

MESSAGE FROM THE SUPERINTENDENT

Dear Parents and Students:

Welcome to the 2020-2021 school year in the Richardson Independent School District. Education is a team effort. Through the teamwork of parents, students, teachers, and other staff members, we can make this year wonderfully successful for our students. RISD provides two handbooks - the *Student and Parent Guidebook* and the *Student Code of Conduct* - to you as a resource to assist in understanding the programs and procedures of the District. These handbooks are designed to provide important information that you and your child(ren) may need during the school year.

Maintaining orderly, disciplined classrooms and schools that support an excellent learning environment is a primary goal for all educators. The expectations and rules outlined in the *Student Code of Conduct* foster an environment for learning in which students respect the rights of others and demonstrate responsible behavior. State law requires each school district to create and implement a code of conduct for students that specifies policies and procedures. RISD's Board of Trustees adopts the *Student Code of Conduct* each year.

The *Student and Parent Guidebook* provides information on a variety of topics that you may encounter throughout the school year. Together these handbooks serve to protect the interests and rights of students and parents as well as the school district, and they remain in effect until a new ones are issued.

Please take time to read this Student Code of Conduct and use it as a reference during the school year. It is posted on the RISD website, <http://www.risd.org/>. If you wish to receive a hard copy of this document, please request it at your local campus. If you have difficulty accessing the information in this document because of a disability, please contact your campus principal, the District's Section 504 Coordinator, or the Department of Strategy and Engagement. If you need assistance with language translation, please contact the Department of Strategy and Engagement.

Through the combined efforts of parents, students, educators and the community, we will continue to offer the high quality of education to which RISD is committed.

Sincerely,



Dr. Jeannie Stone
Superintendent



Vision

RISD – Where all students connect, learn, grow, and succeed.

Mission

The mission of Richardson Independent School District is to ensure that ALL connect, learn, grow, and succeed through relevant and personalized learning experiences distinguished by

- a welcoming and accepting climate
- a safe, innovative, and adaptive environment
- a supportive, collaborative, and invested culture among students, staff, families, and community

Equal Opportunity and Nondiscrimination

The Richardson Independent School District maintains a strict policy of equal opportunity and nondiscrimination in all programs and services. The District intends to comply with all applicable federal, state, and local laws and regulations concerning equal opportunity and nondiscrimination. If any of the policies outlined in this guidebook are, or become unlawful for any reason, the applicable law will be followed.

1. No students shall, on the basis of sex, race, religion, disability, national origin, or any other category protected by law, be excluded from participation in, be denied the benefit of, or be subjected to unlawful discrimination under any program or activity sponsored by RISD, including CTE programs.
2. All employment decisions and actions such as recruitment, hiring, training, promotion, transfer, layoff, recall, compensation and benefits, discipline, termination, and educational, recreational, and social programs are administered without regard to the race, color, sex, religion, national origin, citizenship, age, physical or mental disability of an otherwise qualified individual, his or her membership or application for membership in a uniformed service, or any other category protected by law.
3. In accordance with the requirements of Title VI of the *Civil Rights Act of 1964, as amended*, Title IX of the *Educational Amendments of 1972*, and Section 504 of the *Rehabilitation Act of 1973, as amended*, RISD has designated the following persons to coordinate compliance with the District's legal requirements under these nondiscrimination statutes:

- **Title IX Coordinator** (concerns regarding discrimination on the basis of gender):
Dr. Matthew Gibbins, Chief Executive Director of Student Services

420 S. Greenville Avenue Tel.: 469-593-0372
Richardson, Texas 75081 Email: matthew.gibbins@risd.org

- **Section 504 Coordinator** (concerns regarding discrimination on the basis of disability):
Alicia Zornig, Section 504/ADA/Coordinator

701 W. Belt Line Road Tel.: 469-593-7517
Richardson, Texas 75080 Email: alicia.zornig@risd.org

- **All other concerns regarding discrimination:** Dr. Jeannie Stone, Superintendent

400 S. Greenville Avenue Tel.: 469-593-0250
Richardson, Texas 75081 Email: jeannie.stone@risd.org

Religious Practices

Campuses and other work and program locations within RISD reflect the richly diverse population of the District's residents. RISD's Board of Trustees and administration respect the wide range of beliefs represented by RISD's student body, staff, and our community. The District has developed policies and guidelines that protect the rights of individuals regarding religious freedoms and practices while ensuring the District observes its constitutional duty to remain neutral in such matters. These guidelines also encourage staff members to be aware of and sensitive to religious issues. Specific guidelines are included in the *RISD Religious Practices Handbook*, a document developed by a diverse committee of patrons, religious leaders, and District staff members. This *Handbook* is periodically updated. In addition to the *Religious Practices Handbook*, RISD develops a calendar each year that identifies the major holy days in the predominant religions in our community. Like the *Handbook*, the calendar is developed from input from a diverse group. The calendar is available on the District's website at http://www.risd.org/Group/Calendars/Calendars_Docs/2018-19-Calendar.pdf.

Student and Parent Guidebook

The *Student and Parent Guidebook* is a general reference guide only and is designed to be in harmony with not a complete statement of all policies, procedures, or rules that may be applicable to a given circumstance. In the event of a conflict between the *Student and Parent Guidebook* and the *Student Code of Conduct* or Board policy, the current *Student Code of Conduct* and/or Board policy are to be followed. Policies or practices described in the *Guidebook* are provided for the information and guidance of RISD's students and their parents, and do not constitute, nor should they be relied on, as contractual obligations of the Richardson Independent School District to any person. The *Guidebook* may refer to rights established through law or District policy but it does not create any additional rights for students or parents. RISD reserves the right to modify this *Guidebook* at any time. Its contents, as they now appear or as they may be amended in the future, apply to all students enrolled in RISD. RISD intends, at all times, to follow applicable law. If any provision in this *Guidebook* becomes unlawful, the applicable law will be followed.

Board Policies

A link to RISD's Board Policies in their entirety is located on the District's website at http://www.risd.org/group/aboutrisd/Board_Of_Trustees/BoardOfTrustees_Main.html and at the following URL: <http://pol.tasb.org/Home/Index/370>.

*Inquiries concerning this Guidebook
should be directed to your campus principal or
the Office of Student Services
469-593-0373*

Student Code of Conduct – Table of Contents

Purpose.....

Contents

- Standards for Student Conduct.....6**
 - General6
 - Unauthorized Persons.....7
 - Disruptions.....8
 - Routine Referral9
 - Formal Removal by Teacher.....9
 - Suspension – In- or Out-of-School.....9
- General Misconduct Violations – Category I12**
 - Discipline Management Techniques.....15
 - Prohibited Aversive Techniques.....17
- Removal from the Regular Educational Setting – Category II19**
 - Disciplinary Alternative Education Program (DAEP)19
 - Mandatory DAEP Placement20
 - Discretionary DAEP Placement.....21
- Removal from the Regular Educational Setting - Category III.....24**
 - Expulsion.....24
 - Mandatory Expulsion.....25
 - Discretionary Expulsion: Student Conduct That May Result in Expulsion from School26
- Placement and/or Expulsion for Certain Serious Offenses.....29**
- Removal from the Regular Educational Setting - Procedures.....31**
 - Suspension31
 - Disciplinary Alternative Education Program (DAEP)/Christa McAuliffe Learning Center (CMLC).....32
 - Expulsion.....35
- Reviews and Appeals.....37**
 - Students with Disabilities.....37
 - In-School Suspension (ISS)37
 - Out-of-School Suspension (OSS).....37
 - DAEP/Christa McAuliffe Learning Center (CMLC).....37
 - Expulsion.....38
 - Appeal of Placement and/or Expulsion for Certain Serious Offenses.....39
 - Other Appeals39
- Placement in a Juvenile Justice Alternative Education Program (JJAEP).....40**
- GLOSSARY 41**

Appendix

2020-2021 STUDENT CODE OF CONDUCT

PURPOSE

The Richardson Independent School District designed the *Student Code of Conduct* to provide information to students and parents about the District's standards for student conduct, consequences of misconduct, and the procedures for administering discipline or other interventions. It outlines a wide range of consequences for misconduct, including the circumstances, in accordance with District guidelines and Chapter 37 of the *Education Code*, where a student may be (i) disciplined, (ii) removed from a classroom, campus, or Disciplinary Alternative Education Program (DAEP), or (iii) expelled. RISD will administer the *Student Code of Conduct* at all times in accordance with its own policies, the *Education Code*, and applicable federal and state laws and regulations. It remains in effect, not only during the school year, but also during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the Board of Trustees becomes effective. To assist you in understanding many of the terms used in the *Student Code of Conduct*, we have provided a glossary near the end of this *Guidebook*.

The District is committed to providing a safe learning environment. Fostering and maintaining orderly student conduct is essential to this goal. RISD developed this *Student Code of Conduct* with input from administrators, teachers, and parents, and updates it annually. The *Student Code of Conduct* is a tool that can help parents and students understand the District's and the state's expectations in fostering a safe learning environment in RISD schools. In addition to informing the students and parents about disciplinary consequences, the *Student Code of Conduct* provides positive behavioral support strategies for managing students in the classroom, on school grounds, and during school-sponsored activities on- or off-campus, as well as preventing and intervening in student discipline problems. The *Student Code of Conduct* strives to foster positive school climates that support continuous improvement and to focus on prevention while communicating clear, appropriate, and consistent expectations for behavior as well as consequences for noncompliance. All discipline will be administered in a fair and equitable manner. RISD's Board of Trustees has adopted this *Student Code of Conduct* as required by law and it has the force of any other Board policy. Some campuses have developed school-specific guidelines on discipline management. A copy of any student guidebook your campus develops will be provided for all students. Local campus guidebooks may supplement the RISD *Student Code of Conduct* but in the event of a conflict, the *Student Code of Conduct* shall control.

This document is available from your campus principal and is posted on the District's website (www.risd.org). If you have any difficulty accessing the *Student Code of Conduct* because of a disability, please contact your campus principal, Student Services (matthew.gibbins@risd.org), or the Section 504 Coordinator (alicia.zornig@risd.org). If you need language translation assistance, please contact RISD Department of Strategy and Engagement.

2020-2021 STUDENT CODE OF CONDUCT

STANDARDS FOR STUDENT CONDUCT

General

RISD strives to provide a safe, positive learning environment for all students that is free from unnecessary distractions or other factors that interfere with student learning. Students, parents, and the District must work collaboratively to create and maintain quality learning environments in all of our schools. As used throughout the *Student and Parent Guidebook and Student Code of Conduct*, the term “parent” includes a parent (biological or adoptive), legal guardian, or other person having lawful control of the child. Parents play a vital role in assisting the District to set standards for expected behavior and to explain consequences for failure to comply. RISD asks parents to review, study, and support the District’s behavioral management plan as described in the *Student Code of Conduct* and any local campus handbooks. By cooperating with school personnel, participating in conferences and training sessions as needed, and communicating factors that might affect student behavior, parents can help create a quality learning environment for their child. A copy of the *Student and Parent Guidebook and Student Code of Conduct* is posted on the RISD website (<http://www.risd.org>).

Students also share responsibility for the effectiveness of the District’s *Student Code of Conduct*. Each campus will review the *Student Code of Conduct* and campus behavior plans (in an age-appropriate manner) with students at the beginning of the school year. Students are expected to become familiar with expected standards of behavior and to demonstrate appropriate behavior.

RISD, as required by law, designates at least one person at each campus to serve as a campus behavior coordinator (CBC). The CBC is primarily responsible for maintaining student discipline. RISD shall post on its website for each campus, the email address and telephone number of the persons serving as CBC. Contact information is located on www.risd.org.

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

- during the regular school day, including virtual learning, and while the student is going to and from school or a school-sponsored or school-related activity on District transportation;
- while the student is in attendance at any school-related activity, regardless of time or location, including virtual learning;
- for any school-related misconduct, regardless of time or location;
- during weekends, holidays, and school vacations, regardless of location, when the student is subject to extracurricular activity standards of conduct;
- when retaliation against a school employee or volunteer is threatened, regardless of time or location;
- when criminal mischief is committed on or off school property or at a school-related event;
- for certain offenses committed within 300 feet of school property as measured from any point on the school’s real property boundary line;
- for certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
- when the student commits a felony, as provided by § 37.006 or § 37.0081 of the *Education Code*;
- when the student is required to register as a sex offender; and
- when a student engages in cyberbullying as provided by § 37.0832 of the *Education Code*.

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy.

Searches of students shall be conducted in a reasonable and nondiscriminatory manner.

The District has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable suspicion to believe it contains articles or materials prohibited by the District. Similarly, the District has the right to search or inspect a student's locker, desk, district-provided technology, and other similar items of district property at any time without notice.

Reporting Crime

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

To help ensure security and protection of students, staff, and property, the district collaborates with local law enforcement agencies to provide School Resource Officers or part-time police officers at identified campuses. In accordance with law, the board has coordinated with Campus Behavior Coordinators and other district employees to ensure appropriate law enforcement duties are assigned to campus security staff. The law enforcement duties of school security personnel include:

- protecting the property of the school district
- investigating safety and security matters; and
- additional duties as assigned and determined by the district that do not include routine school discipline, school administrative tasks, or contact with students unrelated to the officer's law enforcement duties.

RISD seeks to foster a climate of mutual respect for the rights of others that enhances the educational purpose for which the District exists. All students enjoy the basic rights of citizenship guaranteed by law for persons of their age and maturity. Each student must, in turn, respect the rights of classmates, teachers and other school personnel. All personnel will recognize and respect the rights of students, just as students are expected to exercise their rights responsibly toward others. Students are

expected to demonstrate due regard for the rights of others and to comply with the District's rules and regulations which are established to create and foster an atmosphere in which RISD's educational mission can be achieved. Students who violate the rights of others or school or District rules will be subject to appropriate disciplinary measures. These measures are designed to correct misconduct, maintain a safe and orderly school environment, and to promote a sense of responsibility as citizens of the school community.

Each student is responsible for helping the District create and maintain a positive learning environment at school and school-sponsored activities. Each student is expected to:

- attend all classes, daily and on time;
- be prepared for each class and to bring appropriate materials and assignments;
- meet District and campus standards of grooming and dress and in general be properly attired so that appearance does not create a disturbance or a health or safety hazard;
- demonstrate courtesy and respect even when others do not;
- behave in a responsible manner always exercising self-discipline;
- obey all school and classroom rules;
- comply with requests and directions from school personnel;
- respect the property of others, including District property and facilities;
- cooperate with and assist the school staff in maintaining safety, order, and discipline;
- respect the rights and privileges of students, teachers, and other District staff and volunteers;
- seek changes in school policies in an orderly manner and through appropriate channels; and
- adhere to the requirements of the *Student Code of Conduct*.

Unauthorized Persons

In accordance with § 37.105 of the *Education Code*, a school administrator or school resource officer (SRO) shall have the authority to refuse entry or eject a person from District property if the person refuses to leave peaceably on request and:

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

Appeals concerning refusal of entry or ejection from District property may be filed in accordance with FNG(Local) or GF(Local), as appropriate. However, the timelines for the district's grievance procedure shall be adjusted to permit the person to address the board within 90 days, unless the complaint is resolved before a hearing.

Disruptions

A key factor in managing the educational environment to support student learning is eliminating unnecessary disruptions during the school day. Unauthorized conduct by students (in or out of class) that for any reason - whether because of time, place, or manner of behavior - disrupts class work, creates substantial disorder, or invades the rights of others, is prohibited. No student, acting alone or with a group, will be permitted to disrupt classes or other school activities. This prohibition applies to conduct occurring on school property and property within 300 feet of school property and/or while attending school-related or school-sponsored activities on or off school property. Prohibited conduct that may disrupt the educational activities of a school includes but is not limited to:

- disrupting or attempting to disrupt a class or an assembly by means of force or threat of violence;
- emitting noise of an intensity or tone that prevents or hinders classroom instruction;
- entering a classroom without the consent of the principal or teacher and causing disruption of class activities either through acts of misconduct and/or the use of loud or profane language;
- enticing or attempting to entice students away from classes or required school activities;
- obstructing the passage of persons in an exit, entrance, or hallway of a building without authorization from school administrators;
- preventing or attempting to prevent students from attending classes or required school activities;
- preventing or attempting to prevent a lawful assembly authorized by school administrators by means of force or threat of violence;
- restraining or attempting to restrain the passage of any person at an exit or entrance to a campus or building by force, violence, or threats, and without the authorization of school administrators;
- seizing control of a building or portion of a building for the purpose of interfering with an administrative, educational, research, or other authorized activity;
- using an electronic communication device during the school day and/or having such a device ring or make any other audible sound during the school day;
- wearing or displaying language, signs, logos, pictures, or other communications of lewd or pornographic or sexual content (this prohibition extends to masks, shields, or other face coverings);
- violence or advocating violence against any person or group;
- promoting alcohol or any other illegal drug or narcotic; or
- engaging in disruptive or prohibited behavior during virtual learning activities (e.g., displaying vulgar or inappropriate images during video learning sessions; making profane or other inappropriate utterances during a video or audio learning lesson, etc.).

Student demonstrations, boycotts, and similar activities are prohibited if administrators determine that such activities will cause or have caused substantial disruption or interference of normal school operations to occur.

Students who participate in unauthorized disruptive activities, including those described above, are subject to disciplinary action, based on the severity of the violation and its overall effect on the welfare of other students and disruption of the school environment. Students also may receive citations from the school resource officer or other

law enforcement personnel in accordance with applicable law. The conduct described above may also constitute a Category I, II, or III offense.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a disciplinary management technique. The campus behavior coordinator shall employ alternate discipline management techniques, consistent with the *Student Code of Conduct*, including progressive interventions.

Formal Removal by Teacher

In most instances, teachers will manage student misbehavior in class through classroom rules and behavior management techniques or through a routine referral.

If in-class management techniques and routine referrals are not effective to manage student behavior, a teacher may remove a student from his or her class in accordance with § 37.002 of the *Education Code*. A teacher may initiate a formal removal from class if:

- the teacher has documented that the student has repeatedly interfered 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
- the student's behavior 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 a reason stated above, the campus behavior coordinator may place the student in another appropriate classroom, assign in- or out-of-school suspension, or place the student in a disciplinary alternative education program (DAEP). The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activities.

No later than the third class day after the day on which a student is formally removed, the campus behavior coordinator or other administrator shall schedule a conference with a parent of the student,

the teacher who removed the student, and the student. At the conference, the campus behavior coordinator or other appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences, and the student shall have an opportunity to respond to the allegations.

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

When a student is formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available. If the formal removal was for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder/capital murder, the student may not be returned to the teacher's class without his/her consent.

Suspension – In- or Out-of-School

Students may be suspended either in-school (ISS) or out-of-school (OSS) for any behaviors listed in the *Student Code of Conduct* as a General Misconduct Violation (Category I), Disciplinary Alternative Education Program Offense (Category II), or an Expellable Offense (Category III).

Only a campus behavior coordinator or other appropriate campus administrator may suspend a student.

The District shall not use out-of-school suspension for students below grade 3 or who is homeless unless, while on school property or while attending a school-sponsored/related activity (on or off school property) the student engages in:

- conduct that contains the elements of a weapons offense (*See Penal Code § 46.02 or § 46.05*);
- conduct that contains the elements of assault, sexual assault, aggravated assault, or

aggravated sexual assault as provided in the *Penal Code*; or

- selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, or alcoholic beverage, or a controlled substance, or dangerous drug as defined by state or federal law.

RISD may also use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations in lieu of suspension or DAEP placement.

Before being assigned to ISS or OSS, a student will have the opportunity for an informal conference with the campus behavior coordinator who will advise the student of the alleged misconduct and give the student the opportunity to respond to the allegations before the administrator makes a decision.

In deciding whether to order in- or out-of-school suspension, the Campus Behavior Coordinator will take into consideration:

- self-defense,
- intent or lack of intent at the time the student engaged in the conduct;
- the student's disciplinary history;
- any disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct;
- a student's status in the conservatorship of the Department of Family and Protective Services (foster care); or
- a student's status as homeless.

The administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular activities.

Texas law allows a school District to suspend a student out of school for no more than three school days for each behavior violation, with no limit on the number of times a student may be suspended in a semester or school year. RISD will not issue an order of OSS for truancy or tardiness. A student who is assigned to ISS for a period of 10 days or less may

appeal only to the campus behavior coordinator/designee.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in ISS or OSS, including at least one method of receiving the coursework that does not require the use of the internet.

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

Students with Disabilities

Students with disabilities may be disciplined in the same manner as other students in accordance with their IEPs or other specialized education plan. If a disabled student accumulates 10 consecutive days or a pattern of removal to ISS or OSS (without special education services), the pattern of misbehavior must be addressed by the student's multidisciplinary team. The school will convene an ARD or Section 504 committee meeting to (i) review the student's IEP; (ii) conduct a Functional Behavior Assessment (FBA); and/or (iii) develop a Behavior Intervention Plan (BIP). If the student accumulates a total of 10 days of ISS or OSS without special education services or a recommendation for removal is made for a Category II or III offense, a second ARD or Section 504 committee meeting must be held to conduct a Manifestation Determination (SE7 Dis) and to review the student's BIP before the student may be removed any more days from his or her educational placement. When a second ARD or Section 504 committee meeting is required, the school will contact the assigned Licensed Specialist in School Psychology (LSSP) or educational diagnostician for assistance.

Note: If a BIP was not previously developed, an FBA must be conducted and a BIP developed before any further removal may occur.

GENERAL MISCONDUCT VIOLATIONS – CATEGORY I

Students who engage in conduct characterized as a general misconduct violation (Category I) will be disciplined by the appropriate administrator. Category I violations generally are less serious than offenses listed as Category II or Category III violations. However, a student who persistently engages in Category I violations may be subject to removal to a Disciplinary Alternative Education Program (DAEP), suspension, or expulsion. The categories of conduct listed below are prohibited at school and all school-related activities, but the list does not include the most serious offenses, which are addressed in later sections. However, any offense may be serious enough to result in removal from the regular education setting, including a virtual learning setting.

Disregard for Authority

Students shall not:

- fail to comply with directives given by school personnel (insubordination);
- leave school grounds or school-sponsored events without permission;
- disobey rules for conduct on District vehicles; or
- refuse to accept discipline management techniques assigned by a teacher or principal

Mistreatment of Others

Students shall not:

- use profanity or vulgar language or make obscene gestures;
- direct profanity, vulgar language, or obscene gestures toward a student or employee;
- fight, push, shove, scuffle, or engage in horseplay (for assault, refer to “DAEP Placement and Expulsion”);
- threaten a District student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment;
- engage in bullying, cyberbullying, harassment, or make hit lists (*See “Glossary”*);
- engage in unwelcome conduct of a sexual nature, or other conduct that constitutes sexual or gender-based harassment or sexual abuse, sexual assault, dating violence, or stalking whether by word, gesture, or any other conduct, directed toward another person, including a District student, employee, board member, or volunteer;
- engage in conduct that constitutes dating violence (*See “Glossary”*);

- engage in inappropriate exposure of private body parts;
- release or threaten to release intimate visual material of a minor or a student who is 18 years or older without the adult student’s consent;
- engage in sexting or otherwise sending to another student or employee via any computer or telecommunications device nude or sexually graphic or suggestive images of one’s self or others;
- participate in hazing (*See “Glossary”*);
- engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a District student, employee, board member, or volunteer;
- cause an individual to act or refrain from acting through use of threat or force (coercion);
- commit extortion or blackmail (obtaining money or an object of value from an unwilling person); or
- record the voice or image of another without the prior consent of the individual(s) being recorded or in any way that disrupts the educational environment or invades the privacy of another

Property Offenses

Students shall not:

- damage or vandalize property owned by others;
- deface or damage school property – including buildings, walls, instructional materials, lockers, furniture, textbooks, technology and electronic resources, and other equipment – with graffiti or by other means;
- steal from students, staff, visitors, or the school; or
- commit or assist in robbery or theft even if it does not constitute a felony under the *Penal Code*

Possession of Prohibited Items

Students shall not possess, use, sell, or give to others:

- fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- a razor, box cutter, chain, or any object used in a way that threatens or inflicts bodily injury to another person;
- a "look alike" weapon that is intended to be used as a weapon or could be reasonably perceived as a weapon;
- ammunition or popping caps or paint balls;
- a stun gun;
- a firearm;
- an air gun or BB gun;
- electric shock novelty items;
- a laser pointer (unless authorized by a teacher);
- a pocketknife or any other small knife (having a blade 5.5 inches or less);
- a location-restricted knife;
- a club;
- a hand instrument designed to cut or stab another by being thrown;
- knuckles;
- mace or pepper spray;
- a tire deflation device;
- pornographic material;
- tobacco products, matches, or a lighter;
- electronic cigarettes and any component, part, or accessory for an e-cigarette device;
- items that simulate smoking tobacco or other products and smoking paraphernalia, including vaporizers;
- unauthorized headphones; or
- any articles not generally considered to be weapons including school supplies, when the principal or designee determines that a danger exists.

* See explanation under Category II and III for possession of weapons and firearms. In most circumstances, possession of these items results in mandatory expulsion under federal or state law.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- possess, use, give, or sell alcohol or an illegal drug;

- possess or sell seeds or pieces of marijuana in less than a usable amount;
- possess, use, give, or sell paraphernalia related to any prohibited substance;
- possess, use, abuse, give, or sell look-alike drugs or attempt to pass items off as drugs or contraband;
- abuse the student's own prescription drug, give or sell a prescription drug to another student, or possess or be under the influence of another person's prescription drug on school property or at a school-related event;
- abuse over-the-counter drugs;
- be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties;
- have or take prescription drugs or over-the-counter drugs at school other than as provided by District policy;
- possess, give, sell or use any item or substance that is used to simulate the effects or use of any illegal substance;
- possess, use, give away, or sell items or substances not suitable for human consumption that are used to simulate the effects of illegal drug use;
- be under the influence of any intoxicating or mind-altering substance; or
- possess, use, or be under the influence of CBD oil that contains any amount of THC

Possession of Telecommunication or Other Electronic Devices

Students shall not:

- display, turn on, or use a cellular telephone or other telecommunication device or wireless device on school property during the school day in violation of District and campus rules.

Misuse of Technology Resources and the Internet

Students shall not:

- violate the District's computer or electronic communication device use policies or rules, or agreements (Responsible Use Guidelines, Bring Your Own Device, etc.) signed by the student or his/her parents regarding the use of technology resources;

- attempt to access or circumvent passwords or other security-related information of the District, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment;
- attempt to alter, destroy, or disable District technology resources including but not limited to computers and related equipment, District data, the data of others, or other networks connected to the District's system, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school;
- use the Internet or other electronic communications to threaten District students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school;
- send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented threatening, harassing, damaging to another's reputation, or illegal, including engaging in cyberbullying and "sexting" either on or off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school; or
- use the Internet or other electronic communication to engage in or encourage illegal behavior or to threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property;
- make false accusations or perpetrate hoaxes regarding school safety;
- engage in conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence;
- throw objects that can cause bodily injury or property damage; or
- discharge a fire extinguisher without valid cause

Miscellaneous Offenses

Students shall not:

- violate dress and grooming standards as communicated in the student handbook and/or campus rules (this prohibition extends to masks, shields, or other face coverings);
- cheat, copy the work of another, or improperly obtain and use or give to another teacher tests or answer keys, or forge any document or signature;
- gamble;
- falsify records, passes, or other school-related documents;
- possess, give, sell or use on campus or at any school-sponsored or school-related activity any tobacco product, electronic cigarettes, or any smoking paraphernalia, including matches, lighters, pipes, or rolling papers;
- engage in actions or demonstrations that substantially disrupt or materially interfere with school activities; or
- repeatedly violate other communicated campus or classroom standards of conduct
- knowingly provide false information to a district employee about the student's own conduct, or the conduct of another student or RISD employee;
- knowingly make false allegations or accusations of misconduct or mistreatment by another student or district employee.

Safety Transgressions

Students shall not:

- possess published or electronic material that is designed to promote or encourage illegal behavior that could threaten school safety;

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

Discipline Management Techniques

District staff shall approach student behavior management from a positive standpoint to help students learn and internalize standards of appropriate responsible behavior and will administer discipline when necessary to protect students, employees, property, and to maintain order. Staff will treat students fairly and in an equitable manner. Campus leadership will regularly review student discipline data to evaluate the need for additional training and resources in areas such as disproportionalities, campus trends, and any other areas that may affect overall student performance and wellbeing. Discipline, when required, shall be administered based on careful assessment of the circumstances. In general, discipline will be designed to improve conduct or correct misconduct and encourage all students to adhere to their responsibilities as citizens of the school community. Teachers and administrators shall draw on their professional judgment and discretion from a range of discipline management techniques, which may include restorative discipline practices, in assigning disciplinary consequences.

Disciplinary action shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the effect of the misconduct on the school environment and other persons, any statutory requirements, and other relevant factors.

In deciding whether to order suspension, removal to a Disciplinary Alternative Education Program (DAEP), or expulsion (regardless of whether the action is mandatory or discretionary) for any student, the District will consider (i) whether the student's actions were in self-defense; (ii) the student's intent or lack of intent when he/she engaged in the conduct; and (iii) the student's disciplinary history; (iv) a disability, if any, that substantially impairs the student's capacity to appreciate the wrongfulness of his/her conduct; (v) a student's status in the conservator of the Department of Family and Protective Services (foster care); or (vi) a student's status as homeless. Where conduct falls into more than one category, the administrator/campus behavior coordinator will consider all relevant information, including these mitigating factors, to determine which category is most appropriate. The discipline of students with disabilities is subject to applicable state and federal law in addition to the *Student Code of Conduct*. To the extent any conflict exists, state and/or federal law will prevail. As required by the *Education Code*, a student enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists until the ARD committee meeting has been held to review the conduct.

The campus behavior coordinator or campus principal will notify a student's parent verbally or in writing of any violation of the *Student Code of Conduct* that may result in a suspension, removal to a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

Infractions for which the consequences listed below may be assigned are generally considered to be minor violations and the teacher is not required to make an office referral. Repeated violations of campus or classroom rules may be considered persistent misbehavior and can result in placement in an alternative educational program, In-School Suspension (ISS) and/or Out-of-School Suspension (OSS).

The following positive behavioral intervention strategies and discipline management techniques may be used - alone, in combination, or as a part of progressive interventions to address behavior prohibited by the *Student Code of Conduct* or by campus or classroom rules:

- Verbal redirection;
- Reminders and review about behavioral expectations to ensure understanding;
- Oral or written correction;
- Conference with student;
- Conference with parent/family group;
- Counseling with teachers, school counselors, special services, or administrative personnel;

- Peer mediation;
- Behavior coaching;
- Anger management classes;
- Classroom circles;
- Altering the educational environment such as changing seating assignments in the classroom or on vehicles owned or operated by the District, or class schedule changes where appropriate;
- Penalties identified in individual student organizations' extracurricular standards of behavior;
- Cooling-off time or a brief "time out" period in accordance with law;
- Physical redirection;
- Physical restraint (if necessary to avoid harm to the student or others);
- Confiscation of prohibited items or items that disrupt the educational environment;
- Behavioral contracts and/or school administered probation;
- Demerits or rewards;
- Detention, including outside regular school hours*;
- Assignment of school duties at the discretion of the principal;
- In-School Suspension (ISS) as specified in the ISS section (page 39);
- Expulsion as specified in the expulsion section of the *Student Code of Conduct*;
- Opportunity to participate in educational activities designed to increase awareness and understanding about the misbehavior (e.g., special seminars related to vaping, alcohol abuse, cultural competency, healthy dating relationships, etc.)
- Grade reduction for cheating, plagiarism, or other academic dishonesty, and as otherwise permitted by policy;
- Withdrawal of campus privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or memberships in school-sponsored clubs and organizations;
- Sending the student to the office or other assigned area;
- Transferring the student to another campus;
- Referral to outside agency or authority for criminal conduct;
- Repair of, or restitution for, damaged materials, equipment, furniture, or other property; and/or
- Withdrawal or restriction of District transportation privileges;
- School-assessed and school-administered probation;
- Out of school suspension, as specified in the OSS section (page 95);
- Placement in a DAEP, as specified in the DAEP section (page 39);
- Placement and/or expulsion in an alternative education setting as specified in Placement and/or Expulsion for Certain Offenses (page 41);
- Expulsion as specified in the Expulsion section (page 40);
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district;
- Other strategies and consequences as determined by school officials, including specific strategies designed to address prohibited behaviors that occur during virtual learning.

* Before assigning detention outside regular school hours to a student under 18, the appropriate administrator shall give notice to the student's parent regarding the reason for the detention and permit arrangements for necessary transportation.

RISD policy prohibits administering corporal punishment to students. Documented repeated violations of District, campus or classroom rules may rise to the level of persistent misbehavior which may result in the removal of the student to a DAEP, OSS, and/or expulsion.

Suspension. Students may be suspended in- or out-of-school for any behavior listed in the *Student Code of Conduct* as a general conduct violation, DAEP offense, or expellable offense. In deciding whether to order out-of-school suspension, the District shall take into consideration: self-defense, intent or lack of intent at the time the student engaged in the conduct, and the student's disciplinary history, and disability, if any, that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct, a student's status in the conservator of the Department of Family and Protective Services (foster care), or a student's status as homeless. Students below grade 3 or a student who is homeless shall not be assigned to out-of-school suspension except for certain violent or weapons offenses or drug or alcohol-related conduct.

Notification. The campus behavior coordinator or other appropriate administrator shall promptly notify a student's parent by telephone, or in person of any violation that may result in in-school suspension, out-of-school suspension, placement in a DAEP, expulsion, or placement in a JJAEP. The campus behavior coordinator also shall notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the *Education Code*. The campus behavior coordinator shall make a good faith effort on the day the action was taken to provide written notice of the disciplinary action to the parent via delivery by the student. If the parent has not been reached by 5:00 p.m. of the first business day after the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail.

Questions/Appeals. Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administrator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques (other than referral to DAEP or expulsion which have separate appeal procedures described in this *Student Code of Conduct*, or ISS or OSS, which are appealable only to the campus principal) should be addressed in accordance with policy FNG(Local). The policy is available from the principal's office or through the District's website at <http://www.risd.org>. Disciplinary consequences shall not be deferred pending the outcome of a grievance or appeal.

Students with Disabilities. The discipline of students with disabilities is subject to applicable State and federal law in addition to the *Student Code of Conduct*. To the extent any conflict exists, State and/or federal law shall prevail. In accordance with the *Education Code*, a student who is enrolled in a special education program may not be disciplined for conduct meeting the statutory definition of bullying, cyberbullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct.

Removal from the School Bus. A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. A principal or campus behavior coordinator must employ additional management techniques, as appropriate, which may include seat reassignments and restricting or revoking a student's bus riding privileges.

RISD's primary responsibility in transporting students in District vehicles is to do so as safely and efficiently as possible. Student misbehavior cannot be allowed to disrupt or distract the driver from focusing on driving. Thus, when appropriate disciplinary management techniques fail to improve student behavior or when a specific instance of misconduct warrants removal, the principal or campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with applicable law.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students. An "aversive technique" is a technique or intervention intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- using techniques designed or likely to cause physical pain;

- using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks;
- directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face;
- denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;
- ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
- employing a device, material, or object that immobilizes all four extremities, including prone or supine floor restraint;
- impairing the student's breathing, including applying pressure to the student's torso or neck or placing something upon, or over the student's mouth or nose or covering the student's face;
- restricting the student's circulation;
- securing the student to a stationary object while the student is standing or sitting;
- inhibiting, reducing, or hindering the student's ability to communicate;
- using chemical restraints;
- using time-out in a manner that prevents the student from being able to be involved in and program appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers;
- depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or conflict with the student's IEP or behavior intervention plan (BIP).

2020-2021 STUDENT CODE OF CONDUCT

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING – CATEGORY II

Disciplinary Alternative Education Program (DAEP)

In addition to application of other discipline management strategies, students who engage in conduct characterized as a Category II offense, as described in the *Student Code of Conduct*, may be removed from the regular educational setting and placed in a Disciplinary Alternative Education Program (DAEP). RISD has designated the *Christa McAuliffe Learning Center (CMLC)*, located at 900 S. Greenville Avenue, Richardson, Texas 75081, 469-593-5800, as its DAEP. Refer to the section titled “Removal from the Regular Education Setting – Procedures” in this *Student Code of Conduct* for more detailed information about DAEP placement.

The terms of placement for a Category II offense must prohibit the student from attending or participating in a school-sponsored or school-related activity or noncurricular activity during the period of DAEP placement. This prohibition includes but is not limited to athletic events, competitions, performances, practices, school dances, pep rallies, graduation ceremonies and activities, and school-sponsored trips (local or out of town). During the period of DAEP assignment, a student should not be present at his or her home campus or other district locations except CMLC without specific authorization from the campus principal or designee.

Graduation. For a senior student assigned to a DAEP at or near the end of the school year who is eligible to graduate, if the terms of the placement continue through graduation, the student will not be allowed to attend or participate in the graduation ceremony and any related graduation activities. (*Reference: Education Code § 37.006*)

Age and Grade Considerations. By law, students under the age of six cannot be removed from class and placed in a DAEP unless they commit a federal firearms offense. An elementary student may not be placed in a DAEP with another student who is not an elementary school student. Elementary classification shall be Kindergarten–grade 6 and secondary classification shall be grades 7-12.

Summer Programs. Summer programs provided by the District shall serve students assigned to a DAEP (if any) in conjunction with other students.

Transportation. Transportation will not be provided for a student assigned to DAEP unless he or she is an elementary student or a student with a disability whose IEP designates transportation as a related service.

Students with Disabilities. Within 10 school days of any administrative decision to change the placement of a student with a disability because of a violation of the *Student Code of Conduct*, the student’s ARD or Section 504 committee should conduct a Manifestation Determination meeting. The school should promptly contact the Licensed Specialist in School Psychology or Educational Diagnostician assigned to the school for assistance. If the committee determines that the behavior was a manifestation of the student’s disability, the committee must conduct (or review) a Functional Behavior Assessment (FBA) and implement a Behavior Intervention Plan (BIP) for the student; or review/modify a current BIP. Additionally, the student should return to the previous placement unless the committee mutually agrees to change the placement or if the student was being removed due to one of the three special circumstances. If the committee determines the behavior was **not** a manifestation of the student’s disability, the student’s placement may be changed. An FBA and/or BIP is not required if the behavior is not a manifestation of the student’s disability, but could be conducted if the committee felt it was necessary.

Other Considerations. In deciding whether to place a student in a DAEP, regardless of whether the placement is mandatory or discretionary, the District will consider self-defense, intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, any disability that substantially impairs the student's capacity to appreciate the wrongfulness of his/her conduct, the student's status in the conservatorship of the Department of Family and Protective Services, and the student's status as homeless. For purposes of a DAEP placement, in determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense by the *Penal Code*, the superintendent or his designee may consider all available information, including information furnished under Article 15.27 of the *Code of Criminal Procedures*.

Notice to Noncustodial Parent. A noncustodial parent may request in writing directed to the student's campus principal that the District provide the noncustodial parent with a copy of any written notification relating to student misconduct that results in DAEP placement that the District generally provides to the custodial parent/guardian. Such written request is effective for the remainder of the school year in which it is received. Nothing in this paragraph entitles a parent to receive information that is not authorized under applicable court order.

Mandatory DAEP Placement

Students shall be assigned to a DAEP under the following circumstances:

1. A student shall be removed from class and placed in a DAEP if the student commits any of the following conduct 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:
 - a. Engages in conduct punishable as a felony.
 - b. Commits an assault involving bodily injury under § 22.01(a)(1), *Penal Code* (intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse, and assault of a pregnant woman).
 - c. Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of:
 - i) marijuana;
 - ii) a controlled substance, as defined by Chapter 481, *Health and Safety Code*, or 21 U.S.C. § 801; or
 - iii) a dangerous drug (in an amount not constituting a felony), as defined by Chapter 483, *Health and Safety Code*. (School-related felony drug offenses are addressed in the Category III – Expulsion section of the *Student Code of Conduct*.) *Note*: A student with a valid prescription for low-THC cannabis as authorized by chapter 487 of the *Health and Safety Code* does not violate this provision if he/she possesses, uses, or is under the influence of the low-THC cannabis in accordance with the District's prescription policies. Except as provided above, a student who is in possession of any amount of THC violates this provision.
 - d. Sells, gives, or delivers to another person an alcoholic beverage as defined by § 1.04, *Alcoholic Beverage Code*; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of an alcoholic beverage, if the conduct is not punishable as a felony. (School-related felony alcohol offenses are addressed in the Category III Expulsion section of the *Student Code of Conduct*.)
 - e. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under § 485.03 - § 485.035, *Health and Safety Code*.
 - f. Engages in conduct that contains the elements of the offense of public lewdness under § 21.07, *Penal Code*, or indecent exposure under § 21.08, *Penal Code*. (*Reference: Education Code § 37.006*)
 - g. Admits to use, sale, or delivery of any amount of alcohol or any other illegal substance.

- h. Engage in conduct that contains the elements of the offense of harassment against an RISD employee under § 42.07(a)(1), (2), (3), or (7), *Penal Code*
2. A student shall be removed from class and placed in a DAEP if, on or off school property, the student:
 - a. Engages in conduct relating to a false alarm or report (including a bomb threat) or terroristic threat involving a public school. (*Reference: Penal Code § 42.06 & § 22.07*)
 - b. Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (*Reference: Penal Code § 36.06*) (Committing retaliation in combination with an expellable offense is addressed in Category III.)
 - c. Engages in expellable conduct and is between six and nine years of age.
 - d. Commits a federal firearm violation and is younger than six years of age.
 3. A student shall be removed from class and placed in a DAEP if the student engages in conduct punishable as aggravated robbery or a felony listed under Title 5 of the *Penal Code* when the conduct occurs off school property and not at a school-sponsored or school-related activity, and:
 - a. the student receives deferred prosecution;
 - b. a court or jury finds that the student has engaged in delinquent conduct under § 54.03, *Family Code*; or
 - c. the superintendent or designee has a reasonable belief that the student has engaged in the conduct and the student's continued presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

Discretionary DAEP Placement

A student may be assigned to a DAEP for the following conduct:

1. Communicating reckless speech, including threats to District students, employees, or volunteers, regardless of whether the student intends to carry out the plan, scheme, or threat.
2. Using/Possessing a knife that is not a location-restricted knife as defined by *Penal Code § 46.01(6)* at school or while attending or participating in a school-related or school-sponsored activity or while in any District-provided transportation.
3. Intentionally, knowingly, or recklessly possessing a club or knuckles on school grounds.
4. Engaging in conduct defined as a felony offense other than aggravated robbery or those defined in Title 5, *Penal Code*; off school property and while the student is not in attendance at a school-sponsored or school-related activity, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.
5. Involvement in a public school fraternity, sorority, secret society or gang, including participating as a member, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang.
6. Involvement in criminal street gang activity.
7. Bullying, harassment (including sexual or gender-based harassment), hazing, intimidation, or making a hit list.
8. Engaging in non-expellable conduct that constitutes dating violence (or stalking), including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate or control another person with whom the student has or has had a dating relationship.
9. Inappropriately exposing private body parts that does not constitute public lewdness or indecent exposure.

10. Engaging in offensive or unwelcome verbal or physical conduct of a sexual nature which may include requests for sexual favors, or other intimidating or unwelcome sexual conduct directed toward another student.
11. Engaging in sexual intercourse or other intimate sexual conduct at school or during any school-related or school-sponsored activity (even if such conduct is consensual).
12. Sexting or sending via computer or telecommunication device nude or sexually graphic or suggestive images of one's self or another student if the conduct is not punishable as a felony.
13. Using any device that permits recording the voice or image of another in any way that either disrupts the educational environment, invades the privacy of others, or is made without the prior consent of the individual(s) being recorded.
14. Possessing, distributing, or downloading any pornographic material at school or during a school-sponsored activity or event whether on a school or personal device .
15. Selling, delivering to another person, possessing or using drug paraphernalia.
16. Selling, delivering, using, possessing, or knowingly ingesting prescription or non-prescription medication (exception: medication possessed and taken in accordance with the Health Services section of the *Student and Parent Guidebook and Student Code of Conduct* and as directed by a doctor's prescription or label directions).
17. Possessing an unauthorized prescription medication.
18. Possessing, giving, selling or using any item or substance that is used to simulate the effects or use of any illegal substance.
19. Possessing, giving, selling or using tobacco, tobacco products, E-liquids, electronic cigarettes, e-cigarettes, or other products or paraphernalia to smoke or simulate smoking (regardless of whether they contain nicotine), including personal vaporizers and electronic nicotine delivery systems.
20. Possess, using, giving away, or selling items or substances suitable or not suitable for human consumption that are used or held out to simulate the effects of illegal drug use.
21. Vandalizing, damaging, setting fire to, or stealing property owned by the District, other students, or District employees, or while attending a school-sponsored or school-related activity on or off school property.
22. Engaging in serious misbehavior that affects the orderly environment of the school, not excluding conduct listed in Category I.
23. Exhibiting persistent misbehavior (*see "Glossary"*) including repeated, documented violations of standards of student conduct and/or the *Student Code of Conduct*. Provided, however, a student who previously has attended the District's DAEP-Christa McAuliffe Learning Center (CMLC) within a particular school year for continued persistent or serious misbehavior, must repeat the District's stated disciplinary process before being returned to CMLC.
24. Using the District's technology resources, including the Internet or intranet, or any technology equipment, to obtain a benefit from; defraud or harm another; or alter, damage or delete property or information from the system without permission, or to download or transmit prohibited content including without limitation pornographic or sexually graphic material.
25. Violating the District's Responsible Use Guidelines or Electronic Communication and Data Management Policy.
26. Engaging in unwelcome verbal or physical harassment on the basis of a person's sex, age, race, color, religion, disability, or national origin.
27. Engaging in criminal mischief not punishable as a felony.

28. Using/Possessing a “look-alike” weapon, stun gun or other incapacitating device, or using any object to threaten or cause bodily harm.
29. Using/Possessing an air rifle, air pistol or pellet gun of any description that is capable of discharging any object by means of compressed air, gas, springs, or other means.
30. Possessing a “look-alike” explosive.
31. Committing assault that does not involve bodily injury including an assault with threat of imminent bodily injury and/or assault by offensive or provocative physical contact (*See “Glossary”*).
32. Using, selling, possessing, or delivering any amount of alcohol or any other illegal substance on school premises or while attending or participating in a school-sponsored or school-related activity at any location that does not rise to the level of a mandatory removal.
33. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
34. Inciting violence against a student through group bullying.
35. Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the adult student’s consent.

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

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

Sexual Assaults and Campus Assignments. If a student has been convicted of continuous sexual abuse of a young child or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim’s parent (or other person with authority to act on behalf of the victim) requests that the board transfer the offending student to another campus, the District shall transfer the offending student to another RISD campus. If there is no other RISD campus serving the grade level of the offending student, he/she shall be placed in DAEP.

2020-2021 STUDENT CODE OF CONDUCT

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING - CATEGORY III

Expulsion

RISD will expel (remove from RISD enrollment) students who commit Category III infractions as described in the *Student Code of Conduct* and under § 37.007 of the *Education Code*. A student who is expelled from an RISD campus will be referred to the Dallas County Juvenile Justice Alternative Education Program (DCJJAEP) unless the Campus Behavior Coordinator, in conference with Student Services, determines another educational placement is more appropriate under the circumstances. Expelled students will be afforded due process within RISD as provided by District policy and federal and state law. Refer to the section titled “Removal from the Regular Education Setting – Procedures” in the *Student Code of Conduct* for more detailed information about expulsion.

The campus behavior coordinator must notify Student Services immediately when a student engages in conduct that constitutes an expellable offense under Category III (mandatory or discretionary).

Other Considerations. In deciding whether to order expulsion, regardless of whether the expulsion is mandatory or discretionary, the campus behavior coordinator shall consider self-defense, intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, a disability, if any, that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct, a student’s status in the conservatorship of the Department of Family and Protective Services (foster care), or a student’s status as homeless.

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion, including, but not limited to: athletic events; competitions; performances; school dances; graduation ceremonies or festivities; and school-sponsored trips (local or out of town). If during the

period of expulsion the student engages in additional misconduct for which DAEP placement or expulsion is required or permitted, RISD may conduct additional procedures, which may result in additional disciplinary consequences.

Student Age. The *Education Code* prohibits a school District from expelling students under the age of ten (10) unless the student commits a federal firearms offense and is between five and ten years of age. If a student under age ten (10) engages in other expellable conduct, the student must be assigned to a DAEP. (Reference: *Education Code* § 37.007(h); § 37.007(e)(2); § 37.006(f))

Students with Disabilities. If a student with a disability commits a Category III offense for which the campus behavior coordinator or other appropriate administrator determines expulsion is appropriate, the student may be placed in an interim alternative education setting until an ARD meeting or Section 504 meeting, as appropriate, can be convened to conduct a Manifestation Determination.

Within 10 school days of any administrative decision to change the placement of a student with a disability because of a violation of the *Student Code of Conduct*, the student’s ARD or Section 504 committee should conduct a Manifestation Determination. The school should promptly contact the Licensed Specialist in School Psychology or Educational Diagnostician assigned to the school for assistance.

If the ARD or Section 504 committee determines that the behavior **was** a manifestation of the student’s disability then the committee must conduct (or review) a Functional Behavior Assessment (FBA) and implement a Behavior Intervention Plan (BIP) for the student; or review/modify a current BIP. Additionally, the student should return to the previous placement unless the ARD or Section 504 committee mutually agrees to change the placement or if the student was being removed due to one of

the three special circumstances that occurred at school, on school premises, or at a school function (carried/possessed dangerous weapon, knowingly possessed/used illegal drugs or sold or solicited sale of controlled substance, inflicted serious bodily injury upon another person). If the committee determines the behavior **was not** a manifestation of the student's disability, then the student's placement may be changed. An FBA and/or BIP is not required if the behavior is not a manifestation of the student's disability, but could be conducted if the ARD or Section 504 committee felt it was necessary. Students with disabilities may be expelled on the same basis as non-disabled students, provided the student's ARD or Section 504 committee determines that the misconduct is not a manifestation of the student's disability and/or the result of inappropriate placement. During the period of expulsion, the student's IEP or Section 504 plan must continue to be implemented in a way

which provides a program individually designed to meet the student's unique learning needs and provides a free, appropriate, public education. A representative of the DCJJAEP will be invited to any expulsion ARD or Section 504 meeting as a non-consensus member.

Notice to Noncustodial Parents. A noncustodial parent may request in writing directed to the student's campus principal that the District provide the noncustodial parent with a copy of any written notification relating to student misconduct that results in expulsion that the District generally provides to the custodial parent/guardian. Such written request is effective for the remainder of the school year in which it is received. Nothing in this paragraph entitles a parent to receive information that is not authorized under any applicable court order.

Mandatory Expulsion

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

1. Firearms

- a. Federal law: Bringing to school or possessing at school, including any setting under RISD's control or supervision for the purpose of a school activity, a firearm as defined by federal law. (Note – Mandatory expulsion under the *Gun-Free School Act* does not apply to a firearm lawfully stored in a locked vehicle, or to firearms used in approved activities when the District has adopted appropriate safeguards to ensure student safety.)
- b. State law: Unlawfully carrying a handgun on or about the student's person in the manner prohibited by *Penal Code § 46.02* (and except where such possession/use occurs at an approved target range located off school premises while participating in a school-sponsored shooting competition or educational activity that is sponsored/supported by the Parks and Wildlife Department, or a shooting sport sanctioning organization working with the Department).

2. Other weapons

- a. Unlawfully carrying on one's person, in the manner prohibited by *Penal Code § 46.02*, a location-restricted knife or club.
- b. Engaging in conduct that contains the elements of an offense related to prohibited weapons under Penal Code § 46.05 by intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling: an explosive weapon, a machine gun, short-barrel firearm, knuckles, armor-piercing ammunition, chemical dispensing device, zip gun, tire deflation device, improvised explosive device, or firearm silencer.

3. Engaging in conduct that contains the elements of the following offenses under the *Penal Code*:
 - a. Aggravated assault (*Penal Code* § 22.02), sexual assault (*Penal Code* § 22.011), or aggravated sexual assault (*Penal Code* § 22.021).
 - b. Arson (*Penal Code* § 28.02) (See “Glossary”).
 - c. Murder (*Penal Code* § 19.02), capital murder (*Penal Code* § 19.03), or criminal attempt to commit murder or capital murder (*Penal Code* § 15.01).
 - d. Indecency with a child (*Penal Code* §21.11).
 - e. Aggravated robbery (*Penal Code* § 29.03).
 - f. Aggravated kidnapping (*Penal Code* § 29.03).
 - g. Manslaughter (*Penal Code* § 19.04) or criminally negligent homicide (*Penal Code* § 19.05).
 - h. Continuous sexual abuse of a young child or children.
4. Engaging in the following conduct if it is punishable as a felony:
 - a. Using, possessing, being under the influence of, or selling, giving, or delivering to another person marijuana, a dangerous drug (*Health and Safety Code Chapter 483*), a controlled substance (*Health and Safety Code Chapter 481*; 21 U.S.C. § 801), or an alcoholic beverage (*Alcoholic Beverage Code* § 1.04).
 - b. Committing a serious act or offense while under the influence of alcohol.
5. Engaging in retaliation against a school employee or volunteer combined with one of the above listed mandatory expulsion offenses.

Discretionary Expulsion: Student Conduct That May Result in Expulsion from School

A student **may** be expelled for:

1. Engaging in the following conduct, no matter where it takes place:
 - a. Conduct that contains the elements of assault under *Penal Code* § 22.01(a)(1) in retaliation against a school employee or volunteer.
 - b. Criminal mischief, if punishable as a felony.
 - c. Conduct that contains the elements of breach of computer security under *Penal Code* § 33.02 if the conduct involves accessing a computer, computer network or system owned or operated by or on behalf of a school district and the student knowingly alters, damages, or deletes district information or property or commits a breach of any other computer, computer network or system.
 - d. Bullying that encourages a student to commit or attempt to commit suicide.
 - e. Inciting violence against a student through group bullying.
 - f. Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the adult student’s consent.
 - g. Breach of computer security.
2. Engaging in conduct that contains the elements of one of the following offenses against another student, no matter where the conduct occurs:
 - a. Aggravated assault.
 - b. Sexual assault.
 - c. Aggravated sexual assault.
 - d. Murder or capital murder.

- e. Criminal attempt to commit murder or capital murder.
 - f. Aggravated robbery.
3. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school (*Penal Code* § 42.06 or § 22.07).
 4. Committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - a. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by chapter 487 of the *Health and Safety Code* does not violate this provision if he/she possesses, uses, or is under the influence of the low-THC cannabis in accordance with the District's prescription policies. Except as provided above, a student who is in possession of any amount of THC violates this provision.
 - b. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
 - c. Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
 - d. Engaging in deadly conduct (under *Penal Code* § 22.05).
 - e. Engaging in conduct that contains the elements of assault (under *Penal Code* § 22.01(a)(1)) against an employee or a volunteer.
 5. Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:
 - a. Unlawfully carrying on the student's person a handgun or a location-restricted knife.
 - b. Possessing, manufacturing, transporting, repairing, or selling prohibited weapons.
 - c. Aggravated assault, sexual assault, or aggravated sexual assault.
 - d. Arson.
 - e. Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
 - f. Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - g. Continuous sexual abuse of a young child or children.
 - h. Felony, drug-related, or alcohol-related offense.
 - i. Possession of a firearm, as defined by federal law.
 6. Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.
 7. Engaging in documented serious misbehavior (*See "Glossary"*) that violates the District's *Student Code of Conduct*, despite documented behavioral intervention, while placed in a DAEP. For purpose of discretionary expulsion from DAEP, "serious misbehavior" means:
 - a. Deliberate violent behavior that poses a direct threat to the health or safety of others;
 - b. Extortion, meaning the gaining of money or other's property by force or threat;
 - c. Conduct that constitutes coercion, as defined by *Penal Code* § 1.07; or

- d. Conduct that constitutes the offense of:
- (i) Public lewdness under *Penal Code § 21.07*;
 - (ii) Indecent exposure under *Penal Code § 21.08*;
 - (iii) Criminal mischief under *Penal Code § 28.03*;
 - (iv) Hazing under *Education Code 37.152*; or
 - (v) Harassment under *Penal Code § 42.07(a)(1)* of a student or RISD employee.

Individual administrators will consider all relevant factors when making a referral for an expulsion. Except as otherwise required by law, the duration of an expulsion usually will be 90 days, unless a longer period is required by law.

2020-2021 STUDENT CODE OF CONDUCT

PLACEMENT AND/OR EXPULSION FOR CERTAIN SERIOUS OFFENSES

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

Note: Information about procedures and appeals for students placed or expelled under this section are included within this section. The general procedures and appeals for Category II and III offenses do not apply to offenses described in this section.

Registered Sex Offenders

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

If the student is already assigned to a DAEP for any reason when the District receives notification that the student is required to register as a sex offender, the DAEP, in conjunction with the student's home school, must promptly determine the appropriate placement for the student as provided below.

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

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

- a. threatens the safety of other students or teachers,
- b. will be detrimental to the educational process, or
- c. is not in the best interest of the District's students.

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

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

3. **Newly Enrolled Student** – If a student enrolls in the District during a mandatory placement as a registered sex offender, the District may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.
4. **Appeal** – A student or the student's parent may appeal the placement by requesting a conference between the Board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Title 5 Felonies

1. **DAEP Placement** – DAEP placement is required for students who engage in conduct characterized as a Title 5 felony offense as described in the Mandatory DAEP Placement section. Notwithstanding this section, however, a student may be expelled and placed in JJAEP or DAEP in accordance with *Education Code*

§ 37.008, if the Board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (See "Glossary") of the *Penal Code*. The student must have:

- a. received deferred prosecution for conduct defined as a Title 5 felony offense;
 - b. been found by a court or jury to have engaged in delinquent conduct for the conduct defined as aggravated robbery or a Title 5 felony offense;
 - c. been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
 - d. been referred to a juvenile court for allegedly engaging in delinquent conduct defined as aggravated robbery or a Title 5 felony offense; or
 - e. received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.
2. Expulsion – The District may expel the student and order placement under these circumstances regardless of:
- a. the date on which the student's conduct occurred;
 - b. location at which the conduct occurred;
 - c. whether the conduct occurred while the student was enrolled in the District; or
 - d. whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.
3. Hearing and Required Findings – The student must first have a hearing before the Board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:
- a. threatens the safety of other students or teachers;
 - b. will be detrimental to the educational process; or
 - c. is not in the best interest of the District's students.
- Note:* Any decision of the Board or the Board's designee under this section is final and may not be appealed.
4. Length of Placement – The student is subject to the placement until:
- a. the student graduates from high school;
 - b. the charges are dismissed or reduced to a misdemeanor offense; or
 - c. the student completes the term of placement or is assigned to another program.
5. Placement Review – A student placed in DAEP or JJAEP is entitled to a review of his/her status, including academic status, by the Campus Behavior Coordinator or board's designee in intervals not to exceed 120 days. In the case of a high school student, the student's program toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or his/her parent(s)/legal guardian shall have the opportunity to present arguments for the student's return to the regular classroom or campus.
6. Newly Enrolled Students – A student who enrolls in the District before completing a placement under this section from another school district must complete the term of the placement.

2020-2021 STUDENT CODE OF CONDUCT

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING - PROCEDURES

RISD intends to administer discipline under the *Student Code of Conduct* in a fair and consistent manner and to provide students with the due process that is required by federal or state standards, according to the nature of the disciplinary consequences that may be imposed. Disciplinary consequences, including assignment to a DAEP or expulsion, will not be delayed pending the outcome of any proceedings through the criminal justice system and RISD's disciplinary consequences are not dependent upon outcomes through the criminal justice system.

Mitigating Factors. In considering whether to assign a student in- or out-of-school suspension, placement in the DAEP, or expulsion (regardless of whether the action is mandatory or discretionary), the campus behavior coordinator/other appropriate administrator shall consider;

- self-defense;
- intent or lack of, intent at the time the student engaged in the conduct;
- the student's disciplinary history;
- any disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct;
- a student's status in the conservatorship of the Department of Family and Protective Services (foster care); and
- a student's status as homeless.

Suspension

Before issuing an order of In-School Suspension (ISS) or Out-of-School Suspension (OSS), the campus behavior coordinator or designee will have an informal conference to advise the student of the conduct of which he or she is accused and the student will have an opportunity to explain his or her version of the incident before the administrator's decision is made.

The length of an OSS is left to the campus behavior coordinator or designee's discretion, but will not exceed three school days. There is no limit on the number of times a student may be suspended in a semester or school year except when an OSS would result in a change of placement for a student with a disability.

A student who is assigned to ISS or OSS may not attend or participate in any school-sponsored or school-related extracurricular activities or noncurricular school activities during the disciplinary assignment. This prohibition includes but is not limited to: athletic events; competitions; practices; performances; group, club, or team meetings; school dances; pep rallies; ceremonies and related activities; and school-sponsored trips (local or out of town).

ISS: The exclusion from extracurricular and noncurricular school activities begins at the start of the school day on the first day of assignment and ends at the end of the school day on the final day of the ISS assignment (e.g., student receives a two-day ISS assignment for Tuesday and Wednesday; exclusion ends at the end of the school day on Wednesday and student may participate beginning Wednesday after school).

OSS: The exclusion from extracurricular and noncurricular school activities ends on the school day on which the student returns to regular classes following the completion of the OSS assignment (e.g., student receives a two-day OSS assignment for Thursday and Friday; student may resume participation on the following Monday).

The District will not use out-of-school suspension for students below grade 3 or who are homeless unless the student's conduct meets the requirements established by law (described below).

A student below grade 3 or who is homeless 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:

- Conduct that contains the elements of a weapons offense under *Penal Code* § 46.02 or § 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, aggravated sexual assault under the *Penal Code*; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by state or federal law.

The District shall use a positive behavior program that meets the requirements of state law as a disciplinary alternative for students below grade 3 who commit general misconduct violations instead of suspension or DAEP placement.

Disciplinary Alternative Education Program (DAEP)/Christa McAuliffe Learning Center (CMLC)

When a student engages in conduct permitting or requiring placement in a DAEP, within three school days, the campus behavior coordinator/designee will schedule a conference with the student and his/her parent/guardian to discuss the incident. If the conduct also resulted in removal from class by a teacher pursuant to § 37.002(d) of the *Education Code*, the teacher also will attend. At the conference, the campus behavior coordinator/designee will inform the student of the reason(s) for removal, explain the basis of the removal, and give the student and/or the student's parent/guardian an opportunity to respond to the reason(s) for removal. Following unsuccessful, valid attempts to secure the parent/guardian's attendance at the conference, the campus behavior coordinator/designee may hold the conference and make a placement decision regardless of whether the student or his/her parent/guardian attends.

Restrictions During Placement: A student who is assigned to the DAEP may not attend or participate in any school-sponsored or school-related extracurricular activities or noncurricular school

activities during the disciplinary assignment. This prohibition includes but is not limited to: athletic events; competitions; practices; performances; group, club, or team meetings; school dances and banquets; pep rallies; ceremonies and related activities; honorary activities (including graduation); and school-sponsored trips (local or out of town). A student may not be present on his/her home campus or other District premises except CMLC during a DAEP placement without specific prior authorization from the principal/designee. These restrictions apply to a student who withdraws before a DAEP order is completed.

Coursework Notice: The campus behavior coordinator/designee shall give the student's parent/guardian notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation at no cost to the student. The notice shall include information regarding all methods for completing the coursework. The campus also will discuss with the student and parent any opportunities for completion of other coursework.

Emergencies: When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student will be given oral notice of the reason for the action. Not later than the 10th school day after the date of the emergency placement, the student will be given the appropriate conference required for assignment to a DAEP.

Length of Placement: After the conference, if a placement decision is made, the campus behavior coordinator/designee will prepare a placement order and give or send a copy to the student and his/her parents. Not later than the second business day after the conference, a representative of the Student Services Department shall deliver to the juvenile court a copy of the placement order and all information required by *Family Code* § 52.04. Students are expected to enroll in the assigned DAEP as indicated in the assignment order.

The campus behavior coordinator/designee will determine the duration of a student's placement on a case-by-case basis, considering all relevant factors including, without limitation, the seriousness of the offense, the student's age/grade, the frequency of misconduct, the student's attitude, and any statutory requirements. The DAEP placement will usually be between 40 school days to one semester of good behavior. To minimize disruption to the student's education, the campus behavior coordinator/designee may consider the beginning and ending of grading periods in relation to the ending of the DAEP assignment. In addition, to encourage good behavior, students assigned to CMLC shall have the opportunity to earn a reduction of up to 10 days from the DAEP assignment period for good behavior by maintaining prompt and regular attendance and earnestly complying with the *Student Code of Conduct* and the DAEP campus rules. Days on which a student is absent (for any reason) do not count toward completion of the DAEP assignment. If the length of the student's DAEP placement is inconsistent with these guidelines, the placement order shall give notice of the inconsistency.

The maximum period of placement in the DAEP shall be one calendar year except when a review by the District determines that:

- (i) the student is a threat to the safety of other students or to District employees;
- (ii) extended placement is in the best interest of the student; or
- (iii) the placement resulted from the Board's decision to place a student who engaged in sexual assault of another student in the DAEP so the students are not assigned to the same campus.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the Board's decision to place a student who engaged in sexual assault of another student so that the students are not assigned to the same campus.

If the placement extends beyond the sooner of 60 days or the end of the next grading period, a student's parents will be given notice of the

opportunity to participate in a proceeding before the Board or designee.

The District shall administer any required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with its procedures for administering other diagnostic and benchmark assessments.

Before RISD may place a student in a DAEP for a period that extends beyond the end of the school year, the Board or designee must determine that (i) 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 (ii) the student has engaged in serious or persistent misbehavior that violates the *Student Code of Conduct*. However, students who commit offenses requiring placement in a DAEP at or near the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

Transportation

Elementary students placed in a DAEP will be provided transportation to and from the home campus unless the parent desires to provide transportation. Secondary students placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated or a related service in his or her IEP. Secondary students may request a temporary DART bus pass.

Withdrawal During Placement Process

If a student who has engaged in conduct permitting or requiring placement in a DAEP withdraws from RISD before a placement order is completed, the campus behavior coordinator will complete the proceedings and issue a placement order. If the student re-enrolls in RISD, the District will enforce the order at that time, less any period of the placement that the student has completed in another district.

Newly Enrolled Students

A student who was assigned to a DAEP in another Texas school district or an open-enrollment charter

school, and enrolls in RISD prior to completing any period of the DAEP assignment in the prior district, will be required to complete the DAEP assignment in RISD. The RISD home campus will place the student directly at CMLC upon enrollment or upon learning of the unserved DAEP assignment. A newly enrolled student with a DAEP placement from a district in another state will be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in RISD. If the other state's placement exceeds one year, RISD, as required by Texas law, will reduce the placement to one year unless a review determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Additional Misconduct

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

DAEP Status Review

A student placed in a DAEP shall be provided a review of the student's status at the DAEP, including a review of the student's academic status, by the CMLC principal at intervals not to exceed 120 days. For high school students, the review also will include the student's progress towards meeting high school graduation requirements. A specific graduation plan shall be established for the student; however, RISD is not required to provide a course in DAEP except as is required by *Education Code* § 37.008(l). At the review, the student/parent will have an opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Notice of Criminal Proceedings

The office of the prosecuting attorney will notify the District if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint,

indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

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

No later than the third day after receiving such notice from the prosecutor, the superintendent or her designee will review the student's placement and schedule a conference with the student's parents. The student may not be returned to the classroom pending the review. After reviewing the notice and receiving information from the student's parents, the superintendent/designee may continue the placement if there is reason to believe that the student's presence in the regular classroom threatens the safety of other students or teachers.

The student or his/her parents may appeal the superintendent's decision to the Board of Trustees by making a written request to Student Services, and the student may not be returned to the classroom pending the appeal. The Board will hear the requested appeal at the next scheduled meeting for which appropriate notice may be posted following receipt of the appeal. The Board will review the notice from the prosecutor and receive information from the student, his/her parents, and the superintendent/designee. The Board shall make a record of the proceedings. If the Board upholds the superintendent's decision, the student may appeal to the Commissioner of Education. The student may not be returned to the classroom pending the appeal.

Transition Plan

In accordance with law and district procedures, campus staff shall develop a transition plan for a student returning to the regular classroom from an alternate education program, including a DAEP. See policy *FOCA(Legal)* for more information.

Expulsion

When school officials believe a student has committed an expellable offense, the campus behavior coordinator/designee will schedule a hearing within a reasonable time. The Board of Trustees delegates to the campus principal/designee the authority to conduct hearings and expel students. The student's parents will be invited, in writing, to attend the hearing. While the campus behavior coordinator/designee will attempt to cooperate with the student's parents to schedule the hearing for a mutually convenient time and to give the student adequate time to prepare for the hearing, the District may hold the hearing after providing notice of the hearing to the student and parent, regardless of whether the student or the student's parent attends.

Until a hearing can be held, the campus behavior coordinator/designee may place the student in another appropriate classroom, ISS, OSS, or a DAEP. At the hearing, the student may be represented by his or her parent/legal guardian or another adult representative, who is not an employee of RISD, who may assist the student. The student will have the opportunity to present evidence and witnesses on his/her behalf, and to examine and question evidence presented by the administration. An expulsion hearing is not a court proceeding and rules of evidence do not apply. Hearsay is admissible and the hearing officer may choose to assign weight to hearsay evidence and will assess the credibility of the witnesses. There is no right to subpoena a witness to the hearing.

The campus behavior coordinator/designee will reach a determination regarding the recommendation for expulsion at the end of the hearing and, if expulsion is ordered, will promptly deliver to the student and his/her parent a copy of the order of expulsion. Not later than the second business day after expulsion is ordered, the District shall deliver to the juvenile court a copy of the expulsion order and the information required by the *Family Code*. Before ordering expulsion (whether mandatory or discretionary), the campus behavior coordinator/designee will consider:

- self-defense;
- intent or lack of intent at the time the student engaged in the conduct;
- the student's disciplinary history;
- any disability that substantially impairs the student's capacity to appreciate the wrongfulness of his/her conduct;
- a student's status in the conservatorship of the Department of Family and Protective Services (foster care); and
- a student's status as homeless.

Emergency Expulsion. When emergency expulsion is necessary to protect persons or property from imminent harm, the student will be given oral notice of the reason for expulsion. Within 10 days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.

Length of Expulsion. Each expulsion will be considered on a case-by-case basis and all relevant factors will be considered. The length of an expulsion will be correlated to the seriousness of the offense, the student's age, grade level, the frequency of misbehavior, the student's attitude, and any statutory requirements. In most cases, an expulsion will not exceed 90 days, unless a longer period is required by law. If the period of expulsion is inconsistent with these guidelines, the expulsion order must give notice of the inconsistency. State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis. An expulsion may not exceed one year unless, after review, the District determines that:

1. the student is a threat to the safety of other students or to District employees; or
2. extended expulsion is in the best interest of the student.

Students who commit offenses that require expulsion at the end of one school year may be

expelled into the next school year to complete the term of expulsion.

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

Students do not earn District academic credit for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another District-approved program.

Withdrawal During Expulsion Process

If a student who has committed an expellable offense withdraws from the District before the expulsion hearing takes place, the campus behavior coordinator/designee will conduct the hearing after sending written notice to the parent and student and issue an expulsion order, if appropriate. If the student re-enrolls in RISD during the same or subsequent school year, RISD will enforce the expulsion order at that time. The period of expulsion may be decreased by any period of expulsion the student completed for the incident in another district.

Students Under Age 10

When a student under the age of 10 engages in expellable behavior, the student shall not be expelled, but shall be placed in a DAEP.

A student under age six shall not be placed in a DAEP unless he or she commits a federal firearm offense.

Newly Enrolled Students

RISD will continue the expulsion of any newly enrolled student who was expelled from another Texas school district or an open-enrollment charter school until the period of expulsion is completed. If a student expelled in another state enrolls in RISD, the District will continue the expulsion under the terms of the expulsion order. If the out-of-state expulsion order expels the student for more than

one year, RISD will reduce the order so that the entire period does not exceed one year, unless after review the District determines that:

1. the student is a threat to the safety of other RISD students or employees; and
2. extended placement is in the best interest of the student.

Restrictions During Expulsion

An expelled student is prohibited from being on school grounds for any reason and may not attend or participate in any school-sponsored or school-related extracurricular activities or noncurricular school activities during the period of expulsion. This prohibition includes but is not limited to athletic events; competitions; practices; performances; group, club, or team meetings; school dances and banquets; pep rallies; ceremonies and related activities (including graduation); honorary activities; and school-sponsored trips (local or out of town). During a period of expulsion, a student may not be present at any District facility without specific authorization from his/her campus behavior coordinator/designee. These restrictions apply, as well, to a student who withdraws from enrollment before an expulsion hearing takes place and remains in effect until the period of expulsion is actually completed.

DAEP Placement of Expelled Students

RISD may provide educational services to any expelled student in DAEP; however, educational services in DAEP must be provided if the student is less than 10 years of age.

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including DAEP or JJAEP. See policies *FOCA(Legal)* and *FODA(Legal)* for more information.

2020-2021 STUDENT CODE OF CONDUCT

REVIEWS AND APPEALS

Students with Disabilities

When considering placement in an In-School Suspension (ISS), Disciplinary Alternative Education Placement (DAEP), or expulsion, the ARD committee will not provide for a recess of up to ten (10) school days in the absence of mutual agreement. Parents should be given a copy of *An Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School*.

A parent of a minor student with a disability or an adult student with a disability who disagrees with a decision regarding placement or manifestation determination has the right to request an expedited hearing through the special education hearing process as outlined in the *Notice of Procedural Safeguards*.

In-School Suspension (ISS)

A student who is assigned to ISS for a period of 10 days or less may appeal only to the campus behavior coordinator/designee. The decision of the campus behavior coordinator/designee is final and not subject to further appeal.

Out-of-School Suspension (OSS)

A student who has been suspended for up to three (3) school days may appeal only to the campus behavior coordinator/designee. The decision of the campus behavior coordinator/designee is final and not subject to further appeal.

DAEP/Christa McAuliffe Learning Center (CMLC)

Note: These appeal procedures do not apply to a DAEP assignment that arises out of the district's Investigation and Determination of Responsibility related to a formal complaint of sexual harassment under Title IX as described in policy FFH. Any appeal of a disciplinary removal under the Title IX procedures will be governed by the FFH policy and guidelines.

An adult student or the parent of a student who is assigned to the DAEP/CMLC may request a review of the campus behavior coordinator/designee's decision as follows:

Administrative Committee

Requests for appeal of the campus behavior coordinator/designee's decision to place a student in DAEP/CMLC must be made in writing and delivered to *Student Services at 420 S. Greenville Avenue, Richardson, Texas 75081*, within three (3) school days of receipt of the campus behavior coordinator/designee's decision. Untimely appeals will not be considered unless the District has agreed in writing in advance to extend the appeal deadline. The assignment to CMLC will not be deferred pending the outcome of any appeal.

Within five (5) school days after receiving the request for a review, a conference will be held with a panel of three (3) administrators with no prior involvement in the case. At the informal conference, a school representative will present information regarding the placement. The student, parent, and/or adult representative may offer relevant information in the student's defense. The Administrative Committee may uphold the school's decision, modify the campus behavior coordinator's placement decision by reducing the period of assignment for not more than 5 total days, or overturn the decision and reinstate the student to regular classes. The Administrative Committee's decision will be communicated to the parent or adult student the next school day after the committee reaches its decision.

A parent or adult student who does not agree with the decision of the Administrative Committee may appeal to the Executive Committee as provided below.

Executive Committee

Within three (3) school days after receiving the Administrative Committee's decision, the adult

student or parent may request a review of that decision by an Executive Committee. The Executive Committee will consist of three administrators with no prior involvement in the incident. The request must be made in writing and delivered to *Student Services at 420 S. Greenville Avenue, Richardson, Texas 75081*. Untimely appeals will not be considered unless the District has agreed in advance in writing, to extend the appeal timeline. Within five (5) school days an informal conference will be held with the Executive Committee, student, parent and a school representative to discuss the placement. The Executive Committee can uphold the school's decision, modify the campus behavior coordinator's placement decision by reducing the period of assignment for not more than 5 total days, or overturn the decision and reinstate the student to regular classes. The Executive Committee's decision will be communicated to the parent or adult student the next school day after the committee reaches its decision.

The decision of the Executive Committee is final and concludes the appeal process for placement at a DAEP.

Note: See page 34 for a discussion of a student's appeal rights following the District's receipt of Notice of Criminal Proceeding from a prosecuting attorney.

Expulsion

These appeal procedures do not apply to an expulsion order that arises out of the district's Investigation and Determination of Responsibility related to a formal complaint of sexual harassment under Title IX as described in policy FFH. Any appeal of an expulsion order under the Title IX procedures will be governed by the FFH policy and guidelines. An adult student or the parent of a student who has been expelled from school may appeal the campus behavior coordinator/designee's decision following the expulsion hearing as follows:

Administrative Committee

Requests for appeal of the campus behavior coordinator/designee's decision to expel a student may be made to the Administrative Committee. The request shall be made in writing to the Student

Services office within three (3) school days of the principal's notification of expulsion (*c/o Student Services, RISD Annex, 420 S. Greenville, Richardson, TX 75081; 469-593-0365*). Untimely appeals will not be considered unless the District has agreed in advance in writing to extend the appeal timeline. The expulsion will not be deferred pending the outcome of any appeal.

Within five (5) school days after receiving the request for a review, a conference will be held with a panel of three (3) administrators who were not involved in the underlying matter. At the informal conference, a school representative will present information regarding the placement. The student, parent, and /or adult representative may offer relevant information in the student's defense. The Administrative Committee can uphold the school's decision, modify the school's decision and alter placement, or overturn the expulsion and reinstate the student to regular classes.

The Administrative Committee's decision will be communicated to the parent or adult student within three (3) school days after conclusion of the hearing. A parent or adult student who does not agree with the decision of the Administrative Committee may appeal to the Executive Committee as provided below.

Executive Committee

A request to appeal the decision of the Administrative Committee shall be made to the Executive Committee. The request shall be made in writing to the Student Services office within three (3) school days of notification of the committee's decision (*c/o Student Services, RISD Annex, 420 S. Greenville, Richardson, TX 75081; 469-593-0365*). Untimely appeals will not be considered unless the District has agreed in advance in writing to extend the appeal timeline. Within five (5) school days of receipt of the request for a hearing, a hearing shall be held. The Director of Student Services shall chair the committee for the appeal. The appeal will be heard by three (3) different administrators who were not involved in the underlying matter. At the hearing the student and his/her representative, if any, may present evidence and witness statements. The school may respond to the student's evidence

and may present its own evidence. The committee may ask questions for clarification. The committee can uphold the school's decision, modify the school's decision, or overturn the expulsion and reinstate the student to regular classes. Written notification of the results will be delivered to the parent/guardian or adult student within three (3) school days after the conclusion of the hearing.

A parent or adult student who does not agree with the Executive Committee's decision may appeal to the Board of Trustees as provided below. However, if the Executive Committee modified the expulsion by placing the student at CMLC, the Executive Committee's decision is final and may not be appealed.

Board of Trustees

A request for the Board of Trustees to review a decision by the Executive Committee to uphold the expulsion of a student shall be made in writing to the superintendent's office within three (3) school days after receipt of the written decision. Untimely appeals will not be considered unless the District has agreed in advance in writing to extend the appeal timeline. The superintendent or her designee shall provide the parent written notice of the date, time, and place of the appeal/hearing. Before the hearing, the superintendent or designee will notify the parent and student and the Administrator's representative of the appeal/hearing guidelines.

At the hearing, the Board shall review the record of the expulsion hearing in a closed meeting unless the parent or adult student requests in writing that the matter be heard in an open meeting. The Board also may hear statements from the student and/or parent(s) (or their representatives) and from the Administration's representative(s). Witnesses shall not be called.

The Board shall base its decision on evidence reflected in the records and any statements made by the parties at the review. The Board may make and communicate its decision orally at the conclusion of the presentation. If the decision is to uphold the expulsion, the Board shall direct the superintendent

to issue the expulsion order within three (3) school days after the conclusion of the hearing. The Board's decision is final.

When a one-year expulsion (as mandated by federal law) is ordered by the campus behavior coordinator/designee because the student was in possession of a firearm on campus or at a school-related activity, the parent/guardian may appeal the campus behavior coordinator/designee's decision directly to the Board, by-passing the administrative and executive levels of appeal. Prior to the board meeting, the parent/guardian shall meet informally with the superintendent or designee to discuss the situation and to attempt to informally resolve the dispute. If a hearing is still requested after the meeting, within five (5) school days the superintendent shall send a notice stating the time, place, and date of the board hearing.

Appeal of Placement and/or Expulsion for Certain Serious Offenses

Refer to appeal procedures related to placement or expulsion for certain serious offenses in that section the *Student Code of Conduct*.

Other Appeals

Specific District procedures have been put into place to address other student appeals such as:

- student rights and responsibilities, student and parent complaints;
- denial of credit for excessive absences;
- instructional materials selection and adoption;
- publications;
- intradistrict transfers;
- sexual harassment and sexual abuse;
- gifted and talented;
- special education;
- section 504; and
- religious practices.

For more information, please contact Student Services at 469-593-0373 or refer to Board Policies located on our website at <http://www.risd.org>.

PLACEMENT IN A JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP)

Dallas County Juvenile Justice AEP (DCJJAEP)

The RISD Board of Trustees has entered into an agreement with the Dallas County Juvenile Board (DCJB) outlining the Juvenile Board's responsibilities concerning the establishment and operation of the DCJJAEP. (Details of this relationship are specified in an annual Memorandum of Understanding available for public inspection upon request to the Office of Records Management.)

Students may be placed in the DCJJAEP under the following conditions:

- Upon expulsion from RISD schools for Category III infractions under Chapter 37 of the *Education Code* and as specified in RISD's *Student Code of Conduct*.
- As ordered by the juvenile court when the student is expelled from school pursuant to the provisions of the *Education Code* § 37.007 and/or the *RISD Student Code of Conduct*, and the student is found to have engaged in delinquent conduct under Title 3 of the *Texas Juvenile Justice Code*.
- When the juvenile court orders such placement pursuant to its authority under the *Texas Juvenile Justice Code*.
- When the student is expelled for certain serious offenses described in the *Student Code of Conduct*.

Any student who has been expelled from school may be referred for placement in either the DCJJAEP or in the appropriate school district alternative educational program upon recommendation of the Dallas County Case Review Committee.

The Dallas County Case Review Committee may recommend to the DCJB, a juvenile court, or a school district that any student who has been expelled from school be placed in an RISD Disciplinary Alternative Education Program (DAEP) or the DCJJAEP.

Students who are expelled from school pursuant to *Education Code* § 37.007 and are placed in the DCJJAEP by order of the juvenile court must remain in the program for the full period ordered by the juvenile court unless the student's school district agrees to accept the student before the date ordered by the juvenile court. The juvenile court may not order a period of placement in the DCJJAEP that exceeds the term of any probation ordered by the juvenile court. At the conclusion of the student's term of probation and any other requirement imposed by the juvenile court, and if the student meets the requirements for admission into the public schools established by law, the school district in which the student resides must readmit the student, but may assign such student to the school district DAEP.

GLOSSARY

The glossary provides legal and locally established definitions and is intended to assist readers in

Abuse (as to an inanimate object or substance) – improper or excessive use.

Aggravated Robbery (See *Penal Code § 29.03(a)*) – When a person commits robbery and:

1. causes serious bodily injury to another;
2. uses or exhibits a deadly weapon; or
3. causes someone 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.

Armor-piercing Ammunition (See *Penal Code § 46.01*) – Handgun ammunition used in pistols and revolvers and is designed primarily for the purpose of penetrating metal or body armor.

Arson (See *Penal Code § 28.02*) – A crime that involves:

1. starting a fire or causing an explosion with the intent to destroy or damage
 - a. any vegetation, fence, or structure on open space land; or
 - b. any building, habitation, or vehicle knowing that it:
 - i. is within the border of an incorporated city or town;
 - ii. is insured against damage or destruction;
 - iii. is subject to a mortgage or other security interest; or
 - iv. is located on or within property belonging to another; or
 - v. has located within it property belonging to another; or
 - c. any building, habitation, or vehicle when the person starting the fire is reckless about whether the burning or explosion will

understanding terms related to the *Student and Parent Guidebook and the Student Code of Conduct*.

endanger the life of some individual or the safety of the property of another.

2. recklessly starting a fire or explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. intentionally starting a fire or causing an explosion and in so doing recklessly:
 - a. damages or destroys a building belonging to another; or
 - b. causes another person to suffer bodily injury or death.

Assault - Intentionally or knowingly or recklessly causing bodily injury to another, or intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. (See *Penal Code § 22.01(a)(1-3)*)

Aversive Technique - A technique or intervention intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain.

Battery - The act of battering or beating. Unlawfully beating or using force on a person.

Behavior - The way a person acts.

Blackmail - Obtaining money or other objects of value from an unwilling person or forcing a person to act, or refrain from acting, through the use of force, threat of force, or intimidation.

Boycott - Collective action to refuse to have any dealings with an item or event or activity.

Breach of Computer Security – Knowingly accessing 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 alters, damages, or deletes school property or information; or commits a breach of any other computer, computer network, or computer system.

Bullying (see *Education Code § 37.0832*) – 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 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 his/her person or damage to his/her 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 definition below). The 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/related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle used for the transportation of students to/from school or a school-sponsored/related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored/related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored/related activity.

Note: Not all offensive conduct between students rises to the level of bullying. Conduct that may not constitute bullying as defined above still may violate expected standards of conduct and may subject the actor to disciplinary measures.

Chemical Dispensing Device (*See Penal Code § 46.01*) – A device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Class Disruption - Any behavior that violates the rules of a particular classroom and interferes with the teacher's opportunity to deliver instruction, present material or the other students' opportunity to concentrate on the material or their assignments.

Club - An instrument specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death. (*e.g.*, blackjack, mace, nightstick, and tomahawk)

Coercion - Forcing another person to act or think in a given way by pressure, threats, or intimidation.

Contract - An agreement between two or more people to do something or to refrain from certain conduct.

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

Copy (as to academic work) - To reproduce or otherwise use all or part of the work of another with intent to represent it as one's own.

Criminal Street Gang (see *Penal Code § 71.01*) - Three or more persons having a common or identifying sign or symbol or an identifiable

leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying (See *Education Code 37.0832*) – Bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

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

Dating Violence (See *Family Code § 71.0021*) – Occurs (i) when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person who is or was in the relationship; and (ii) when a person commits the acts described above against a person in a marriage or dating relationship with an individual who is or once was in a marriage or dating relationship with the person committing the offense.

Deadly Conduct (See *Penal Code § 22.05*) - Occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, a group of people, habitation, building, or vehicle.

Defacing School Property - Destroying, damaging, or stealing school property, including buses, either during school hours, out-of-school hours, or during vacation time.

Deferred Adjudication or Deferred Prosecution - Alternatives to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

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

Discretionary - An act or decision that is left to or regulated by a local decision maker.

Disruption on School Bus/Private Bus - Disobedience or misbehavior on a school or private bus.

E-cigarette - 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 substance to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, e-pipe, or under another product name or description and a component, part, or accessory for the device, whether the component, part, or accessory is sold separately from the device.

Excused Absence -

- Legitimate days of personal illness. (The principal may require a doctor’s statement after a student is absent four (4) consecutive days of illness or at any other time when, in the principal’s discretion, the student absences are excessive).
- Any other unusual cause for absence that is acceptable to the teacher, principal, or superintendent, including approved school-sponsored activities, including death in the student’s immediate family and extreme family emergency.
- Other absences excused by law or District policy.

Explosive Weapon (See *Penal Code § 46.01*) - Any explosive or incendiary bomb, grenade, rocket, or mine and/or its delivery mechanism that is designed, made or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public

alarm or terror. This term includes any device designed, made or adapted for delivery or shooting an explosive weapon.

Extortion - The act or an instance of obtaining money or other object of value by coercive means, such as threats or intimidation.

False Alarm or Report (See *Penal Code § 42.06*) - When a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that the person knows is false or baseless and that would ordinarily (i) cause action by an official or volunteer agency organized to deal with emergencies; (ii) place a person in fear of imminent serious bodily injury; or (iii) prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm (See *Federal law 18 U.S.C. § 921(a)*) – Any device (including a starter gun) that is designed to, made, adapted to, or will expel a projectile through a barrel by the action of an explosive; the frame or receiver of a weapon described above; a firearm, muffler or firearm weapon; or any other destructive device, such as any explosive, incendiary, or poison gas bomb or grenade. Such term does not include an antique firearm.

Firearm (See *State law Penal Code § 46.01(3)*) – Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. (Excludes antique firearms manufactured before 1899 or replica of an antique firearm if it does not use rimfire or centerfire ammunition.)

Firearm Silencer (See *Penal Code § 46.01*) – Any device designed, made, or adapted to muffle the report of a firearm.

Forgery/Forging - Imitating/copying an original piece of writing or other work with the intent to deceive.

Gambling - Betting money or any other item of value on the outcome of any event, game, or contest.

Graffiti – Includes markings with paint, indelible pen or marker, or an etching, or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawing, scribbling, or painting.

Handgun (See *Penal Code § 46.01*) – Any firearm that is designed, made, or adapted to be fired with one hand.

Harassment - Includes -

- Unwelcome conduct that meets the definition set out in policy DIA(Local) and FFH(Local);
- Unwelcome conduct that threatens to cause harm or bodily injury to another person, including a District student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety (See *Education Code 37.001(b)(21)*); or
- Conduct that is punishable as a crime under *Penal Code § 42.07*, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - i. Initiating communication and, in making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - ii. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - iii. Conveying in a manner reasonably likely to alarm the person receiving the report, a false report, which the speaker knows to be false, that another person has suffered death or serious bodily injury; and
 - iv. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

Hazing (See *Education Code* § 37.151) - An intentional, knowing, or reckless act by one person or a group of persons directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements of *Education Code* § 37.151 including:

- any type of physical brutality;
- an activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- an activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
- coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

Hit List (See *Education Code* § 37.001(b)(3)) - A list of people named or targeted to be harmed, using a firearm, knife, or any other object to be used with intent to cause bodily harm.

Home-based Instruction - An unsupervised educational setting in which students are provided assignments to be completed at home.

Immoral Conduct - Lewd, lascivious or indecent acts including indecent sexual propositions, indecent exposure, or obscene gestures.

Improvised Explosive Device (See *Penal Code* § 46.01) - A completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent Exposure (See *Penal Code* § 21.08) - An offense that occurs when a person exposes his/her anus or any part of his/her genitalia with intent to arouse or gratify the sexual desire of any person, and

is reckless about whether another is present who will be offended or alarmed by the act.

Insubordination - Persisting in serious acts of disobedience, defying authority of school personnel, or unprovoked display of disrespect toward school personnel.

Intimate Visual Material (See *Texas Civil Practice and Remedies Code* § 98B.001 and *Penal Code* § 21.16) - Visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual Material" means any film, photograph, videotape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Intimidation - Actions or words intended to or having the effect of threatening or forcing a person to act or refrain from acting by inducing fear of harm or adverse consequences.

Knife - Any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

Knuckles- Any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Lewdness (public) - Defined by a listing of specific overt sexual acts in § 21.07 of the *Penal Code*.

Location-Restricted Knife (See *Penal Code* § 46.01) - Any knife with a blade over five and one-half inches.

Loitering - Lingering about the school premises in an aimless fashion with no authorized reason to be present.

Look-alike Weapon - An item that resembles a weapon but is not intended to be used to cause serious bodily injury.

Machine Gun (See *Penal Code* § 46.01) - Any firearm that is capable of more than two shots automatically, without manually reloading, by a single function of the trigger.

Mandatory - Something that is obligatory, or required because of an authority.

Misbehavior - Behavior that is contrary to expectations stated in the *Student Code of Conduct*, local school policies, or administrative directives, or behavior that prevents the teacher from carrying out the teaching process, or interferes with student learning.

Obscene Material - Material that is offensive to the acceptable standards of the majority in a community.

Offense - An act of misbehavior that is stated in the *Student Code of Conduct* or local school rules or which may be implied from the examples in the code.

Offensive Language - Oral statements that are outside the standards of acceptable language of the majority of persons in the community.

Paraphernalia - Any device that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

Parents - Includes biological or adoptive parent or parents, legal guardian, or person in lawful control of the student.

Penalty - A consequence for failure to comply with the *Student Code of Conduct* or local school rule.

Persistent Misbehavior - More than three documented violations of the *Student Code of Conduct* (even if not listed below) typically within the same semester and includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement;
- Behavior identified by the District as grounds for discretionary DAEP placement;
- Actions or demonstrations that substantially or materially disrupt or interfere with school activities;
- Refusal to attempt or complete school work as assigned;
- Insubordination;
- Profanity, vulgar language, or obscene gestures;
- Leaving school grounds without permission;

- Falsification of records, passes, or other school related documents; or
- Refusal to accept discipline assigned by a teacher, principal, or campus behavior coordinator.

Possession - To have an item in or on one's personal being or property, including without limitation: clothing, purse, backpack, any private vehicle, motorcycle or bicycle, used for transportation to or from school or school-related events, telecommunication or electronic devices, or any school property used by the student such as a desk, locker, or cubby-hole.

Prohibited Weapon (See Penal Code § 46.05) –

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
 - a. an explosive weapon;
 - b. a machine gun;
 - c. a short barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified by the U.S. Department of Justice as a curio or relic or the actor otherwise possesses, manufactures, transports, repairs, or sells the silencer in compliance with federal law.

Public Lewdness (See Penal Code § 21.07) – An offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

Public School Fraternity, Sorority, Secret Society, or Gang – An organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in a school based on a decision of its membership rather than on free choice of a qualified student. Educational organizations described in § 37.121(d) of the *Education Code* are excepted from this definition.

Reasonable Belief – That which an ordinary person of sound mind would believe. Chapter 37 of the *Education Code* requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student’s arrest furnished under Article 15.27 of the *Code of Criminal Procedure*.

Reckless Speech - Making verbal or written statements that communicate or describe a plan, scheme, or threat to violate any law; commit an act of violence to any person; disrupt or disturb a school, class, or school-related activity; or damage or destroy any school building or property, regardless of the speaker’s intent to carry out such plan, scheme, or threat.

Restitution - Making payment of money or other allowance designed to make good or restore objects that have been lost, stolen or damaged, or to return property to its former condition, or reimbursing the owner for the cost of repairing or replacing damaged or stolen property.

School Property - Any property owned by the School District or over which the School District or its personnel exert lawful authority, including property visited by students in connection with a school-sponsored activity, such as a field trip or extracurricular activity.

Self-Defense - The use of force against another to the degree a person reasonably believes the force is immediately necessary to protect him or herself from violence or harm.

Serious Misbehavior –

- Deliberate violent behavior that poses a direct threat to the health or safety of others;
- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by § 1.07, *Penal Code*; or
- Conduct that constitutes the offense of:
 - Public lewdness under § 21.07, *Penal Code*;
 - Indecent exposure under § 21.08, *Penal Code*;
 - Criminal mischief under § 28.03, *Penal Code*;
 - Personal hazing under § 37.152, *Penal Code*;or
 - Harassment of a student or District employee under § 42.07(a)(1), *Penal Code*.

A student’s serious misbehavior while he/she is assigned to DAEP may result in expulsion.

Sexting – Intentionally or knowingly (i) sending or otherwise transmitting by electronic means, visual material depicting any person, including the actor, engaging in sexual conduct or depicting the breast, genitals, or anus of any person or otherwise depicting lewd or sexually graphic acts; or (ii) possessing in electronic format visual material depicting another person engaging in sexual conduct or any other lewd or sexually graphic act, or depicting the breasts, genitals, or anus of another person.

Sexual Harassment - Unwelcome conduct of a sexual nature toward another person that is so severe, pervasive, or objectively offensive that it interferes with the student’s participation in or benefit of the educational environment; an employee conditioning a student’s receipt of an educational benefit on the student’s participation in unwelcome sexual conduct; sexual assault; dating violence; or stalking

Short-barrel Firearm (*See Penal Code § 46.01*) – A rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from an altered shotgun that, as altered, has an overall length of less than 26 inches.

Stealing - Acquiring property or services by theft.

Switchblade - Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and opens the knife.

Terroristic Threat (See *Penal Code* § 22.07) - A threat of violence to any person or property that the issuer knows, reasonably should know or intends to (i) cause a reaction of any type by an official or volunteer agency organized to deal with emergencies; (ii) place any person in fear of imminent serious bodily injury; (iii) prevent or interrupt the occupation a building, room, place of assembly or place to which the public has access, place of employment, aircraft, vehicle, or other form of conveyance, or other public place; (iv) cause impairment or interruption of public communication, public transportation, public water, gas or power supply or other public service (v) place the public or substantial group of the public in fear of serious bodily injury; or (vi) influence that conduct or activity of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

Theft - Unauthorized taking of the property of another without the consent of the owner with the intent of depriving the owner of the property.

Tire Deflation Device (See *Penal Code* § 46.01) – A device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 Felonies – Serious crimes listed in Title 5 of the *Penal Code* that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide (*Penal Code* § 19.02-.05);
- Kidnapping (*Penal Code* § 20.03);

- Trafficking of persons (*Penal Code* § 20A.02);
- Smuggling or continuous smuggling of persons (*Penal Code* § 20.05-.06);
- Assault (*Penal Code* § 22.01);
- Aggravated assault (*Penal Code* § 22.02);
- Sexual assault (*Penal Code* § 22.011);
- Aggravated sexual assault (*Penal Code* § 22.021);
- Unlawful restraint (*Penal Code* § 20.02);
- Continuous sexual abuse of a young child or children (*Penal Code* § 21.02);
- Bestiality (*Penal Code* § 21.09);
- Improper relationship between educator and student (*Penal Code* § 21.12);
- Voyeurism (*Penal Code* § 21.17);
- Indecency with a child (*Penal Code* § 21.11);
- Invasive visual recording (*Penal Code* § 21.15);
- Disclosure/promotion of intimate visual material (*Penal Code* § 21.16);
- Sexual coercion (*Penal Code* § 21.18);
- Injury to a child, an elderly person, or a person with a disability of any age (*Penal Code* § 22.04);
- Abandoning or endangering a child (*Penal Code* § 22.014);
- Deadly conduct (*Penal Code* § 22.05);
- Terroristic threat (*Penal Code* § 22.07);
- Aiding a person to commit suicide (*Penal Code* § 22.08);
- Tampering with a consumer product (*Penal Code* § 22.09).

Trespassing - Entering or remaining on or in school property without permission or right.

Unexcused Absences - Absences for reasons other than those authorized by law or District policy, personal sickness, sickness or death in the family, quarantine, weather or road conditions making travel dangerous, or any other unusual cause acceptable to teacher, principal or superintendent of the school in which the student is enrolled.

Under the Influence - Lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior the presence of physical symptoms of drug or alcohol use, or by admission. A student "under

the influence" need not be legally intoxicated to trigger disciplinary action.

Vandalism - Willful action which results in destruction, damage, or defacement of property belonging to or rented by the District.

Use (Substance) - Voluntarily introducing into one's body, by any means, a prohibited substance.

Use (Object) - To bring into action or service or apply to a given purpose.

Violation - Failure to comply with or observe the correct forms of behavior as stated in the *Student Code of Conduct* or school rules.

Walk-outs - Abrupt departure of organized group of students from class, assembly, or campus without permission.

Weapons - Instruments used to cause bodily harm or destruction of property. Weapons are identified in two categories:

- Articles commonly used or designed to inflict bodily harm and/or intimidate. Examples are firearms, "knuckles," switchblades, knives, chains and clubs.
- Articles designed for other purposes, but which could easily be used to inflict bodily harm and/or to intimidate. Examples are belt, comb, pencil, file, compass or metal hair rake. "Look alike" weapons will be treated as weapons when used to threaten or cause bodily harm, or destruction of property.

Zip Gun (*See Penal Code § 46.01*) - A device or combination of devices, not originally a firearm, but adapted to expel a projectile through a barrel by using the energy generated by a burning substance.

Appendix A



RICHARDSON INDEPENDENT SCHOOL DISTRICT

Guidelines: Freedom from Bullying and Harassment – Ref: Board Policy FFI

BULLYING PROHIBITED

RISD prohibits the bullying, which includes cyberbullying, of any student, prohibits retaliation against any person who in good faith reports bullying or otherwise is involved in an investigation of a complaint of bullying or harassment, and establishes procedures for responding to reports of bullying. This document is designed to provide guidance to District administrators who implement the Board's policy and to persons who report complaints of bullying and harassment.

Campus principals are expected to implement and monitor school-wide, classroom, and individual practices that teach and support positive student behaviors and to provide appropriate consequences for students who engage in bullying type behaviors.

All staff members will participate in the process of implementing practices for consistently teaching respectful behavior, preventing and stopping bullying on their respective campuses, and encouraging the prompt reporting of such behavior. In addition, principals will train their staff on how to respond to complaints of bullying from parents, students, or third parties.

Questions concerning these guidelines may be directed to the campus principal or the Director of Prevention Programming (469-593-0800).

DEFINITION OF “BULLYING”

Texas law defines **bullying** 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 [which occurs in situations over which the school has jurisdiction] and (i) 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; (ii) is sufficiently severe, persistent or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (iii) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or (iv) infringes on the rights of the victim at school; and includes cyberbullying.

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

Note: RISD's policies apply to

- bullying that occurs on or is delivered to school property or to the site of a school-sponsored/related activity on or off school property;
- bullying that occurs on a publicly or privately owned school bus or vehicle being used for student transportation to/from school or a school-sponsored/related activity; and
- cyberbullying that occurs off school property or outside of a school sponsored/related activity if the cyberbullying (i) interferes with a student's educational opportunities, or (ii) substantially disrupts the orderly operation of a classroom, school, or school-sponsored/related activity.

Not all offensive conduct between students rises to the level of bullying. Conduct that may not constitute bullying as defined above still may violate expected standards of conduct and may subject the actor to disciplinary measures.

REPORTING ALLEGED BULLYING

RISD takes all reports of bullying and harassment seriously and will conduct an appropriate investigation to address any such reports and will take appropriate actions designed to stop any current incidents of bullying and prevent future incidents.

Appendix A

Student training and campus procedures should emphasize the importance of promptly reporting alleged bullying and harassment to an appropriate adult. Any student who believes that he or she has been bullied or suspects that another student has been bullied should immediately report the conduct to the principal, counselor, or teacher.

Any District employee who receives a report of, witnesses, learns of, or suspects an incident of bullying involving students anywhere on campus, at an off campus school-related activity, or in a District vehicle shall immediately report the information to the principal. The report may be made orally or in writing. A report also may be made anonymously. The principal shall ensure an oral report is reduced to writing.

Any staff member who witnesses an incident of suspected bullying or other inappropriate behavior should take appropriate steps to stop the inappropriate behavior in addition to reporting the incident.

NOTIFICATION TO PARENT/GUARDIAN

The parent/guardian of the alleged victim of an incident of bullying must be notified on or before the third business day after the date the incident is reported.

The parent/guardian of the alleged bully must be notified within a reasonable amount of time after the alleged incident.

Note: These timelines reflect the maximum period for providing parental notification in compliance with the Education Code. In most cases, notification of the parents of both students should occur on the same or next school day of the incident.

INVESTIGATING REPORTS OF BULLYING

An appropriate District official will conduct an investigation of a report of suspected bullying. The scope and nature of the investigation shall rest within the discretion of the official based on the nature of the allegations.

The District will, to the greatest extent possible, maintain the privacy of the complainant, persons against whom a complaint is filed, and witnesses or other persons who provide information in an investigation. Limited disclosure of information may be necessary to conduct a thorough investigation.

The campus should promptly notify the Director of Prevention Programming (X30800) upon receipt of an allegation of bullying. The Director will assist the campus through the investigation.

Classroom Investigations. These guidelines are not intended to replace the normal classroom management procedures each classroom teacher employs to manage and maintain student behavior. When a teacher observes or otherwise becomes aware of alleged bullying behavior during class time, the teacher should do the following:

1. Separate the alleged victim from the alleged bully.
2. Speak separately with each of the students involved to give them the opportunity to present their stories about what occurred.
3. Speak with any witnesses or bystanders who may have been present or involved to determine what they observed, heard, or know. Encourage them to speak up directly on behalf of the alleged victim if they should witness further incidents or to get help from school personnel.
4. If the teacher believes the conduct meets the definition of bullying (which includes cyberbullying), he/she shall immediately refer the matter to the principal. Otherwise, the teacher should administer logical and appropriate consequences at the classroom level. A teacher who has any question whether alleged conduct constitutes bullying should immediately contact the principal.
5. In accordance with customary campus practices and expectations, contact the parents of the students involved and explain what happened and what was done in response to the incident.

Appendix A

6. The classroom teacher should record the incident in the student's discipline notebook, folder, or other classroom document where classroom discipline information is maintained, and/or otherwise follow campus procedures for reporting student disciplinary concerns (e.g., office referral, principal referral, etc.).

Campus Administrator Investigative Procedures.

1. The principal or other campus administrator who receives a report of bullying should first take any appropriate steps to immediately protect the student from the alleged situation or any retaliation. Remind the complainant that the District takes all complaints of bullying seriously and does not tolerate bullying, harassment, retaliation, or discrimination.
2. Determine the specific allegation of bullying – *What is the specific conduct the complainant alleges against the accused student(s)?* Talk to the alleged victim separately to determine, who, what, where, and when the complained of conduct allegedly occurred. Keep an open mind as you gather information. Avoid reaching conclusions before you have all of the evidence.
3. Interview and obtain a written statement from the alleged victim when possible. If the alleged victim is unable or unwilling to provide a written statement the investigator should carefully document all allegations of bullying behavior. The *Bullying/Harassment/Retaliation: Report Investigation Documentation Form* (the *Investigation Form*) also should be completed which also requires the investigator to describe the alleged bullying.
4. Consider and investigate the specific allegations in the complaint and take such steps that you, as the investigator, determine are reasonably necessary to thoroughly and carefully investigate the complaint. Investigation steps may include (without limitation):
 - Interview the accused student (present all allegations and allow him/her to respond; remind student of prohibition against retaliation)
 - Interview student witnesses
 - Interview employees who may have relevant knowledge
 - Obtain written statements from persons interviewed on an age appropriate basis
 - Review pertinent documents (e.g., communications between students, written, oral, and/or electronic, etc.)
 - If the allegations involve electronic communications, attempt to obtain hard copies of the evidence (texts, emails, photos, screen shots, etc.)
 - Evaluate consistencies and inconsistencies in the statements and other evidence
 - If property damage is alleged, inspect damaged property (take photographs of damage if appropriate)
 - If physical injury is alleged, review medical records if available. Ensure student is referred to the nurse for examination and further referral, as appropriate
 - Gather tangible evidence, if any
 - Inspect the scene of the alleged incident if relevant
 - Determine whether any alleged incidents were recorded by school video surveillance. If so, document the date/time/camera number and ensure captured image is retained
5. Witnesses should be interviewed separately. Remind witnesses that no person who provides information in an investigation will be subject to any retaliation for his or her participation and to notify the investigator immediately if any retaliation occurs. Further remind the witnesses that the investigation is confidential and to respect the privacy of his/her fellow students by not discussing the matter with other students.
6. After completing all investigatory activities the investigator believes are reasonably necessary to fairly and thoroughly address the allegations, the investigator should analyze all information obtained and make a determination whether the alleged conduct meets the definition of bullying (FFI) or harassment or other prohibited conduct (FFH).

Appendix A

7. Determine appropriate school disciplinary consequences for the accused student. Refer to *Student Code of Conduct*. School consequences may be appropriate even if bullying did not occur if the conduct violated other school rules.
8. A student who is the victim of bullying based on the investigation and who used reasonable self-defense in response to the bullying may not be subject to disciplinary action.
9. If the accused student is a student with a disability and bullying is found, any disciplinary consequences must comply with the student's IEP or § 504 Plan and applicable procedural safeguards.
10. Depending on the alleged conduct, referrals to law enforcement or CPS may be appropriate. If illegal conduct is suspected or alleged, immediate referrals to outside agencies may be appropriate.
11. Identify any other corrective action or interventions that may be necessary and appropriate to address the current situation and eliminate future bullying incidents. Refer to the sample strategies and interventions included below.
12. The parent/guardian of the alleged victim and alleged bully should be notified of the outcome of the investigation.
13. Keep notes and dates of interviews and other investigatory activities. Investigation should be documented via the Investigation Form.
14. Keep the original forms and investigatory materials and bullying documentation on campus and send copies to the appropriate Executive Director for your campus.

Note: Suspected bullying also may include the elements of discrimination, prohibited harassment, sexual harassment, dating violence, and/or retaliation. Officials investigating allegations of inappropriate interactions should refer to Policy FFI *Student Welfare Freedom from Bullying*, and Policy FFH *Student Welfare Freedom from Discrimination, Harassment, and Retaliation* when conducting their investigation.

SAMPLE INTERVENTIONS, STRATEGIES, AND CORRECTIVE ACTION TO ADDRESS INCIDENTS OF BULLYING

- Conference separately with alleged victim and alleged bully and include parents of each as appropriate
- Monitor situation closely, particularly if specific allegation cannot be corroborated
- Meet periodically with alleged victim
- Meet periodically with alleged bully
- Refer complainant, accused student, and witnesses to campus counselor
- Administer disciplinary consequences as outlined in the *Student Code of Conduct*
- Administer consequences as outlined in any applicable extra-curricular code of conduct
- Loss or limitation of technology privileges at school and limited access to District-provided electronic devices if cyberbullying occurred
- Work with counselor to develop appropriate strategies to minimize interactions between involved students
- Issue administrative directives to students concerning expected conduct
- Refer matter to District police or outside law enforcement agency or Child Protective Services as appropriate
- Change schedule/class for alleged bully
- Change schedule/class for alleged victim
- Change school rules
- Provide additional training to the involved students, class, grade level, and/or entire school
- Provide additional staff training
- Transfer alleged bully or alleged victim to another campus (FDB Legal) (Refer to Transfer section below)

Appendix A

TRANSFER OF STUDENTS INVOLVED IN BULLYING

RISD desires to retain students in their neighborhood schools where possible. However, either a student who has been found to have been subjected to bullying or a student found to have engaged in bullying may transfer to another campus under appropriate circumstances. This transfer option has significant implications, including disruption in the educational process, and may only be considered after a variety of interventions and disciplinary consequences have been applied unsuccessfully.

Transportation. RISD does not provide transportation to a student transferred because of bullying unless such transportation is otherwise required by law.

Transfer of Students Who Engage in Bullying. The campus principal may recommend to the appropriate Executive Director or Assistant Superintendent that a student found to have engaged in bullying be transferred to another campus under the following circumstances:

- The campus administrator's thorough investigations concluded that the student engaged in bullying as defined herein on at least two separate occasions during the last 12 months. A single, egregious instance of bullying (particularly involving multiple students or significant disruption of the school) also may support a recommendation to transfer.
- Campus strategies and interventions, including appropriate discipline under the Student Code of Conduct, have been documented but have been unsuccessful to eliminate the bullying.
- Campus administrator(s) have communicated with the student's parent/guardian on more than two occasions to address the student's inappropriate conduct.
- *Note:* Campus administrator must provide documentation of all strategies and interventions, discipline, campus investigations, and parent contacts along with the request for administrative transfer.

The appropriate Executive Director and/or Assistant Superintendent will make the final decision concerning a request to transfer, including the school to which the student may transfer. At the time a student is transferred under this section, a Student Support Plan shall be developed to outline appropriate positive behavioral supports for the student and to identify further disciplinary steps to consider if the bullying behavior persists.

Students Who Are Subjected to Bullying. The parent/legal guardian of a student found to have been subjected to bullying may request that the student be transferred to another campus. A request under this section will only be considered under the following circumstances:

- The campus administrator's thorough investigation concluded that the student was subjected to bullying as defined herein on at least one occasion.
- After a reasonable period of time, the campus-based strategies and interventions have not been effective to stop the bullying conduct as evidenced by campus documentation.
- A parent/guardian who seeks a transfer under this section must complete an Intradistrict Transfer Request Form. The form is available at the campus or on the website at www.risd.org under the Student Services page.

The appropriate Executive Director and/or Assistant Superintendent will make the final decision concerning a request to transfer, including the school to which a student may transfer.

Special Circumstances. Notwithstanding the foregoing, some incidents of bullying may be so severe or pervasive that immediate transfer or other interventions may be appropriate.

Appendix A

Options and Requirements

For Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the District's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other support services that are available to all students including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the District must decide if the evaluation is needed. If evaluation is needed, the parent will be notified and asked to provide consent for the evaluation. The District must complete the evaluation and the report within the time prescribed by law once the District receives the written consent for testing. The District must give a copy of the report to the parent.

If the District determines that the evaluation is not needed, the District will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of their rights if they disagree with the District. Additionally, the notice must inform the parent how to obtain a copy of the *Notice of Procedural Safeguards - Rights of Parents of Students with Disabilities*. Additional information regarding the IDEA is available from the District in a companion document, *A Guide to the Admission, Review, and Dismissal Process*.

The following websites provide information to those who are seeking information and resources specific to students and their families:

- Texas Project First (<http://www.texasprojectfirst.org>)
- Partners Resource Network (<http://prntexas.org/>)

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is:

Contact Person: Executive Director Special Student Services
Phone Number: 469-593-7500

Appendix B

RISD District-Wide Junior High School Guidelines for Extracurricular Students: Alcohol & Illegal Drugs

(Revised March 2017)

RISD expects that all students, including students who participate in any Extracurricular Activities (Extracurricular Students) will conduct themselves at all times in an exemplary manner that brings honor to the District, their school, and themselves. Participation in extracurricular activities is a privilege and is conditioned on the student's compliance with all rules and regulations of the activity and District policies and guidelines, including these guidelines. The use, possession, sale, or furnishing to others of alcohol or drugs of any kind and/or being under the influence of alcohol or illegal substances is strictly prohibited (the Prohibition). Any student who violates the Prohibition is not in compliance with the rules of extracurricular participation and will be subject to disciplinary measures, which could result in removal from the extracurricular activities in which the student participates.

These guidelines and statement of consequences apply to all extracurricular activities sponsored by the Richardson Independent School District and to all Extracurricular Students. The purpose of these guidelines is to deter and eliminate any use, possession, sale, or the furnishing to others of alcohol or other drugs, help students avoid drug and alcohol use, establish consistency in consequences across all activities for students who do not comply with the Prohibition, promote a high quality educational experience in all activities and assist RISD in maintaining order and a safe learning environment, and to promote a high level of civic and individual responsibility among students.

Extracurricular students are subject to these guidelines at all times throughout the twelve-month calendar year, whether the extracurricular activity is "in season" or inactive, and on weekends and during school holidays. Refer also to Board Policy FO(Local). Students transitioning from eighth to ninth grade who, during the summer, engage in conduct that violates the Prohibition will be subject to the High School Guidelines.

To ensure consistency among activities, these guidelines shall be used by all extracurricular groups. However, nothing in these guidelines prohibits an extracurricular activity sponsor from developing activity guidelines and rules to address topics other than alcohol or illegal drug activities.

The following definitions will apply to these guidelines:

- *Leadership Position* – A position or office an Extracurricular Student holds in an organization or group either by election or appointment. Such positions may include without limitation: captain, officer, squad leader, drum major, section chair.
- *In Proximity* – To be captured via still picture, video, internet site, social media feed, site, etc., or any other electronic capture where the school determines based on reasonable evidence that the student knows or should know he/she is (i) in a place where alcohol, illegal substances, and/or drug paraphernalia are present, and/or (ii) possessing, using, and/or being under the influence of alcohol, illegal substances, and/or drug paraphernalia. (e.g., Facebook posts shows student at social event where alcohol is visible and being consumed; Facebook post shows student posing in front of cases of unopened beer; Student captured holding and/or consuming alcohol or illegal substances at a sporting event; Picture of student holding a drug pipe).
- *Parent* – A student's biological or adoptive parent or parents, legal guardian, or other person in lawful control of the student.
- *Period of removal* – Period of time during which an Extracurricular Student is excluded from any participation in an extracurricular activity due to violation of the Prohibition. During a period of removal, an Extracurricular Student may not wear his/her uniform, travel with the team or organization, or otherwise act as a representative of the team or organization.
- *Prescription Drugs* – A drug authorized by a licensed healthcare provider specifically for that student. A student who uses a prescription drug in a manner prescribed by the student's healthcare provider and who has followed school policies in such use shall not be considered to have violated this policy.

Appendix B

- *Possession* – To have an item in or on one’s personal being or property, including without limitation, clothing, purse, backpack, private vehicle, motorcycle, or bicycle used for transportation to or from school or school-related events, telecommunication or electronic device, or other property used by the student such as a desk, locker, or cubby-hole.
- *Use (Alcohol/Substance)* – Voluntarily introducing into one’s body, by any means, a prohibited substance. For example, and without limitation, consuming or ingesting alcohol in any manner is “use” of alcohol; smoking or ingesting marijuana, an unlawful derivative or look-alike of marijuana, or other illegal substances is “use” of marijuana or other illegal substance.
- *Extracurricular Activities* – School-sponsored activities including but not limited to Dance & Drill Teams, Bell Guards, Cheerleaders, Spirit Groups, Sports, Fine Arts, Clubs, UIL governed Activities, Mock Trial, AC DEC, and other school-sponsored student activities unique to a campus.

An Extracurricular Student violates the Prohibition if he or she:

- Uses, possesses, sells, or furnishes alcohol or illegal substances to another;
- Receives an MIP (Minor in Possession), MIC (Consumption of Alcohol by a Minor), DWI (Driving While Intoxicated), DUI (Driving Under the Influence of an Illegal Substance), or other citation for the illegal use or possession of alcohol/drugs, or furnishing alcohol/drugs to another in a non-school setting;

Note: An Extracurricular Student who receives an MIP, MIC, DUI, DWI, or other alcohol/drug citation shall promptly notify the activity sponsor. An Extracurricular Student who fails to do so may be subject to further disciplinary action once the activity sponsor or administrator learns of the offense.

- Is observed by a faculty or staff member using, possessing, or furnishing to another student any drugs, including alcohol, on or off school property (observation via internet site, video, still picture, or other media will be considered);
- Receives any citation for, or is arrested for, illegal alcohol/drug activity or substance on or off school property; (*See Note above*)
- Performs or participates in an extracurricular activity while under the influence of alcohol or other drugs; or
- Is determined to be In Proximity to alcohol, illegal substance, and/or drug paraphernalia.

Process: When an activity sponsor or campus administrator learns that an Extracurricular Student has violated the Prohibition, the sponsor or administrator will attempt to gather as much information as is available about the suspected violation and shall immediately communicate with the student and his/her parents to review the information. The sponsor or administrator will take reasonable steps to ensure the student and his/her parents are notified of the suspected violation of the Prohibition and to offer the student and his/her parents a meeting with the administrator and/or sponsor and give them an opportunity to provide information about the student’s suspected actions. Parents and/or students who refuse to promptly meet with the sponsor or administrator forfeit their opportunity for a conference. The administrator or sponsor will determine the start date for the consequence and will notify the student and his/her parent in writing of the start date and reasons for any consequences imposed.

When a student self-reports a violation of these guidelines that does not result in the issuance of a citation or other penalty from law enforcement before the District otherwise learns of the student’s actions, the District may, in its sole discretion, consider the student’s self-report as a mitigating factor to support a reduced probationary period for a first offense.

A student or parent who is not satisfied with the outcome of the conference or the principal’s decision may appeal the decision through the District’s Student and Parent Complaint Policy (FNG(Local)), but the consequence will not be delayed during any appeal. Copies of the policy are available on the District’s website or may be obtained from the school.

CONSEQUENCES

All Extracurricular Students are expected to comply with these guidelines. An Extracurricular Student who does not do so is subject to disciplinary action. While some offenses may be so severe that they will result in immediate removal from the extracurricular activity and/or Disciplinary Alternative Education Program (DAEP) placement, where appropriate, the

Appendix B

District will consider allowing a student who violates the Prohibition to serve a last chance probationary period if the violation is the first instance in which the student has failed to comply with these guidelines.

First Offense: Probationary Removal

Except where the severity or circumstance of a student's offense is so severe that immediate removal to DAEP or expulsion is required, a student's first violation of the Prohibition will result in the Extracurricular Student's (i) removal for the remainder of the school year from all leadership positions he or she holds, including any such positions that the student might seek or be appointed to later in the school year; and (ii) except where the first violation also results in DAEP placement or expulsion, removal from all extracurricular activities for 20 school days or UIL Competition dates. (*See below)

- The 20 school days or UIL Competition dates removal period starts at the parent/student/principal conference. If the parent/student forfeits the conference, the principal will determine the start date.
- During the 20-day removal period, the student and the parent must attend and successfully complete the RISD alcohol/drug educational program. Students may be required to have follow-up sessions with the Intervention Specialist on campus. The student is responsible for all fees associated with the program. A student and parent must complete the educational program before the student will be reinstated after the removal period.
- If the leadership position from which the student is removed is connected with a credit-bearing class, the student may continue to remain enrolled in the class and the sponsor will determine appropriate activities for the student.
- Students must participate in practices for the extracurricular activities while on probation.
- Students may not wear or display identifying team or activity uniforms, attire, or accessories.

**If competition or performance is scheduled during the summer or on a school holiday (excluding weekends), any days on which the student's team or group actually competes or performs will be counted toward completion of the 20-day probation period.*

- "UIL Competition Date" means a day on which the individual or group actually competes or performs in a UIL or Non-UIL sponsored activity when the school is represented.
- If the conduct results in the student's placement in a DAEP, the period of removal will be for the duration of the DAEP placement.

If the student violated the Prohibition due to him/her being determined to be In Proximity without possession, use or being under the influence, and the student has not already violated the Prohibition due to being In Proximity, the student may avoid the applicable consequence (Probationary Removal or Removal) for the In Proximity violation provided the student and his/her parent/guardian (i) participate in an administrative conference with the principal, and (ii) successfully complete the alcohol/drug program by the date assigned along with any follow up with the campus intervention specialist as determined by the principal. A second Violation due to the student being In Proximity will be treated as a first or second offense and subject to the applicable consequence (Probationary Removal or Removal).

An Extracurricular Student can receive only **one** probation period for violating the Prohibition during the student's 7-8 junior high school career.

Second Offense or Subsequent Offenses: Removal

A second offense, or subsequent offenses, will result in removal from all (i) extracurricular activities; and (ii) leadership positions for the remainder of the school year.

- If the infraction occurs and/or is discovered 60 or less days prior to the end of the school year, the student will be removed from all extracurricular activities and leadership positions for at least 60 school days or UIL Competition dates. The removal days may extend into the next school year at the current school or continue at the high school setting.
- When a second or subsequent infraction occurs after the end of the school year, the consequence will go into effect at the conference with the principal and parent/legal guardian, unless the conference has been forfeited and the principal will determine the start date.
- The student will be removed from all extracurricular activities for the entire up-coming school year.

Appendix B

- Students may not wear or display identifying team or activity uniforms, attire, or accessories.
- Students may not travel with the team or organization, or otherwise act as a representative of the team or organization.
- At the beginning of a new school year, an Extracurricular Student is eligible to participate in extracurricular activities and to pursue future leadership positions after a second offense, if the student has “sat out” of all extracurricular activities for no less than 60 school days or UIL Competition days and has otherwise complied with all conditions of his/her removal for the second offense.

Appendix C

RISD District-Wide High School Guidelines for Extracurricular Students: Alcohol & Illegal Drugs

(Revised March 2017)

RISD expects that all students, including students who participate in any Extracurricular Activities (Extracurricular Students) will conduct themselves at all times in an exemplary manner that brings honor to the District, their school, and themselves. Participation in extracurricular activities is a privilege and is conditioned on the student's compliance with all rules and regulations of the activity and District policies and guidelines, including these guidelines. The use, possession, sale, or furnishing to others of alcohol or drugs of any kind and/or being under the influence of alcohol or illegal substances is strictly prohibited (the Prohibition). Any student who violates the Prohibition is not in compliance with the rules of extracurricular participation and will be subject to disciplinary measures, which could result in removal from the extracurricular activities in which the student participates.

These guidelines and statement of consequences apply to all extracurricular activities sponsored by the Richardson Independent School District and to all Extracurricular Students. The purpose of these guidelines is to deter and eliminate any use, possession, sale, or the furnishing to others of alcohol or other drugs, help students avoid drug and alcohol use, establish consistency in consequences across all activities for students who do not comply with the Prohibition, promote a high quality educational experience in all activities and assist RISD in maintaining order and a safe learning environment, and to promote a high level of civic and individual responsibility among students.

Extracurricular students are subject to these guidelines at all times throughout the twelve-month calendar year, whether the extracurricular activity is "in season" or inactive, and on weekends and during school holidays. Refer also to Board Policy FO(Local). Students transitioning from eighth to ninth grade who, during the summer, engage in conduct that violates the Prohibition will be subject to the High School Guidelines.

To ensure consistency among activities, these guidelines shall be used by all extracurricular groups. However, nothing in these guidelines prohibits an extracurricular activity sponsor from developing activity guidelines and rules to address topics other than alcohol or illegal drug activities.

The following definitions will apply to these guidelines:

- *Leadership Position* – A position or office an Extracurricular Student holds in an organization or group either by election or appointment. Such positions may include without limitation: captain, officer, squad leader, drum major, section chair.
- *In Proximity* – To be captured via still picture, video, internet site, social media feed, site, etc., or any other electronic capture where the school determines based on reasonable evidence that the student knows or should know he/she is (i) in a place where alcohol, illegal substances, and/or drug paraphernalia are present, and/or (ii) possessing, using, and/or being under the influence of alcohol, illegal substances, and/or drug paraphernalia. (e.g., Facebook posts shows student at social event where alcohol is visible and being consumed; Facebook post shows student posing in front of cases of unopened beer; Student captured holding and/or consuming alcohol or illegal substances at a sporting event; Picture of student holding a drug pipe).
- *Parent* – A student's biological or adoptive parent or parents, legal guardian, or other person in lawful control of the student.
- *Period of removal* – Period of time during which an Extracurricular Student is excluded from any participation in an extracurricular activity due to violation of the Prohibition. During a period of removal, an Extracurricular Student may not wear his/her uniform, travel with the team or organization, or otherwise act as a representative of the team or organization.
- *Prescription Drugs* – A drug authorized by a licensed healthcare provider specifically for that student. A student who uses a prescription drug in a manner prescribed by the student's healthcare provider and who has followed school policies in such use shall not be considered to have violated this policy.
- *Possession* – To have an item in or on one's personal being or property, including without limitation, clothing, purse, backpack, private vehicle, motorcycle or bicycle used for transportation to or from school or school-related events, telecommunication or electronic device, or other property used by the student such as a desk, locker, or cubby-hole.

Appendix C

- *Use (Alcohol/Substance)* – Voluntarily introducing into one’s body, by any means, a prohibited substance. For example, and without limitation, consuming or ingesting alcohol in any manner is “use” of alcohol; smoking or ingesting marijuana, an unlawful derivative or look-alike of marijuana, or other illegal substances is “use” of marijuana or other illegal substance.
- *Extracurricular Activities* – School-sponsored activities including but not limited to Dance & Drill Teams, Bell Guards, Cheerleaders, Spirit Groups, Sports, Fine Arts, Clubs, UIL governed Activities, Mock Trial, AC DEC, and other school-sponsored student activities unique to a campus.

An Extracurricular Student violates the Prohibition if he or she:

- Uses, possesses, sells, or furnishes alcohol or illegal substances to another;
- Receives an MIP (Minor in Possession), MIC (Consumption of Alcohol by a Minor), DWI (Driving While Intoxicated), DUI (Driving Under the Influence of an Illegal Substance), or other citation for the illegal use or possession of alcohol/drugs, or furnishing alcohol/drugs to another in a non-school setting;
- *Note:* An Extracurricular Student who receives an MIP, MIC, DUI, DWI, or other alcohol/drug citation shall promptly notify the activity sponsor. An Extracurricular Student who fails to do so may be subject to further disciplinary action once the activity sponsor or administrator learns of the offense;
- Is observed by a faculty or staff member using, possessing, or furnishing to another student any drugs, including alcohol, on or off school property (observation via internet site, video, still picture, or other media will be considered);
- Receives any citation for, or is arrested for, illegal alcohol/drug activity or substance on or off school property; (*See Note above*)
- Performs or participates in an extracurricular activity while under the influence of alcohol or other drugs; or
- Is determined to be In Proximity to alcohol, illegal substance, and/or drug paraphernalia.

Process: When an activity sponsor or campus administrator learns that an Extracurricular Student has violated the Prohibition, the sponsor or administrator will attempt to gather as much information as is available about the suspected violation and shall immediately communicate with the student and his/her parents to review the information. The sponsor or administrator will take reasonable steps to ensure the student and his/her parents are notified of the suspected violation of the Prohibition and to offer the student and his/her parents a meeting with the administrator and/or sponsor and give them an opportunity to provide information about the student’s suspected actions. Parents and/or students who refuse to promptly meet with the sponsor or administrator forfeit their opportunity for a conference. The administrator or sponsor will determine the start date for the consequence and will notify the student and his/her parent in writing of the start date and reasons for any consequences imposed.

When a student self-reports a violation of these guidelines that does not result in the issuance of a citation or other penalty from law enforcement before the District otherwise learns of the student’s actions, the District may, in its sole discretion, consider the student’s self-report as a mitigating factor to support a reduced probationary period for a first offense.

A student or parent who is not satisfied with the outcome of the conference or the principal’s decision may appeal the decision through the District’s Student and Parent Complaint Policy (FNG (Local)), but the consequence will not be delayed during any appeal. Copies of the policy are available on the District’s website or may be obtained from the school.

CONSEQUENCES

All Extracurricular Students are expected to comply with these guidelines. An Extracurricular Student who does not do so is subject to disciplinary action. While some offenses may be so severe that they will result in immediate removal from the extracurricular activity and/or Disciplinary Alternative Education Program (DAEP) placement, where appropriate, the District will consider allowing a student who violates the Prohibition to serve a last chance probationary period if the violation is the first instance in which the student has failed to comply with these guidelines.

First Offense: Probationary Removal

Appendix C

Except where the severity or circumstance of a student's offense is so severe that immediate removal to DAEP or expulsion is required, a student's first violation of the Prohibition will result in the Extracurricular Student's (i) removal for the remainder of the school year from all leadership positions he or she holds, including any such positions that the student might seek or be appointed to later in the school year; and (ii) except where the first violation also results in DAEP placement or expulsion, removal from all extracurricular activities for 20 school days or UIL Competition dates. (*See below)

- The 20 school days or UIL Competition dates removal period starts at the parent/student/principal conference. If the parent/student forfeits the conference, the principal will determine the start date.
- During the 20-day removal period, the student and the parent must attend and successfully complete the RISD alcohol/drug educational program. Students may be required to have follow-up sessions with the Intervention Specialist on campus. The student is responsible for all fees associated with the program. A student and parent must complete the educational program before the student will be reinstated after the removal period.
- If the leadership position from which the student is removed is connected with a credit-bearing class, the student may continue to remain enrolled in the class and the sponsor will determine appropriate activities for the student.
- Students must participate in practices for the extracurricular activities while on probation.
- Students may not wear or display identifying team or activity uniforms, attire, or accessories.

**If competition or performance is scheduled during the summer or on a school holiday (excluding weekends), any days on which the student's team or group actually competes or performs will be counted toward completion of the 20-day probation period.*

- "UIL Competition Date" means a day on which the individual or group actually competes or performs in a UIL or Non-UIL sponsored activity when the school is represented.
- If the conduct results in the student's placement in a DAEP, the period of removal will be for the duration of the DAEP placement.

If the student violated the Prohibition due to him/her being determined to be In Proximity without possession, use or being under the influence, and the student has not already violated the Prohibition due to being In Proximity, the student may avoid the applicable consequence (Probationary Removal or Removal) for the In Proximity violation provided the student and his/her parent/guardian (i) participate in an administrative conference with the principal, and (ii) successfully complete the alcohol/drug program by the date assigned along with any follow up with the campus intervention specialist as determined by the principal. A second Violation due to the student being In Proximity will be treated as a first or second offense and subject to the applicable consequence (Probationary Removal or Removal).

An Extracurricular Student can receive only **one** probation period for violating the Prohibition during the student's high school career.

Second Offense or Subsequent Offenses: (Removal)

A second offense or subsequent offenses will result in removal from all (i) extracurricular activities; and (ii) leadership positions for the remainder of the school year.

- If the infraction occurs and/or is discovered 60 or less days prior to the end of the school year, the student will be removed from all extracurricular activities and leadership positions for at least 60 school days or UIL Competition dates. The removal days may extend into the next school year.
- When a second or subsequent infraction occurs after the end of the school year, the consequence will go into effect at the conference with the principal and parent/legal guardian, unless the conference has been forfeited and the principal will determine the start date.
- The student will be removed from all extracurricular activities for the entire up-coming school year.
- Students may not wear or display identifying team or activity uniforms, attire, or accessories.
- Students may not travel with the team or organization, or otherwise act as a representative of the team or organization.

Appendix C

- At the beginning of a new school year, an Extracurricular Student is eligible to participate in extracurricular activities and to pursue future leadership positions after a second offense if the student has “sat out” of all extracurricular activities for no less than 60 school days or UIL Competition days and has otherwise complied with all conditions of his/her removal for the second offense.

Appendix D

2020-2021 Extracurricular Activity Acknowledgment and Agreement Form

Student Statement:

My signature below certifies that I have read and understand the RISD District-Wide Guidelines for Extracurricular Students: Alcohol & Illegal Drugs. I agree to comply with all rules and regulations in these guidelines and any additional rules adopted by my school as a condition of participation as a member of an extracurricular activity. I understand that my failure to comply with these guidelines may result in disciplinary action, including dismissal from all extracurricular activities.

Printed Name of Student

Student Signature

Date Signed

Parent/Legal Guardian Statement (for students under 18 years of age):

My signature below certifies that I have read and understand the RISD District-Wide Guidelines for Extracurricular Students: Alcohol & Illegal Drugs. I understand that my student must comply with all rules and regulations written in these guidelines and any additional rules adopted by my student's school as a condition of participation in an extracurricular activity. I understand that his or her failure to comply may result in disciplinary action, including dismissal from all extracurricular activities.

Printed Name of Parent or Legal Guardian

Signature of Parent or Legal Guardian

Date Signed

Appendix E

Family Education Rights and Privacy Act (FERPA) Notice of Parent and Student Rights

Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Richardson Independent School District (RISD or the District) receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The principal or other school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the RISD to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

The information below describes the disclosures of student records that RISD may make without consent:

FERPA permits disclosure without consent to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

In addition, upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

Appendix E

FERPA also permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in the FERPA regulations. RISD may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This category includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided certain conditions are met.
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer.
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36.
- Information the school has designated as "directory information" under § 99.37.



Appendix F

Responsible Use Guidelines and Agreement for Technology Resources

Richardson Independent School District
2020-2021

Technology Mission Statement

The Richardson Independent School District (RISD or the District), in partnership with the greater community, will, through the use of information and communication technologies, engage, nurture, and challenge all learners to achieve academic and future excellence.

Purpose

The Responsible Use Guidelines support the District's technology mission statement and vision, promote a strong sense of digital citizenship, and help ensure effective, safe, productive, and instructionally sound use of the technology resources.

Application of Guidelines

The District's technology resources include (without limitation) Internet and wireless connectivity, network devices, telecommunication devices, and software. These guidelines apply to all users of RISD's computer networks, including the resources made available by them, and all devices connected to those networks. No user may harm others through their access and use of district technology resources, including BYOD technology.

General Expectations

- The purpose of an RISD user account is to allow the user to engage in connected learning and shared opportunities via facilitated access to the RISD network.
- RISD user accounts are owned by the District. Data in any account that constitutes public information may be subject to disclosure pursuant to the Texas Public Information Act.
- RISD may retrieve all digital files associated with any user account any time without prior notice and without the permission of any user. RISD reserves the right to monitor all accounts and any content stored in, created, received, or sent through the RISD computer network to maintain system integrity as well as to ensure responsible use. See Board Policy CQ.
- Student privacy controls that control the disclosure of information that could identify a student are necessary to ensure compliance with the *Family Educational Rights and Privacy Act (FERPA)* and state law. Parents/guardians provide the appropriate RISD permissions concerning disclosure of student directory information via the enrollment card. These permissions must be followed with no exceptions.
- RISD has put in place a *Children's Internet Protection Act (CIPA)*-compliant, content filtering solution to prevent access to certain sites that may contain material that is inappropriate or of non-educational value, including gaming sites. RISD is not responsible for content accessed by users who connect to the Internet via their own mobile WiFi-type service or personal data plan (smartphones, air-cards, etc.). Visit <https://goo.gl/GbzgrM> for the complete Federal Communications Commission of the CIPA rule.
- The *Children's Online Privacy Protection Act (COPPA)* should be followed when using any district technology resource. Visit <https://goo.gl/v9EQrq> for the complete Federal Trade Commission's COPPA rule.

Appendix F

- Student web publishing may occur only under the direct supervision of a classroom teacher or school administrator and shall follow all guidelines established in Board Policy CQ. Supervising teachers and administrators are responsible for all material students post to a District or school sponsored website.
- All data and information contained in the RISD technology resource systems remain the property of Richardson Independent School District.
- Electronic mail transmissions and other use of RISD technology resource systems and cloud-based solutions, including Internet access and data storage shall not be considered a user's personal information or property and may be monitored by authorized individuals at any time to ensure appropriate use for educational purposes.

Digital Citizenship

Users of RISD technology resources should practice appropriate digital citizenship. All information transmitted digitally is public and permanent. Appropriate digital citizenship includes, without limitation:

Respecting Yourself. When applicable, select online names that are appropriate. Use appropriate language/content in all online posts, as users continuously represent RISD whenever and wherever they use online communications.

Protecting Yourself. Users will not publish personally identifiable information or data for themselves or anyone else. Users are the custodians of their accounts and are responsible for all activity initiated by and/or performed under their accounts. It is the responsibility of each user to appropriately secure account credentials (user IDs/passwords) and to maintain and back up all of their data. If a user is uncertain whether a specific computer activity is permitted or appropriate, he/she should ask a teacher/administrator before engaging in the activity.

Respecting Others. Users will not use technology resources to bully, harass or tease other people. Users will not make an audio or video recording of any student, teacher, or administrator without prior permission from the subject. No user will pose as someone else, or pose as a user other than him or herself when online. Users will not access, download, or modify accounts, files, or data belonging to others.

Protecting Others. Users will help maintain a safe computing environment by notifying appropriate campus officials of inappropriate behavior, vulnerabilities, risks, and breaches involving campus technology. Users will respect the privacy of others throughout the RISD network and on the Internet and not share or access Users' folders, files, or data without authorization.

Respecting and Protecting Intellectual Property. Users will adequately cite any and all websites, books, media, etc. used in creating homework or other school projects. Users will respect all copyrights, requesting permission for the use of software, media, and the intellectual property of others.

Google Apps for Education (GAfE)

RISD offers GSuite for Education and all the tools it provides, including district-wide emails for students in grades 2-12. A parent/guardian signature on the annual Acknowledgment for the *Student and Parent Guidebook and Student Code of Conduct* serves as the parent's consent for his/her student(s) to have access to these services under school district supervision.

Appendix F

Bring Your Own Device (BYOD)

RISD permits students, teachers, and staff to bring their own device for use during the school day. BYOD users should use the RISDBYOD network for internet access. A parent/guardian signature on the annual Acknowledgment for the *Student and Parent Guidebook and Student Code of Conduct* serves as the parent's consent for his/her student(s) to bring their own personal device to school and that the parent/student assumes personal liability for the use, care, and technical support of the device. For a list of FAQs about the District's BYOD policy, visit the District's website. For campus specific guidelines related to BYOD, contact campus administration.

District Account Management

Students and staff may be required to have accounts in third party systems (SchoolWires, GAFE, Scholastic, Discovery Education, etc.) managed by RISD. These RISD accounts will be used at school for instructional purposes, but also may be accessed outside of school. These tools are deemed relevant to achieving the District's vision, mission, and goals set forth within the curriculum and instructional objectives. In addition, the use of these accounts will help users master effective and proper online skills as required in the Technology Application Standards. The third parties may collect information that is subject to the Children's Online Privacy Protection Act (COPPA). A parent's signature on the Acknowledgment authorizes the District to provide consent to those third parties under COPPA. Information provided to third parties for such accounts will be limited to a student's name, unique username, student ID number, district provided email address and birthdate (if required).

Single Sign On (SSO)

RISD maintains a Single Sign-On (SSO) solution to better serve the district's digital sign-on needs. The SSO portal consists of easy to use links to district sites and affiliated programs, tailored for each individual. Authentication to these sites is bypassed in the single sign-on environment. This allows both teachers and students to have faster access to common district tools without the need for multiple passwords.

- Students K through 12 will have access to the SSO portal using their Google credentials. (K - 2 will have Google credentials to use SSO but will not retain access to gmail.)
- Staff will access SSO using their current Active Directory domains accounts.
- Staff access to SSO will require two-factor authentication to insure security and privacy of data.

Electronic Media Guidelines for Communication with Students

In accordance with the administrative regulations, a certified or licensed employee may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. Social media usage must be responsible and follow the terms of use, including age, of the individual social media tool.

As role models for the District's students, staff and faculty are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public content. See Board Policy CQ.

Appendix F

Inappropriate Behavior*

The following actions are not permitted and could result in the consequences outlined in the Student Code of Conduct.

- Users may not attempt to disable or bypass the RISD content filter, including the use of wireless internet cards or personal hotspots.
- Users may not install unauthorized network access points, or other connections that may not effectively integrate with existing infrastructure.
- Users may not launch denial of services attacks using personal or work technology, hack or engage in behavior that attacks the network or internet access.
- Users may not illegally access or manipulate the information of a private database/system such as grade books and other student information systems.
- Users may not send, save, view, forward, or create harassing or offensive content/messages.
 - The District's policies against harassment, bullying, and discrimination for students and employees apply to the use of technology. See Board Policy CQ; see *also* Board Policy DIA, FB, FFH, and FFI.
- Users may not use their accounts for non-school related activities including but not limited to:
 - Using the Internet for financial gain, personal advertising, promotion, non-government related fundraising, or public relations.
 - Using District technology resources for political advertising, or religious proselytizing.
 - Using RISD email or District-provided/managed services for personal gain, to engage in actions deemed inappropriate to others subject to District policy.
- Users should not allow anyone to use a device specifically issued to them.

*In addition to the behavior described above, the Assistant Superintendent of Operations, Executive Director of Instructional Technology, Campus Administrator, or Executive Director of Network Services, is responsible for determining what is considered to be inappropriate use of the RISD computer network. They may request to disable a user's account or network access at any time. Student discipline will be referred to campus administration, while staff behavior will be referred to the employee's supervisor and Human Resources.

Acknowledgment and Agreement

I have read and will abide by these Responsible Use Guidelines. I understand that if I fail to comply with these Guidelines, I will be subject to appropriate disciplinary consequences which could include suspension of my user account(s) and network access as well as other disciplinary/legal action including but not limited to: discharge from employment, criminal prosecution and/or penalty under appropriate state and federal laws. My signature on the Acknowledgment in the *Employee Handbook* or *Student and Parent Guidebook and Student Code of Conduct* as appropriate, confirms my receipt of these Guidelines and my agreement to follow them as a condition of access to District Technology Resources.

Appendix G

Important Addresses and Telephone Numbers

RISD Administration Building (469) 593-0000
400 South Greenville Avenue, Richardson 75081, <http://www.risd.org>

High Schools

Berkner High School and STEM Academy (469) 593-7000
1600 E. Spring Valley Rd., Richardson 75081 FAX (469) 593-7085

Lake Highlands High School (469) 593-1000
9449 Church Rd., Dallas 75238 FAX (469) 593-1030
HOTLINE (469) 593-1001

~~**Lake Highlands Freshman Center** (469) 593-1300
10200 White Rock Trail, Dallas 75238 FAX (469) 593-1327~~

J.J. Pearce High School (469) 593-5000
1600 N. Coit Rd., Richardson 75080 FAX (469) 593-5169

Richardson High School (469) 593-3000
Arts/Law/Science Magnet (housed at RHS) (469) 593-3038
1250 E. Belt Line Rd., Richardson 75080 FAX (469) 593-3010

Nontraditional High School Program

Memorial Park Academy (469) 593-0450
410 S. Greenville Ave., Richardson 75081

Alternative Education Program

Christa McAuliffe Learning Center (469) 593-5800
900 S. Greenville Ave., Richardson 75081 FAX (469) 593-5805

Junior High Schools

Apollo Junior High (469) 593-7900
1600 Apollo Rd., Richardson 75081 FAX (469) 593-7911

Forest Meadow Junior High (469) 593-1500
9373 Whitehurst Dr., Dallas 75243 FAX (469) 593-1461

Lake Highlands Junior High (469) 593-1600
10301 Walnut Hill Ln., Dallas 75238 FAX (469) 593-1606

Liberty Junior High (469) 593-7888
10330 Lawler Rd., Dallas 75243 FAX (469) 593-7764

Parkhill Junior High (469) 593-5600
16500 Shadybank Dr., Dallas 75248 FAX (469) 593-5500

Richardson North Junior High (469) 593-5400
1820 N. Floyd Rd., Richardson 75080 FAX (469) 593-5434

Appendix G

Richardson West Junior High (Arts and Technology Magnet)	(469) 593-3700
1309 Holly Dr., Richardson 75080	FAX (469) 593-3666
Westwood Junior High (Math, Science, & Leadership Magnet)	(469) 593-3600
7630 Arapaho Rd., Dallas 75248	FAX (469) 593-3508

Appendix G

Elementary Schools

Aikin Elementary	(469) 593-1820
12300 Pleasant Valley Dr., Dallas 75243	FAX (469) 593-1763
Arapaho Classical Magnet	(469) 593-6400
1300 Cypress Dr., Richardson 75080	FAX (469) 593-6448
Audelia Creek Elementary	(469) 593-2900
12600 Audelia Rd., Dallas 75243	FAX (469) 593-2901
Big Springs Elementary	(469) 593-8100
3301 W. Campbell Rd., Garland 75044	FAX (469) 593-8114
Bowie Elementary	(469) 593-6000
7643 La Manga Dr., Dallas 75248	FAX (469) 593-6066
Brentfield Elementary	Primary (469) 593-5730
6767 Brentfield Dr., Dallas 75248	Intermediate (469) 593-5740
	FAX (469) 593-5710
Canyon Creek Elementary	(469) 593-6500
2100 Copper Ridge Dr. Richardson 75080	FAX (469) 593-6511
Carolyn G. Bukhair Elementary	(469) 593-4900
13900 Maham Rd., Dallas 75240	FAX (469) 593-4901
Dartmouth Elementary	(469) 593-8400
417 Dartmouth Ln., Richardson 75081	FAX (469) 593-8408
Dobie Pre-Kindergarten School	(469) 593-4100
14040 Rolling Hills Ln., Dallas 75240	FAX (469) 593-4011
Dover Elementary	(469) 593-4200
700 Dover Dr., Richardson 75080	FAX (469) 593-4201
Forest Lane Academy	(469) 593-1850
9663 Forest Lane, Dallas 75243	FAX (469) 593-1919
Forestridge Elementary	(469) 593-8500
10330 Bunchberry Dr., Dallas 75243	FAX (469) 593-8502
Greenwood Hills Elementary	(469) 593-6100
1313 West Shore Dr., Richardson 75080	FAX (469) 593-6111
Hamilton Park Pacesetter Magnet	(469) 593-3900
8301 Towns St., Dallas 75243	FAX (469) 593-3950
Jess Harben Elementary	(469) 593-8800
600 S. Glenville Dr., Richardson 75081	FAX (469) 593-8801
Lake Highlands Elementary	(469) 593-2100
9501 Ferndale Rd., Dallas 75238	FAX (469) 593-2088
Mark Twain Elementary	(469) 593-4800
1200 Larkspur Dr., Richardson 75081	FAX (469) 593-4799
Math Science Technology Magnet	(469) 593-7300
450 Abrams, Richardson 75081	FAX (469) 593-7301
Merriman Park Elementary	(469) 593-2800
7101 Winedale Dr., Dallas 75231	FAX (469) 593-2751
Mohawk Elementary	(469) 593-6600
1500 Mimosa Dr., Richardson 75080	FAX (469) 593-6610

Important Addresses and Telephone Numbers

Appendix G

Moss Haven Elementary	(469) 593-2200
9202 Moss Farm Ln., Dallas 75243	FAX (469) 593-2158
Northlake Elementary	(469) 593-2300
10059 Ravensway Dr., Dallas 75238	FAX (469) 593-2309
Northrich Elementary	(469) 593-6200
1301 Custer Rd., Richardson 75080	FAX (469) 593-6201
Northwood Hills Elementary	(469) 593-4300
14532 Meandering Way, Dallas 75254	FAX (469) 593-4301
O. Henry Elementary	(469) 593-8200
4100 Tynes Dr., Garland 75042	FAX (469) 593-8221
Prairie Creek Elementary	(469) 593-6300
2120 E. Prairie Creek Dr. Richardson 75080	FAX (469) 593-6308
Prestonwood Elementary	(469) 593-6700
6525 La Cosa Dr., Dallas 75248	FAX (469) 593-6712
Richardson Heights Elementary	(469) 593-4400
101 N. Floyd Rd., Richardson 75080	FAX (469) 593-4401
Richardson Terrace Elementary	(469) 593-8700
300 N. Dorothy Dr., Richardson 75081	FAX (469) 593-8780
Richland Elementary	(469) 593-4650
550 Park Bend, Richardson 75081	FAX (469) 593-4654
RISD Academy Elementary	(469) 593-3300
13630 Coit Rd., Dallas 75240	FAX (469) 593-3307
Skyview Elementary	(469) 593-2400
9229 Meadowknoll Dr., Dallas 75243	FAX (469) 593-2423
Spring Creek Elementary	(469) 593-4500
7667 Roundrock Rd., Dallas 75248	FAX (469) 593-4501
Spring Valley Elementary	(469) 593-4600
13535 Spring Grove Ave., Dallas 75240	FAX (469) 593-4609
Springridge Elementary	(469) 593-8600
1801 E. Spring Valley Rd. Richardson 75081	FAX (469) 593-8603
Stults Road Elementary	(469) 593-2500
8700 Stults Rd., Dallas 75243	FAX (469) 593-2521
Thurgood Marshall Elementary	(469) 593-6800
7666 Ferris Branch Blvd., Dallas 75243	FAX (469) 593-6801
Wallace Elementary	(469) 593-2600
9921 Kirkhaven Dr., Dallas 75238	FAX (469) 593-2610
White Rock Elementary	(469) 593-2700
9229 Chiswell Rd., Dallas 75238	FAX (469) 593-2706
Yale Elementary	(469) 593-8300
1900 E. Collins Blvd., Richardson 75081	FAX (469) 593-8362

Appendix H

Intradistrict Transfer Guidelines

Neighborhood School Concept

The Richardson Independent School District (RISD) is committed to the neighborhood school concept. Where a student resides determines the schools he or she will attend. The District maintains a comprehensive student assignment plan that is designed to support the neighborhood schools concept, promote balanced enrollment and efficient use of facilities, and comply with legal requirements. Any student, kindergarten through twelfth grade, who wishes to attend an RISD school outside of his/her neighborhood attendance area (the "home school") must complete an *Intradistrict Transfer Request* and obtain District approval to change schools. Board of Trustees delegates to the Superintendent the authority to accept or reject any transfer requests, provided that such an action is without regard to economic status, mobility, language, disabling conditions, race, religion, color, sex, disability, or national origin. *Interdistrict* transfers are accepted under Exceptions (see guidelines).

Separate processes exist for assignments to magnet schools and for transfers pursuant to special provisions of the *Texas Education Code* or federal law (e.g., school safety choice transfer, victim of sexual assault transfer, bullying victim transfer, low-performing school transfer, and/or disabled student sibling transfer).

Procedures for Intradistrict Transfer Request

Transfer request forms are available online at the District website. Parents desiring an intradistrict transfer must complete the request form and submit it to the gmail address on the transfer document. Incomplete forms will be returned for completion. Families should complete online enrollment prior to requesting a transfer. Every effort should be made to provide transfer support in the families' first language. Transfer requests must be approved by the principals of the home and receiving schools and the superintendent's designee before a student may change schools. A condition of every approved transfer is the requirement that the student maintain prompt and regular attendance, that the student maintain good behavior, and that the parent, cooperate with the receiving school (see Rescissions).

Considerations of Transfer Request

In evaluating each transfer request, RISD will consider:

- individual needs of the student and reason provided on the transfer request;
- student's behavior and attendance history;
- overall effect the transfer will have on the home and receiving school; *See Note
- student's need for special instructional services not provided at the home school;
- medical condition of the student as described in a letter from the student's medical provider (letter must be submitted with the transfer request);
- a family request to have similar age siblings attend the same school;
- building capacity and any planned renovation projects;
- current enrollment, growth projections, and boundary issues;
- a request to allow a student who has moved to another RISD school attendance area to continue to remain in the current school he/she has been attending;
- teacher allocations and class size; and/or
- other factors relevant to a particular transfer request

Procedures for Transfer Continuance

Students currently on a transfer who are transitioning into a Learning Community that is not within their home school boundaries from *elementary to junior or junior to high school* may be offered a Continuance Transfer for the Upcoming Fall. This transfer document will be sent home with transfer students in the spring. The document is only available through campus office staff. Students must be in good standing with the current campus to be eligible for a continuance and should complete the Continuance Contract provided on the transfer document.

Appendix H

Procedures for Interdistrict Transfer Request

1. Children of full-time District Employees may be allowed to attend District schools in accordance with DEB (Local).
 - As a benefit for employees, the RISD Board of Trustees has authorized the District to accept for enrollment school-aged children of employees who reside outside the District while the employee remains in full-time employment by the District. Children of nonresident employees must comply with all other rules applicable to transfer students.
 - Full-time professional contract employees, as well as noncontract, paraprofessional and classified employees, are eligible for this benefit immediately upon their full-time employment. “Child” means a school aged student who lives with the employee and is the employee’s natural or legally adopted offspring or a school-aged child for whom a court or other authority has designated the employee as the legal guardian. “Child” also includes the natural or legally adopted offspring of an employee who does not live with the employee if the employee is a noncustodial conservator of the child and the employee had the legal authority to make educational decisions for the child.
2. Resident students who become nonresidents during the course of a semester may be permitted to continue in attendance tuition-free for the remainder of the current grading period, provided academic, disciplinary, and attendance records are satisfactory.
3. A senior student who becomes ineligible for tuition-free attendance at the end of his or her junior year may be permitted to continue in attendance tuition-free throughout the senior year, provided academic, disciplinary, and attendance records are satisfactory.
4. A student residing outside the District may be enrolled at the beginning of a semester if the parent/guardian has purchased a residence in the District that will be completed or occupied within 90 days of enrollment and proof of purchase (e.g., contract, loan document, bill of sale, etc.) is provided.

Students seeking an interdistrict transfer must complete a Non-Resident Student Transfer Application form and provide any additional information as may be required by the District. Out-of-District Transfers. Employees may access the form on the RISD Intranet. Any individual that is not an employee should obtain the form at their campus. The District shall assume no responsibility for tuition required of students transferring out of Richardson Independent School District. The District shall accept no responsibility for transportation for transfer students, except as provided by statute or policy.

School Placement: The employee may indicate a school of choice; however, the Superintendent or designee shall determine the school to which the transferee will be assigned. Such determination will be made on the basis of: availability of space at the desired campus and the effect of additional students in the grade levels; the campus nearest or most convenient to the employee’s work assignment; and other relevant factors affecting campus assignment. Once assigned to a campus, the student shall be responsible for the student’s transportation.

Tuition: The Board of Trustees shall determine, annually and within statutory limits, the amount of tuition, if any, to be charged.

Waivers: The Board of Trustees may waive tuition for a student upon written application by the student or parent or guardian, upon the recommendation of the Superintendent.

Non-Payment: The District may initiate withdrawal of students whose tuition payments are delinquent.

Appeals: Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.

Renewals: Employees should complete transfer process each year by checking the renewal box to confirm eligibility.

Rescission of Inter/Intradistrict Transfers

A Transfer request is a privilege. Approved transfers may be rescinded by the principal where the student is enrolled due to the following reasons:

- Student becomes a disruption to school operation and/or a detriment to the learning of other students.
- Student fails to maintain good conduct and behavior.
- Student has excessive tardies and/or absences.
- Lack of parental cooperation.
- Change of the student’s residence.

Appendix H

- Falsification of residency, transfer, or enrollment documents.
- Other relevant reasons determined by the building principal.

General Transfer Information

The superintendent's designee(s) will attempt to make a decision on a transfer request within 60 days after a completed request is received. However, the District may delay a decision when the District determines a delay is necessary to properly consider relevant information and operational needs. The receiving school principal will notify the parent of approved requests. The home school principal will notify the parent of a denied request.

The Board has delegated to the Superintendent/Designee(s) the authority to accept or reject a transfer request

Timelines

Fall Transfer Requests Accepted	Spring Transfers Requests Accepted	Grade Levels
April 15 - August 12	October 1 - December 15	Elementary
March 1 - August 12	October 1 - December 15	Junior High
March 1 - August 1	October 1 - December 15	High School

*Transfer requests outside this timeline will be considered only under extenuating circumstances.

*Employee renewals may be submitted in the Spring during Upcoming School Year Enrollment

Change of Residence

Transfer forms must be completed when a student moves into a new RISD home school area but wants to remain in the school he or she has been attending. A student is considered a transfer student subject to the transfer rules beginning at the time a request is approved. A new transfer is required when a student wants to change schools.

Athletic and Other Extracurricular Participation

A student may not transfer for the purpose of participation in extracurricular activities.

Athletics—Transfer students are not eligible for varsity athletic participation (per UIL regulations) for one year from the date the student begins in attendance at the new school. Transfer students will be eligible for sub-varsity athletics provided the transfer is not for athletic purposes and the UIL "Previous Athletic Participation Form" is signed by both the sending and receiving schools. Transfers must be completed prior to the start of practices for sports in question. If the transfer takes place after the start of the season, the athlete will be placed in off-season.

Academic/Performing Arts Programs—To be eligible for other extracurricular activities, transfer students must be enrolled and attending the transfer school fifteen calendar days prior to the application deadline for tryouts or election.

Other—Eligibility for activities not regulated by UIL will be determined by RISD guidelines for the specific program and/or any national or state regulations of the activity or organization.

Staffing and Class Sizes

RISD will not increase staffing allocations to accommodate transfer requests. Consideration of the effect of the transfer may differ at elementary and secondary schools:

Elementary—To ensure space is available at a campus for students who reside in the attendance area, RISD generally will deny a request seeking a transfer to campuses where the affected grade level enrollments are projected at 90 percent or greater of class size expectations (grades K-4, 22 students per class; grades 5-6, 28 students per class).

Secondary—A variety of factors will be considered to determine whether the transfer would negatively affect the particular campus's ability to maintain reasonable class sizes and any other situations associated with transfer request.

Appendix H

Transportation

RISD does not provide transportation for transfer students unless otherwise required by law. Parents whose transfer requests are approved will be responsible for providing transportation to and from the campus.

Appeal of Denial of Transfer Request

A parent/legal guardian who is not satisfied with a decision regarding a transfer request may appeal the decision by submitting a letter describing the reasons for appeal to the appropriate Assistant Superintendent of Administrative Services. A review committee from the RISD Student Services Department will consider the appeal. Appeals must be submitted in writing no later than three (3) school days of the initial denial. A parent who is not satisfied with the decision of the appeal committee must follow *Board Policy* FNG to seek further review of the administrative decision.

Appendix I



RICHARDSON INDEPENDENT SCHOOL DISTRICT

Guidelines: Freedom from Bullying and Harassment – Ref: Board Policy FFI

BULLYING PROHIBITED

RISD prohibits the bullying, which includes cyberbullying, of any student, prohibits retaliation against any person who in good faith reports bullying or otherwise is involved in an investigation of a complaint of bullying or harassment, and establishes procedures for responding to reports of bullying. This document is designed to provide guidance to District administrators who implement the Board's policy and to persons who report complaints of bullying and harassment.

Campus principals are expected to implement and monitor school-wide, classroom, and individual practices that teach and support positive student behaviors and to provide appropriate consequences for students who engage in bullying type behaviors.

All staff members will participate in the process of implementing practices for consistently teaching respectful behavior, preventing and stopping bullying on their respective campuses, and encouraging the prompt reporting of such behavior. In addition, principals will train their staff on how to respond to complaints of bullying from parents, students, or third parties.

Questions concerning these guidelines may be directed to the campus principal or the Director of Prevention Programming (469-593-0800).

DEFINITION OF “BULLYING”

Texas law defines **bullying** 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 [which occurs in situations over which the school has jurisdiction] and (i) 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; (ii) is sufficiently severe, persistent or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (iii) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or (iv) infringes on the rights of the victim at school; and includes cyberbullying.

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

Note: RISD's policies apply to

- bullying that occurs on or is delivered to school property or to the site of a school-sponsored/related activity on or off school property;
- bullying that occurs on a publicly or privately owned school bus or vehicle being used for student transportation to/from school or a school-sponsored/related activity; and
- cyberbullying that occurs off school property or outside of a school sponsored/related activity if the cyberbullying (i) interferes with a student's educational opportunities, or (ii) substantially disrupts the orderly operation of a classroom, school, or school-sponsored/related activity.

Not all offensive conduct between students rises to the level of bullying. Conduct that may not constitute bullying as defined above still may violate expected standards of conduct and may subject the actor to disciplinary measures.

REPORTING ALLEGED BULLYING

RISD takes all reports of bullying and harassment seriously and will conduct an appropriate investigation to address any such reports and will take appropriate actions designed to stop any current incidents of bullying and prevent future incidents.

Appendix I

Student training and campus procedures should emphasize the importance of promptly reporting alleged bullying and harassment to an appropriate adult. Any student who believes that he or she has been bullied or suspects that another student has been bullied should immediately report the conduct to the principal, counselor, or teacher.

Any District employee who receives a report of, witnesses, learns of, or suspects an incident of bullying involving students anywhere on campus, at an off campus school-related activity, or in a District vehicle shall immediately report the information to the principal. The report may be made orally or in writing. A report also may be made anonymously. The principal shall ensure an oral report is reduced to writing.

Any staff member who witnesses an incident of suspected bullying or other inappropriate behavior should take appropriate steps to stop the inappropriate behavior in addition to reporting the incident.

NOTIFICATION TO PARENT/GUARDIAN

The parent/guardian of the alleged victim of an incident of bullying must be notified on or before the third business day after the date the incident is reported.

The parent/guardian of the alleged bully must be notified within a reasonable amount of time after the alleged incident.

Note: These timelines reflect the maximum period for providing parental notification in compliance with the Education Code. In most cases, notification of the parents of both students should occur on the same or next school day of the incident.

INVESTIGATING REPORTS OF BULLYING

An appropriate District official will conduct an investigation of a report of suspected bullying. The scope and nature of the investigation shall rest within the discretion of the official based on the nature of the allegations.

The District will, to the greatest extent possible, maintain the privacy of the complainant, persons against whom a complaint is filed, and witnesses or other persons who provide information in an investigation. Limited disclosure of information may be necessary to conduct a thorough investigation.

The campus should promptly notify the Director of Prevention Programming (X30800) upon receipt of an allegation of bullying. The Director will assist the campus through the investigation.

Classroom Investigations. These guidelines are not intended to replace the normal classroom management procedures each classroom teacher employs to manage and maintain student behavior. When a teacher observes or otherwise becomes aware of alleged bullying behavior during class time, the teacher should do the following:

7. Separate the alleged victim from the alleged bully.
8. Speak separately with each of the students involved to give them the opportunity to present their stories about what occurred.
9. Speak with any witnesses or bystanders who may have been present or involved to determine what they observed, heard, or know. Encourage them to speak up directly on behalf of the alleged victim if they should witness further incidents or to get help from school personnel.
10. If the teacher believes the conduct meets the definition of bullying (which includes cyberbullying), he/she shall immediately refer the matter to the principal. Otherwise, the teacher should administer logical and appropriate consequences at the classroom level. A teacher who has any question whether alleged conduct constitutes bullying should immediately contact the principal.
11. In accordance with customary campus practices and expectations, contact the parents of the students involved and explain what happened and what was done in response to the incident.

Appendix I

12. The classroom teacher should record the incident in the student's discipline notebook, folder, or other classroom document where classroom discipline information is maintained, and/or otherwise follow campus procedures for reporting student disciplinary concerns (e.g., office referral, principal referral, etc.).

Campus Administrator Investigative Procedures.

15. The principal or other campus administrator who receives a report of bullying should first take any appropriate steps to immediately protect the student from the alleged situation or any retaliation. Remind the complainant that the District takes all complaints of bullying seriously and does not tolerate bullying, harassment, retaliation, or discrimination.

16. Determine the specific allegation of bullying – *What is the specific conduct the complainant alleges against the accused student(s)?* Talk to the alleged victim separately to determine, who, what, where, and when the complained of conduct allegedly occurred. Keep an open mind as you gather information. Avoid reaching conclusions before you have all of the evidence.

17. Interview and obtain a written statement from the alleged victim when possible. If the alleged victim is unable or unwilling to provide a written statement the investigator should carefully document all allegations of bullying behavior. The *Bullying/Harassment/Retaliation: Report Investigation Documentation Form* (the *Investigation Form*) also should be completed which also requires the investigator to describe the alleged bullying.

18. Consider and investigate the specific allegations in the complaint and take such steps that you, as the investigator, determine are reasonably necessary to thoroughly and carefully investigate the complaint. Investigation steps may include (without limitation):

- Interview the accused student (present all allegations and allow him/her to respond; remind student of prohibition against retaliation)
- Interview student witnesses
- Interview employees who may have relevant knowledge
- Obtain written statements from persons interviewed on an age appropriate basis
- Review pertinent documents (e.g., communications between students, written, oral, and/or electronic, etc.)
- If the allegations involve electronic communications, attempt to obtain hard copies of the evidence (texts, emails, photos, screen shots, etc.)
- Evaluate consistencies and inconsistencies in the statements and other evidence
- If property damage is alleged, inspect damaged property (take photographs of damage if appropriate)
- If physical injury is alleged, review medical records if available. Ensure student is referred to the nurse for examination and further referral, as appropriate
- Gather tangible evidence, if any
- Inspect the scene of the alleged incident if relevant
- Determine whether any alleged incidents were recorded by school video surveillance. If so, document the date/time/camera number and ensure captured image is retained

19. Witnesses should be interviewed separately. Remind witnesses that no person who provides information in an investigation will be subject to any retaliation for his or her participation and to notify the investigator immediately if any retaliation occurs. Further remind the witnesses that the investigation is confidential and to respect the privacy of his/her fellow students by not discussing the matter with other students.

20. After completing all investigatory activities the investigator believes are reasonably necessary to fairly and thoroughly address the allegations, the investigator should analyze all information obtained and make a determination whether the alleged conduct meets the definition of bullying (FFI) or harassment or other prohibited conduct (FFH).

Appendix I

21. Determine appropriate school disciplinary consequences for the accused student. Refer to *Student Code of Conduct*. School consequences may be appropriate even if bullying did not occur if the conduct violated other school rules.
22. A student who is the victim of bullying based on the investigation and who used reasonable self-defense in response to the bullying may not be subject to disciplinary action.
23. If the accused student is a student with a disability and bullying is found, any disciplinary consequences must comply with the student's IEP or § 504 Plan and applicable procedural safeguards.
24. Depending on the alleged conduct, referrals to law enforcement or CPS may be appropriate. If illegal conduct is suspected or alleged, immediate referrals to outside agencies may be appropriate.
25. Identify any other corrective action or interventions that may be necessary and appropriate to address the current situation and eliminate future bullying incidents. Refer to the sample strategies and interventions included below.
26. The parent/guardian of the alleged victim and alleged bully should be notified of the outcome of the investigation.
27. Keep notes and dates of interviews and other investigatory activities. Investigation should be documented via the Investigation Form.
28. Keep the original forms and investigatory materials and bullying documentation on campus and send copies to the appropriate Executive Director for your campus.

Note: Suspected bullying also may include the elements of discrimination, prohibited harassment, sexual harassment, dating violence, and/or retaliation. Officials investigating allegations of inappropriate interactions should refer to Policy FFI *Student Welfare Freedom from Bullying*, and Policy FFH *Student Welfare Freedom from Discrimination, Harassment, and Retaliation* when conducting their investigation.

SAMPLE INTERVENTIONS, STRATEGIES, AND CORRECTIVE ACTION TO ADDRESS INCIDENTS OF BULLYING

- Conference separately with alleged victim and alleged bully and include parents of each as appropriate
- Monitor situation closely, particularly if specific allegation cannot be corroborated
- Meet periodically with alleged victim
- Meet periodically with alleged bully
- Refer complainant, accused student, and witnesses to campus counselor
- Administer disciplinary consequences as outlined in the *Student Code of Conduct*
- Administer consequences as outlined in any applicable extra-curricular code of conduct
- Loss or limitation of technology privileges at school and limited access to District-provided electronic devices if cyberbullying occurred
- Work with counselor to develop appropriate strategies to minimize interactions between involved students
- Issue administrative directives to students concerning expected conduct
- Refer matter to District police or outside law enforcement agency or Child Protective Services as appropriate
- Change schedule/class for alleged bully
- Change schedule/class for alleged victim
- Change school rules
- Provide additional training to the involved students, class, grade level, and/or entire school
- Provide additional staff training
- Transfer alleged bully or alleged victim to another campus (FDB Legal) (Refer to Transfer section below)

Appendix I

TRANSFER OF STUDENTS INVOLVED IN BULLYING

RISD desires to retain students in their neighborhood schools where possible. However, either a student who has been found to have been subjected to bullying or a student found to have engaged in bullying may transfer to another campus under appropriate circumstances. This transfer option has significant implications, including disruption in the educational process, and may only be considered after a variety of interventions and disciplinary consequences have been applied unsuccessfully.

Transportation. RISD does not provide transportation to a student transferred because of bullying unless such transportation is otherwise required by law.

Transfer of Students Who Engage in Bullying. The campus principal may recommend to the appropriate Executive Director or Assistant Superintendent that a student found to have engaged in bullying be transferred to another campus under the following circumstances:

- The campus administrator's thorough investigations concluded that the student engaged in bullying as defined herein on at least two separate occasions during the last 12 months. A single, egregious instance of bullying (particularly involving multiple students or significant disruption of the school) also may support a recommendation to transfer.
- Campus strategies and interventions, including appropriate discipline under the Student Code of Conduct, have been documented but have been unsuccessful to eliminate the bullying.
- Campus administrator(s) have communicated with the student's parent/guardian on more than two occasions to address the student's inappropriate conduct.
- *Note:* Campus administrator must provide documentation of all strategies and interventions, discipline, campus investigations, and parent contacts along with the request for administrative transfer.

The appropriate Executive Director and/or Assistant Superintendent will make the final decision concerning a request to transfer, including the school to which the student may transfer. At the time a student is transferred under this section, a Student Support Plan shall be developed to outline appropriate positive behavioral supports for the student and to identify further disciplinary steps to consider if the bullying behavior persists.

Students Who Are Subjected to Bullying. The parent/legal guardian of a student found to have been subjected to bullying may request that the student be transferred to another campus. A request under this section will only be considered under the following circumstances:

- The campus administrator's thorough investigation concluded that the student was subjected to bullying as defined herein on at least one occasion.
- After a reasonable period of time, the campus-based strategies and interventions have not been effective to stop the bullying conduct as evidenced by campus documentation.
- A parent/guardian who seeks a transfer under this section must complete an Intradistrict Transfer Request Form. The form is available at the campus or on the website at www.risd.org under the Student Services page.

The appropriate Executive Director and/or Assistant Superintendent will make the final decision concerning a request to transfer, including the school to which a student may transfer.

Special Circumstances. Notwithstanding the foregoing, some incidents of bullying may be so severe or pervasive that immediate transfer or other interventions may be appropriate.

Appendix I

Bullying Complaint Process

Step 1 - Report of bullying received (*complaint form, e-mail, call, conference, letter, student/teacher/parent report, direct observation, anonymous report, etc.*)

Step 2 - Take immediate steps to ensure student is safe from the alleged bullying

Step 3 - Investigate allegations in a timely manner (usually within 10 school days)

Step 4 - Notify parent of alleged victim no later than three business days after report of incident and notify parent of alleged bully within a reasonable time after the incident

Step 5 - Determine whether bullying occurred. Bullying is:

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 [which occurs in situations over which the school has jurisdiction]

AND

(i) 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; (ii) is sufficiently severe, persistent or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (iii) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or (iv) infringes on the rights of the victim at school.

Bullying includes **cyberbullying** which is bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Step 6 - Determination is made and appropriate action is taken:

Behavior does not meet the definition of bullying: apply consequences and/or action plans as appropriate and notify parent of findings.

Behavior does meet the definition of bullying: apply consequences, implement corrective actions and notify parents of findings.

Appendix J

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

The PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
 8. Income, other than as required by law to determine program eligibility.

- *Receive notice and an opportunity to opt a student out of* –
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- *Inspect*, upon request and before administration or use of –
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Richardson Independent School District maintains policies, developed in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. RISD will directly notify parents of these policies at least annually at the start of each school year and

Appendix J

after any substantive changes. RISD also will notify directly, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. RISD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents also will be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
(formerly) **Family Policy Compliance Office**
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202