behavior Coordinator



KEYS ACADEMY

Discovering Excellence

Date: _____

Name: _____

Address: _____

City, State, Zip Code : _____

RE: (student's name)

Dear _____:

As per the Socorro ISD Student Code of Conduct, a newly enrolled student assigned to a DAEP in another district will be placed directly into the district's DAEP-KEYS Academy for the term designated by the previous district.

Please be advised Socorro ISD will uphold the other district's placement order for the following student:

Date of Enrollment: _____

Student Name: _____

ID# _____

DOB: _____

PLACEMENT ORDERED BY: _____ ISD

PERIOD OF PLACEMENT: _____ DAYS

Student will be eligible to return to _____ School on _____.

Please be advised your son/daughter is prohibited from attending any SISD school functions. If he/she is found on campus or at a school function, the administration will file trespassing charges.

If you need any further assistance, please contact me at (telephone number).

Sincerely,

Assistant Principal Signature

Campus Behavior Coordinator Signature

Parent Signature acknowledge receipt

xc: Principal KEYS

Updates in Special Education



Contact Person for Special Education Referrals

School:

Contact Person:

Phone Number:

To begin the special education process for your child:

Resources for Families

TEA has created topic specific information for families. Scan the QR code or use the link to access these resources.



direc.to/dVYo

Family members can call or log on to find answers to their questions as well as general information about special education.



SpEdTex.org



1.855.773.3839



Beginning with the 2017 school year, the Texas Education Agency (TEA) changed the way it reports special education enrollment in school systems. TEA no longer includes a target for a school system's total numbers of students in special education as part of state monitoring.

For special education representation, TEA only reports on over-representation within certain race, ethnicity and disability categories, as required by federal law. **School systems cannot use this reporting data to delay, deny or prevent a referral for an evaluation for special education services.**



Special education/IDEA eligibility:

The Individuals with Disabilities Education Act, also known as IDEA, is a federal law that gives eligible students with disabilities the right to receive special education services and assistance in school. **To be eligible for special education services, a student with a disability must need instruction that is specially designed to meet the student's unique needs based on that disability.**



Who can request an evaluation for special education?



Parents or Guardians:

A parent or guardian has the right to request a special education evaluation at any time. It is best to submit this request in writing to your school's principal or to the school district's special education director. If your child is pre-school age and not yet enrolled in school, send the letter to the district's special education director.



School:

If the school knows or has reason to suspect that the student has a disability and a need for special education services, the school must refer the student for a special education evaluation.

More information on evaluation timelines can be found at: direc.to/dVYR

A parent or guardian has the right to request a special education evaluation at any time.



Actualizaciones en Educación Especial



Persona de contacto para las remisiones de educación especial

Escuela:

Persona de contacto:

Número de teléfono:

Para comenzar el proceso de educación especial para su hijo:



Recursos para las familias

La TEA ha creado información específica para las familias. Escanee el código QR o utilice el enlace para acceder a estos recursos.



direc.to/dVYo

Los miembros de la familia pueden llamar o conectarse para encontrar respuestas a sus preguntas, así como información general sobre la educación especial.



SpEdTex.org



1.855.773.3839



A partir del año escolar 2017, la Agencia de Educación de Texas (TEA, por sus siglas en inglés) cambió la forma en que informa la inscripción a la educación especial en sistemas escolares. La TEA ya no incluye un objetivo para el número total de estudiantes en educación especial del sistema escolar como parte de la supervisión del estado.

Para la representación de educación especial, la TEA solo informa sobre la excesiva representación dentro de ciertas categorías de raza, grupo étnico y discapacidad, según lo exige la ley federal. **Los sistemas escolares no pueden utilizar estos datos para retrasar, negar o evitar una remisión para una evaluación para los servicios de educación especial.**



Elegibilidad para educación especial/IDEA

La Ley de Educación para Personas con Discapacidad, también conocida como IDEA (por sus siglas en inglés) es una ley federal que otorga a los estudiantes elegibles con discapacidad el derecho a recibir servicios de educación especial y asistencia en la escuela. **Para ser elegible para los servicios de educación especial, un estudiante con discapacidad debe necesitar instrucciones especialmente diseñadas para satisfacer las necesidades únicas del estudiante basadas en esa discapacidad.**



¿Quién puede solicitar una evaluación para la educación especial?



Padres o tutores legales:

Un padre o tutor legal tiene el derecho a solicitar una evaluación de educación especial en cualquier momento. Es mejor presentar esta solicitud por escrito al director de su escuela o al director de educación especial del distrito escolar. Si su hijo está en edad preescolar y aún no está inscrito en la escuela, envíe la carta al director de educación especial del distrito.



Escuela:

Si la escuela sabe o tiene razones para sospechar que el estudiante tiene una discapacidad y una necesidad de servicios de educación especial, la escuela debe derivar al estudiante para una evaluación de educación especial.

Puede obtener más información sobre los plazos de evaluación en: direc.to/dVYR

Un padre o tutor legal tiene el derecho a solicitar una evaluación de educación especial en cualquier momento.





Transition Plan from Alternative Education Program to Regular Classroom

Campus: _____

Student Name: _____ ID#: _____ Grade: _____

DAEP Release Date: _____ Return to Home Campus Date: _____

Not later than five instructional days after the date of a student's release from an alternative education program (AEP), the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from the required transition team (§37.023, Education Code).

1. Determine the best educational placement for the student as required by §37.023(d)1, Education Code. (The transition team may review the student's academic progress while attending the AEP, including the academic growth assessment provided by the AEP Administrator).

2. List any recommendations for counseling, behavior management, academic assistance (Also, list any assistance obtained for mental health services provided by the district/school, a local mental health authority, or another private or public entity).

3. The students progress to include academics, attendance and discipline will be reviewed on the following:

- | | |
|---|---|
| <input type="checkbox"/> Daily | <input type="checkbox"/> Weekly |
| <input type="checkbox"/> Monthly | <input type="checkbox"/> Every Six Weeks |
| <input type="checkbox"/> Every Nine Weeks | <input type="checkbox"/> Other (Specify): _____ |

4. The student's parent(s)/guardian were provided with information about the process to request a full individual and initial evaluation of the student for purposes of special education services under Section 29.004, Education Code.

- ☐ Yes
☐ No

5. Identify any behaviors of concern the committee may need to address.

6. Identify goals set forth by the student and the transition committee.



7. Identify any other possible deterrents that may affect student's progress such as LOC hours student may need to complete, credits student needs to make up, etc.

8. Indicate how the above deterrents will be addressed in order that student is successful.

- ☐ Monitoring Student's progress
- ☐ Mentor
- ☐ Attendance Plan
- ☐ Schedule Change
- ☐ Student will attend Intercession (March/October)
- ☐ Summer School
- ☐ Community Service
- ☐ Extra-Curricular activities/Sports
- ☐ Other: _____

Follow-up Notes:

Date: _____ Notes: _____

Date: _____ Notes: _____

Date: _____ Notes: _____

Date: _____ Notes: _____

Date: _____ Notes: _____

Transition Team Member Signature: _____

Parent's Name: _____ Date met with Parent: _____

The transition team's signatures below acknowledge the identified goals above and will work together to help the student be successful and continue academic progress:

Required Transition Team (§37.023, Education Code):

Campus Behavior Coordinator: _____ Date: _____

School Counselor(s): _____ Date: _____

School Peace Officer(s): _____ Date: _____

Student Resource Officer(s): _____ Date: _____

Licensed Master Social Worker: _____ Date: _____

Classroom Teacher(s): _____ Date: _____

Other School District Personnel: _____ Date: _____

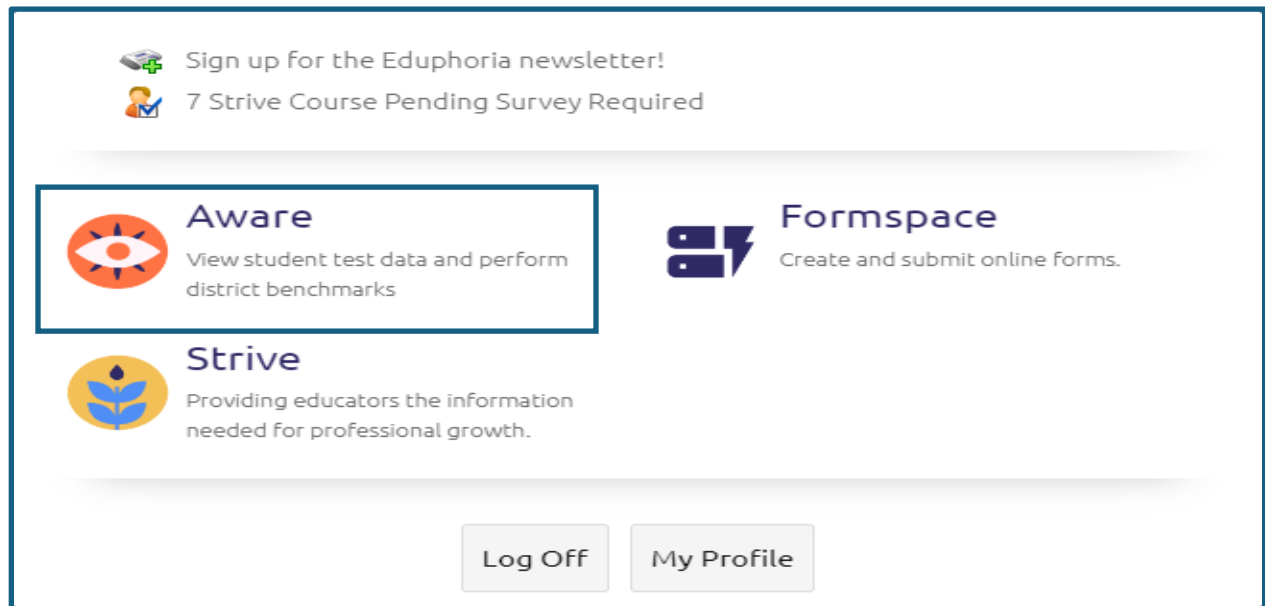


Eduphoria Aware

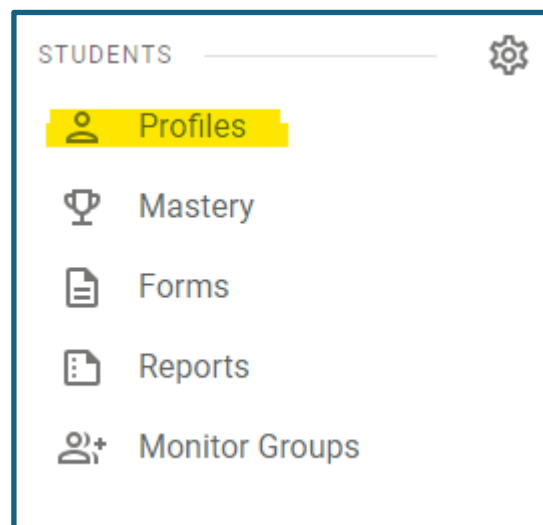
The Transition Plan Committee should be held via TEAMS. For documentation purposes, download the attendance to show those present.

I. Searching for Student

1. Log into mysisd.net
2. Select Eduphoria from Employee Tools
3. Select Aware



4. Select Profiles under the STUDENTS tab





5. In the Search by Name or ID, you can enter the student id# or name to search for student
 - a. Once you locate the student, click on the student name to open the student profile.

Profiles [Back to Classic Aware](#)

Grade School Teachers Courses Enrollment Programs Monitor Groups Forms Race/Ethnicity Reset Filters

6. Click on the Forms tab and select the Add Form
 - a. Select Administrative Services
 - b. Select Transition Plan

Almaraz

Student ID: [REDACTED] Birth: 8/3/2006

Grade Level: [REDACTED] Ethnicity: Hispanic/Latino

Campus: [REDACTED]

Advisors: [REDACTED]

General Tests and Scores **Forms** Journal Portfolios Mastery

Add Form Attach Document

- Remote Learning Academy
- HANDS Program
- Foster Care
- Administrative Services**
- Transition Plan

7. Click on the View icon

Alfaro, Kenneth Samuel

Student ID: 896524 Date of Birth: 2/16/2009

Grade Level: Ninth Ethnicity: Hispanic/Latino

Campus: OCS/REIS Academy

General Tests and Scores **Forms** Journal Portfolios Mastery

Add Form Attach Document

- Remote Learning Academy
- HANDS Program
- Foster Care
- Administrative Services**
- Transition Plan

Transition Plan from Alternative Education Program to Regular Classroom Not later than five instructional days after the date of a student's release from an alternative education program (AEP), the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from the required transition team (IS7A02, Education Code).

Assigned By: Martinez, Amanda On: 3/19/2024



II. Entering the Student Transition Plan

The student demographic section is automatically populated. You may now enter the transition plan specific to the student. *(Note: this document is part of open records).*

General Tests and Scores Forms Journal Portfolios Mastery

Save Mark as Updated Archive Refresh Data

Transition Plan From Alternative Education Program to Regular Classroom

Student ID: [Redacted] Grade Level: Ninth

Date of Birth: [Redacted] Ethnicity: Hispanic/Latino

Programs: [Redacted]

[Refresh](#)

DAEP Release Date: 3/19/2024

Return to Home Campus Date: 3/25/2024

Transition Plan Meeting Date: 3/19/2024

Determine the best educational placement for the student as required by §37.023 (d) 1, Education Code.
The transition team may review the student's academic progress while attending the AEP, including the academic growth assessment provided by the AEP Administrator.

review progress

1. Begin entering the transition plan filling in all areas
 - a. You may upload additional attachments such as counseling visits, mental health/dr. notes, etc. that is relevant to the student's transition plan. You can also attach the TEAMS meeting attendance list here!

DAEP Release Date: Not Set

Return to Home Campus Date: Not Set

Transition Plan Meeting Date: Not Set

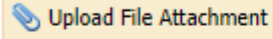

Determine the best educational placement for the student as required by §37.023 (d) 1, Education Code.
The transition team may review the student's academic progress while attending the AEP, including the academic growth assessment provided by the AEP Administrator.

review progress

- b. Include all follow-up notes to include dates
 - c. Indicate all committee members and full names along with their title. This section serves as an electronic signature




Upload any additional information/resources.
Select a file to upload:


As per the Texas Education Code 37.023, the required transition team must

List all Transition Plan Team members and title.
Type Full Name and Title for Electronic Signature. Electronic signatures ser



2. Once transition plan has been filled out, be sure to SAVE!

Alfaro, Ke [REDACTED]







Student ID: 890524 **Birth:** 2/16/2009

Grade Level: Ninth **Ethnicity:** Hispanic/Latino

Campus: 003 KEYS Academy

General Tests and Scores Forms Journal Portfolios Mastery

 Save  Mark as Updated  Archive  Refresh Data

III. Logs and Reports

1. Click on Forms and Transition Plan

Overview

ANALYSIS

- Quick Views
- Data Views Bank
- Single Test
- Reports

ASSESSMENTS

- Author

STUDENTS

- Profiles
- Mastery
- Forms**

Aware > Students

Forms - District #1

FORM CATEGORIES Search by Title RESET FILTERS

TITLE	CATEGORY
Transition Plan	Administrative Services
Attendance	Attendance
Truancy, Court Recommendation Summary	Attendance
Truancy Prevention Student Plan of Action	Attendance
HS Student SOC 2013 Summer Accelerated Intervention Plan	Curriculum & Instruction
SOC Personal Education Plan (PEP) 2014-2015	Guidance & Counseling
Skills Observation Checklist District	Guidance



2. Click on Log

Aware > Students > Forms

Transition Plan

#2

General Form Editor Security **Log** Advanced

Save Delete

Basic Information

Form Title:
Transition Plan

Description:
Transition Plan from Alternative Education Program to Regular Classroom
Not later than five instructional days after the date of a student's release from an alternative required transition team (§37.023, Education Code).

Category:
Administrative Services

Selected Campuses
Select the campuses where this form will be available.
Filter Campuses:
Any Grade Level

Here, you can see any activity for the specific student to include who viewed and saved transition plan.

Aware > Students > Forms

Transition Plan

#3

General Form Editor Security Log Advanced

003 KEYS Academy Activity Log Print

Assigned to Student
Staff Member: Martinez, Amanda Date: 3/19/2024 12:46:11 PM

Viewed by Staff Member
Staff Member: Martinez, Amanda Date: 3/19/2024 12:46:11 PM

3. Go to Reports and select the Student Forms Status report

Aware > Students

Reports

#1

Student Forms Status Report



4. Select the parameters below (*you may select pdf or excel*) and click on Submit.

Student Forms Status Report

Select the options for the report below:

Select Filter Options:

Form: Transition Plan

School: 003 KEYS Academy

Grade Level: All

Sort By: Student Name

Exclude Archived: ☒ No ☐ Yes

Format: ☒ PDF ☐ Excel

Submit Report

Here is a sample of the report.

Student Forms Status Report - Transition Plan

Student Name	Student ID	Assigned By	Date Assigned	Last Update	Last Update User	Archived	Campus	Grade
		Martinez, Amanda	3/19/2024 11:46:10 AM	3/20/2024 12:34:05 PM	Martinez, Amanda	No	003 KEYS Academy	9



Section 3:

Campus Alternative Education Program Guide For Campus Adminsistrators



SISD

2024-2025

CAMPUS ALTERNATIVE EDUCATION PROGRAM GUIDE FOR CAMPUS ADMINISTRATORS



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SECTION I. BACKGROUND INFORMATION & HISTORY

A. DISCIPLINE TASK FORCE

In the Spring of 2024, the Discipline Task force was created in an effort to address multiple disciplinary issues occurring in the Socorro Independent School District. Along with these concerning issues, the Discipline Task Force was given the opportunity to launch a district wide initiative to implement an On Campus Alternative Education Program (CAEP). This program will be offered to students that may meet certain criteria that is outlined in this guide, in lieu of KEYS Academy.

Discipline Task Force Members

Elementary	Middle School	High School	District
Jesse Aguirre	Raul Caldera	Venessa Betancourt	James Vasquez
Jenifer Hansen	Gabriella Elliott	Luis Carrillo	Dr. Andrea Cruz
Ryan Marquez	Valerie Hairston	David Herrera	Dr. Carmen Olivas-Graham
Jesus Mendez	Lorenzo J Lopez JR	Dr. Ignacio Estorga	Tammi Mackeben
Dr. Kertrenia Wright	Gerardo Talamantes	Dr. Theresa Hentges	Angelica Hernandez
			Hilda Miranda
			Amanda Martinez

B. RISE HISTORY

The Remain in School Environment (RISE) Program was designed in 2022 as a means to provide parents, students and school administrators another form of disciplinary action in place of the Socorro Independent School District's Disciplinary Alternative Education Placement (DAEP).

The creation and implementation of the RISE program stemmed from Mr. Carrillo's experience as an assistant principal at KEYS Academy (SISD's DAEP campus) from 2018 to 2021. During his tenure at KEYS Academy and through many conversations with parents, he gathered that parents' main concern for their child's placement at KEYS Academy was their child's interrupted learning process and the injustice their child endured. Most students who are placed at KEYS Academy have no prior disciplinary record and, in some cases, are enrolled in advanced academics at their home campus (i.e. Dual Credit, Advanced Placement, Specialty District program courses).

Mr. Carrillo is currently an assistant principal at Pebble Hills High School in the Socorro Independent School District. One of his roles as an assistant principal is the Campus Behavior Coordinator. Mr. Carrillo was able to see the campus disciplinary process through a different lens. Taking parent concerns and student experiences from KEYS Academy, he wondered if a program could be implemented to keep students from going to KEYS Academy, especially if this was their first offense. Although skeptical, colleagues whom the RISE Program was shared with, encouraged him to continue developing the idea and present it so that the campus could pilot the program next school year.



The idea of the RISE program was in response to the need for an alternative form of discipline besides sending students to KEYS Academy. The experience working at KEYS Academy provided insight into what students and parents liked and disliked about being placed at KEYS Academy. Parents disliked the idea of not having transportation for KEYS. They also stated that, even though their child was the one that committed the offense, they were also being punished. Students disliked many things about KEYS Academy, dress code being their least favorite. While developing the idea of the RISE program, those concerns were taken into consideration while ensuring that students were still held accountable for their actions. Rules were incorporated that were used at KEYS to develop the RISE contract, rules, and expectations.

However, one of the biggest hurdles was responding to questions such as: Is the RISE program legal? Can we keep students that committed mandatory offenses (i.e. possession of THC) on campus? According to the Education Code Chapter 37.001 not only is it legal, it is a requirement to consider all mitigating factors. Sec 37.001 states that in addition to establishing standards for student conduct, the student code of conduct must: specify that consideration will be given, as a factor 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, to:

- (A) self-defense;
- (B) intent or lack of intent at the time the student engaged in the conduct;
- (C) a student's disciplinary history;
- (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
- (E) a student's status in the conservatorship of the Department of Family and Protective Services; or
- (F) a student's status as a student who is homeless;

In addition, our Student Handbook and Code of Conduct supports the RISE program which provides administrative discipline options for level 3 offenses. When a student is not placed in a DAEP a campus may include but are not limited to:

1. Reassignment of classes
2. In School Suspension (ISS)/Special Assignment Class (SAC)
3. Suspension as defined in TEC, S.37.005
4. Notification of police, with filing of charges when appropriate
5. Voluntary enrollment in a residential drug or alcohol rehabilitation/treatment program. The terms of placement prohibit the student from attending or participating in a school-sponsored or school-related activity (Sec. 37.006 (c))
6. Any other similar, appropriate discipline management techniques

Pebble Hills High School piloted the RISE program in the Spring semester of 2023 with the approval of Pebble Hills High School principal, Ivan Ramirez. During the first year of RISE, the program had 102 students of which 11 reoffended and were sent to KEYS. This gave us a recidivism rate of 11 percent. For the 2023-2024 school year, Pebble Hills had 123 students in the RISE program. Four students reoffended, which gave us a recidivism rate of 3 percent. This program has given many students the opportunity to be disciplined while keeping their academic experience uninterrupted.



SECTION II. DETERMINING PLACEMENT TO THE CAMPUS ALTERNATIVE EDUCATION PROGRAM (CAEP)

A. STUDENT QUALIFICATION

1. A student commits a disciplinary offense, the administrator may proceed with giving the student a maximum of 2 days of OSS and 3 days of ISS to have time to finish investigation. It is the campus administrator discretion to determine the disciplinary action taken.
2. Once the investigation is complete, the administrator will consult with the principal or designee to determine if the student qualifies for the CAEP program with the use of CAEP Flow Chart (*campuses may consider using the appeals process to assign CAEP*).
3. Once the decision is made and the student qualifies for the CAEP program, the administrator will schedule a meeting with parents and student to provide findings and discuss disciplinary consequences.
4. Students must be in grade levels 3rd–12th.

The administrator should consider the following in determining CAEP placement:

1. Student commits a discretionary or mandatory DAEP offense
2. The offense in question DOES NOT adversely affect the student's, or others educational environment and/or safety.
3. Mitigating factors (TEC 37.009/SCOC) have been taken into consideration to include the following:
 - a. self-defense;
 - b. intent or lack of intent at the time the student engaged in the conduct;
 - c. a student's disciplinary history
 - d. a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
 - e. a student's status in the conservatorship of the Department of Family and Protective Services; or
 - f. a student's status as a student who is homeless (HANDS Program)
4. Student is currently in a Magnet/P-TECH/Early College or IB Program in High School
5. Student is currently in dual credit courses
6. Refer to the Behavior Tiered Flow Chart for further guidance (*located in the Appendix Section of the manual*)

B. STUDENT NON-QUALIFICATION

A student is **NOT** eligible for the CAEP program if:

1. The offense is a MANDATORY JJAEP offense (*Level 4 offense*)
2. The offense in question adversely affect the student's safety, or others educational environment and/or their safety
3. Mitigating factors were considered and not met

If it is determined that student DOES NOT qualify for the CAEP program, campus will proceed with the KEYS and/or JJAEP Placement.

(Please note: JJAEP placements must be a mandatory JJAEP offense. Refer to the Level 4 chart).



SECTION III: IMPLEMENTATION OF THE CAMPUS ALTERNATIVE EDUCATION PROGRAM (CAEP)

A. INSTRUCTIONS

1. During the meeting, the administrator thoroughly reviews the CAEP contract rules and expectations to include start and end dates. All CAEP placements are 9 weeks in length but students can qualify for early exit with no less than 6 weeks and have a total of 800 points accumulated. Points are based on daily log. See daily log for more details.
2. If a parent does not agree with the CAEP placement, they have the right to appeal with the campus principal and follow the KEYS appeal process.
3. After the CAEP contract is signed by all parties, students start the program on the designated date.
Note: Students must be in full compliance by the first day. If not, the administrator needs to communicate with parents and if necessary possibly adjust dates.
4. Once student is assigned to CAEP, the following applies:
 - Student needs to report to the designated person who will oversee checking in students in the morning. For example, SAC aide, security, or administrator.
 - Students should check in within the allotted time to get the full credit. During the check-in, student will be checked for dress code and uniform requirements.
 - Student should not be in possession of prohibited items such as earrings, rings, chains, and cellphones.
 - Student is expected to perform community service such as picking up trash during lunch. This is a site-based decision as to the duties assigned for community service.
 - Student needs to carry their daily logs and turn them in at the end of week to the front office.
 - Students will need to meet with the administration once a week to review grades, attendance and discipline. Students will get points based on these conversations that help students exit early from the RISE program.

B. EXPECTATIONS AND RULES CLARIFICATIONS:

What do we do if a student doesn't follow program expectations and rules?

It is written in the contract that administration reserves the right to continue with KEYS placement for not complying with the CAEP contract and that any time served on program will not be credited to KEYS Academy Placement. If you decide to send a student to KEYS after student being on the program for several days, then you will need to send the student to KEYS on a discretionary placement for insubordination. If a student refuses to comply 1 or 2 days after the initial decision and parent/student meeting, then you can proceed to send to KEYS with original referral.

C. COMMITTING ANOTHER LEVEL 3 OFFENSE

What do we do if a student commits another level 3 offense?

This is a site-based decision. You have the right to place student at KEYS Academy.

SECTION IV: FORMS

The following forms will be reviewed and signed by student and parent: *(Some of the criteria may differ from one campus to another)*. Editable Templates will be housed and available for campus administration by the Office of Administrative Services.

- A. **Flow Chart** – This chart should be used as a guide to determine CAEP eligibility
- B. **Student/Parent Contract** – Outlines the expectations for both parents and students



- C. **Student Daily Log** – A form that students will utilize to monitor student attendance, punctuality, grades, discipline, dress code, community service hours, etc. (2 form options).

The forms will be located in the Appendix section of this manual.

SECTION V: SKYWARD CODING FOR CAEP - The PEIMS coding for discretionary and mandatory placements will be slightly different.

A. Discretionary Placement

07 – Placement in Off-Campus DAEP

54 – Placement in Off-Campus (with hearing officer)

And

Any other action taken, such as OSS, ISS, student/parent conference, etc.

New: Student placed in the Campus Alternative Education Program (CAEP)

99 – Campus AEP Placement (CAEP)

B. Mandatory Placement

01 - Expulsion without placement

02 – Expulsion with placement to JJAEP

03 – Expulsion with placement on-campus to DAEP

04 – Expulsion with placement to DAEP

07 – Placement in Off-Campus DAEP

And

Any other action taken, such as OSS, ISS, student/parent conference, etc.

New: Student placed in the Campus Alternative Education Program (CAEP)

099 – Campus AEP Placement (CAEP)

(this coding is NOT allowable for Level 4 - JJAEP Offenses).

If mandatory action was not taken, code as follows:

27 – Mandatory Disciplinary Action Not Taken (ARD)

28 – Mandatory Disciplinary Action Not Taken

SECTION VI: INFORMATION SPECIFIC TO ELEMENTARY/SECONDARY

A. Elementary

1. Why discipline?

- a. RULES are needed to keep everyone focused on our purpose to EDUCATE our scholars.
- b. Violation of the RULES leads to DISTRACTION for the goal.
- c. DISCIPLINE helps keep everyone SAFE and ON TASK.

- TEACH children how to solve problems.
- SHOW children that mistakes are opportunities to LEARN.
- RELY on REFLECTION and personal RESPONSIBILITY.
- PROVIDE intrinsic motivation to USE and LEARN new skills.
- FOCUS on WHAT to DO instead AND – make better choices.



2. Behavior Management Tips:

- Create effective routines
- Teach and practices ROUTINES often
- Review EXPECTATIONS weekly
- Reflect on EXPECTATIONS weekly
- Build on simple incentives
- Make school engaging
- Focus on positive behavior
- Determine and minimize the root cause of disruptions

3. BOY – Beginning of the Year suggestions (1st 9 Weeks)

- a. Ensure your campus student handbook lists the campus rules.
- b. Communicate your school rules on morning announcements.
- c. Within the first week of school visit all classes during PE to set the expectation for following rules.
- d. Create discipline posters for your school.
 - a. Hallways
 - b. Playground
 - c. Restrooms
 - d. Cafeteria
- e. Remind scholars of rules and expectations on morning announcements.
- f. Ask counselors to create a Morning Message on hot topics on your campus.
- g. Videos can be shared on morning announcements
- h. Topics:
 - a. Snitching vs Telling an Adult
 - b. Respect
 - c. Arriving to School on Time
 - d. Importance of Completing Classwork
 - e. Sharing
 - f. Keep Hands to Yourself

B. Secondary

1. 2023-2024 School Year

Prior to the 2023-2024 school year, the student code of conduct provided campuses with the option of a discretionary or mandatory DAEP placement for Level 3 offenses. Beginning in the 2023-2024 school year, several middle school campuses have implemented a “restorative plan” that keeps students in the classroom. Instead of placing students in a Disciplinary Alternative Education Program (DAEP), students would stay on campus in accordance with a first chance program. This gives the students the opportunity to stay in school and continue to stay on track with current instruction and academic progress.

2. CAMPUS ALTERNATIVE EDUCATION PROGRAM (CAEP) contracts should include:

1. Time Served (9 weeks with possible early release)
2. CAEP Student/Parent contract



3. Uniform and Dress Code Rules (specific guidelines are a site-based decision).
4. Report Times & Check-in Procedures
5. Not eligible to participate in any extracurricular activities or attend
6. Community Service (site based decision)
7. Daily log to monitor attendance/punctuality/grades/discipline (use recommended log or develop your own)
8. Weekly meeting with administrator
9. Weekly counseling component
10. Parents participate in session (ex: drugs, behavior, discipline, etc).

3. Qualifications for Campus Alternative Education Program (CAEP) option:

1. It is recommended that parent(s) go through the appeals process and agree to have student assigned to CAEP.
2. Refer to Discipline Placement Flowchart



Appeal Letter Example

June 18, 2024

Mr./Ms. **Parents Name** Ref: **Students Name**

563 Sunhaven Dr.

ID: 123456

El Paso, TX 79936 DOB: 01/16/2010

Dear Mr. and Ms. **Last Name**

This letter is to inform you that your child **Student Name** was recommended for placement into the Socorro ISD DAEP. The placement was going to be for 45 days. **Student Name** has accumulated excessive referrals in one academic school year.

A level one appeal was held on **Tuesday, April 26, 2022, at 7:15 p.m.** At the hearing, Mr./Ms. **Principal** heard from Mr. and Ms. **Parents** on why they would like to appeal the 45 day DAEP Placement.

After hearing the parents **Mr. Principal** will uphold the placement for DAEP but will modify the stay to a maximum of 15 school days at KEYS with a review to return on the 18th of May, 2022. **Student** must attend all 15 days and have no discipline issues while at KEYS.

If you withdraw student from this school District before the term of the disciplinary order has been served in a full and later re-enroll the student, he will be required to complete the disciplinary order before being allowed to return to the general education program. A copy of this order will accompany your child's records provided to any other school district in which you may seek to enroll the student. That district will have the option of continuing the disciplinary order for the remainder of the removal term or admitting the student to the regular program. If you have any questions about my decision or the appeal process, please contact me at (915-937-4802).

Sincerely,

Mr./Ms. **Name**
Principal
Ernesto Serna K-8



SECTION VII – Appendix

A. FORMS



Discipline Placement Flow Chart

Student commits Discretionary or Mandatory DAEP offense

Step 1. Give student 2 days of OSS and 3 days of ISS.

Step 2.

- Administrator needs to consider mitigating factors and consult Principal and or CBC to determine if student qualifies for Campus Alternative Education Program (CAEP).
 - Administrator also needs to answer qualifying question.

Qualifying Question

Does the offense in question adversely affect the student's, or others', educational environment and or safety? If yes, student doesn't qualify.

Mitigating Factors (TEC [37.009](#))(Student Code of Conduct Pg. 71)

- (A) self-defense;
- (B) intent or lack of intent at the time the student engaged in the conduct;
- (C) a student's disciplinary history;
- (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
- (E) a student's status in the conservatorship of the Department of Family and Protective Services; or
- (F) a student's status as a student who is homeless.

CAEP

YES

NO

Proceed with KEYS Placement.

Step 3. Setup meeting with parents and student to review CAEP intake process.

CAEP Intake Process

- Dress Code
- Rules
- Student Expectations
- Parent Expectations

With any level 4 Offenses except for THC (36) will not qualify for CAEP program.

Or

Didn't meet any of the mitigating factors or answered yes to the qualifying question.



ELEMENTARY CAMPUS ALTERNATIVE EDUCATION PROGRAM AGREEMENT

 Name of Student

 ID

 Grade

I agree to follow uniform and dress code rules listed below:

- Khaki or navy blue loose-fitted pants
- Navy blue polo shirt
- ONLY black or white long sleeve shirts will be allowed in fall months under polo
- Solid black/white socks
- Athletic Tennis Shoes only
- No backpacks
- Pants cannot be baggy, jogger-style, skinny, or too tight;
- Shirts must always be tucked in;
- Hair must be a solid natural color and clean cut;
- Hair cannot obscure eyes; 2 fingers in width.
- Hair may not have designs buzzed onto scalp;
- Eyebrows may not be shaved or have designs;
- Nails are to be kept short and natural;
- No makeup of any kind is allowed, including eye liner, mascara, and lip gloss;
- Students may not write on any visible part of their body;
- No jewelry of any kind, including ear, face, and belly piercings;
- Cell phones, ear buds or headphones are not allowed on campus
- Pant cuffs and shirt sleeves cannot be altered and must lie flat or unrolled
- Pants must always be pulled up to student's waist;
- Any confiscated items can be picked up after school by the parent directly in meeting with the administrator to discuss violation.

I agree to also abide by the items listed below:

- Student will report to the front office every morning at 7:30 am with security/administration for dress code compliance check and sign in.
- Student will report to administration to perform Community Service for minimum of 3 weeks during school with no early release option (Campus-Based).
- Student will participate in a lesson or presentation provided through the counseling department once a week until they are cleared
- Student will not be able to participate in any extracurricular activity while in the CAEP.
- Student will not be able to participate in or attend any sporting event, dance, or before or after school program/activity.
- Student must leave the school premises right after school unless tutoring is required (admin pass) and parent must pick-up student from the front office.
- Student will be given an assigned seat at the front of the bus if using district transportation.
- Student can't have any unexcused absences or be late.
- Student will meet with administrator weekly to check on progress.



I know that if I don't follow the rules

- I can be removed from the CAEP at any time and sent to District Alternative Education Placement.
- Personal items can be confiscated and not returned until exited from the academy. (Including cell phone)
- If removed from CAEP, time served will not be credited to KEYS placement.
- I understand CAEP can only be offered one time per school year.

I have been provided with information on how to find a copy of the Student Code of Conduct on Socorro ISD website and CAEP rules and understand this contract. I agree to follow the rules of behavior.

Student Name: _____ Signature: _____ Date: _____
(Please Print)

Parent Section

I have been provided with information on how to find a copy of the Student Code of Conduct on Socorro ISD website and CAEP rules and understand this contract.

I agree to help my child follow this agreement by:

- encouraging my child to be a respectful and peaceful member of the school community
- discussing the contents of the Student Code of Conduct and CAEP rules with child
- participating in any discussions and decisions concerning my child's education
- attending scheduled appointments with school staff & one monthly parent meeting
- ensuring they come to school daily
- providing the school with current telephone numbers and emergency contact information
- alerting the school if there are any significant changes in my child's health, or well-being that affect his/her ability to perform in school.

I understand that if my child is removed from the CAEP for any reason, KEYS placement will continue.

Parent Name: _____ Signature: _____ Date: _____
(Please Print)

AP/CBC Signature _____ Principal Signature _____

Date of Offense: _____ CAEP Start Date: _____ CAEP End Date: _____

Incident Number: _____ Referral: Entered in Skyward _____

Rev: 7/10/24



Socorro ISD Elementary Sample

Room arrangement,
lesson plans completed,
materials for the day
gathered, copies made.

Prepared learning environment
that intentionally sets up students
and teachers for success

Visual routines & daily
schedules posted; Class
family agreements,
picture rule cards, ways
to be helpful, brain smart
starts and brain breaks.

Calling for Help Behaviors

Is the behavior classroom or office managed?

Classroom Managed

Assertive commands,
choice to be helpful,
safe place / breathing
Encouragement

Conduct Chart,
Behavior Chart,
Contact Parents

Behavior
Improved

Behavior
Continues

Celebrate!

Parent
Conference,
Counseling
Referral,
Intervention
Referral

Office Managed

Complete student
incident referral form
& call front for
support

Admin will
determine course of
action and/or
consequences
including plan for
student's return for

Copy of incident
referral sent home,
copy placed in
student folder,
parent notified by
phone.

Incident recorded
in Eduphoria
and/or Skyward
as necessary

Classroom Managed vs. Office Managed

- | Classroom Managed | vs. Office Managed |
|--|--|
| <ul style="list-style-type: none"> o Calling Out o Inappropriate language o Teasing o Refusal to work o Non-compliance o Minor dishonesty o Minor disruption o Minor aggression o Disrespectful Tone, Attitude, Body Language o Misuse of materials / school property o Cheating o Plagiarism o Tardy to class o Un-prepared for class | <p>**Incident Referral form required</p> <ul style="list-style-type: none"> o Fighting o Property destruction o Weapons (Real or Toy) o Leaving school property / classroom o Alcohol / drugs o Physical aggression with teacher o Sexual misconduct (any level) |



Elementary Campus AEP

Student Name _____ Campus _____

Student Counseling Sessions:

Date	Counselor Signature	Student Signature

Parent & Student Counseling Sessions:

Date	Counselor Signature	Parent Signature	Student Signature



CAMPUS ALTERNATIVE EDUCATION PROGRAM

CAMPUS: _____

Name of Student _____

ID _____

Grade _____

I know that I have a right to:

- Not participate in the CAEP program

I agree to follow uniform and dress code rules listed below:

- Khaki or navy blue loose-fitted pants
- Navy blue polo shirt
- Black military style mesh style belt (no leather)
- ONLY black and white long sleeve shirts will be allowed during Fall months under polo!
- Solid black/white socks
- Solid white/black tennis shoe or combination of white and black tennis shoes, no other colors.
- Pants cannot be baggy, jogger-style, skinny, or too tight;
- Shirts must always be tucked in and belt always visible;
- Hair must be a solid natural color and clean cut;
- Hair cannot obscure eyes; 2 fingers in width.
- Hair may not have designs buzzed onto scalp;
- Eyebrows may not be shaved or have designs;
- No visible facial hair allowed;
- Nails are to be kept short and natural;
- No makeup of any kind is allowed, including eye liner, mascara, and lip gloss;
- No "bite marks" or "hickies";
- Students may not write on any visible part of their body;
- Students may not have tattoos visible, tattoos must be covered at all times;
- No jewelry of any kind, including ear, face, and belly piercings;
- Cell phones, ear buds or headphones are not allowed on campus
- Pant cuffs and shirt sleeves cannot be altered and must lie flat or unrolled
- Pants must always be pulled up to student's waist;
- Any confiscated items can be picked up after school by the parent directly in meeting with the administrator to discuss violation.

I agree to also abide by the items listed below:

- Student will report to the front office every morning from 8:15 to 8:30 am with security/administration to make sure they are in dress code compliance and sign in.
- Student will report admin/security to perform Community Service during the last 10 minutes of lunch.
- Student will participate in a lesson or presentation provided through the counseling department, CIS, and Project Vida.
- Student will not be able to participate in any extracurricular activity while in the RISE program.
- Student will not be able to participate or attend any sport, dance, before or after school program/activity.
- Student must leave the school premises right afterschool.
- Student can't have any unexcused absences or be late.
- Student will meet with administrator weekly to check on progress.



CAMPUS ALTERNATIVE EDUCATION PROGRAM

I know that if I don't follow the rules

- I can be removed from the program at any time.
- My time can be extended.
- Personal items can be confiscated and not return until exited the CAEP program. (Including Phone)
- If removed from the CAEP program, time serve on CAEP will not be credited to KEYS placement.

I have received a copy of the Discipline Code and CAEP rules and understand this contract. I agree to follow the rules of behavior.

Student Name: _____ Signature: _____ Date: _____
(Please Print)

{Parent Section}

I have received a copy of the Discipline Code and CAEP rules and understand the behavior that is required of my child.

I agree to help my child follow this agreement by:

- encouraging my child to be a respectful and peaceful member of the school community
- discussing the contents of the Discipline Code and the CAEP program rules with my child
- participating in any discussions and decisions concerning my child's education
- attending scheduled appointments with school staff
- providing the school with current telephone numbers and emergency contact information
- alerting the school if there are any significant changes in my child's health, or well-being that affect his/her ability to perform in school.

I understand that if my child is removed for reasons listed below from the CAEP program KEYS placement will continue.

- Not following dress code and or CAEP program rules.
- Not performing community service obligations.
- Having unexcused absences or being late.

Parent Name: _____ Signature: _____ Date: _____
(Please Print)

AP Signature _____ Principal/CBC Signature _____

Date of Offense: _____ CAEP Start Date: _____ CAEP End Date: _____

Incident Number: _____ Referral: Circle Paper or Skyward



Student Daily Log



CAMPUS ALTERNATIVE EDUCATION (CAEP) Program Student Daily Log

Monday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Tuesday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Wednesday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Thursday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Friday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Student Name _____ ID _____
 Week Of _____ to _____

- Forms need to be turned in weekly to get credit for points.
- Points are earned per category, it's an all or nothing point system.
- If student lose daily log its an automatic minus 100 points.
- Students that get level 1 or 2 referrals is minus 100 points for each referral.
- Students need to meet with administrator in charge of alpha to get an additional 100 points.
- Students need 1200 points to exit program.

AP Clerk _____ Total Points for student _____



CAMPUS ALTERNATIVE EDUCATION (CAEP) Program Student Daily Log

Administrator Conference Points				
	Description	Possible Points	Comments/Initials	Points Earned
Attendance	Student must not have any tardies, and unexcused absences.	25 pts		
Discipline	Zero Discipline referrals	25 pts		
Grades	Must be passing all classes	25 pts		
Other	Administrators Discretion	25 pts		
Total Points		100 pts		

Admin Name _____ Date _____

Admin Signature _____ Total Points _____

Admin has the discretion of giving partial credit for all areas except for referrals. Example: If the student is passing all classes except for 1 then the administrator will make the call if student earns some of the points up to the max points of 25 for each. Note: Student needs to turn in daily log to the AP clerks at the end of week to get credit.

AP clerks will tally total points and add them to a spreadsheet and save form in binder.

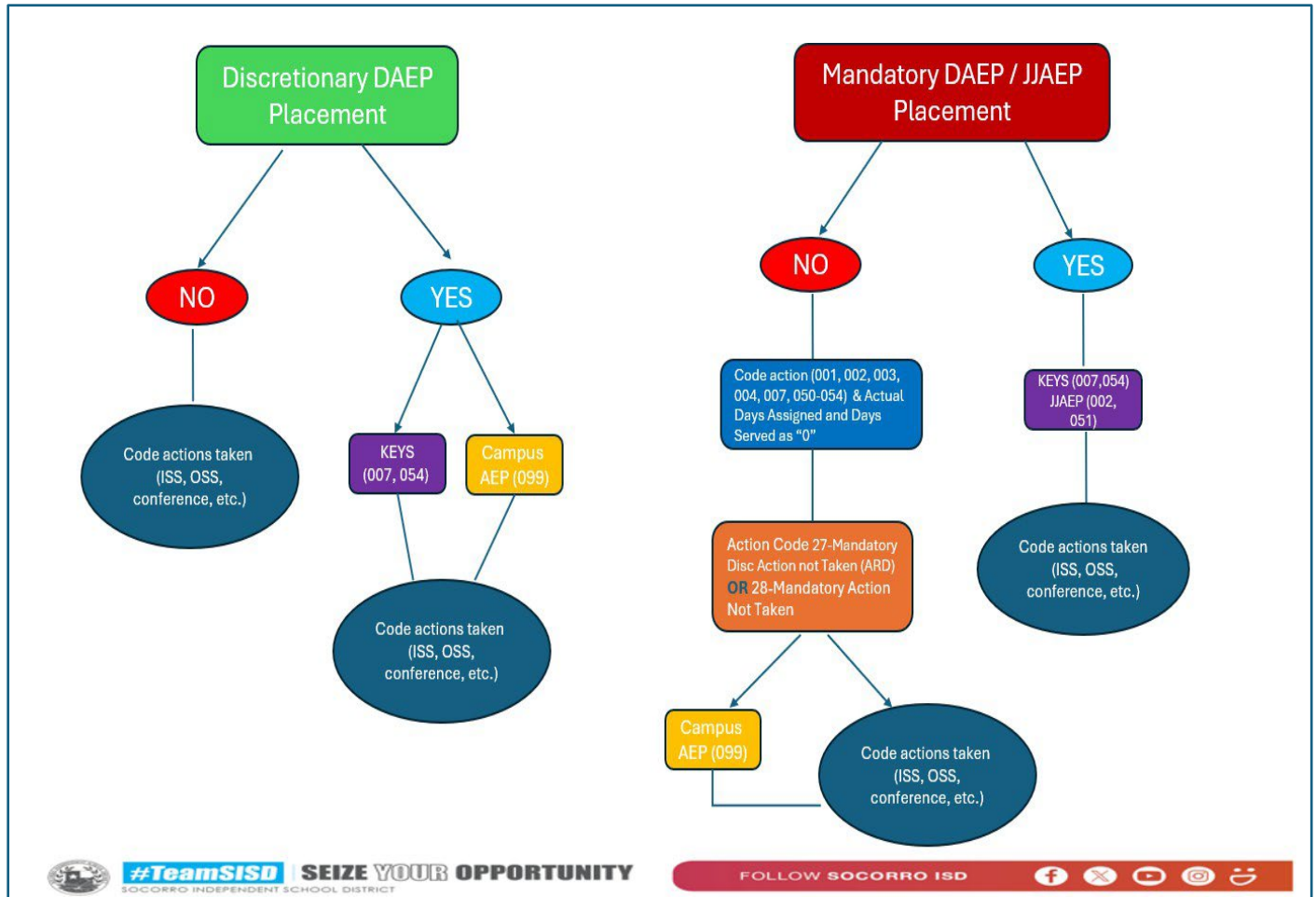


Preventative Measures

	Tier 1 = Preventive /Intervention 100%	Tier 2 = Intervention 15% - 10%	Tier 3 = Intensive Intervention <10%
Elementary	<ul style="list-style-type: none"> • CKH Strategies • PBIS • SEL Lessons - Rethink • PBIS - Rubrics - Flow chart • School Counselors • CIS • Parent Sessions • Campus Officer presentation 	<ul style="list-style-type: none"> • CKH Questions • PBIS – Rubrics - Flowcharts • School Counselor • CIS • Restorative Circles • Mediation • Mentoring - Cobra Buddies 	<ul style="list-style-type: none"> • School Counselors & Admin. • Mentoring • Parenting Classes - CIS / Parent Liaison • Care Solace Referral
Middle School	<ul style="list-style-type: none"> • Character Matters • PBIS Rewards • SEL - CKH • Rethink • Visibility • Grade Level Meetings • Counselor Schoolwide Lessons • SRO Lessons • Zen Room • Parent Classes / Conference 	<ul style="list-style-type: none"> • RTI • CIS • Counselor Small Groups • CIS Small Groups <ul style="list-style-type: none"> - Check in / outs - Mentor / Champs - Military Family Life Counselors (MFLC) • Zen Room 	<ul style="list-style-type: none"> • Project Vida • Outside Resources • Counselor individual • RTI Behavior • CPI / CIT
High School	<ul style="list-style-type: none"> • SEL Component (safe space) • Fidelity to IEP's & BIP's • Mentorship -Counselor and / or AP • Parent Partnership • High Yield Practices • Bell to Bell Instruction 	<ul style="list-style-type: none"> • Focused Groups • Peer Mentoring • Counseling Session -CIS -Project Vida • Targeted Parent Mtgs. • Academic Supports -Pulse Checks -PBIS 	<ul style="list-style-type: none"> • MTSS groups • Saturday Sessions • FOP • Breakfast group/club • Anger Management Program • Referrals to Substance Abuse



B. SKYWARD FLOWCHART





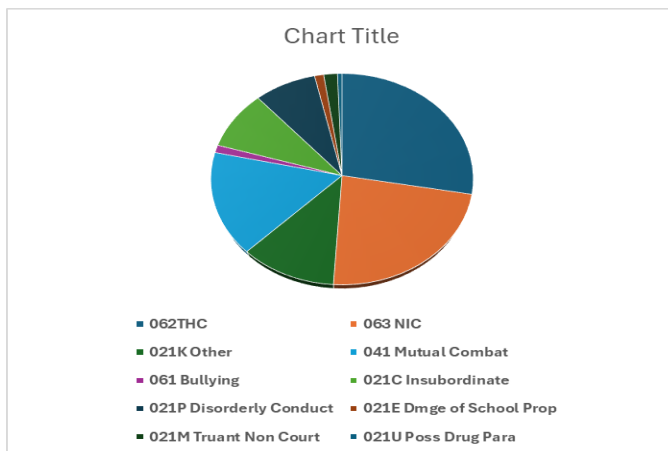
C. DATA COLLECTION

1. Pebble Hills Data

The following information is data from Pebble Hills HS where Project RISE was utilized and KEYS, home of the district DAEP.

Pebble Hills High School: RISE Data (23-24 school year)

RISE DATA	Totals	Percentage
BOYS	68	55%
GIRLS	58	47%
SPED	16	13.01%
504	9	7.32%
Recidivism	4	3%
RISE Total	123	
Offense CODE		
062THC	48	39.02%
063 NIC	40	32.52%
021K Other	11	16.18%
041 Mutual Combat	13	22.41%
061 Bullying	2	1.63%
021C Insubordinate	2	12.50%
021P Disorderly Conduct	1	11.11%
021E Damage of School Prop	2	1.63%
021M Truant Non Court	3	2.44%
021U Poss Drug Para	1	0.81%



Offense CODE	
062THC	39%
063 NIC	33%
021K Other	9%
041 Mutual Combat	11%
061 Bullying	2%
021C Insubordinate	2%
021P Disorderly Conduct	1%
021E Dmge of School Prop	2%
021M Truant Non Court	2%
021U Poss Drug Para	1%



Pebble Hills Disciplinary Action Reason Code 41 – Fighting/Mutual Combat Data Comparison

Disciplinary Incidents by Campus by Disciplinary Action Reason			
Campus	Disciplinary Action Reason	2022 - 2023	2023 - 2024
071909011 - PEBBLE HILLS H S	41 - Fighting/Mutual Combat	29	18
TOTAL	TOTAL	29	18

2. KEYS Academy Data: Discretionary vs Mandatory

Code	Incident	Totals
002	Conduct Punishable as Felony	6
004	Pos/Sold/Used/Inf MJ *SEPT 1*	61
005	Pos/Sold/Use/Inf Alcoholic Bev	15
021C	Code of Conduct -Insubordinate	22
021D	Code of Conduct- Language	2
021E	Code Conduct-Def/Dmge Sch Prop	5
021F	Code of Conduct -Phys Ctc Inap	18
021J	Alleg/Harras/Bully/Basis Relig	2
021K	Code of Conduct - Other	88
021N	Code of Conduct -Cell/Social M	4
021P	Code of Conduct-Disorderly Con	4
021S	Code of Conduct-Sexual Miscon	3
021T	Code of Conduct- Robbery/Theft	3
021U	Code of Conduct Poss-Drug Para	6
021V	Code of Conduct - False Report	1
021W	Code of Conduct-HW Protocols	2
026	Terroristic Threat	3
027	Assault District Emp/Volunteer	5
028	Assault Non Dist Emp/Volunteer	25
035	False Alarm/Report	3
041	Fighting/Mutual Combat	16
061A	Bullying: To include Cyber	1
061B	Bullying: Engages in Bullying	2
062	Poss/Sld/Gv/Usd/Dlvr/UI MJ/THC	141
063	Poss/Sld/Gv/Usd/Dlvr/UI E-CIG	82
064	Poss/Sld/Gv/Usd/Dlvr/UI-CtrSub	5



Vape Related	289
2023-24 Discretionary	179
2022-23 Discretionary	402
Decrease of	55.48%
2023-24 Mandatory	346
2022-23 Mandatory	224
Increase of	54.46%
2023-24 Total	525
2022-2023 Total	629
Overall decrease of	16.53%

3. Future Data to be Collected and Reported

Reporting by Quarter – Administrative Services will collect data from campuses and from Skyward to include the following:

- Total number of students enrolled in the CAEP program
- Offenses reason codes of students in the CAEP program
- Percentage of recidivism
- Students in CAEP Program referred to KEYS
- Discretionary vs Mandatory placements Breakdown by offense code

Data will be collected and reported as needed to Cabinet and other appropriate stakeholders.



D. Resources for Administrators

- a. [CAEP Guide for Administrators](#)
- b. Texas Education Code 37.001 [EDUCATION CODE CHAPTER 37. DISCIPLINE; LAW AND ORDER \(texas.gov\)](#)
- c. Student Handbook/Student Code of Conduct
- d. Discipline Handbook
- e. Texas Web Enabled Data Standards: Student Discipline Program Technical Resources and Samples [Student Discipline | Texas Education Agency](#)
- f. FOA (LEGAL)
- g. Campus Behavior Coordinators (CBC Website) [Documents | Socorro Independent School District \(sisd.net\)](#)
- h. Level 3 & Level 4 Discipline Codes Chart

E . Definitions – Refer to the Student Handbook/Student Code of Conduct for additional definitions

- a. Discretionary- something that is left to or regulated by a local decision maker
- b. Mandatory – something that is obligatory or required because of authority
- c. Mitigating Factors – any fact or circumstance that lessens the severity or culpability of an offense
- d. Preventative Measures – designed or serving to prevent the occurrence of something
- e. Restorative Practices – a way of working with conflict that puts the focus on repairing the harm that has been done. It is an approach to conflict resolution that includes all of the parties involved.

F. Training Plan

Contact Administrative Services for any questions related to the CAEP program. It is also recommended to get feedback from campuses that are already participating in the CAEP.



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FOLLOW SOCORRO ISD



Socorro Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs). For additional information regarding Socorro Independent School District's policy of nondiscrimination contact: (915) 937-0207, 12440 Rojas Dr., El Paso, TX 79928



Discipline Placement Flow Chart

Student commits Discretionary or Mandatory DAEP offense

Step 1. Give student 2 days of OSS
and 3 days of ISS.

Step 2.

- Administrator needs to consider mitigating factors and consult Principal and or CBC to determine if student qualifies for Campus Alternative Education Program (CAEP).
- Administrator also needs to answer qualifying question.

Qualifying Question

Does the offense in question adversely affect the student's, or others', educational environment and or safety? If yes, student doesn't qualify.

Mitigating Factors (TEC 37.009)(Student Code of Conduct Pg. 71)

- (A) self-defense;
- (B) intent or lack of intent at the time the student engaged in the conduct;
- (C) a student's disciplinary history;
- (D) a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
- (E) a student's status in the conservatorship of the Department of Family and Protective Services;
or
- (F) a student's status as a student who is homeless;

CAEP

YES

NO

Proceed with KEYS Placement.

Step 3. Setup meeting with parents
and student to review CAEP intake
process.

CAEP Intake Process

- Dress Code
- Rules
- Student Expectations
- Parent Expectations

With any level 4 Offenses except for
THC (36) will not qualify for CAEP
program.

Or

Didn't meet any of the mitigating
factors or answered yes to the
qualifying question.



CAMPUS ALTERNATIVE EDUCATION PROGRAM

CAMPUS: _____

Name of Student

ID

Grade

I know that I have a right to:

- Not participate in the CAEP program

I agree to follow uniform and dress code rules listed below:

- Khaki or navy blue loose-fitted pants
- Navy blue polo shirt
- Black military style mesh style belt (no leather)
- ONLY black and white long sleeve shirts will be allowed during Fall months under polo!
- Solid black/white socks
- Solid white/black tennis shoe or combination of white and black tennis shoes, no other colors.
- Pants cannot be baggy, jogger-style, skinny, or too tight;
- Shirts must always be tucked in and belt always visible;
- Hair must be a solid natural color and clean cut;
- Hair cannot obscure eyes; 2 fingers in width.
- Hair may not have designs buzzed onto scalp;
- Eyebrows may not be shaved or have designs;
- No visible facial hair allowed;
- Nails are to be kept short and natural;
- No makeup of any kind is allowed, including eye liner, mascara. and lip gloss;
- No "bite marks" or "hickies";
- Students may not write on any visible part of their body;
- Students may not have tattoos visible, tattoos must be covered at all times;
- No jewelry of any kind, including ear, face, and belly piercings;
- Cell phones, ear buds or headphones are not allowed on campus
- Pant cuffs and shirt sleeves cannot be altered and must lie flat or unrolled
- Pants must always be pulled up to student's waist;
- Any confiscated items can be picked up after school by the parent directly in meeting with the administrator to discuss violation.

I agree to also abide by the items listed below:

- Student will report to the front office every morning from 8:15 to 8:30 am with security/administration to make sure they are in dress code compliance and sign in.
- Student will report admin/security to perform Community Service during the last 10 minutes of lunch.
- Student will participate in a lesson or presentation provided through the counseling department, CIS, and Project Vida.
- Student will not be able to participate in any extracurricular activity while in the RISE program.
- Student will not be able to participate or attend any sport, dance, before or after school program/activity.
- Student must leave the school premises right afterschool.
- Student can't have any unexcused absences or be late.
- Student will meet with administrator weekly to check on progress.



CAMPUS ALTERNATIVE EDUCATION PROGRAM

I know that if I don't follow the rules

- I can be removed from the program at any time.
- My time can be extended.
- Personal items can be confiscated and not return until exited the CAEP program. (Including Phone)
- If removed from the CAEP program, time serve on CAEP will not be credited to KEYS placement.

I have received a copy of the Discipline Code and CAEP rules and understand this contract. I agree to follow the rules of behavior.

Student Name: _____ Signature: _____ Date: _____
(Please Print)

{Parent Section}

I have received a copy of the Discipline Code and CAEP rules and understand the behavior that is required of my child.

I agree to help my child follow this agreement by:

- encouraging my child to be a respectful and peaceful member of the school community
- discussing the contents of the Discipline Code and the CAEP program rules with my child
- participating in any discussions and decisions concerning my child's education
- attending scheduled appointments with school staff
- providing the school with current telephone numbers and emergency contact information
- alerting the school if there are any significant changes in my child's health, or well-being that affect his/her ability to perform in school.

I understand that if my child is removed for reasons listed below from the CAEP program KEYS placement will continue.

- Not following dress code and or CAEP program rules.
- Not performing community service obligations.
- Having unexcused absences or being late.

Parent Name: _____ Signature: _____ Date: _____
(Please Print)

AP Signature _____ Principal/CBC Signature _____

Date of Offense: _____ CAEP Start Date: _____ CAEP End Date: _____

Incident Number: _____ Referral: Circle Paper or Skyward



CAMPUS ALTERNATIVE EDUCATION (CAEP) Program Student Daily Log

Monday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Tuesday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Wednesday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Thursday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Friday				
	Description	Possible Points	Signature	Points Earned
Uniform	Polo, Pants, Belt, shoes, ID	5 pts		
Prohibited Items	Cell Phone, Rings, Chains, Earrings etc...	5 pts		
Time	Student needs to sign in between 8:15 and 8:30	5 pts		
Community Service	Last ten minutes of lunch	5 pts		
Total Points		20 pts		

Student Name _____ ID _____

Week Of _____ to _____

- Forms need to be turned in weekly to get credit for points.
- Points are earned per category, it's an all or nothing point system.
- If student lose daily log its an automatic minus 100 points.
- Students that get level 1 or 2 referrals is minus 100 points for each referral.
- Students need to meet with administrator in charge of alpha to get an additional 100 points.
- Students need 1200 points to exit program.

AP Clerk _____ Total Points for student _____



CAMPUS ALTERNATIVE EDUCATION (CAEP) Program Student Daily Log

Administrator Conference Points				
	Description	Possible Points	Comments/initials	Points Earned
Attendance	Student must not have any tardies, and unexcused absences.	25 pts		
Discipline	Zero Discipline referrals	25 pts		
Grades	Must be passing all classes	25 pts		
Other	Administrators Discretion	25 pts		
Total Points		100 pts		

Admin Name _____ Date _____

Admin Signature _____ Total Points _____

Admin has the discretion of giving partial credit for all areas except for referrals.

Example: If the student is passing all classes except for 1 then the administrator will make the call if student earns some of the points up to the max points of 25 for each.

Note: Student needs to turn in daily log to the AP clerks at the end of week to get credit.

AP clerks will tally total points and add them to a spreadsheet and save form in binder.



Preventative Measures: Tier 1, Tier 2, Tier 3

	Tier 1 = Preventive /Intervention 100%	Tier 2 = Intervention 15% - 10%	Tier 3 = Intensive Intervention <10%
Elementary	<ul style="list-style-type: none"> CKH Strategies PBIS SEL Lessons - Rethink PBIS - Rubrics - Flow chart School Counselors CIS Parent Sessions Campus Officer presentation 	<ul style="list-style-type: none"> CKH Questions PBIS – Rubrics - Flowcharts School Counselor CIS Restorative Circles Mediation Mentoring - Cobra Buddies 	<ul style="list-style-type: none"> School Counselors & Admin. Mentoring Parenting Classes - CIS / Parent Liaison Care Solace Referral
Middle School	<ul style="list-style-type: none"> Character Matters PBIS Rewards SEL - CKH Rethink Visibility Grade Level Meetings Counselor Schoolwide Lessons SRO Lessons Zen Room Parent Classes / Conference 	<ul style="list-style-type: none"> RTI CIS Counselor Small Groups CIS Small Groups <ul style="list-style-type: none"> Check in / outs Mentor / Champs Military Family Life Counselors (MFLC) Zen Room 	<ul style="list-style-type: none"> Project Vida Outside Resources Counselor individual RTI Behavior CPI / CIT
High School	<ul style="list-style-type: none"> SEL Component (safe space) Fidelity to IEP's & BIP's Mentorship <ul style="list-style-type: none"> -Counselor and / or AP Parent Partnership High Yield Practices Bell to Bell Instruction 	<ul style="list-style-type: none"> Focused Groups Peer Mentoring Counseling Session <ul style="list-style-type: none"> -CIS -Project Vida Targeted Parent Mtgs. Academic Supports <ul style="list-style-type: none"> -Pulse Checks -PBIS 	<ul style="list-style-type: none"> MTSS groups Saturday Sessions FOP Breakfast group/club Anger Management Program Referrals to Substance Abuse



Appeal Letter Example

June 18, 2024

Mr./Ms. Parents Name Ref: **Students Name**

563 Sunhaven Dr.

ID: 123456

El Paso, TX 79936 DOB: 01/16/2010

Dear Mr. and Ms. **Last Name**

This letter is to inform you that your child **Student Name** **was recommended for placement into the Socorro ISD DAEP. The placement was going to be for 45 days.** **Student Name** has accumulated excessive referrals in one academic school year.

A level one appeal was held on **Tuesday, April 26, 2022, at 7:15 p.m.** At the hearing, Mr./Ms. **Principal** heard from Mr. and Ms. **Parents** on why they would like to appeal the 45 day DAEP Placement.

After hearing the parents **Mr. Principal** will uphold the placement for DAEP but will modify the stay to a maximum of 15 school days at KEYS with a review to return on the **18th of May, 2022.** Student must attend all 15 days and have no discipline issues while at KEYS.

If you withdraw **student** from this school District before the term of the disciplinary order has been served in a full and later re-enroll the student, he will be required to complete the disciplinary order before being allowed to return to the general education program. A copy of this order will accompany your child's records provided to any other school district in which you may seek to enroll the student. That district will have the option of continuing the disciplinary order for the remainder of the removal term or admitting the student to the regular program. If you have any questions about my decision or the appeal process, please contact me at (915-937-4802).

Sincerely,

Mr./Ms. **Name**
Principal
Ernesto Serna K-8



Section 4: JJAEP



JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM CHECKLIST FOR EXPULSIONS

The offense/reason code must be a MANDATORY JJAEP level 4 offense!

- ❑ Call the police. *Please note: Misdemeanor and felony offenses committed on campus, within 300 feet of campus, during lunch periods in which a student is allowed to leave campus, or at a school related activity must be reported to the appropriate law enforcement agency.*
- ❑ Notify Campus Behavior Coordinator
- ❑ Call Coordinator of Administrative Services (937-0054) prior to holding an expulsion hearing.
 - Coordinator of Administrative Services will contact JPD to verify offense qualifies for expulsion
 - Coordinator of Administrative Services will notify campus Administrator/Campus Behavior Coordinator of acceptance or denial
- ❑ Provide the student with due process. Explain your understanding of the incident and allow student to explain his/her actions.
- ❑ You may suspend (OSS) the student for up to two days while you arrange for an expulsion hearing. (In cases where more than two days is necessary to have the hearing, a student may be placed in ISS (30 days per year) or on emergency expulsion and assigned to DAEP (KEYS) – in this case, give oral notice to the student and parent, call KEYS, enter an emergency placement in Skyward SIS, and schedule the hearing as soon as possible.
- ❑ Disseminate the Teacher Notification and Feedback Forms to teachers (page 4). In addition, administration should notify any service providers of the offense as well.
- ❑ Send notice of the expulsion hearing letter to parent/guardian. If the student receives Special Education or 504 services, include required notices/safeguards.
- ❑ Schedule hearing **(even if student withdraws or it is the end of the year)**. If you have made a good faith effort to contact the parent/guardian, you may hold the hearing without their presence. Notify the parent/guardian of their right to bring an attorney.
- ❑ If student receives Special Education or 504 services, hold manifestation determination first. Scripts are provided in Appendix B.
- ❑ Hold hearing. Use scripts and report forms provided. The Administrator/Campus Behavior Coordinator normally will chair the hearing. Others in attendance are the SRO (if applicable), counselor, parent/guardian, student, and a representative from Cesar Chavez Academy (YISD) if the student receives special education/504 services.
- ❑ Notify the parent of the recommendation.



Please see **Section 8** regarding transfers for victims of certain offenses under federal and state law.

- No expulsion due to lack of evidence/reasonable belief or student receives Special Education/504 Services and it was determined that the offense was a manifestation of the handicapping condition (document in comments section of Skyward SIS suspension/ISS/ emergency placement record if appropriate). If an offense is determined to be a manifestation of a student's handicapping condition, the student can still be expelled for up to 45 school days for offenses that involve drugs or weapons or serious bodily injury (i.e., aggravated assault).
 - If expelled, placement must be to the JJAEP or DAEP. The only exceptions are if the student is under 10 or the ARD determines that the student's needs cannot be met at the JJAEP or DAEP.
 - Campus Administrator/Campus Behavior Coordinator recommend length of expulsion. *(JJAEP requires a minimum of 75 school days and the maximum term may not exceed 180 program days, except for an expulsion involving a firearm, for which the maximum term is one calendar year).*
- ❑ Forward all documents listed under Expulsion Checklist to the Coordinator of Student Services.
 - ❑ Coordinator of Student Services will obtain Assistant Superintendent's approval. The Assistant Superintendent for Administrative Services will sign final expulsion order.
 - ❑ Enter expulsion into Skyward SIS discipline module immediately. If the decision was not to expel, please indicate the reason and hearing date in the comments section of the suspension or emergency placement (if applicable).
 - ❑ If the student returns early, adjust the *Served days* in the Skyward SIS discipline module and assign a Difference Code.

Note: Remember that all Special Education rules must be followed.



Expulsion Checklist Campus Responsibility

Send documents to: (if student is ten or older): *Coordinator of Administrative Services: Amanda Martinez*
[/amarti36@sisd.net](mailto:amarti36@sisd.net)

DOCUMENTS WILL ALSO BE USED FOR APPEAL: District Appeals Committee

EXPULSION CHECKLIST

- ☐ Letter of Expulsion Recommendation signed by Principal
- ☐ Copy of Discipline Referral Form
- ☐ Expulsion Hearing Report
- ☐ Expulsion Recommendation Notice
- ☐ Intervention Checklist
- ☐ Teacher Notification and Feedback Forms
- ☐ Police/Staff/Student statements if applicable
- ☐ Copy of Withdrawal Form
- ☐ Grade Report
- ☐ Attendance History
- ☐ Course History/Transcript (current and past semester)
- ☐ STAAR Scores
- ☐ SAT/ACT Scores/EOC (if available)
- ☐ Special Education assessments if applicable
- ☐ ARD and IEP information if applicable
- ☐ Current information related to State-Mandated Assessments
- ☐ Home Language Survey
- ☐ Signed Medical Release
- ☐ Immunization Record

Official expulsion order will be processed and sent by the Assistant Superintendent Office to the following:

- ☐ Parent/Guardian
- ☐ JJAEP (Cesar Chavez Academy)
- ☐ JPD (Ramon E. Hernandez)
- ☐ Principal
- ☐ KEYS Principal
- ☐ Transportation Department

Note: A possessory conservator (noncustodial) parent may request in writing that the district provide them with a copy of any written notification relating to student misconduct that is generally provided by the district to a student's parent or guardian. Campus staff can confirm noncustodial parental status with a divorce decree or parent's name on the student's birth cert



TEACHER NOTIFICATION AND FEEDBACK FORM REMOVAL CONFERENCE/EXPULSION HEARING

A ☐ Removal Conference or ☐ Expulsion Hearing is going to be held for:

Student Name _____ Student ID _____ Grade _____

Hearing Date _____ Time _____

For the following offense: _____

Please note that this information is confidential and the State Board for Educator Certification may revoke or suspend the certification of a teacher or TA who intentionally violates this requirement.

Return this form to _____ by _____

Teachers:

1st Per _____

5th Per _____

2nd Per _____

6th Per _____

3rd Per _____

7th Per _____

4th Per _____

Describe academic behavior (on task, completion of work, homework, test taking...)

Approximate average	_____	as of	_____
Number of assignments	_____	not done	_____
Number of tests	_____	not taken	_____

Attitude and general conduct with teacher:

Attitude and general conduct with students:

Teacher interventions/Strategies tried:

Additional comments:



EXPULSION SCRIPT

Administrator/Campus Behavior Coordinator:

*The purpose of this hearing is to consider the possible expulsion of (student's name) from SISD for the alleged offense of **State the specific charge(s), (e.g., possession of an illegal weapon)** which is an expellable offense as specified in the Texas Education Code, Section 37.007. A tape recording is being made of this hearing. Will everyone present at this hearing, please state your name.*

As the letter of notice of this hearing stated, the student, parents, and representative of the student have the following rights:

- 1. prior notice of the charges and the possible sanctions as to afford a reasonable opportunity for preparation.*
- 2. right to a full and fair hearing,*
- 3. right to an adult representative or legal counsel,*
- 4. opportunity to testify and to present evidence and witnesses in the student's defense, and*
- 5. prior notice of time and location of hearing.*

I would like to briefly and factually describe the incidents.

PRESENTATION OF FACTS by presenting Administrator/Campus Behavior Coordinator, probation officers or other law enforcement personnel.

Administrator/Campus Behavior Coordinator:

We have heard a brief description of the incident. (Directed towards the student, family, and/or representatives.) I now want to hear from the student and parent or his/her representative one at a time. You may have additions or corrections to this statement.

NOTE: Attempt to resolve any factual conflicts and allow both the presenting Administrator/Campus Behavior Coordinator and the student to present their evidence and witnesses. Bear in mind that if the student does not deny the alleged offense the responsibility to prove the case is reduced, but is not eliminated.

If the student receives Special Education or Section 504 services, consider the results of the manifestation determination at this time.

CONSIDERATION OF SUPPORT SERVICES PROVIDED

Administrator/Campus Behavior Coordinator:

- If we find that expulsion is not warranted, we will consider any additional support services in the school setting.
- If expulsion is recommended, I will recommend services which will assist the student upon his/her reentry to school.

NOW THAT WE HAVE FULLY DISCUSSED THE ALLEGED OFFENSE(S) AND THE EVIDENCE, I WILL CONSIDER WHAT HAS BEEN PRESENTED. IF I DECIDE TO RECOMMEND AN EXPULSION, THE PRINCIPAL WILL REVIEW MY RECOMMENDATION REPORT AND WILL MAKE THE FINAL DECISION. IF AN EXPULSION IS APPROVED, THE FAMILY, THE SCHOOL, AND THE JUVENILE COURT WILL BE PROVIDED WITH THE REQUIRED WRITTEN NOTICE OF THE EXPULSION ORDER AND A COPY OF THE APPEAL PROCEDURE. IF THERE ARE NOT ANY QUESTIONS OR COMMENTS, THE EXPULSION HEARING IS ADJOURNED.

ADJOURN CONFERENCE



NOTICE OF EXPULSION HEARING (JJAEP-Cesar Chavez Academy)

Date: _____

Name: _____

Address _____

City, State, Zip Code: _____

RE (Student Name): _____

Dear _____:

This letter is to confirm that you were notified of the following information by telephone on _____.

On _____ (date), at _____ (time), in _____ (room), your presence and participation at a hearing to consider the possible expulsion to JJAEP-Cesar Chavez for _____ (student's name) is being requested. The hearing is being called because of the following alleged charge(s):

Section 37.007 of the Texas Education Code specifies that these offenses are subject to expulsion.

Your (son/daughter) has the right to a full and fair hearing; the right to an adult representative or legal counsel; the opportunity to testify and to present evidence and witnesses in (his/her) defense; and the right to be provided the information provided by any witnesses. You are encouraged to discuss the school's charges with your son/daughter as you will have the opportunity to explain his/her version at the hearing if you wish.

Please be aware of the following information regarding potential witnesses and testimony:

I will hold the hearing and make a recommendation to the (principal's name) who will make the final decision.

The Texas Education Code and SISD Discipline Policy allow the Administrator/Campus Behavior Coordinator, as the principal's designee, to set the term for the length of the expulsion. Pending my decision, (student's name) will be placed in: _____.

A student may be denied the privileges of the home campus pending the outcome of the hearing.

If you have any questions, please contact me at (telephone number).

Sincerely,

Administrator/Campus Behavior Coordinator's Signature

xc: Assistant Superintendent

Enclosures:

If Special Education: ARD meeting notice and procedural safeguards
If 504: 504 Manifestation Determination meeting notice and procedural safeguards



EXPULSION HEARING REPORT

[When a choice is indicated, please circle your response]

School: _____
Incident Date: _____

Student: _____
Student ID: _____

On _____, an expulsion hearing was held concerning the student's educational and behavioral records, to consider all relevant facts regarding the alleged offense(s), and to consider the criteria for an expulsion

___ Students receiving SPED/504 Services

A manifestation determination was held and it was determined that the behavior is/is not a manifestation of the disability. If it is, the maximum possible removal is a total of 10 cumulative days or 45 days if the offense includes drugs or weapons or serious bodily injury (i.e., aggravated assault). If not, follow regular education procedures.

NOTICE to STUDENT and PARENT/GUARDIAN

Date of Notification: _____

If student has been charged with engaging in conduct punishable as a misdemeanor/felony provide Police Case # _____

IN ATTENDANCE

Administrator/Campus Behavior Coordinator	_____
Student	_____
Parent(s)/Guardian	_____
Counselor	_____
Diagnostician(if applicable)	_____
SRO (if applicable)	_____
Others Present	_____

The Expulsion Hearing was convened because of the following alleged offense(s):

The school administration's supporting information regarding the alleged offense(s): [The following should be a concise description of the administration's basis for considering an expulsion.]:

Factors in suspension, removal to a DAEP/JJAEP shall include consideration of the following mitigating factors:

- _____ 1. Self-Defense
- _____ 2. Intent or Lack of Intent at the time the student engaged in conduct
- _____ 3. A 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)
- _____ 6. A student's status as homeless

**STUDENT'S RESPONSE TO THE OFFENSE(S) AND EVIDENCE/SUPPORTING DATA**

The student admitted to the alleged offense(s): Yes _____ No _____

Significant statement(s) made by the student and parents are as follows: [the following should be a concise description of the student's response to the alleged offense(s)]

[Attach any written statements and accounts that were presented by the student or staff during the hearing.]

CONFERENCE ISSUES

- The Administrator/Campus Behavior Coordinator did/did not determine that the information provided during the hearing is sufficient to warrant expulsion.
- The parent/guardian agrees/disagrees with the decision to expel the student.
- The student and parents were given written notice of the Administrator/Campus Behavior Coordinator's decision on (date).
- The hearing was tape recorded: Yes _____ No _____
- Participants were/were not given the opportunity to provide additional comments in writing. (Please attach)

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM

The Administrator/Campus Behavior Coordinator has decided that the student should/should not be expelled:

PEIMS Offense Code _____ This removal is: _____ **Mandatory**

MANDATORY EXPULSION JJAEP (CESAR CHAVEZ):

- ☐ Level 4 Secondary Students – Min 75 school days Max 180 school days
 Elementary Students – Max 9 weeks

JJAEP EXPULSION TERM ASSIGNED: ☐ 180 DAYS ☐ 75 DAYS ☐ Other _____

Pending action by the Assistant Superintendent the student will be placed at KEYS Academy

(If you are recommending the JJAEP, the student/parent may NOT proceed with intake until the final decision is made by the Assistant Superintendent and the expulsion order has been signed.)

The Administrator/Campus Behavior Coordinator's signature below indicates that the discipline policy has been followed, this report has been reviewed and contains the required information, the Administrator/Campus Behavior Coordinator of the hearing has fairly and reasonably considered the information presented during the hearing, and that the student should be expelled.

My signature below indicates that the discipline policy has been followed; this report has been reviewed and contains the required information. I have fairly and reasonably considered the information presented during the conference.

 Parent's Signature

 Date

 Assistant Principal's Signature

 Date

 Campus Behavior Coordinator Signature

 Date

**Cesar Chavez (JJAEP) EXPULSION RECOMMENDATION NOTICE LETTER**

Date: _____

Name: _____

Address: _____

City, State, Zip Code: _____

RE (Student Name): _____

Dear _____:

On (date) an expulsion hearing was held for _____ (student's name.)Based on the information presented at the hearing, I am recommending to the appropriate administrator that (student's name) be expelled for ☐ **180 DAYS** ☐ **75 DAYS** ☐ **Other** _____.

In addition, I have forwarded notice of the removal to the Principal at KEYS Academy for implementation of the District's Discipline Alternative Education Program as a Temporary Hold pending placement at Cesar Chavez Academy. You will be notified via telephone of your scheduled intake appointment date at KEYS Academy, 12380 Pine Springs, El Paso, TX 79928.

The District's disciplinary decisions are based on a reasonable belief that a violation occurred. Reasonable belief may be based upon, but not limited to, the following: witnesses, affidavits, arrest warrants, and judicial dispositions. Please be advised that a no-bill by a Grand Jury, or a reduction or acquittal of charges by a court, while taken into serious consideration, may not in and of itself negate the District's reasonable belief.

If you do not agree with this decision, an appeal form must be filed within 3 school calendar days of the date of this expulsion notice for expulsion to Cesar Chavez. Attached is an appropriate form for this purpose should you desire to appeal. The Temporary Hold at KEYS Academy may not be appealed.

CONSEQUENCES SHALL NOT BE DEFERRED PENDING THE OUTCOME OF A JJAEP APPEAL. A STUDENT MUST BE CURRENTLY ENROLLED TO BE ELIGIBLE FOR AN APPEAL.

Please be advised your son/daughter is prohibited from attending any SISD school functions. If he/she is found on campus or at a school function, the administration will file trespassing charges.

If you need any further assistance, please contact me at _____ (telephone number).

Sincerely,

Assistant Principal Signature_____
Campus Behavior Coordinator Signature_____
Principal Signature_____
Parent Signature acknowledge receipt



CESAR CHAVEZ (JJAEP) APPEAL FORM

Student's Name: _____ Date: _____

School: _____ Home Phone: _____

Address: _____ Work Phone: _____

The Socorro Independent School District's Student Code of Conduct provides for the appeal of a student's removal to the Discipline Alternative Educational Program/JJAEP. An appeal form must be filed within 3 school calendar days of the date of the removal notice to the appropriate administrator at the level indicated below. Untimely appeals will not be considered.

☐ **Level I: Principal**☐ **Level II: Appeals Committee:****Dr. Andrea Cruz, Assistant Superintendent/Administrative Services****(915) 937-0053**

Within ten school calendar days of the receipt of your appeal, a meeting at the appropriate level will be scheduled to consider your appeal. You will receive written notice of the decision resulting from this appeal.

Were you notified of the hearing? Yes: _____ No: _____

Did you and/or your child attend the hearing? Yes: _____ No: _____

Were you and your child given an opportunity to present his/her side of the situation during the hearing?

Yes: _____ No: _____

Are you in agreement that the event occurred? Yes: _____ No: _____

Did your son/daughter admit involvement in the alleged offense(s)? Yes: _____ No: _____

If "No," what is your child's side of the situation? (please attach additional information if needed)

Please explain the reason for the appeal:

Parent's Signature: _____ Date: _____

Principal's Signature: _____ Date: _____



DAEP: Temporary Hold Pending JJAEP Expulsion

Date: _____

KEYS Academy:

The following student is being recommended for expulsion to JJAEP-Cesar Chavez Academy.

Attached please find documentation to substantiate the Temporary Hold at KEYS Academy pending the JJAEP intake.

Student Name: _____
ID# _____
DOB: _____
CASE# _____
ESTIMATED PERIOD OF PLACEMENT: _____ DAYS

I will follow-up with you on a weekly basis to inform you of the status of the JJAEP placement.

If you have any questions, please contact me.

Thank you,

Administrator's Signature

Campus Behavior Coordinator



Section 5: Manifestation Script



Special Education
SOCORRO INDEPENDENT SCHOOL DISTRICT
MANIFESTATION DETERMINATION SCRIPT
(Use before Removal/Expulsion occurs.)

Introduction by Chairperson:

The purpose of this ARD is to make a manifestation determination. This means that we are to decide whether there is a relationship between _____'s behavior and his/her disability and whether we failed to implement his/her IEP. If we determine that there is no manifestation, then regular district procedures for removal/expulsion will be available to the campus administrator. This ARD does not remove/expel a student from school. The ARD committee is responsible for reviewing the IEP, determining the manifestation, and developing a comparable program to provide the student with a free, appropriate public education should the administration recommend a removal/expulsion at the disciplinary conference/hearing. Everyone present at the meeting, please state your name and role today.

You (to the parent) were given a copy of your procedural safeguards before this meeting. Do you understand these safeguards?

(If the answer is no, please read and explain the safeguards.)

*On (date), you were given **written notice of this ARD** meeting and the reasons that the meeting has been scheduled. You were also told that you and your child could provide any information you would like the committee to consider during this discussion. (Include a parent information guide that has options for questions they might ask, types of information they may have to share, and definitions of terms they will encounter in the meeting.)*

The relevant members of the ARD committee who will determine manifestation include:

*Parents and/or adult student
Administration
Evaluation representative
Regular Education Teacher
Special Education Teacher*

All other committee members are invited to participate in the discussion and offer opinions: however, the relevant members will determine whether the behavior is a manifestation of the disability.

We will begin by having _____ describe the behavioral infraction(s) that is/are subject to disciplinary action. (Allow administrator time to provide a complete description of behavior.) (Rather than having administrators review the entire discipline file, a specific format/form to document all information should be used concisely.)

Does the behavioral infraction fall into a special circumstance category?

- The student carried or possessed a weapon.
- Student knowingly possessed or used illegal drugs on school premises or at a school function.
- The student sold or solicited the sale of a controlled substance at school, on school premises, or at a school function.



- The student inflicted serious bodily injury upon another person at school, on school premises, or at a school function.

(To parent and/or student)

Does any information described need to be clarified? What information would you like to add pertinent to the conduct described? Do you have any questions?

(Allow plenty of time for parent and/or student input.)

(To the committee)

The following information will be reviewed as we make this manifestation determination:

- Evaluation/Diagnostic information
- Current (within 1 year) Functional Behavioral Assessment
- IEP (to include any current Behavior Intervention Plan)
- Discipline Records
- Teacher Documentation/Reports
- Attendance Records
- Health Records (if appropriate)
- Parent Information

REVIEW:

Let us begin by looking at the latest evaluation.

- **Is it current? (If yes, review; if not, plan how to update the evaluation. It is possible to continue even if the evaluation is not current).**
- *What is the current eligibility?*
- *If the student is eligible as ED, which of the 5 categories determines eligibility?*
 - Inability to learn that cannot be explained by intellectual, sensory, or health factors,
 - Inability to build or maintain satisfactory interpersonal relationships with peers and teachers,
 - Inappropriate types of behavior or feelings under normal circumstances,
 - The general pervasive mood of unhappiness or depression,
 - Tendency to develop physical symptoms or fears associated with personal or school problems.
- *Does the evaluation reflect the current behavior?*
- *Does current behavior or changes in behavior over time suggest the need for further evaluation? If YES, a re-evaluation plan meeting will be scheduled.*

(To the parent)

Do you have an additional evaluation or other information (visits with a physician, outside counseling, community interventions, and supports) that you would like the committee to consider? (If the parent refers to an evaluation the school has not seen, ask the parent for a copy. If the parent has a copy at the ARD meeting and will provide written documents immediately, allow committee members, including the evaluation representative, to have a little time to read the report.) If the information shared by the parent should be considered part of the eligibility evaluation, a re-evaluation plan meeting will be scheduled.



We will now review the current IEP placement and programming. (allow time for review) (Special education teacher will review current placement, special education supports, accommodations/modifications, BIP, and other teacher reports.)

Is a Behavioral Intervention Plan developed from a current (within 1 year) and a Functional Behavioral Assessment conducted within the past year included in the current IEP?

If the answer is YES:

What does the Behavioral Intervention Plan say about the behaviors we are discussing today? Is the current behavior addressed in the BIP?

If Behavioral Intervention Plan does not address the behaviors being discussed in ARD:

Is there an educational need to amend the current BIP? If so, this will be addressed after the manifestation determination portion of this meeting.

If the answer is NO:

Develop a BIP that will support the student while pending completion of the Functional Behavior Assessment (pending parent approval).

MANIFESTATION DEFINITION:

*Now the ARD committee must make a manifestation determination. We must determine if the conduct in question was caused by or had a direct and substantial relationship to _____'s disability (**all disabilities**) and whether the school failed to implement _____'s IEP.*

- ***Standard 1:*** *Based on the information presented to this committee, was the conduct in question caused by or had a direct and substantial relationship to the student's disability? (Define caused by or direct and substantial) (Allow relevant members to express their opinion and answer YES or NO. Recommended order of participant response: evaluation specialist first, then special education teacher, parent, general education teacher, and administrator.) ** If YES, describe the relationship.*
- ***Standard 2:*** *Is the behavior subject to disciplinary action a direct result of the failure of the school to implement the IEP? (IE: Were the Special Education services and behavior intervention strategies provided consistent with the student's IEP and placement?) (Allow relevant members to express their opinion and answer YES or NO. Recommended order of participant response: evaluation specialist first, then special education teacher, parent, general education teacher, and administrator) **If YES, the behavior MUST be considered a manifestation of the student's disability.*

NOTE: IF EITHER of the TWO STANDARDS WERE MET, THE BEHAVIOR MUST BE CONSIDERED A MANIFESTATION OF THE STUDENT'S DISABILITY.

If the behavior is determined to be a manifestation of the student's disability, THE COMMITTEE MOVES TO problem-solve to make changes in IEP to address behavioral concerns, and the student may return to the current placement.

If there is no FBA or the existing FBA is not current, the committee must develop an FBA and support BIP during the problem-solving portion of ARD.



Return the student to the previous placement unless you and the parent agree to a change of placement (with the revised BIP).

IF YES:

This committee determines that the behavior subject to disciplinary action is a manifestation of their disability.

If the behavioral infraction does NOT fall into a special circumstance category:

This is the conclusion of the manifestation determination portion of the ARD. Are there any further comments or questions related to the manifestation determination? If not, the meeting will proceed to address IEP changes.

If the behavioral infraction FALLS into a special circumstance category, the student may be assigned to an alternative educational setting.

The current behavioral infraction falls into a special circumstance category (specify category). Students may be removed to alternative educational settings for not more than 45 school days without regard to the behavior being a manifestation of the disability. According to the district policy and procedures, another administrator or I may recommend removal. A student with disabilities is entitled to continue receiving a free, appropriate public education even during removal. Therefore, I would like this ARD committee to recommend appropriate programming should removal be assigned.

The committee should make recommendations for special education services, and the daily schedule for the student should attend DAEP. Allow time for this information to be discussed and documented in ARD paperwork. Electives unavailable at DAEP should also be noted, and the effect (if any) this may have on graduation.

This is the conclusion of the manifestation determination portion of the ARD. Are there any further comments or questions related to the manifestation determination? If not, the meeting will proceed to address IEP changes.

IF NO:

- **If the committee determines that the behavior is not a manifestation of the disability, the same discipline procedures applied to non-disabled students may be used (except that free appropriate public education (FAPE) must be provided after a total of 10 days of removal from IEP).**
- **If REMOVAL/EXPULSION by an administrator is a possibility according to district policy and procedures, the ARD can review the student's IEP and make recommendations before dismissal.**

Since the behavior is NOT a manifestation of their disability, another administrator or I may recommend removal/expulsion according to district policy and procedures. A student with disabilities is entitled to continue receiving a free, appropriate public education even during removal/expulsion. Therefore, based on our earlier review of the student's IEP, I would like this ARD committee to make recommendations for appropriate programming should we decide to use removal/expulsion.



The committee should recommend special education services and a daily schedule if the student should attend DAEP. Allow time for this information to be discussed and documented in ARD paperwork. Electives unavailable at DAEP should also be noted, and the effect (if any) this may have on graduation. Students who may be placed in the DAEP Social Behavior Skills (self-contained) classroom will require the ARD Committee to address Transportation as a related service.

Are there any further comments or questions related to the manifestation determination? This is the conclusion of the manifestation determination portion of the ARD.

The committee must move to problem-solve to make changes to IEP to address behavior concerns that go into effect immediately or upon the student's return to home campus if assigned to DAEP.

The meeting will address IEP, FBA, and BIP changes as needed.

IF THE PARENT DISAGREES WITH THE MANIFESTATION DETERMINATION or the placement, they may request an expedited hearing. The student shall remain in the interim alternative placement pending the hearing officer's decision. The hearing shall take place within 20 school days of the date that the hearing is requested.

ADJOURN THE ARD MEETING

All ARD Committee members not required to attend the conference/hearing will be excused.

AT THIS TIME, YOU MAY CONDUCT A REMOVAL CONFERENCE/EXPULSION HEARING ACCORDING TO DISTRICT PROCEDURES FOR THE REMOVAL/EXPULSION OF REGULAR EDUCATION STUDENTS.



**SECTION 504
SOCORRO INDEPENDENT SCHOOL DISTRICT
MANIFESTATION DETERMINATION SCRIPT
(Used Before Removal/Expulsion)**

Introduction by Chairperson:

This Sec. 504 Committee meeting aims to make a manifestation determination. This means that we are to decide whether there is a relationship between _____'s behavior and his/her disability as named in his Sec. 504 eligibility. If we determine that there is no manifestation, then regular district procedures for removal/expulsion will be available to the campus administrator. This Sec. 504 Committee does not remove/expel a student from school. The Section 504 Committee is responsible for reviewing the IAP (Individual Accommodations Plan) and determining the manifestation, which will provide the student with a free, appropriate public education, should the administration recommend a removal/expulsion at the disciplinary conference/hearing. Everyone present at the meeting, please state your name.

You (to parent) were given a copy of your rights under Sec. 504 of the Rehabilitation Act before this meeting. Do you understand your rights under this law?

(If the answer is no, please read and explain the rights.)

On (date), you were given written notice of the Sec. 504 Committee meeting and the reasons that the meeting has been scheduled. You were also told that you and your child could provide any information you would like the committee to consider during this discussion.

The required Sec. 504 Committee members are those who "know the student, the meaning of the evaluation data, and the placement options available to the student." These are the people who will make the decision regarding "manifestation determination."

The members of this 504 committee who will determine the issue of manifestation may also include:

Parents and/or adult student

Administrator

Counselor

Campus Sec. 504 Coordinator

Teachers who know the student and are familiar with their accommodations

Nurse

School Resource Officer

We will begin by having _____ describe the behavior(s) that are subject to disciplinary action.

(Allow the presenter to provide a complete description of behavior.)

(To parent and/or student)

What information would you like to add? Do you have any questions?

(Allow plenty of time for parent and/or student input.)

Does the behavioral infraction fall into a special circumstance category?

- The student carried or possessed a weapon.
- The student knowingly possessed or used illegal drugs on school premises or at a school function.



- The student sold or solicited the sale of a controlled substance at school, on school premises, or at a school function.
- The student inflicted serious bodily injury upon another person at school, on school premises, or at a school function.

REVIEW:

(To the committee)

What information will we be reviewing as we make this manifestation determination?

Examples might include the following:

- **Current Accommodation Plan (Review Required)**
- **Behavior Checklists**
- **Discipline records**
- **Teacher observations**
- **Anecdotal evidence**
- **Police reports**
- **Attendance records**
- **Evaluation information from the cumulative folder**
- **Behavior Intervention Plan (if one was written for a student with some disability that affects behavioral controls listed as the Sec. 504 impairment.) A BIP would not have been developed for students with other impairments.**
- **Health records**
- **Medical information from an outside source**

MANIFESTATION DEFINITION:

Now the Sec. 504 Committee must make a manifestation determination. We will be looking at whether the conduct in question was caused by or had a direct and substantial relationship between _____'s disability and the behavior(s) subject to disciplinary action.

- ***Standard 1:*** Based on the information presented to this committee, was the conduct caused by or had a direct and substantial relationship between the incident and the student's disability? (Define direct and substantial) **(Allow relevant members to express an opinion and answer YES or NO.) ** If YES, describe the relationship.**
- ***Standard 2:*** Is the behavior subject to disciplinary action a direct result of the failure of the school to implement the IAP? **(Allow relevant members to express their opinion and answer YES or NO.)**
****If YES, the behavior MUST be considered a manifestation of the student's disability.**

NOTE: IF EITHER of the TWO STANDARDS WERE MET, THE BEHAVIOR MUST BE CONSIDERED A MANIFESTATION OF THE STUDENT'S DISABILITY.

If the behavior is determined to be a manifestation of the student's disability, THE COMMITTEE MOVES TO problem-solve to make changes to the Accommodation Plan to address behavioral concerns, and the student may return to the current placement.



If YES:

This committee determines that the behavior subject to disciplinary action is a manifestation of _____'s impairment.

If the behavioral infraction does NOT fall into a special circumstance category:

This is the conclusion of the manifestation determination portion of the Section 504 meeting. Are there any further comments or questions related to the manifestation determination? If not, the meeting will proceed to address any IAP changes.

If the behavioral infraction FALLS into a special circumstance category, the student may be assigned to an alternative educational setting.

If the current behavioral infraction falls into a special circumstance category (specify category). The student may be removed to the alternative educational setting for not more than 45 school days without regard to the behavior being a manifestation of the disability. According to the district policy and procedures, another administrator or I may recommend removal. A student with disabilities is entitled to continue receiving a free, appropriate public education even during removal.

The committee should recommend implementing the Individual Accommodation Plan and daily schedule if the student should attend DAEP.

This is the conclusion of the manifestation determination portion of the 504 Committee. Are there any further comments or questions related to the manifestation determination?

If NO:

If the Sec. 504 Committee determines that the behavior is not a manifestation of the disability, the same discipline procedures applied to non-impaired students may be used (with the exception that free appropriate public education (FAPE) must be provided after a total of 10 days of removal from their IAP.)

If removal/expulsion by an administrator is a possibility according to district policy and procedures, the Sec. 504 Committee can review the student's IAP and make recommendations before dismissal.

IF THE PARENT DISAGREES WITH THE MANIFESTATION DETERMINATION or the placement, they may request a hearing. The student shall remain in the interim alternative placement pending the hearing officer's decision. The hearing shall take place within 20 school days of the date that the hearing is requested.

ADJOURN THE SEC 504 MEETING.

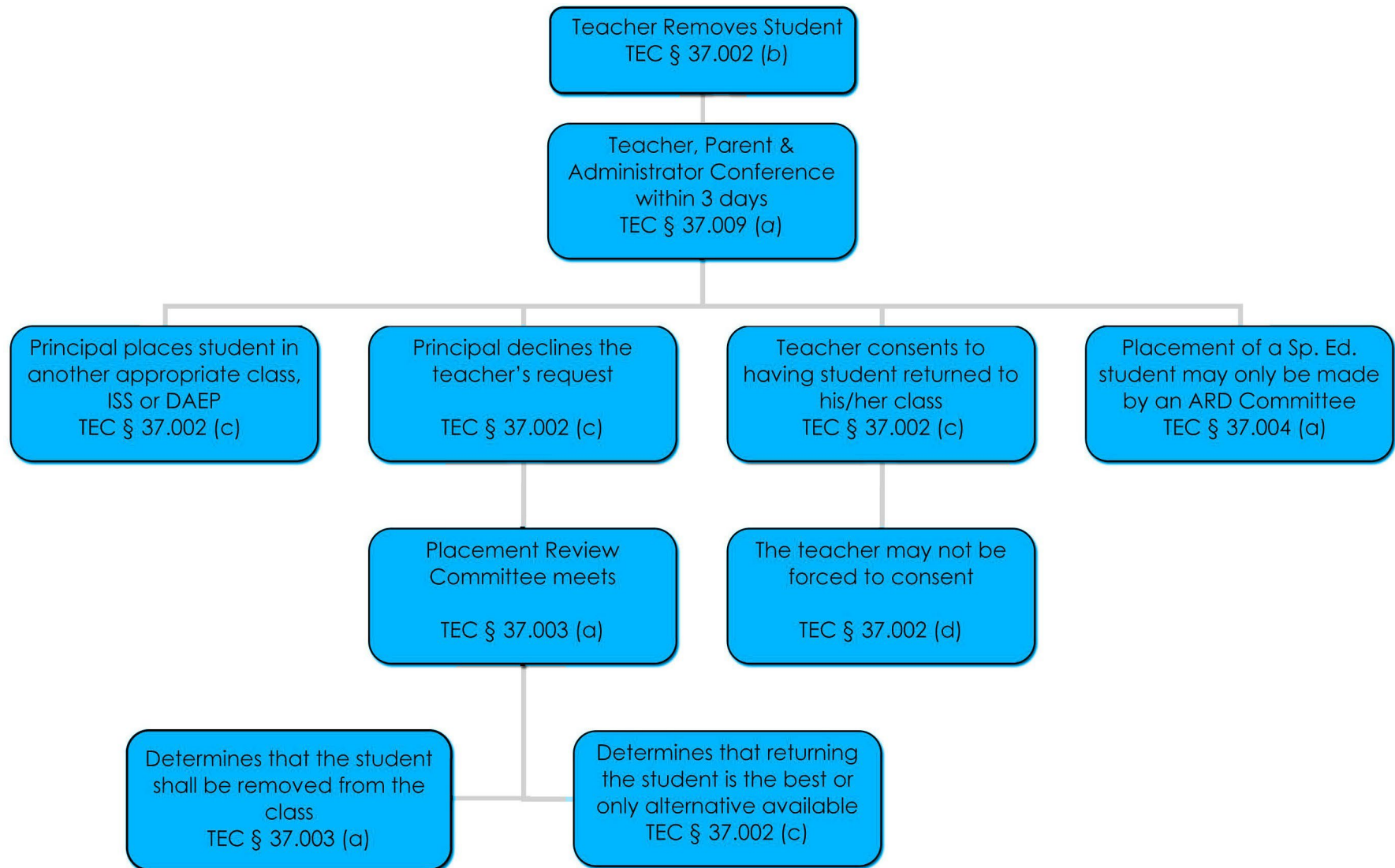
AT THIS TIME, YOU MAY CONDUCT A REMOVAL CONFERENCE/EXPULSION HEARING ACCORDING TO DISTRICT PROCEDURES FOR REMOVAL/EXPULSION OF REGULAR EDUCATION STUDENTS.

Sec. 504 of the Rehabilitation Act



Section 6: TEACHER REMOVAL

Student Removal By Teacher TEC(§ 37.002 (b))



DISCRETIONARY REMOVAL BY TEACHER (Sec. 37.002)

1. A teacher may send a student to the principal's office to maintain effective discipline in the classroom. The Principal/Campus Behavior Coordinator shall respond by employing appropriate discipline management techniques. [TEC 37.002(a)]. For students with disabilities, the Principal/Campus Behavior Coordinator should review the Behavior Intervention Plan (part of the IEP).
2. A teacher may remove a student from class: [37.002(b)]
 - who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or
 - whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

If a teacher removes a student from class for either of these reasons, the Principal/Campus Behavior Coordinator may place the student into another appropriate classroom, into in-school suspension, out-of-school suspension, or into an alternative education program. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities.

The District shall not use OSS for students in grades 2 or below unless the conduct meets the requirements established in law.

The teacher may use the following form to document the behavior. It is also suggested that the teacher use the following letter for making the removal.

A copy of the teacher's letter and documentation should be sent to the parent within 24 hours and a hearing scheduled and conducted within 3 school days. The hearing should include the Principal/Campus Behavior Coordinator or designee, teacher, parent/guardian and student (as appropriate). The Principal/Campus Behavior Coordinator may not return the student to that teacher's class without the teacher's consent unless the Placement Review Committee determines that such placement is the best or only alternative available.

NOTE:

If the following offenses are committed against the teacher,
the student may not be returned to the class without the teacher's consent:
assault with bodily injury, aggravated assault, sexual assault, or aggravated sexual assault.
This cannot be over-ruled by a Placement Review Committee.

FORM LETTER FOR DISCRETIONARY REMOVAL
(Use Campus Letterhead)

TO: (Principal/Campus Behavior Coordinator's name), Title

FROM:

DATE:

RE: Removal of Student under Section 37.002(b), Texas Education Code

Attached is a cumulative discipline record detailing the repeated interference by (student's name) with my ability to communicate effectively with the students in my class or with the ability of this student's classmates to learn.

and/or

Attached is a discipline record documenting behavior by (student's name) that is so unruly, disruptive, or abusive that it seriously interferes with my ability to communicate effectively with the students in my class or with the ability of this student's classmates to learn.

Under the provisions of Texas Education Code Section 37.002(b), I am requesting her/his removal from my classroom. It is my understanding that she/he may not be returned to my classroom before a hearing is held with you, the student, the student's parent or guardian, and me.

Please notify me as to the date of this hearing.

It is my further understanding that, once a student has been shown to have engaged in the type of conduct cited above, that student may not be returned to my classroom without my consent, unless the Placement Review Committee established under Section 37.003 of the Texas Education Code determines that such placement is the best or only alternative available.

**SOCORRO INDEPENDENT SCHOOL DISTRICT
CUMULATIVE DISCIPLINE FORM**

Student Name: _____ **Teacher:** _____

ID#: _____

DATE	INCIDENT	ACTION TAKEN

Additional comments:

Teacher's Signature: _____ **Date:** _____



PLACEMENT REVIEW COMMITTEE (Section 37.003)

1. Each school **shall** establish a three-member committee to determine placement of a student when a teacher refuses to accept the return of a student who has been removed under the provisions of TEC 37.002(b) to that teacher's class and make recommendations to the district regarding re-admission of expelled students.
2. Members shall be appointed as follows:
 - ◆ the campus faculty shall choose two teachers to serve as members and one teacher to serve as an alternate member; and
 - ◆ the Principal/Campus Behavior Coordinator shall choose one member from the professional staff of a campus.
3. The teacher refusing to re-admit the student may not serve on the committee.
4. The committee should serve for one school year and should meet on an "as needed" basis.
5. Should the Placement Review Committee need to meet, you may wish to follow the following format:
 - Let one member of the Committee act as spokesman.
 - Spokesman lets participants know that each may speak uninterrupted about their concerns/recommendations. Each will have 10 minutes. You will listen and ask clarifying questions if needed. Participants will *not* have the opportunity to question one another but can address questions to the Committee.
 - Teacher may speak.
 - Administrator may speak.
 - Other (e.g., parent).
 - When presentations are final, the spokesman may let the participants know that a decision will be shared in writing within three days.
 - Dismiss participants.
 - Discuss and decide.
 - Provide decision in writing.

NOTE: Special Education student placements remain the responsibility of the ARD Committee.



Texas Education Code - EDUC § 37.002. Removal by Teacher

(a) A teacher may send a student to the campus behavior coordinator's office to maintain effective discipline in the classroom. The campus behavior coordinator shall respond by employing appropriate discipline management techniques consistent with the student code of conduct adopted under [Section 37.001](#) that can reasonably be expected to improve the student's behavior before returning the student to the classroom. If the student's behavior does not improve, the campus behavior coordinator shall employ alternative discipline management techniques, including any progressive interventions designated as the responsibility of the campus behavior coordinator in the student code of conduct.

(b) A teacher may remove from class a student:

(1) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or

(2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

(b-1) A teacher may document any conduct by a student that does not conform to the student code of conduct adopted under [Section 37.001](#) and may submit that documentation to the principal. A school district may not discipline a teacher on the basis of documentation submitted under this subsection.

(c) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into a disciplinary alternative education program as provided by [Section 37.008](#). The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under [Section 37.003](#) determines that such placement is the best or only alternative available. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.

(d) A teacher shall remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in conduct described under [Section 37.006](#) or [37.007](#). The student may not be returned to that teacher's class without the teacher's consent unless the committee established under [Section 37.003](#) determines that such placement is the best or only alternative available. If the teacher removed the student from class because the student has engaged in the elements of any offense listed in [Section 37.006\(a\)\(2\)\(B\)](#) or [Section 37.007\(a\)\(2\)\(A\)](#) or [\(b\)\(2\)\(C\)](#) against the teacher, the student may not be returned to the



teacher's class without the teacher's consent. The teacher may not be coerced to consent.

(e) A student who is sent to the campus behavior coordinator's or other administrator's office under Subsection (a) or removed from class under Subsection (b) is not considered to have been removed from the classroom for the purposes of reporting data through the Public Education Information Management System (PEIMS) or other similar reports required by state or federal law.



Section 7: Bullying



INVESTIGATION REPORT

Student ID#
(student filing report)

CAMPUS: _____ **School Year:** _____ **Date of Alleged Bullying:** _____

Purpose of Investigation:

- ☐ To determine if incident rises to the level of bullying (Board Policy FFI)
- ☐ To determine if incident rises to the level of harassment (Board Policy FFH)
- ☐ To determine if incident rises to the level of discrimination (Board Policy FFH)
- ☐ To determine if incident rises to the level of retaliation (Board Policy FFH &/or FFI)

Information giving rise to the investigation: _____

Notification made in person or via anonymous alert system: _____

Person Making the Initial Report: _____

Person in-charge of the investigation: _____

Students or Staff Directly Involved in the Incident:

Name	ID #	Grade (if student)	Student/Staff (please indicate)

Witnesses to the Incident:

Name	ID #	Location of witness related to incident

Notice to Parents of Any Student Alleged to Have Experienced or Engaged in Prohibited Conduct:

Parent Contacted	Re: Student	Date, Time, and Manner

Students/Staff Interviewed:

Name	ID#	Date(s) and Time(s)	Witness Statement with date and signature obtained? (Y/N)	Notes taken by interviewer with name and date of witness? (Y/N)



Findings:

Date(s) and time(s) of Incident(s): _____
Determination of what occurred based on this investigation (include names, location, each person's actions, etc.): _____

History of Behavior:

Is this the first time there has been an incident between the individuals? _____
If no, describe past incidents: _____

Retaliation:

Is there any indication that this incident may be retaliation for making a report, being a witness, or participating in a bullying, discrimination, or harassment investigation? _____

Incident Involves the Following Issues:

- ☐ Discrimination: Race, color, religion, gender, national origin, and/or disability
 - ☐ Describe conduct: _____

- ☐ Harassment:
 - ☐ Act of discrimination above includes conduct so severe, persistent, or pervasive that the conduct:
 - ☐ affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
 - ☐ has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
 - ☐ otherwise adversely affects the student's educational opportunities.
- ☐ Bullying:
 - ☐ Indicator 1:
 - ☐ Single significant act
 - ☐ A pattern of acts
 - ☐ Indicator 2:
 - ☐ By one or more students directed at another student that exploits an imbalance of power



- Indicator 3:
 - ☐ Physically harms a student or damages their property
 - ☐ Creates reasonable fear of harm to student or damage to their property
 - ☐ Is sufficiently severe, persistent, or pervasive enough that the action or threat creates:
 - Intimidating educational environment
 - Threatening education environment
 - Abusive educational environment
 - ☐ Materially and substantially disrupts the educational process or operation of school
 - ☐ Infringes on rights of victim at school
- Indicator 4:
 - ☐ The use of an electronic communication device and the act interfered with a student's educational opportunities; or substantially disrupt the orderly operation of a classroom, school, or school-sponsored/related activity
 - ☐ On school property
 - ☐ At a school-sponsored or school-related activity (on or off campus)
 - ☐ On school bus or vehicle used to transport students

☐ None of the above (DOES NOT Constitute FFI/FFH)

☐ **FFI/FFH Finding:**

○ Investigator finds Incident DOES Constitute:

- ☐ Bullying (*to include cyberbullying*)
- ☐ Harassment
- ☐ Retaliation
- ☐ Discrimination
- ☐ Dating Violence
- Parents of victim notified of finding (on or before the third business day after the incident was reported).
- Parents of perpetrator notified of finding (within a reasonable amount of time after the incident is reported).

Victim's Response:

- Investigator finds this does constitute reasonable self-defense in response.
- Investigator finds this does not constitute reasonable self-defense in response.



Corrective Action *(reasonably calculated to address the prohibited conduct):*

Action to Address the Effects of the Incident:

- ☐ Counseling options communicated to perpetrator (individual counseling, group counseling, or referral to outside resources)
- ☐ Counseling options communicated to victim (individual counseling, group counseling, or referral to outside resources)
- ☐ Counseling options communicated to witnesses (individual counseling, group counseling, or referral to outside resources)
- ☐ Training/lessons provided to _____.
- ☐ Regular _____ check-ins of _____ by District staff
- ☐ _____
- ☐ All teachers/monitors aware to be extra vigilant.
- ☐ Other: _____

Completed By:

Title	Date	Investigator In-Charge (Print Name)

Investigator In-Charge (Signature)

- ☐ Report submitted to Amanda Martinez AND Jackee Gutierrez, Administrative Services on _____



Anti-Bullying Contract

CAMPUS: _____ **STUDENT:** _____ **ID#:** _____

As a student of _____, I _____

ID # _____, agree to:

- not bully others;
- help others that are being bullied;
- try and include students that are being “left out”; and
- tell an adult at school and an adult at home if I suspect someone of bullying/being bullied.

I understand that if I engage in violence against another student – whether I initiated or not – I can face strict District-approved consequences (mandated by administration in accordance with the Student Code of Conduct), which may include but are not limited to:

- verbal/written reprimand and/or student/parent conference with administrator;
- withdrawal of privileges and/or change of class/schedule;
- community service and/or detention;
- referral to In-School-Suspension (ISS), commonly known as “SAC”;
- referral to counselor and/or Communities in School (CIS);
- transfer to a different campus;
- suspension/referral to a District Alternative Education Placement (KEYS Academy) TECSEC.25.0342;
- expulsion to a JJAEP (Caesar Chavez) TECSEC.37.0052;
- conduct that constitutes an offense under section 22.01 or 42.07(a)(7) Penal Code: report to Law Enforcement (i.e. assault, harassment or cyberbullying – Class A Misdemeanor) TECSEC.37.0151; and
- civil practice and remedies: a court may issue a temporary restraining order, temporary injunction or permanent injunction SEC.129A.002.

This also serves as a directive to **stay away 50 feet** from _____.

Student Signature

Date

Counselor Signature

Date

Administrator Signature

Date

BULLYING CHECKLIST

FOR SCHOOLS

PLEASE READ BEFORE USING CHECKLIST

To determine whether an act is bullying or cyberbullying by law, proceed down the checklist and provide a checkmark for each true statement. If any identified section does not receive at least one checkmark, then the act is not considered bullying by state law.

SB 179, "David's Law" expanded authority to school districts, allowing public and charter schools to address cyberbullying off-campus and outside of school-related or school-sponsored activities based on specific criteria. In order to address this legislative change, this checklist may help parents, educators, and administrators determine if a student at their school has been bullied according to the legislative definition. Please follow the conditional 'yes/no' logic for the questions regarding the use of electronic communication devices in possible bullying scenarios.

Did the act occur outside of a school-sponsored or school-related activity?

(This is an important distinction, as David's Law expands a school district's authority to include cyberbullying incidents that occur off campus and outside a school-sponsored or school-related activity, as long as it meets one of the below criteria.)

Yes

Did the act interfere with a student's educational opportunities; or substantially disrupt the orderly operation of a classroom, school, or school-sponsored/related activity?

No

According to law, if the act **DID NOT** meet the criteria above, it is not under the school district's authority.

IS IT BULLYING?

Was it a single significant act? ☐
Was it a pattern of acts? ☐

By one or more students directed at another student that **exploits an imbalance of power** ☐

Through physical contact ☐
Using verbal expression ☐
Using written expression ☐
Using electronic means ☐

Physically harms a student or damages their property ☐
Creates reasonable fear of harm to student or damage to their property ☐
Is sufficiently severe, persistent, or pervasive enough that the action or threat creates:
Intimidating educational environment ☐
Threatening educational environment ☐
Abusive educational environment ☐
Materially and substantially disrupts the educational process or operation of school ☐
Infringes on rights of victim at school ☐

Was the act committed by using any type of electronic communication device?

Yes

(i.e. Cellular or other phone, computer, camera, e-mail, text or instant messaging, social media app, Internet website, Internet communication tool)

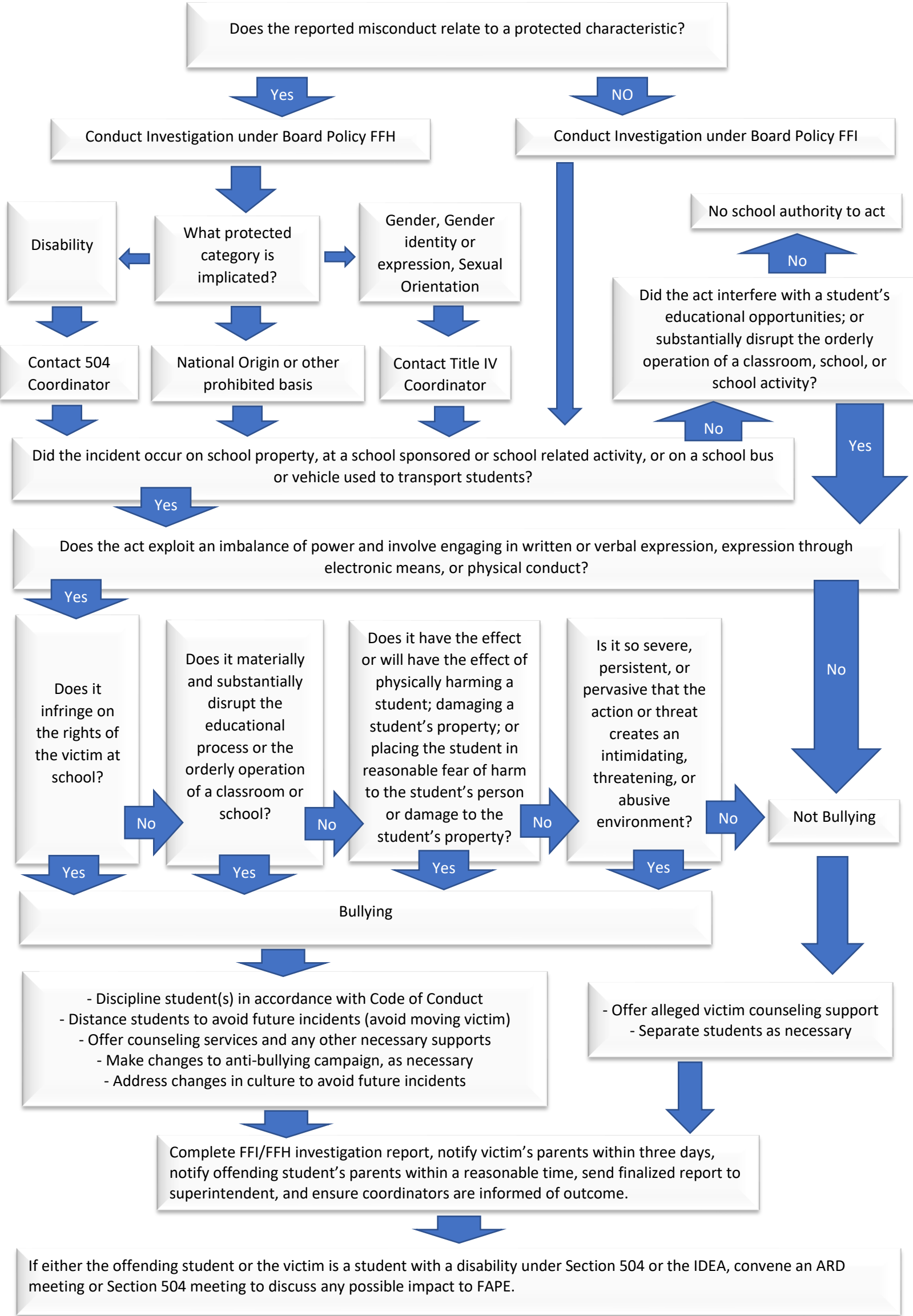
No

On school property ☐
At a school-sponsored or school-related activity (on or off campus) ☐
On school bus or vehicle used to transport students ☐

YES, IT'S BULLYING
(Cyberbullying is bullying)

UNDERWOOD

David's Law Bullying Compliance Flow Chart





Section 8: Policies

INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

INTRA
DISTRICT
TRANSFERS

Final approval for intra-district student transfers must come from either the Assistant Superintendent of Administrative Services or designee.

ATHLETIC
PARTICIPATION

A high school student:

Shall, on an approved transfer, be ineligible for varsity athletic competition for one year from the date of enrollment.

1. Shall upon acceptance into an approved Advanced Academy Program(Magnet)/Career & Technical Education (CTE) Program be eligible for varsity athletic competition upon enrollment. [See Intra-district Transfer Categories]

In accordance with UIL rules, effective the 2017-18 school year:

1. A high school student required to change schools as a result of attendance zone/boundary changes will not be required to complete a Previous Athletic Participation(PAPF) if the student did not practice or participate with his or her former school.
2. A high school student (i.e. grandfathered) who is provided an option due to attendance zone/boundary changes who chooses to change schools, is required to complete a Previous Athletic Participation Form(PAPF) if the student did not practice or participate with his or her former high school in grades 9th thru 12th.

RECRUITING

Recruiting is not only a violation by the student who has been recruited, but it is also a violation by the school and/or the school district personnel who recruited the student. It is a violation to recruit at all grade levels. (Section 409 UIL Constitution)

REVOCATION OF
TRANSFER

Students who receive an intra district transfer shall follow all rules and regulations of the District and school, including but not limited to District policies and regulations, the Student Code of Conduct, academic, attendance, athletics and discipline requirements. A student who commits a violation of the terms shall be issued a Notice of Potential Revocation. [See FDA/FDB (Exhibit)]

Violation of the terms of the Notice of Potential Revocation to include academic, attendance, athletics and discipline requirement may result in revocation of the transfer at the end of the 9 Week/Semester grading period in which the violation occurred. Student shall be returned to the home school upon revocation of transfer.

ELEMENTARY
SCHOOL CAMPUS

Transfers may be approved contingent on the campus being identified as an open campus for transfers. To be an open campus for transfers, the elementary school must be at 90% or less building capacity.

INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

MIDDLE SCHOOL
CAMPUS

Transfers may be approved contingent on the campus being identified as an open campus for transfers. To be an open campus for transfers, the middle school must be at 90% or less building capacity and must not exceed.

HIGH SCHOOL
CAMPUS

Transfers may be approved contingent on the campus being identified as an open campus for transfers. To be an open campus for transfers, the high school must be at 90% or less building capacity.

All campuses will be identified as either (Open = 90% or less building capacity) or (Closed = exceeds 90% building capacity). This information will be reviewed annually and may change as enrollment increases.

APPLICATION
PROCESS

On a yearly basis, submit appropriate Online Intra-district Transfer Application available on www.sisd.net under Popular Links.

APPROVAL
PROCESS

Administrative Services may approve a transfer when determining it is in the best interest of the student or for safety reasons.

After a school reaches or exceeds 90% building capacity, a school will be declared closed for any new transfer applications by the Assistant Superintendent of Administrative Services. Any exceptions must be Approved by the Superintendent or his designee.

Reference District Policies FDA and FDB (Legal/Local)

APPEALS

If an intra district transfer application is denied, an appeal may be made to the appeal committee. A final appeal may be made to the Assistant Superintendent of Administrative Services.

INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

TRANSFER
CATEGORIES

Socorro ISD does not offer open enrollment for intra-district transfers. The fourteen categories for Intra-District transfers are Employee's Child(ren), Advanced Academy Program (Magnet), Career and Technical Education (CTE) Program, Dual Language Academy, Elementary Academies, Public Education Grant (PEG), As per District Policy, Sibling, Tracking Transfer, Daycare, DSC Approved, Navy Junior Reserve Officers Training Corp (NJROTC), Grandparent Afterschool Care, and General Afterschool Care. Below is a brief description of each category.

1. Employee's Child(ren)-The Board of Trustees has approved for the children of employees of Socorro ISD to transfer from one SISD campus to another.
2. Advanced Academy Program (Magnet)
A student wishing to enroll in a Advanced Academy Program (Magnet-High School) may transfer to a school outside of their feeder pattern that offers an approved academic program that is not offered at their home campus prior to the start of their freshman year. The entrance requirements and selection process will be established by the school and approved by Cabinet. A student that leaves an academic program at any time shall have their transfer revoked and shall be returned to their home campus. Transportation will be provided from the transportation department designated routes.

The following High School Advanced Academy Programs (Magnet) serve all SISD students unless otherwise noted:

- 1.) Socorro HS:
Health Professions Academy (HPA)
Fire Science Academy
P-TECH Pre-Nursing (24-25 school year)
- 2.) Montwood HS:
Synergi4
P-TECH Biological Sciences
- 3.) Americas HS:
Libertas Academy
P-TECH Criminal Justice (24-25 school year)
(Eastlake/Socorro/Americas)
- 4.) El Dorado HS:
International Baccalaureate (IB)
Aztec Architecture Academy (AAA)
P-TECH Criminal Justice
(Pebble Hills/El Dorado/Montwood)
- 5.) Eastlake HS:
School of Advanced Technology Applications (SATA)
P-TECH Computer Science
- 6.) Pebble Hills HS:

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INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

Sparta Business and Finance Academy (SBA)
P-TECH Business

3. Career and Technical Education (CTE) Program
A student wishing to enroll in a Career and Technical Program (CTE-High School) may transfer to a school outside of their feeder pattern that offers an approved academic program that is not offered at their home campus prior to the start of their freshman year. The entrance requirements and selection process will be established by the school and approved by Cabinet. A student that leaves an academic program at any time shall have their transfer revoked and shall be returned to their home campus. Transportation will be provided from the transportation department designated routes.

The following CTE Programs serve SISD students as indicated below:

- 1.) Socorro HS:
Electrical Technology (Socorro/Eastlake)
 - 2.) Montwood HS:
Electrical Technology (Montwood/El Dorado)
Fashion Design (Montwood/El Dorado/Americas)
 - 3.) Americas HS:
Electrical Technology (Americas/Pebble Hills)
Welding Technology (Americas/Eastlake/Socorro)
Graphic Design (Americas/El Dorado/Pebble Hills)
 - 4.) El Dorado HS:
Heating Ventilation & Air Conditioning (All)
Agricultural Sciences (EL Dorado/Montwood/Americas)
Welding Technology (El Dorado/Montwood/Pebble Hills)
Marketing (El Dorado/Pebble Hills)
 - 5.) Eastlake HS:
Agricultural Sciences (Eastlake/Socorro)
Graphic Design
(Eastlake/Montwood/Socorro)
 - 6.) Pebble Hills HS:
Agricultural Sciences (Pebble Hills)
Fashion Design (Pebble Hills/Socorro/Eastlake)
4. Elementary Academies
 - Ernesto Serna Fine Arts Academy
 - Escontrias STEAM Academy
 - O'Shea Keleher Whole Child Academy
 - Paso Del Norte Fine Arts Academy
 - Sierra Vista STEAM Academy

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INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

- Vista Del Sol Environmental Science Academy
5. Dual Language Academies
 - Bill Sybert School
 - Dr. Sue Shook Elementary
 - Hueco Elementary
 - Myrtle Cooper Elementary
 6. Public Education Grant (PEG)-A student enrolled in a school identified under the PEG Program has the right to request a transfer to another school in his/her current district or in another district.
 7. As per District policy, students may transfer from one Socorro ISD school to another for reasons stated in District Policy FD (Local), FDA (Local), FDB (Legal), and FDD (Legal). Those reasons for requesting a transfer include but are not limited to:
 - Victim of bullying;
 - Engaged in bullying;
 - Victim of violent crime;
 - Victim of sexual assault;
 - Safe school transfer;
 - Grandparent after school care (SISD GPAC Form); and
 - General afterschool care provider: Elementary Schools Only (SISD GACP Form)
 8. Sibling - A sibling transfer can be made for siblings of students who are, or will be, attending the requested school at the same time. Note: A transfer application must be submitted for each sibling affected. Siblings must reside in the same household.
 9. Tracking Transfer-Students who have transferred or have been overflowed to another school and who have a history of at least two unbroken years of attendance in the two highest grades offered at the school may request a tracking transfer to the next level (i.e. to a middle school from an elementary school or to a high school from a middle school) in order to remain with their peers.

The tracking transfer shall not apply to a student who lives in an area impacted by the opening of a new campus; or, has moved and who wishes to seek a transfer back to the same school he or she was attending prior to the move. In these situations, the student must seek a general transfer. All requirements of the transfer policy shall apply.

10. Daycare-Elementary Schools Only: Student in daycare due to full-time work schedule of two working parents, or whose sole parent works (in single parent home).
 - Daycare provider must provide after school pick-up service at the transfer school requested
 - Parent(s) must present evidence of employment (i.e. Letter of Verification of Employment or Check Stub)
11. DSC Approved-A transfer may be approved when it is in the best interest of the District by an Assistant Superintendent.
12. Navy Junior Reserve Officers Training Corp (NJROTC):

INTRA DISTRICT TRANSFERS

FDB
(REGULATION)

The following NJROTC Programs serve students as indicated
below:

- Americas (Eastlake)
- El Dorado (Pebble Hills/Montwood)

Daytime transportation shuttle service will continue for 10th -
12th grade students currently enrolled in a NJROTC Program.

13. Grandparent Afterschool Care
14. General Afterschool Care
15. Child/(ren) of a Peace Officer

Approved:
James Vasquez, Acting Superintendent
4/17/24

Board Committee Review:
May 6, 2024

ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LOCAL)

A student shall be assigned to a school in the attendance area in which he or she resides.

Class Changes

The campus principal shall be authorized to investigate and approve the transfer of a student from one classroom to another on that campus.

Transfers Between Schools

The Superintendent or designee shall be authorized to investigate and approve transfers between schools unless otherwise outlined by the Texas Education Agency (TEA) or through an established memorandum of understanding (MOU).

Transfer Students

The District does not offer open enrollment for intradistrict transfers.

Intradistrict
Transfers

The fourteen categories for intradistrict transfers are:

1. Employees' children;
2. Advanced Academy Program (Magnet);
3. Career and Technical Education (CTE) Program;
4. Dual Language Academy (Elementary);
5. Elementary Academies;
6. Public Education Grant (PEG);
7. As per District policy;
8. Sibling;
9. Tracking transfer;
10. Day care;
11. DSC approved;
12. Navy Junior Reserve Officers Training Corp (NJROTC);
13. Grandparent after-school care;
14. General after-school care; and
15. Children of a peace officer.

Athletic Participation

A transfer student must meet all University Interscholastic League (UIL) guidelines to participate in UIL competition at the varsity level.

Note: For the transfer of a student who is the victim of bullying or who engaged in bullying, see FDB(LEGAL). For the transfer of a student who attends a persistently dangerous school, becomes a victim of a violent criminal offense, or becomes a victim of sexual assault, see FDE.

ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LEGAL)

Assignments

A board or its designee may assign and transfer any student from one school facility or classroom to another facility or classroom within its jurisdiction. *Education Code 25.031*

A board or its designee must make the decision concerning the assignment or transfer of a student on an individual basis and may not consider as a factor in its decision any matter relating to the national origin of the student or the student's ancestral language. *Education Code 25.032*

Multiple Birth Siblings

"Multiple birth sibling" means a twin, triplet, quadruplet, or other sibling resulting from a multiple birth.

"Parent" includes a person standing in parental relation.

Placement

The parent of multiple birth siblings who are assigned to the same grade level and school may request in writing, not later than the 14th day after the first day of enrollment, that the school place the siblings in the same classroom or in separate classrooms.

A school shall provide the placement requested, except that a district is not required to place multiple birth siblings in separate classrooms if the request would require the district to add an additional class to the grade level of the siblings.

The school may recommend to a parent the appropriate classroom placement and may provide professional educational advice to assist the parent with the decision.

These provisions do not affect:

1. A right or obligation regarding the individual placement decisions of the admission, review, and dismissal (ARD) committee with respect to students receiving special education services [see EHBAB]; or
2. The right of a district or teacher to remove a student from a classroom under Chapter 37 [see FOA].

Reassignment by Principal

At the end of the first grading period following the multiple birth siblings' enrollment in the school, if the principal of the school, in consultation with the teacher of each classroom in which the siblings are placed, determines that the requested classroom placement is disruptive to the school, the principal may determine the appropriate classroom placement for the siblings.

Appeal

A parent may appeal the principal's classroom placement in the manner provided by district policy. During an appeal, the siblings shall remain in the classroom chosen by the parent. [See FNG]

Education Code 25.043

ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LEGAL)

Placement of Older Students

A person who is 21 years of age or older who is admitted by a district to complete the requirements for a high school diploma and who has not attended school in the three preceding school years may not be placed with a student who is 18 years of age or younger in a classroom setting, a cafeteria, or another district-sanctioned school activity. This restriction does not prevent the student from attending a school-sponsored event that is open to the public as a member of the public. *Education Code 25.001(b-2)*

Petitions and Objections

The parent or person standing in parental relation to any student may by written petition either:

1. Request the assignment or transfer of the student to a designated school or to a school to be designated by the board; or
2. File objections to the assignment of the student to the school to which the student has been assigned.

Education Code 25.033, 26.003(a)(1)

Procedure

Upon receiving a written petition, a board shall proceed as follows:

1. If no hearing is requested, act on the petition not later than the 30th day after the petition is submitted and notify the petitioner of its conclusion; or
2. If a hearing is requested, designate a time and place for holding a hearing not later than the 30th day after the petition is submitted.

If a hearing is requested, it shall be conducted by a board in compliance with the following:

1. The petitioner may present evidence relevant to the student.
2. The board may conduct investigations as to the objection or request, examine any student involved, and employ agents, professional or otherwise, for the purpose of examinations and investigations.

Board's Decision

The board must grant the request made in the petition unless the board determines that there is a reasonable basis for denying the request. The decision of a board, with or without a hearing, is final, unless the student, or the parent, guardian, or custodian of the student as next friend, files an exception to the decision as constituting a denial of any right of the student guaranteed under the U.S. Constitution.

If such an exception is filed, a board may reconsider its decision. If a board has not ruled on the exception before the 16th day after the date of the filing, the objection is considered overruled. If the

ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LEGAL)

exception is overruled, an appeal of a board's decision may be filed in the district court of the county in which the board is located.

Education Code 25.034

**Students With a
Peace Officer or
Servicemember
Parent**

For information regarding intradistrict transfers upon request of a parent or person standing in parental relation who is a peace officer or servicemember, see FDA.

**Students Who Are
Victims of Bullying**

On the request of a parent or other person with authority to act on behalf of a student who is a victim of bullying, a board or its designee shall transfer the victim to:

1. Another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. A campus in the district other than the campus to which the victim was assigned at the time the bullying occurred.

**Students Who
Engage in Bullying**

The board may transfer the student who engaged in bullying to:

1. Another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. A campus in the district other than the campus to which the victim was assigned at the time the bullying occurred, in consultation with a parent or other person with authority to act on behalf of the student who engaged in bullying.

Education Code 37.004 (Placement of Students with Disabilities) applies to a transfer under this provision of a student with a disability who receives special education services.

Definition

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

Verification

A board or designee shall verify that a student has been a victim of bullying before transferring the student. A board may consider past student behavior when identifying a bully.

The determination by a board or designee is final and may not be appealed. The procedures set forth at Education Code 25.034 [see Petitions and Objections—Procedure, above] do not apply to a transfer under this provision.

A district is not required to provide transportation to a student who transfers to another campus under this provision.

Education Code 25.0342

ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LEGAL)

Note: For bullying rising to the level of prohibited harassment, see FFH. For all other bullying, see FFI. For transfers related to sexual assault or school safety, see FDE.

**Others in Special
Education Student's
Household**

If a district assigns a student to a district campus other than the campus the student would attend based on the student's residence, for purposes of receiving special education services, the district shall permit the student's parent, guardian, or other person standing in parental relation to the student to obtain a transfer to the assigned campus for any other student residing in the household of the student receiving special education services, provided that:

1. The other student is entitled to attend school in the district [see FD]; and
2. The appropriate grade level for the other student is offered at the campus.

This provision does not apply if the student receiving special education services resides in a residential facility.

Education Code 25.034 [see Petitions and Objections—Procedure, above] does not apply to a transfer under this provision.

Transportation

A district is not required to provide transportation to a student who transfers to another campus under this provision. This provision does not affect any transportation services provided by a district in accordance with other law for the student receiving special education services.

Education Code 25.0343

**Students in
Unacceptable
Schools**

A student is eligible to attend another public school in the district in which the student resides if the student is assigned to attend a public school campus assigned an unacceptable rating that is made publicly available under Education Code 39.054. *Education Code 29.202(a)* [See FDAA]

**Students in Schools
Identified for
Support and
Improvement**

A district may provide all students enrolled in a school identified by the Texas Education Agency (TEA) for comprehensive support and improvement under 20 U.S.C. 6311(c)(4)(D)(i) with the option to transfer to another public school served by the district, unless such an option is prohibited by state law.

A district shall give priority to the lowest achieving children from low-income families. A student who uses the option to transfer shall be enrolled in classes and other activities in the public school

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to which the student transfers in the same manner as all other students at the public school.

A district shall permit a student who transfers to another school to remain in that school until the child has completed the highest grade in that school. A district may spend an amount equal to not more than five percent of its allocation under 20 U.S.C. Chapter 70, Part A, Subpart 2 (Title I basic program allocations) to pay for the provision of transportation for students who transfer under these provisions to the schools to which they transfer.

20 U.S.C. 6311(d)(1)(D)

Note: See FDE for the school safety transfer option in Title I programs.

Class Changes

A parent or person standing in parental relation is entitled to reasonable access to the school principal, or to a designated administrator with authority to reassign a student, to request a change in the class or teacher to which the parent's child has been assigned, if the reassignment or change would not affect the assignment or reassignment of another student. The decision of a board regarding such a request is final and may not be appealed. *Education Code 26.002, .003(a)(2), (b)* [See FNG]

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Student Code of Conduct

The District's rules of discipline are maintained in the Board-adopted Student Code of Conduct and are established to support an environment conducive to teaching and learning.

Rules of conduct and discipline shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's website and/or as a hard copy to students, parents, teachers, administrators, and others on request.

Revisions

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.

Extracurricular Standards of Behavior

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property.

A student shall be informed of any extracurricular behavior standards at the beginning of each school year or when the student first begins participation in the activity. A student and his or her parent shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

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“Parent” Defined

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

General Discipline Guidelines

A District employee shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student’s behavior, to maintain order, or to protect other students, school employees, or property.
2. A student shall be treated fairly and equitably. Discipline shall be based on an assessment of the circumstances of each case. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student’s age;
 - c. The frequency of misconduct;
 - d. The student’s attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Requirements of Chapter 37 of the Education Code; and
 - g. The Student Code of Conduct adopted by the Board.
3. Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student’s parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Corporal Punishment

The Board 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.

Physical Restraint

Note: A District employee may restrain a student with a disability who receives special education services only in accordance with law. [See FOF(LEGAL)]

Within the scope of an employee’s duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.

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2. Obtain possession of a weapon or other dangerous object.
3. Protect property from serious damage.
4. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.

**Behavioral
Standards**

The following specific policies address student conduct in the areas of:

- Use of District technology resources—CQ
- Attendance—FEC
- Bullying—FFI
- School-sponsored publications—FMA
- Appropriate attire and grooming—FNCA
- Damage to school property—FNCB
- Prohibited organizations and hazing—FNCC
- Tobacco use—FNCD
- Use of personal telecommunications devices and other electronic devices—FNCE
- Drug and alcohol use—FNCF
- Weapons—FNCG
- Assault—FNCH
- Disruptions—FNCI, GKA

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**Student Code of
Conduct**

The board shall adopt a Student Code of Conduct for a district, with the advice of its district-level committee. The Student Code of Conduct must:

1. Specify the circumstances, in accordance with Education Code Chapter 37, Subchapter A, under which a student may be removed from a classroom, campus, disciplinary alternative education program (DAEP), or vehicle owned or operated by the district.
2. Specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a DAEP.
3. Outline conditions under which a student may be suspended, as provided by Education Code 37.005 [see FOB], or expelled, as provided by Education Code 37.007 [see FOD].
4. Specify that consideration will be given, as a factor in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), regardless of whether the decision concerns a mandatory or discretionary action, to:
 - a. Self-defense;
 - b. Intent or lack of intent at the time the student engaged in the conduct;
 - c. A student's disciplinary history;
 - d. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
 - e. A student's status in the conservatorship of the Department of Family and Protective Services; or
 - f. A student's status as a student who is homeless.
5. Provide guidelines for setting the length of removal to a DAEP or of expulsion. Except as provided by Education Code 37.007(e) (Gun-Free Schools Act [see FOD]), a district is not required to specify a minimum term of removal or expulsion.
6. Address the notification of the parent or guardian of a student's violation of the Student Code of Conduct that results in suspension, removal to a DAEP, or expulsion.
7. Prohibit bullying, harassment, and making hit lists and ensure that district employees enforce those prohibitions. "Bullying" has the meaning provided by Education Code 37.0832. [See

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FFI] “Harassment” means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health or safety. “Hit list” means a list of people targeted to be harmed using a firearm, as defined by Penal Code 46.01(3) [see FNCG]; a knife, as defined by Penal Code 46.01(7) (any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument); or any other object to be used with intent to cause bodily harm.

8. Provide, as appropriate for students at each grade level, methods, including options, for:
 - a. Managing students in the classroom, on school grounds, and on a vehicle owned or operated by the district;
 - b. Disciplining students; and
 - c. Preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.
9. Include an explanation of the provisions regarding refusal of entry to or ejection from district property under Education Code 37.105 [see GKA], including the appeal process established under 37.105(h).

The methods adopted must provide that a student who is enrolled in a special education program under Education Code Chapter 29, Subchapter A, may not be disciplined for bullying, harassment, or making hit lists until an admission, review, and dismissal (ARD) committee meeting has been held to review the conduct. [See FOF]

Education Code 37.001(a)-(b-1), (e)

Law Enforcement
Duties

The law enforcement duties of peace officers, school resource officers, and security personnel [see CKE] must be included in the Student Code of Conduct. *Education Code 37.081(d)(2)*

Changes in SCOC

Once a Student Code of Conduct is promulgated, any change or amendment shall be approved by a board.

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Posting	<p>The Student Code of Conduct must be posted and prominently displayed at each school campus or made available for review at the office of the campus principal.</p> <p><i>Education Code 37.001(b-1)-(c)</i></p>
Notice to Parents	<p>Each school year, a district shall provide parents with notice of and information regarding the Student Code of Conduct. <i>Education Code 37.001(d)</i></p>
<i>Noncustodial Parent</i>	<p>A noncustodial parent may request in writing that, for the remainder of the school year in which the request is received, a district provide that parent with a copy of any written notification that is generally provided to a student's parent or guardian, relating to student misconduct under Education Code 37.006 or 37.007. A district may not unreasonably deny the request. Notwithstanding this requirement, a district shall comply with any applicable court order of which the district has knowledge. <i>Education Code 37.0091</i></p>
Copies to Staff	<p>The district shall provide each teacher and administrator with a copy of Education Code Chapter 37, Subchapter A regarding student discipline and with a copy of the related local policy. <i>Education Code 37.018</i></p>
Campus Behavior Coordinator	<p>A person at each campus must be designated to serve as the campus behavior coordinator (CBC). The person may be the campus principal or any other campus administrator selected by the principal.</p> <p>The CBC is primarily responsible for maintaining student discipline and the implementation of Education Code Chapter 37, Subchapter A.</p>
Duties	<p>The specific duties of the CBC may be established by campus or district policy. Unless the policy provides otherwise, duties imposed on a campus principal or other campus administrator by Education Code Chapter 37, Subchapter A must be performed by the CBC and a power granted to a campus principal may be exercised by the CBC.</p>
Notice to Parents	<p>The CBC shall promptly notify a student's parent or guardian if the student is placed into in-school or out-of-school suspension, placed in a DAEP, expelled, or placed in a JJAEP or is taken into custody by a law enforcement officer.</p> <p>A CBC must provide notice by promptly contacting the parent or guardian by telephone or in person; and making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.</p>

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If a parent or guardian entitled to notice has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, a CBC shall mail written notice of the action to the parent or guardian at the parent's or guardian's last known address.

If a CBC is unable or not available to promptly provide notice, the principal or other designee shall provide the notice.

Education Code 37.0012

**Website
Requirement**

A district shall post on the district's website, for each campus, the email address and dedicated telephone number of a person clearly identified as:

1. The campus behavior coordinator; or
2. If the district has been designated as a district of innovation under Education Code Chapter 12A [see AF] and is exempt from the requirement to designate a campus behavior coordinator under the district's local innovation plan, a campus administrator designated as being responsible for student discipline.

Education Code 26.015

**No Unsupervised
Setting**

Except for students who are suspended or expelled, no student may be placed in an unsupervised setting as a result of conduct for which a student may be placed in a DAEP. *Education Code 37.008(h)*

**Continuation of
Disciplinary Action**

If a district takes disciplinary action against a student and the student subsequently enrolls in another district or school before the expiration of the period of disciplinary action, the district or school taking the disciplinary action shall provide to the district or school in which the student enrolls, at the same time other records of the student are provided, a copy of the order of disciplinary action.

"Disciplinary action" means a suspension, expulsion, placement in an alternative education program, or other limitation in enrollment eligibility of a student.

"District or school" includes an independent school district, a home-rule school district, a campus or campus program charter holder, or an open-enrollment charter school.

Education Code 37.022

**Opportunity to
Complete Courses**

If a student is placed in in-school suspension or other alternative setting other than a DAEP, a district shall offer the student the opportunity to complete, before the beginning of the next school year,

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each course in which the student was enrolled at the time of removal. A district may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. *Education Code 37.021* [For DAEP notice requirements, see FOCA.]

Alternative Means to Receive Coursework

A district shall provide to a student during the period of the student's suspension under Education Code 37.005, regardless of whether the student is placed in in-school or out-of-school suspension, an alternative means of receiving all coursework provided in the classes in the foundation curriculum under Education Code 28.002(a)(1) that the student misses as a result of the suspension. A district must provide at least one option for receiving the coursework that does not require the use of the internet. *Education Code 37.005(e)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

"Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Education Code 37.0021(b)(2)

This section and any rules or procedures adopted under this section apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a school district; or
2. Provides, as a school resource officer, a regular police presence on a school district campus under a memorandum of understanding between the district and a local law enforcement agency.

Education Code 37.0021(h)

Exceptions

This prohibition on seclusion does not apply to:

1. A peace officer performing law enforcement duties; or
2. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

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<i>Law Enforcement Duties</i>	<p>“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.</p> <p><i>Education Code 37.0021(b)(4), (g)</i></p> <p>[For information on seclusion involving students in special education, see FOF.]</p>
Officer or Security Personnel Use of Restraint or Taser	<p>“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.</p>
Definitions	<p>“Taser” means a device manufactured, sold, or distributed by Taser International, Incorporated, that is intended, designed, made, or adapted to incapacitate a person by inflicting an electrical charge through the emission of a projectile or conductive stream. The term, for purposes of this provision, includes a similar device manufactured, sold, or distributed by another person.</p>
Prohibition	<p>A peace officer performing law enforcement duties or school security personnel performing security-related duties on school property or at a school-sponsored or school-related activity may not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below unless the student poses a serious risk of harm to the student or another person.</p> <p><i>Education Code 37.0021(b)(1), (b)(5), (j)</i></p> <p>[For information on restraint involving students in special education, see FOF.]</p>
Restraint Reports	<p>A district shall report electronically to the Texas Education Agency (TEA), in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities [see FOF]. <i>Education Code 37.0021(i)</i></p>
Corporal Punishment	<p>If the board adopts a policy under Education Code 37.001(a)(8) under which corporal punishment is permitted as a method of student discipline, a district educator may use corporal punishment to discipline a student unless the student’s parent or guardian or other person having lawful control over the student has previously provided a written, signed statement prohibiting the use of corporal punishment as a method of student discipline. <i>Education Code 37.0011(b)</i></p>

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Parent Statement	To prohibit the use of corporal punishment as a method of student discipline, each school year a student's parent or guardian or other person having lawful control over the student must provide a separate written, signed statement to the board in the manner established by the board. The student's parent or guardian or other person having lawful control over the student may revoke the statement provided to the board at any time during the school year by submitting a written, signed revocation to the board in the manner established by the board. <i>Education Code 37.0011(c)-(d)</i>
Definition	"Corporal punishment" means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline. The term does not include physical pain caused by reasonable physical activities associated with athletic training, competition, or physical education or the use of restraint as authorized under Education Code 37.0021 [see FOF]. <i>Education Code 37.0011(a)</i>
Use of Force to Maintain Discipline	The use of force, but not deadly force, against a student is justified if the teacher or administrator is entrusted with the care, supervision, or administration of the student when, and to the degree the teacher or administrator reasonably believes the force is necessary, to further the purpose of education or to maintain discipline in a group. <i>Penal Code 9.62</i>
Aversive Techniques	<p>A district or district employee or volunteer or an independent contractor of a district may not apply an aversive technique, or by authorization, order, or consent, cause an aversive technique to be applied, to a student.</p> <p>"Aversive technique" means a technique or intervention that is intended to reduce the likelihood of a behavior reoccurring by intentionally inflicting on a student significant physical or emotional discomfort or pain. The term includes a technique or intervention that:</p> <ol style="list-style-type: none">1. Is designed to or likely to cause physical pain, other than an intervention or technique permitted under Education Code 37.0011 [see Corporal Punishment, above];2. Notwithstanding the above corporal punishment provisions, is designed to or likely to cause physical pain through the use of electric shock or any procedure that involves the use of pressure points or joint locks;3. Involves the directed release of a noxious, toxic, or otherwise unpleasant spray, mist, or substance near the student's face;4. Denies adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;

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5. Ridicules or demeans the student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
6. Employs a device, material, or object that simultaneously immobilizes all four extremities, including any procedure that results in such immobilization known as prone or supine floor restraint;
7. Impairs the student's breathing, including any procedure that involves:
 - a. Applying pressure to the student's torso or neck; or
 - b. Obstructing the student's airway, including placing an object in, on, or over the student's mouth or nose or placing a bag, cover, or mask over the student's face;
8. Restricts the student's circulation;
9. Secures the student to a stationary object while the student is in a sitting or standing position;
10. Inhibits, reduces, or hinders the student's ability to communicate;
11. Involves the use of a chemical restraint;
12. Constitutes a use of timeout that precludes the student from being able to be involved in and progress appropriately in the required curriculum and, if applicable, toward the annual goals included in the student's individualized education program, including isolating the student by the use of physical barriers; or
13. Except as provided below, deprives the student of the use of one or more of the student's senses.

Education Code 37.0023(a)-(b)

An aversive technique that deprives the student of the use of one or more of the student's senses may be used if the technique is executed in a manner that:

1. Does not cause the student discomfort or pain; or
2. Complies with the student's individualized education program or behavior intervention plan.

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Nothing in this section may be construed to prohibit a teacher from removing a student from class under Education Code 37.002. [See FOA]

Education Code 37.0023(c)-(d)

**Videotapes and
Recordings**

A district employee is not required to obtain the consent of a child's parent before the employee may make a videotape of the child or authorize the recording of the child's voice if the videotape or recording is to be used only for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses. *Education Code 26.009(b)(1)*

**Teacher
Documentation**

A teacher may document any conduct by a student that does not conform to the Student Code of Conduct and may submit that documentation to the principal. A district may not discipline a teacher on the basis of the submitted documentation. *Education Code 37.002(b-1)*

Reports

Disciplinary
Alternative
Education
Programs

For each placement in a disciplinary alternative education program (DAEP), a district shall annually report to the commissioner:

1. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
2. Information indicating whether the placement was based on:
 - a. Conduct violating the Student Code of Conduct;
 - b. Conduct for which a student may be removed from class by a teacher [see FOA and the Student Code of Conduct];
 - c. Conduct for which placement in a DAEP is required [see FOC and the Student Code of Conduct]; or
 - d. Conduct occurring while a student was enrolled in another district and for which placement in a DAEP is permitted by Education Code 37.008(j);
3. The number of full or partial days the student was assigned to the program and the number of full or partial days the student attended the program; and
4. The number of placements that were inconsistent with the guidelines on length of placement in the Student Code of Conduct.

Expulsions

For each expulsion, a district shall annually report to the commissioner:

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1. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
2. Information indicating whether the expulsion was based on:
 - a. Conduct for which expulsion is required, including information specifically indicating whether a student was expelled for bringing a firearm to school; or
 - b. Conduct for which expulsion is permitted;
3. The number of full or partial days the student was expelled;
4. Information indicating whether:
 - a. The student was placed in a JJAEP;
 - b. The student was placed in a DAEP; or
 - c. The student was not placed in a JJAEP or other alternative education program; and
5. The number of expulsions that were inconsistent with the guidelines on length of expulsion in the Student Code of Conduct.

Out-of-School
Suspensions

For each out-of-school suspension under Education Code 37.005, a district shall report:

1. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
2. Information indicating the basis for the suspension;
3. The number of full or partial days the student was suspended; and
4. The number of out-of-school suspensions that were inconsistent with the guidelines included in the Student Code of Conduct under Education Code 37.001(a)(3) [see Student Code of Conduct, item 3, above].

Education Code 37.020

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**Removal Under
Student Code of
Conduct**

The Student Code of Conduct must specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program (DAEP). *Education Code 37.001(a)(2)*

**Mandatory
Placement in DAEP**

A student shall be removed from class and placed in a DAEP if the student engages in conduct described in Education Code 37.006 that requires placement, subject to the requirements of Education Code 37.009(a) [see Process for Removal and Mitigating Factors, below]. *Education Code 37.006*

[For additional factors that must be considered in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), see FO and the Student Code of Conduct.]

**School-Related
Misconduct**

A student shall be removed from class and placed in a DAEP if the student 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.

A student shall also be removed from class and placed in a DAEP if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the elements of assault, under Penal Code 22.01(a)(1).
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
 - a. A controlled substance, as defined by the Texas Controlled Substances Act, Health and Safety Code Chapter 481, or by 21 U.S.C. 801, et seq., excluding marijuana, as defined by Health and Safety Code 481.002, or tetrahydrocannabinol, as defined by Department of Public Safety rule;
 - b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. Possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana or tetrahydrocannabinol, as defined above;

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5. Possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Health and Safety Code 161.081 [see FNCD];
6. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04, or commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.
7. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031 through 485.034.
8. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.
9. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.
10. Engages in conduct that contains the elements of the offense of harassment under Penal Code 42.07(a)(1), (2), (3), or (7) against an employee of the district.

Education Code 37.006(a)

Exception

Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. *Education Code 37.006(m)*

Retaliation

Except where a student engages in retaliatory acts against a district employee for which expulsion is mandatory [see FOD], a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property containing the elements of retaliation under Penal Code 36.06, against any school employee. *Education Code 37.006(b)*

Conduct Unrelated
to School

In addition to the circumstances listed above, a student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The student receives deferred prosecution under Family Code 53.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03;
2. A court or jury finds that the student has engaged in delinquent conduct under Family Code 54.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03; or

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3. The superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03.

Education Code 37.006(c)

*Reasonable
Belief*

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, a superintendent or a superintendent's designee may consider all available information and must consider the information furnished under Code of Criminal Procedure Article 15.27 other than information requested under Code of Criminal Procedure Article 15.27(k-1). *Education Code 37.006(e); Code of Criminal Procedure 15.27(a)* [See GRAA]

Title 5 Felonies

The following are felony offenses listed in Penal Code, Title 5, Offenses Against the Person.

1. Murder. *Penal Code 19.02*
2. Capital Murder. *Penal Code 19.03*
3. Manslaughter. *Penal Code 19.04*
4. Criminally Negligent Homicide. *Penal Code 19.05*
5. Unlawful Restraint, if:
 - a. The person restrained was younger than 17 years of age; or
 - b. The actor recklessly exposes the victim to a substantial risk of serious bodily injury; restrains an individual the actor knows is a public servant while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty; or while in custody restrains any other person. *Penal Code 20.02*
6. Kidnapping. *Penal Code 20.03*
7. Aggravated Kidnapping. *Penal Code 20.04*
8. Smuggling of Persons. *Penal Code 20.05*
9. Continuous Smuggling of Persons. *Penal Code 20.06*
10. Trafficking of Persons. *Penal Code 20A.02*
11. Continuous Trafficking of Persons. *Penal Code 20A.03*

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12. Continuous Sexual Abuse of Young Child or Disabled Individual. *Penal Code 21.02*
13. Bestiality. *Penal Code 21.09*
14. Indecency with a Child. *Penal Code 21.11*
15. Improper Relationship between Educator and Student. *Penal Code 21.12*
16. Invasive Visual Recording. *Penal Code 21.15*
17. Unlawful Disclosure or Promotion of Intimate Visual Material. *Penal Code 21.16*
18. Voyeurism, if the victim was younger than 14 years of age at the time of the offense. *Penal Code 21.17*
19. Sexual Coercion. *Penal Code 21.18*
20. Assault, if the offense is punishable as a felony. *Penal Code 22.01*
21. Sexual Assault. *Penal Code 22.011*
22. Aggravated Assault. *Penal Code 22.02*
23. Aggravated Sexual Assault. *Penal Code 22.021*
24. Injury to a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.04*
25. Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.041*
26. Deadly Conduct, if the person knowingly discharges a firearm at or in the direction of one or more individuals, or at or in the direction of a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. *Penal Code 22.05*
27. Terroristic Threat, if the actor threatens to commit any offense involving violence to any person or property with intent to:
 - a. Place any person in fear of imminent serious bodily injury if the actor knows the person is a peace officer or judge;
 - b. 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

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place if the prevention or interruption causes pecuniary loss of \$1,500 or more to the owner;

- c. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- d. Place the public or a substantial group of the public in fear of serious bodily injury; or
- e. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision. *Penal Code 22.07*

- 28. Aiding Suicide, if the conduct causes suicide or attempted suicide that results in serious bodily injury. *Penal Code 22.08*
- 29. Tampering with Consumer Product. *Penal Code 22.09*
- 30. Harassment by Persons in Certain Facilities or of Public Servant. *Penal Code 22.11*

Sexual Assault of
Another Student

A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:

- 1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student who was a young child or disabled individual while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;
- 2. The parent of the victim of the assault has requested that the student be transferred to a campus other than that to which the victim is assigned; and
- 3. There is only one campus in a district serving the grade level in which the student is enrolled.

Education Code 25.0341, 37.0051(a) [See FDE at Sexual Assault Transfer—Transfer of Assailant]

A limitation imposed by Education Code Chapter 37 on the length of placement in a DAEP or a JJAEP does not apply to a placement under this provision. *Education Code 37.0051(b)*

Permissive Removal
Non-Title 5 Felony

A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

- 1. The superintendent or designee has a reasonable belief [see Reasonable Belief, above] that the student has engaged in

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conduct defined as a felony offense other than aggravated robbery under Penal Code 29.03, or those offenses listed in Penal Code Title 5 [see above at Title 5 Felonies]; and

2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

Education Code 37.006(d)-(e)

Bullying

A student may be removed from class and placed in a DAEP if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;
2. Incites violence against a student through group bullying; or
3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

Definitions

Bullying

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

**Intimate Visual
Material**

"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.

Education Code 37.0052

**One Year After
Conduct**

A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct, for which removal would otherwise be required, if the principal or other appropriate administrator did not have knowledge of the conduct before the first anniversary of the date the conduct occurred. *Education Code 37.006(n)*

**Certain
Organization and
Gang Membership
and Solicitation**

A board or an educator shall recommend placing in DAEP any student who commits the misdemeanor offenses described in Education Code 37.121(a) and (c), regarding membership in or solicitation to join a public school fraternity, sorority, secret society, or gang [see FNCC]. *Education Code 37.121(b)*

Older Students

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a DAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, the

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	district shall revoke the student's admission. <i>Education Code 25.001(b-1)</i>
Placement of Younger Students	A student who is younger than 10 shall be removed from class and placed in a DAEP if the student engages in conduct for which expulsion would be required by Section 37.007. <i>Education Code 37.006(f), .007(e)</i> [See FOD]
Students Younger Than Six	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 [see FOD] shall be provided educational services in a DAEP. <i>Education Code 37.006(l), .007(e)(2)</i>
Process for Removal Conference	Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice 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. The student may not be returned to the regular class pending the conference.
Mitigating Factors	Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.
Order	Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.
Appeal	If district policy allows a student to appeal to the board or the board's designee a decision of the CBC or other appropriate administrator, the decision of the board or the board's designee is final and may not be appealed. <i>Education Code 37.009(a)</i> [See Student Code of Conduct]

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**Right to Request a
Special Education
Evaluation**

On the placement of a student in a DAEP, the district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Education Code 29.004 [see EHBA]. *Education Code 37.006(p)*

Term of Removal

The period of the placement after removal may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees. *Education Code 37.009(a)*

A board or designee shall set a term for a student's placement in a DAEP. If the period of placement is inconsistent with the guidelines in the Student Code of Conduct, the order must give notice of the inconsistency. The period of placement in a DAEP may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees or extended placement is in the best interest of the student. *Education Code 37.009(d)*

**Beyond Grading
Period or 60 Days**

If placement in a DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, the student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before a board or designee.

No Appeal

Any decision of a board or designee concerning placement beyond 60 days or the end of the next grading period is final and cannot be appealed.

Education Code 37.009(b)

**Beyond End of
School Year**

Before a student may be placed in a DAEP for a period that extends beyond the end of the school year, a board or designee must determine that:

1. The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or another individual; or
2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

Education Code 37.009(c)

Order of Removal

A board or designee shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a DAEP. *Education Code 37.009(g)*

Not later than the second business day after the date of the removal conference, a board or designee shall deliver a copy of the order placing the student in a DAEP and any information required

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under Family Code 52.04 to the authorized officer of the juvenile court in the county in which the juvenile resides. *Education Code 37.010(a)*

Activities

The terms of a placement under Education Code 37.006 must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.006(g)*

In addition to any notice required under Code of Criminal Procedure 15.27 [see GRAA], a principal or designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in conduct for which DAEP placement must or may be ordered.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

Education Code 37.006(o)

DAEP at Capacity

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.006(a)(2)(C-1) (possession or use of marijuana), (C-2) (possession, use, delivery of an e-cigarette), (D) (delivery of alcohol), or (E) (abuse of volatile chemical), the student shall be placed in in-school suspension; and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.007 that constitutes violent conduct, as defined by commissioner rule, a student who has been placed in the program for conduct described under Education Code 37.006(a)(2)(C-1), (C-2), (D), or (E) (above) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct. If removed from the program and a position in the program becomes available before the expiration of the period of the placement, the student shall be returned to the program for the remainder of the period.

Education Code 37.009(a-1)-(a-2)

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**Completion of
Proceedings Upon
Withdrawal**

If a student withdraws from a district before an order for placement in a DAEP is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student re-enrolls in the district the same or subsequent school year, the district may enforce the order at that time except for any period of the placement that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the student enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

**Enrollment in
Another District**

If a student placed in a DAEP enrolls in another district before the expiration of the placement, a board shall provide to the district in which the student enrolls a copy of the placement order at the same time it provides other records. The district in which the student enrolls shall inform each educator who will have responsibility for, or will be under the direction and supervision of an educator who will have responsibility for, the instruction of the student of the contents of the placement order. Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law.

The district in which the student enrolls may continue the placement or allow the student to attend regular classes without completing the period of placement. [See FO] The district in which the student enrolls may take any of these actions if:

1. The student was placed in a DAEP by an open-enrollment charter school and the charter school provides the district a copy of the placement order; or
2. The student was placed in a DAEP by a district in another state and:
 - a. The out-of-state district provides a copy of the placement order; and
 - b. The grounds for placement are the same as grounds for placement in the enrolling district.

Education Code 37.008(j)

**Out-of-State
Placement**

If a student was placed in a DAEP in another state for more than one year and the enrolling district continues the placement under Education Code 37.008(j), the enrolling district shall reduce the period of placement so that the aggregate period does not exceed one year unless the enrolling district determines that:

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

Education Code 37.008(j-1)

**Court-Ordered
Placement**

Unless a board and the juvenile board for the county in which a district's central administrative office is located have entered into a memorandum of understanding concerning the juvenile probation department's role in supervising and providing other support services for students in DAEP programs:

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;
2. A court may not order a student to attend a DAEP without a district's consent, until the student has successfully completed any sentencing requirements, if the court has ordered the student to attend a DAEP as a condition of probation once during a school year and the student is referred to juvenile court again during that school year.

Education Code 37.010(c)-(d)

School Activities

Any court placement in a DAEP must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.010(e)*

Placement After
Court Disposition

After the student has successfully completed any court disposition requirements, including conditions of deferred prosecution or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission into the public schools. A district may place the student in the DAEP.

Notwithstanding Education Code 37.002(d) [see FOA], the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

Education Code 37.010(f)

**Not Guilty/
Insufficient
Evidence/Charges
Dropped**

The office of the prosecuting attorney or the office or official designated by the juvenile board shall, within two working days, notify the school district that removed a student to a DAEP under Education Code 37.006 if:

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

On receipt of the notice, the superintendent or designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The superintendent or designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or designee receives notice from the office or official designated by the court.

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

Education Code 37.006(h); Code of Criminal Procedure 15.27(g)

Appeal After
Placement Upheld

The student or the student's parent or guardian may appeal a superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. A board shall, at the next scheduled meeting, review the notice provided by the office of the prosecuting attorney or the office or official designated by the juvenile board; receive information from the student, the student's parent or guardian, and the superintendent or designee; and confirm or reverse the superintendent's decision. The board shall make a record of the proceedings.

If a board confirms the decision, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner of education. The student may not be returned to the regular classroom pending the appeal to the commissioner.

Education Code 37.006(i)-(j)

**120-Day Review of
Status**

A student placed in a DAEP shall be provided a review of the student's status, including a review of the student's academic status, by a board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required to provide a course in the DAEP, except as required by

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Education Code 37.008(l). [See FOCA] At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent. *Education Code 37.009(e)*

**Additional
Proceedings**

If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the principal or board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

Reporting

A district may include the number of students removed to a DAEP in its annual performance report. *Education Code 39.306(e)(5)* [See AIB]

Note: See FOF for provisions concerning students with disabilities.

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**Students Younger
Than 10**

A student younger than 10 years of age shall not be expelled but shall be placed in a disciplinary alternative education program (DAEP). *Education Code 37.007(e)(2), (h)*

Overage Students

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a juvenile justice alternative education program (JJAEP) if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, a district shall revoke the student's admission. *Education Code 25.001(b-1)*

Mandatory Expulsion
School Related

Subject to the requirements of Education Code 37.009(a) [see Pre-placement Proceedings, below], a student shall be expelled if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property:

1. Engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Penal Code 46.02 or elements of an offense relating to prohibited weapons under Penal Code 46.05 [see FNCG];
2. Engages in conduct that contains the elements of the offense of aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, criminally negligent homicide, or continuous sexual abuse of a young child or disabled individual, as those offenses are defined in the Penal Code; or
3. Commits a drug- or alcohol-related offense described at Education Code 37.006(a)(2)(C), if that conduct is punishable as a felony.

Education Code 37.007(a)

Exception

A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs:

1. At an approved target range facility that is not located on a school campus; and
2. While participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.

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This section does not authorize a student to bring a firearm on school property to participate in or prepare for a school-sponsored shooting sports competition or a shooting sports educational activity.

Education Code 37.007(k), (l)

Retaliation

A district shall expel a student who engages in conduct that contains the elements of any offense listed above against any district employee or volunteer in retaliation for or as a result of the person's employment or association with a district, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off of school property. *Education Code 37.007(d)*

Federal Firearms
Offense

In accordance with the Gun-Free Schools Act, a district shall expel a student who brings a firearm, as defined by federal law, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that the superintendent may modify in writing the length of expulsion in the case of an individual student.

Exception

This provision shall not apply to a firearm that is lawfully stored inside a locked vehicle on school property, or if it is for activities approved and authorized by the district and the district adopts appropriate safeguards to ensure student safety. [See also GKA].

*Provision of
Educational
Services*

A district or other local educational agency shall provide educational services to an expelled student in a DAEP if the student is younger than 10 years of age on the date of expulsion. A district or other local educational agency may provide educational services to an expelled student who is 10 years of age or older in a DAEP.

20 U.S.C. 7961; Education Code 37.007(e)

Definitions

For purposes of this provision:

School

"School" means any setting that is under the control and supervision of a district for the purpose of student activities approved and authorized by the district. *20 U.S.C. 7961(f)*

Firearm

"Firearm" means:

1. Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer; or

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4. Any destructive device. "Destructive device" means any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any of the preceding described devices. It also means any type of weapon (other than a shotgun shell or a shotgun that is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described in this item, and from which a destructive device may be readily assembled.

18 U.S.C. 921, 20 U.S.C. 7961(b)(3)

**Discretionary
Expulsion**

Threats

A student may be expelled if the student 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.

School-Related
Conduct

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

1. Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of:
 - a. Marijuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. section 801 et seq.; or
 - b. A dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - c. An alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.
2. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031-485.034.
3. Engages in conduct that contains the elements of an offense under Penal Code 22.01(a)(1) against a school district employee, or a volunteer as defined by Education Code 22.053.

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4. Engages in conduct that contains the elements of the offense of deadly conduct under Penal Code 22.05.

Education Code 37.007(b)(1)-(2)

Conduct Within 300
Feet of School

Subject to the mandatory expulsion requirement for retaliation, a student may be expelled if the student, while within 300 feet of school property, as measured from any point on the school's real property boundary line, engages in the following conduct:

1. Any conduct for which expulsion would have been mandatory under Education Code 37.007(a) [see Mandatory Expulsion—School Related, above]; or
2. Possession of a firearm, as defined by 18 U.S.C. sec. 921 [see Federal Firearm Offense, above].

Education Code 37.007(b)(3)

Retaliation Against
School Employee or
Volunteer

A student may be expelled if the student engages in an assault, under Penal Code 22.01(a)(1), on an employee or volunteer in retaliation for or as a result of the person's employment or association with a district, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property. *Education Code 37.007(d)*

Conduct Against
Another Student

A student may be expelled if the student engages in conduct against another student that contains the elements of the offenses of aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit capital murder, or aggravated robbery, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property. *Education Code 37.007(b)(4)*

Bullying

A student may be removed from class and expelled if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;
2. Incites violence against a student through group bullying; or
3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

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<i>Definitions</i>	
Bullying	"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]
Intimate Visual Material	"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.
	<i>Education Code 37.0052</i>
Criminal Mischief	A district may use its discretion to expel a student who has engaged in conduct that contains the elements of criminal mischief, as defined in the Penal Code, if the conduct is punishable as a felony. Regardless of whether the student is expelled, a district shall refer the student to the authorized officer of the juvenile court. <i>Education Code 37.007(f)</i>
Breach of Computer Security	A student may be expelled if the student engages in conduct that contains the elements of the offense of breach of computer security under Penal Code 33.02 if: <ol style="list-style-type: none">1. The conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and2. 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. <i>Education Code 37.007(b)(5)</i>
Serious Misbehavior in DAEP	A student placed in a DAEP who engages in documented serious misbehavior while on the DAEP campus despite documented behavioral interventions may be removed from class and expelled. "Serious misbehavior" means: <ol style="list-style-type: none">1. Deliberate violent behavior that poses a direct threat to the health or safety of others;2. Extortion, meaning the gaining of money or other property by force or threat;3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or4. Conduct that constitutes the offense of:<ol style="list-style-type: none">a. Public lewdness under Penal Code 21.07;b. Indecent exposure under Penal Code 21.08;c. Criminal mischief under Penal Code 28.03;d. Personal hazing under Education Code 37.152; or

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- e. Harassment, under Penal Code 42.07(a)(1), of a student or district employee.

If the student is expelled, a board or its designee shall refer the student to the authorized officer of the juvenile court for appropriate proceedings under Family Code Title 3 (Juvenile Justice Code).

Education Code 37.007(c), .010(b)

Property or
Activities of Another
District

A district may expel a student who attends school in the district if:

1. 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
2. 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.

Education Code 37.007(i)

**Pre-placement
Proceedings**

Conference

Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice 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. The student may not be returned to the regular class pending the conference.

Mitigating Factors
Before Ordering
Removal

Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.

Order the
Placement

Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.

Education Code 37.009(a) [See Student Code of Conduct]

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**Expulsion
Proceedings**

Due Process

Before a student may be expelled, a board or its designee shall provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parent or guardian is invited, in writing, to attend. *Education Code 37.009(f)*

The minimum procedural requirements necessary to satisfy due process depend upon the circumstances and the interests of the parties involved. Federal due process requires notice and some opportunity for hearing.

Notice

The notice should contain a statement of the specific charges and grounds that, if proven, would justify expulsion. In some cases, the student should be given the names of the witnesses against him or her and an oral or written report on the facts to which each witness testifies.

Hearing

The rights of the student may properly be determined upon the hearsay evidence of school administrators who investigate disciplinary infractions.

[See also *Brewer v. Austin Indep. Sch. Dist.*, 779 F.2d 260 (5th Cir. 1985); *Keough v. Tate Cnty. Bd. of Educ.*, 748 F.2d 1077 (5th Cir. 1984); *McClain v. Lafayette Cnty. Sch. Bd. of Educ.*, 673 F.2d 106 (5th Cir. 1982); *Tasby v. Estes*, 643 F.2d 1103 (5th Cir. 1981); *Boykins v. Fairfield Bd. of Educ.*, 492 F.2d 697 (5th Cir. 1974), cert. denied, 420 US 962 (1975); *Dixon v. Alabama State Bd. of Educ.*, 294 F.2d 150 (5th Cir. 1961), cert. denied, 368 U.S. 930 (1961)]

Representative

At the hearing, the student is entitled to be represented by the student's parent, guardian, or another adult who can provide guidance to the student and who is not an employee of the district. If a district makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

Mitigating Factors
Before Ordering
Expulsion

Before ordering the expulsion of a student, the board or the board's designee must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the board concerns a mandatory or discretionary action. [See Student Code of Conduct, item 4, at FO(LEGAL) for additional mitigating factors.]

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Appeal If the decision to expel a student is made by the board's designee, the decision may be appealed to the board. The decision of the board may be appealed by trial de novo to a district court of the county in which the district's central administrative office is located.

Education Code 37.009(f)

Term of Expulsion If the period of expulsion is inconsistent with the guidelines on length of expulsion in the Student Code of Conduct, the order must give notice of the inconsistency.

Beyond One Year The period of expulsion may not exceed one year unless a district determines that:

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

Education Code 37.009(h)

Notice of Expulsion Order

To Parent or
Guardian

A board or its designee shall deliver a copy of the order expelling the student to the student and the student's parent or guardian. After such notification, the parent or guardian shall provide adequate supervision for the student during the period of expulsion. *Education Code 37.009(g)-(h)*

To Court

Not later than the second business day after the date an expulsion hearing is held, a board or its designee shall deliver a copy of the expulsion order and any information required under Family Code 52.04 to the authorized officer of the juvenile court in the county in which the student resides.

Family Code 52.04 requires the following information from a referring entity that is not a law enforcement agency or has not taken the child into custody:

1. All information in a district's possession pertaining to the identity of the child and the child's address; the name and address of the child's parent, guardian, or custodian; the names and addresses of any witnesses; and the child's present whereabouts; and
2. A complete statement of the circumstances of the alleged delinquent conduct or conduct indicating a need for supervision.

Education Code 37.010(a); Family Code 52.04(a), .041(a)-(b)

To Juvenile Board

In a county that operates a JJAEP [see FODA], no student shall be expelled without written notification by a board or its designee to the juvenile board's designated representative. The notification

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shall be made not later than two business days following a board's determination that the student is to be expelled. Failure to timely notify the designated representative shall result in the child's duty to continue attending a district's educational program, which shall be provided to that child until such time as the notification to the designated representative is properly made. *Family Code 52.041*

To Staff

In addition to providing any notice required under Code of Criminal Procedure 15.27 [see GRA], a district shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in expellable conduct.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

Education Code 37.007(g)

**Completion of
Proceeding Upon
Withdrawal**

If a student withdraws from a district before an order for expulsion is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student subsequently enrolls in the district during the same or subsequent school year, the district may enforce the order at that time except for any period of the expulsion that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the student enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

**Additional
Proceedings**

If, during the term of expulsion, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the principal or board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

Appeals

A decision by a board's designee to expel a student may be appealed to the board. If the hearing is not before the board directly, the results and findings of the hearing should be presented in a report open to the student's inspection. *Education Code 37.009(f); Dixon v. Alabama State Bd. of Educ., 294 F.2d 150 (5th Cir. 1961), cert. denied, 368 U.S. 930 (1961)*

**Restrictions on
Court Orders**

A court may not order an expelled student to attend a regular classroom, a regular campus, or a district DAEP as a condition of probation.

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Exception

A court may order a student to attend a regular classroom, a regular campus, or a district DAEP if the district has entered into a memorandum of understanding (MOU) with the juvenile board for the county in which the district's central administrative office is located, concerning the juvenile probation department's role in supervising and providing other support services for students in DAEPs.

Education Code 37.010(c)

**District
Responsibility for
Expelled Student**

Students Not
Eligible for Existing
JJAEP

In a county that operates a JJAEP, a district is responsible for providing an immediate educational program to a student who engages in behavior for which expulsion is permitted but not required under Education Code 37.007, but who is not eligible for admission into the JJAEP in accordance with an MOU. [See FODA]

*Contracting for
Services*

A district may provide the program, or the district may contract with a county juvenile board, a private provider, or one or more other school districts to provide the program.

Education Code 37.011(l)

Certain Districts

This provision applies to a district located in a county considered to be a county with a population of 125,000 or less because it has a population of more than 200,000 and less than 233,500; has five or more school districts located wholly within the county's boundaries; and has located in the county a JJAEP that, on May 1, 2011, served fewer than 15 students. A qualifying district shall provide educational services to a student who is expelled from school. The district is entitled to count the student in the district's average daily attendance for purposes of receipt of state funds under the Foundation School Program. An educational placement under this section may include:

1. The district's DAEP.
2. A contracted placement with another school district, an open-enrollment charter school, an institution of higher education, an adult literacy council, or a community organization that can provide an educational program that allows the student to complete the credits required for high school graduation.

An educational placement other than a district's DAEP is subject to the educational and certification requirements applicable to an open-enrollment charter school under Education Code Chapter 12, Subchapter D.

Education Code 37.011(a-3)-(a-5)

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Return to Class

Early / Permissive

On the recommendation of the placement review committee, or on its own initiative, a district may readmit an expelled student while the student is completing any court disposition requirements.

Required

After an expelled student has successfully completed any court disposition requirements, including conditions of a deferred prosecution, or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission. [See FD] A district may place the student in a DAEP.

The student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

Education Code 37.010(f)

**Expelled from
Another District**

If a student has been expelled from another school district, the expelling district shall provide to a district in which the student enrolls a copy of the expulsion order and the referral to the authorized officer of the juvenile court. A district in which the student enrolls may continue the expulsion under the terms of the order, may place the student in a DAEP for the period specified by the expulsion order, or may allow the student to attend regular classes without completing the period of expulsion.

Out-of-State
Expulsion

A district may take any of the above actions if the student was expelled by a district in another state if:

1. The out-of-state district provides a copy of the expulsion order; and
2. The grounds for the expulsion are also grounds for expulsion in the district in which the student is enrolling.

Education Code 37.010(g)

If the student was expelled for more than one year and the enrolling district continues the expulsion or places the student in a DAEP, the aggregate period of expulsion or placement may not exceed one year unless the district determines that:

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

Education Code 37.010(g-1)

Note: See FOF for provisions concerning expulsion of students with disabilities.

Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Definition

Bullying is defined in Education Code 37.0832 as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

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

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or

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substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

Minimum Standards

In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

**Reporting
Procedures**

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

Periodic Monitoring

The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying de-

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clines but also declines in the campus culture because of a decline in openness to report incidents.

Notice of Report

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

Prohibited Conduct

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

Investigation of Report

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

Notice to Parents

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

District Action

Bullying

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement as deemed appropriate.

Discipline

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

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	The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
<i>Corrective Action</i>	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.



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