

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

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

Process

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

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

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

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

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

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

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

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

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

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

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

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

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, Texas Penal Code; off school property and while the student is not in attendance at a school-sponsored or school- related activity, if superintendent/designee has a reasonable belief that 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. Documented involvement in criminal street gang activity and/or exhibiting gang-like behaviors, verbally or physically.
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. 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.
12. 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.
13. Possessing, distributing, or downloading any pornographic material, including but not limited to material in written or audio formats, at school or during a school-sponsored activity or event whether on a school or personal device.
14. Selling, delivering to another person, possessing or using drug paraphernalia.

15. Selling, delivering, using, possessing, or knowingly ingesting prescription or non-prescription medication (exception: medication possessed and taken in accordance with the Medicine at School section of the *Student and Parent Guidebook and Student Code of Conduct* and as directed by a doctor's prescription or label directions).
16. Possessing an unauthorized prescription medication.
17. 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 or use of illegal drug use.
18. Vandalizing, damaging, setting fire to, or stealing property owned by the District, other students, or District employees, volunteers, or visitors while attending a school-sponsored or school-related activity on or off school property.
19. Engaging in serious misbehavior that affects the orderly environment of the school, not excluding conduct listed in Category I.
20. Exhibiting persistent misbehavior (see "Glossary") including repeated, documented violations of standards of student conduct listed in the *Student Code of Conduct*. Provided, however, a student who previously has attended the District's DAEP within a particular school year for continued persistent or serious misbehavior, must repeat the District's stated disciplinary process before being returned to DAEP.
21. 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.
22. Violating the District's Responsible Use Guidelines or Electronic Communication and Data Management Policy.
23. Engaging in unwelcome verbal or physical harassment on the basis of a person's sex, age, race, color, religion, disability, or national origin.
24. Engaging in criminal mischief not punishable as a felony.
25. Using/Possessing a "look-alike" weapon, stun gun or other incapacitating device, or using any object to threaten or cause bodily harm or that causes a substantial disruption to the learning environment.
26. 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 that causes a substantial disruption to the learning environment.
27. Possessing a "look-alike" explosive that causes a substantial disruption to the learning environment.
28. 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").
29. 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.
30. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
31. Inciting violence against a student through group bullying.
32. 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.
33. Engaging in organized gang activity.
34. Violation of a signed stay-away agreement.
35. Conducting unauthorized business practices on school property. (Selling food/drink, giving piercings, tattoos, or haircuts, etc.)
36. Releasing personal information of another person (e.g., another student, employee, parent) on social media or any other platform including text messages with the intent to cause fear or harm.
37. Fighting - mutual combat.

38. Possession or use of any tobacco product.

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.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance, or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in **Expulsion** on page 46.) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - Possesses, uses, or is under the influence of, or sells, gives, or deliver to another person marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Possesses, uses, sells, gives or delivers to another person an e-cigarette.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 46.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),

2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that an administrator of the offending student be transferred to another campus.

If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

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

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

Consideration of Mitigating Factors

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

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

Placement Paperwork

After the conference, if the student is placed in DAEP, the campus behavior coordinator shall provide the parent/guardian with a copy of the hearing placement paperwork within 24 hours of the hearing and provide information for the parent or person standing in parental relation to the student regarding the

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

DAEP at Capacity

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

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

Coursework Notice

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

Length of Placement

The duration of a student's placement shall be determined on a case-by-case basis and consideration of various factors as determined by the District and law, including but not limited to mitigating factors.

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

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

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

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

Appeals

DAEP

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 board policy FFH. Any appeal of a disciplinary removal under the Title IX procedures will be governed by the FFH policy and guidelines.

The appeal committee will consider whether the student in question violated the Code of Conduct, whether the district followed the board's adopted Code of Conduct, including but not limited to consideration of mitigation factors.

This is an appeal hearing, and not a criminal court proceeding. In this appeal hearing, the District will rely on the preponderance of evidence (meaning that it is more likely than not that the alleged conduct occurred) and not evidence beyond a reasonable doubt (meaning there is no other reasonable explanation that can come from the evidence presented for the alleged conduct).

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

Level 1: 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, hand-delivered and received by no later than the close of business of the third (3rd) school day of the campus behavior coordinator/designee's decision. Delivery must be made to Student Services at 1500 International Parkway, Richardson, Texas 75081. Untimely appeals will not be considered unless the District has agreed in writing in advance to extend the appeal deadline. The assignment to DAEP **will not** be deferred pending the outcome of any appeal.

Within five (5) school days after receiving the request for a review, RISD Student Services will convene a conference 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. Student Services will attempt to schedule the administrative committee conference at a time convenient for the parent but the conference will not be delayed beyond the five (5) school day period except in extraordinary circumstances. The committee may conduct the conference without the parent's presence if the parent has been given appropriate notice of the conference. The Administrative Committee may uphold the campus behavior coordinator's decision 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.

Level 2: Executive Committee

An adult student or parent may request a review of the Administrative Committee's decision. The Executive Committee will consist of three administrators with no prior involvement in the incident. Requests for an appeal of the Administrative Committee's decision must be made in writing, hand-delivered and received by no later than the close of business of the third (3rd) school day of the campus behavior coordinator/designee's decision. Delivery must be made to Student Services at 1500 International Parkway, Richardson, Texas 75081. Untimely appeals will not be considered unless the District has agreed in writing in advance to extend the appeal deadline. The assignment to DAEP **will not** be deferred pending the outcome of any appeal.

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. Student Services will attempt to schedule the committee conference at a time convenient for the parent but the conference will not be delayed beyond the five (5) school day period except in extraordinary circumstances. The committee may conduct the conference without the parent's presence if the parent has been given appropriate notice of the conference. The Executive Committee may uphold the campus behavior coordinator's decision, 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.

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in or attend any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

While enrolled in a DAEP, students are not allowed on any RISD properties other than the DAEP facility. Presence outside of the DAEP facility may lead to further disciplinary action.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan. The district will also provide transportation to all elementary school students.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

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

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

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

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

The student or the student's parent may appeal using the RISD DAEP appeal process. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

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

Newly Enrolled Students

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state. The district may place the student in the district's DAEP or a regular classroom setting.

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

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

Emergency Placement Procedure

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

Transition Services

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

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

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

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

Newly Enrolled Students

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

Appeal

Section 37.306 of the Texas Education Code provides that a board committee "shall convene" to review the placement:

Sec. 37.306. Review of Placement in Alternative Education Program.

(a) At the end of the first semester of a student's placement in an alternative education program under Section 37.304 or 37.305, the school district board of trustees shall convene a committee to review the student's placement in the alternative education program. The committee must be composed of:

- (1) a classroom teacher from the campus to which the student would be assigned were the student not placed in an alternative education program;
- (2) the student's parole or probation officer or, in the case of a student who does not have a parole or probation officer, a representative of the local juvenile probation department;
- (3) an instructor from the alternative education program to which the student is assigned;
- (4) a school district designee selected by the board of trustees; and
- (5) a school counselor employed by the school district.

(b) The committee by majority vote shall determine and recommend to the school district board of trustees whether the student should be returned to the regular classroom or remain in the alternative education program.

(c) If the committee recommends that the student be returned to the regular classroom, the board of trustees shall return the student to the regular classroom unless the board determines that the student's presence in the regular classroom:

- (1) threatens the safety of other students or teachers;
- (2) will be detrimental to the educational process; or
- (3) is not in the best interests of the district's students.

(d) If the committee recommends that the student remain in the alternative education program, the board of trustees shall continue the student's placement in the alternative education program unless the board determines that the student's presence in the regular classroom:

- (1) does not threaten the safety of other students or teachers;
- (2) will not be detrimental to the educational process; and
- (3) is not contrary to the best interests of the district's students.

(e) If, after receiving a recommendation under Subsection (b), the school district board of trustees determines that the student should remain in an alternative education program, the board shall before the beginning of each school year convene the committee described by Subsection (a) to review, in the manner provided by Subsections (b), (c), and (d), the student's placement in an alternative education program.

Certain Felonies

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

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

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

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

Expulsion

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

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 34.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.

- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.

- Felony controlled substance or dangerous drug offenses, not including THC.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

Property of Another District

A student **may** be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

While in a DAEP

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

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

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department;

or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]

- A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance, or dangerous drug.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parents shall be invited in writing to attend the hearing.

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

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

Hearing

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

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

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

The board of trustees delegates Dr. Jason Tharp, Director of Student Services authority to conduct hearings and expel students.

Appeal of 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. The appeal committee will consider whether the student in question violated the Code of Conduct, whether the district followed the board's adopted code of conduct, including but not limited to consideration of mitigation factors.

Level 1: 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 and hand-delivered to the Student Services office within three (3) school days of the principal's notification of expulsion (c/o Student Services, 1500 International Pkwy, Richardson, Texas 75081 469-593-0816. 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. Student Services will attempt to schedule the administrative committee conference at a time convenient for the parent but the conference will not be delayed beyond the five school day period except in extraordinary circumstances. The committee may conduct the hearing without the parent's presence if the parent has been given appropriate notice of the hearing.

The Administrative Committee may uphold the school's decision, 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 the following school day 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.

Level 2: 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 and hand-delivered to the Student Services office within three (3) school days of notification of the committee's decision (c/o Student Services, 1500 International Pkwy; Richardson, Texas 75081; 469-593-0 0816). 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. Student Services will attempt to schedule the committee conference at a time convenient for the parent but the conference will not be delayed beyond the five-school day period except in extraordinary circumstances. The committee may conduct the hearing without the parent's presence if the parent has been given appropriate notice of the hearing. The committee may ask questions for clarification. The committee may uphold the campus behavior coordinator'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 the following school day 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 DAEP, the Executive Committee's decision is final and may not be appealed.

Level 3: 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 and hand-delivered to the Superintendent's office at 400 S. Greenville Ave., Richardson, TX 75081 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 as required by law 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 and not permitted and 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 hearing. 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.

Expulsion Order

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

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

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

Not later than the second business day after the hearing, The Department of Student Services shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements, including but not limited to mitigating factors.

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

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

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

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

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

Withdrawal During Process

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

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

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

Additional Misconduct

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

Restrictions During Expulsion

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

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

Newly Enrolled Students

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the

expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - f. 65 years of age or older, or
 - g. A disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - (1) Knowing that it is within the limits of an incorporated city or town,
 - (2) Knowing that it is insured against damage or destruction,
 - (3) Knowing that it is subject to a mortgage or other security interest,
 - (4) Knowing that it is located on property belonging to another,
 - (5) Knowing that it has located within it property belonging to another, or
 - (6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. Recklessly causing another person to suffer bodily injury or death.

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

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

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

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;

- b. 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;
- c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
- d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- e. Making a telephone call and intentionally failing to hang up or disengage the connection;
- f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
- g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
- i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

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

Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

Improvised explosive device is defined by Penal Code 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

Indecent exposure is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

Intimate visual material is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

Location-restricted knife is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

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

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

Machine gun as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

Mandatory means that something is obligatory or required because of an authority.

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

Possession means to have an item on one's person or in one's personal property, including, but not limited to:

1. Clothing, purse, or backpack;
2. A private vehicle used for transportation to or from school or school-related activities, including, but not limited to, an automobile, truck, motorcycle, or bicycle;
3. Telecommunications or electronic devices; or
4. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

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

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

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Education Code 37.121(d) are excepted from this definition.

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

Retaliation occurs when a person intentionally or knowingly harms or threatens to harm another by an act that is in violation of this Code of Conduct and/or law:

1. Acting to hurt or damage someone or doing something harmful to another person for or on account of the service or status of another, or
2. To prevent or delay the service of another

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

Serious misbehavior means:

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

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

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

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

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

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

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

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

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the in-fluence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

APPENDICES

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

Richardson ISD Extracurricular Code of Conduct 2024-2025

Statement of Expectations:

The Richardson Independent School District believes that being involved in extracurricular activities is an honor. Participation in one or more of these activities should be considered a privilege, not a right. The following are expectations of our students:

- ✓ Obtain a quality education as the primary reason for attending school
- ✓ Compete at the highest level while promoting good sportsmanship and courteous behavior
- ✓ Exhibit positive leadership
- ✓ Develop and maintain high morals and ethical values
- ✓ Exhibit conduct becoming of a young adult
- ✓ Exhibit respect to sponsors, coaches, faculty, officials, opponents and fellow students
- ✓ Develop and show school pride

Standards for District Extra-Curricular Activities:

Richardson ISD students are expected to adhere to the District Student Code of Conduct as it applies to school-related and/or school sponsored activities. Prior to participation in a Richardson ISD Extracurricular activity, students and parents must also agree to abide by all guidelines outlined in the Extracurricular Code of Conduct. Students involved in extracurricular activities are expected to maintain high standards of ethical conduct. Extracurricular participation is a privilege and not a right. Any misconduct that reflects negatively on the Richardson Independent School District will fall under these Codes of Conduct. These guidelines are developed to deal with misconduct that occurs within the school's jurisdiction as well as outside of the school's jurisdiction, regardless of time or location. Disciplinary action or suspension will be mandated to students who are involved in any disciplinary infraction on or off campus including, but not limited to possession or use of drugs, improper use of prescription medicines, alcohol or tobacco, violent behavior, any inappropriate behavior including presence at functions where illegal substances are being consumed and other offenses that result in the violation of the district Student Code of Conduct, which in turn results in a In School Suspension (other than tardies or dress code violations), DAEP, Off Campus Suspension or expulsion. In the event that a student is responsible for multiple violations prior to the initial investigation it may be determined that a higher-level consequence be deemed appropriate.

Automatic student removal from a program:

Any inappropriate behavior, including representation on social media, that is disrespectful to the district, school, program, or staff may result in immediate removal.

***RISD District-Wide Guidelines for Extracurricular Students:
Alcohol & Illegal Drugs
(Revised March 2023)***

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).

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, etc.
- 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., social media posts shows student at social event where alcohol is visible and being consumed; social media post shows student posing in front of cases of unopened alcohol; student captured holding and/or consuming alcohol or illegal substances at a sporting event; picture of student holding drug paraphernalia).
- 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 physician specifically for that student. A student who uses a prescription drug in a manner prescribed by the student's physician 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 storage area.

- 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, ACDEC, 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 must 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.
- 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 parent 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 parent 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. 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 start 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 students' high school career.

Second Offense

A second offense will result in removal from all extracurricular activities for 60 days and removal from 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.
- 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.

Third Offense

A third offense may result in the student's removal from all extracurricular activities for the remainder of their school career.

**2024-2025 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. 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. 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

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 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 RISD 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 or 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.

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.

RESPONSIBLE USE GUIDELINES AND AGREEMENT FOR TECHNOLOGY RESOURCES

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.

These guidelines include access to any RISD electronics system while on or near school property, in school vehicles and at school-sponsored activities, and includes the appropriate use of District technology resources via off-campus remote access.

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.

· 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 RISD.

· 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.

Users should only use online resources whose terms of service fall within the age requirement of their or their students' age. Many resources specifically state the resource is for students 13 years and older.

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 Workspace for Education

RISD offers Google Workspace 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 Acknowledgement 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.

District Account Management

Students and staff may be required to have accounts in third party systems (SchoolWires, GfE, 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 Acknowledgement 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 PK through 12 will have access to the SSO portal using their Google credentials. (PK - 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.

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. Employees may only use District-approved resources for communication with students.

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.

Appropriate Use

- Users must only open, view, modify, and delete their own computer files.
- Internet use in the district must be directly related to educational responsibilities.
- Users will be assigned individual email and network accounts and must use only those accounts and passwords that they have been granted permission by the District to use.
- All account activity should be for educational purposes only.
- Users must immediately report threatening messages or discomfoting Internet files/sites to an administrator.
- Users must at all times use the District's electronic communications system, including email, wireless network access, and online tools/resources to communicate only in ways that are kind and respectful.
- Users are responsible at all times for their use of the District's electronic communications system and must assume personal responsibility to behave ethically and responsibly, even when technology provides them freedom to do otherwise.

Inappropriate Use*

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 Policies 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.
- Users are strictly prohibited from reverse engineering, decompiling, disassembling, or in any way copying the code version of any computer program used on any device.
- 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 Chief Technology Officer, 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 this Code of Conduct and or any 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.

IMPORTANT ADDRESSES AND TELEPHONE NUMBERS

RISD Administration Building (469) 593-0000

400 South Greenville Avenue, Richardson 75081, <http://www.risd.org>

RISD Administration Annex

420 South Greenville Avenue, Richardson 75081

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

J.J. Pearce High School (469) 593-5000

1600 N. Coit Rd., Richardson 75080

FAX (469) 593-5169

Richardson High School (469)-593-3000

1250 W Belt Line Rd, Richardson, TX 75080

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) 593-6800

9666 Ferris Branch Blvd., Dallas, 75243

FAX (469) 593-6801

Alternative Education Program

DAEP (469) 593-6800

9666 Ferris Branch Blvd., Dallas, 75243

FAX (469) 593-6801

Junior High Schools

Apollo Junior High (469) 593-7900

1600 Apollo Rd., Richardson 75081

FAX (469) 593-7911

Forest Meadow Middle School (469) 593-1500

9373 Whitehurst Dr., Dallas 75243

FAX (469) 593-1461

Lake Highlands Middle School (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

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

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 (469) 593-5730

6767 Brentfield Dr., Dallas 75248

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

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

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

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

Stults Road Elementary (469) 593-2500

8700 Stults Rd., Dallas 75243

FAX (469) 593-2521

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

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. The Board of Trustees delegates to the Superintendent or his or her designee 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 on the District website at <http://www.risd.org>. Parents desiring an intradistrict transfer must complete the request form and submit it via email for processing. 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 cooperates with the receiving school (see Rescissions).

Upon written request, a student from who is the child of a service member (defined as an active-duty member of the armed forces of the United States, a reserve component of the armed forces, or the Texas National Guard) or a peace officer (as defined by the Texas Occupation Code section 1701.001), provided the campus to which the requestor seeks the student be transferred has an opening. With this type of request only, the transfer must be to the campus selected by the requestor.

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.

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.
5. Upon written request, a student from an adjoining district who is the child of a service member (defined as an active-duty member of the armed forces of the United States, a reserve component of the armed forces, or the Texas National Guard) or a peace officer (as defined by the Texas Occupation Code section 1701.001), provided the board of trustees of each of the districts have entered into an agreement to arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another. With this type of request only, the transfer must be to the campus selected by the requestor.

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 the 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, including but not limited to communicating with district staff as deemed necessary by staff.
- Change of the student's residence.
- 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 sixty (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.

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.

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 Student Services (469-593-9125).

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.

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 comply with state and/or federal law and to conduct a thorough investigation.

The campus should promptly notify the Director of Student Services (X39125) 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.

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 complaint 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 (Board Policy FFI) or harassment or other prohibited conduct (Board Policy FFH).
7. Determine appropriate school disciplinary consequences for the accused student. Refer to the *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. Enter all reports in **Focus** (Bullying/Harassment tab) regardless of the outcome of the investigation and upload all supporting documents. The Area Superintendent and Student Services Administrator will be alerted when a report is submitted. Keep the original forms and investigatory materials and bullying documentation on 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 extracurricular 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.)

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 Area Superintendent 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 administrators must provide documentation of all strategies and interventions, discipline, campus investigations, and parent contacts along with the request for administrative transfer.

The appropriate Area Superintendent 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.

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

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 parents of findings.

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

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 (DOE)–
 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 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 DOE.
- 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