

**KILLEEN INDEPENDENT  
SCHOOL DISTRICT**



**Student Code of Conduct**

**2016-2017**

**K.I.S.D. Nondiscrimination Statement**

The Killeen Independent School District does not discriminate on the basis of race, color, national origin, gender, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Professional Standards Administrator, 200 North W.S. Young Drive, Killeen, TX 76540, 254-336-0041.



John Craft, Ed.D.  
Superintendent

## KILLEEN INDEPENDENT SCHOOL DISTRICT

200 North W.S. Young Drive, Killeen, Texas 76543  
P.O. Box 967, Killeen, Texas 76540-0967  
(254) 336-0000

July 19, 2016

Dear Parents and Students:

We are fortunate in the Killeen Independent School District to have thousands of students who demonstrate good behavior, exhibit diligent work ethic, and desire to attend schools in which they can reach their maximum learning potential. Policies and rules set forth in this document serve to guide student conduct and behavior to ensure a safe, orderly and inviting environment for students and employees so that students can indeed reach their full potential. Policies and guidelines outlined in this Student Code of Conduct provide students, parents and staff with expectations for behavior as well as consequences for Code of Conduct violations.

For the very few students who choose to disregard Code of Conduct policies, progressive disciplinary action will be administered. A small number of students will not be afforded the opportunity to disrupt the learning environment for the overwhelming number of students who abide by the rules. Therefore, Code of Conduct policies will be strictly enforced by school officials and, when appropriate, by law enforcement officials.

We are in the business of promoting student achievement, and we must not be distracted from this mission. Subsequently, it is essential that parents and students review these policies and expectations for student conduct. We believe that when the Code of Conduct is followed, schools are safer and conditions are set for student success.

If you have questions or concerns, please contact the principal at your school. Parent/Guardian and Community partnerships are vital in ensuring an outstanding educational opportunity is provided to every student we serve. We are confident the 2016-2017 school year will be successful by all accounts, and we appreciate the support of our shareholders in advance.

Sincerely,

A handwritten signature in cursive script that reads "John M. Craft".

John M. Craft, Ed.D.  
Superintendent of Schools  
Killeen Independent School District

## **ADMINISTRATION**

Dr. John Craft  
Superintendent  
Ramona Bellard  
Executive Officer

## **BOARD OF TRUSTEES**

Terry Delano, President  
Corbett Lawler, Vice President  
Minerva Trujillo, Secretary  
Shelley Wells, Trustee  
Susan Jones, Trustee  
JoAnn Purser, Trustee  
Marvin Rainwater, Trustee  
COL Todd M. Fox, Fort Hood Representative

Adopted by the Board of Trustees  
July 2016

**KILLEEN INDEPENDENT SCHOOL DISTRICT  
STUDENT CODE OF CONDUCT  
2016– 2017**

**TABLE OF CONTENTS**

<b>Purpose of a Student Code of Conduct</b>	1
Notification Documentation	1
Student Expectations and Standards for Conduct	1
Enforcement Policy	2
Disciplinary Authority	2
Students with Disabilities	2
Search and Seizure	2
Authority to Investigate and Interview	3
Maximum Consequences	3
Serious Offenses	3
• Assault	3
• Bullying	3
• Chemical Dispensing Device	4
• Computer Violation	4
• Conduct Toward Others/Discrimination	4
• Criminal Mischief	4
• Criminal Trespassing	4
• Defiance	4
• Disruption of Classes, Transportation, and/or Lawful Assembly (Demonstration)	4
• Extortion, Coercion, Blackmail	4
• Failure to Identify	4
• Fighting	4
• Fireworks	5
• Forgery/False Documentation or Representation	5
• Gambling	5
• Graffiti	5
• Harassment	5
• Hazing	5
• Hit List	5
• Insubordination	5
• Leaving Without Permission	6
• Lewd Conduct	6
• Medication, Tobacco, and Look-Alike Drug Abuse	6
• Persistent Misconduct	6
• Persistent Minor Misconduct	6
• Possession of Published or Electronic Material	6
• Profanity/Obscenity	6
• Property Damage/Vandalism	6
• Robbery	7
• School Bus Safety Violation	7
• School Bus Serious Violation	7
• Theft	7
• Threat	7
• Throwing Items	7
• Violation of Campus or District Probation	7
• Weapons and Imitation Weapons--Prohibited Items	7

• Confiscated Items	8
Minor Offenses	8
• Dress Code and ID Badge	8
• Horseplay	8
• Inappropriate Language	8
• Other Minor Offenses	8
• School Bus Rule Violations	8
• Selling Items on Campus Without Prior Permission	8
• Telecommunications/Electronic Devices	8
Disciplinary Consequences	9
Guidelines for Imposing Disciplinary Consequences	10
School Buses	10
• Consequences for Bus Rules Violations	11
• Disruption of School Bus Transportation	12
General Information	12
• Automobile Use	12
• Diabetic Students	12
• Extracurricular Activities (UIL and Non-UIL Organizations)	12
• Falsification of Information	12
• Lockers, Baskets, and Desks	13
• Notification of Disciplinary Action	13
• Prior Review of Publications	13
• Scholastic Implications During Periods of Discipline	13
• Security Cameras	13
• Social Events	13
• Teacher Removal of Students	14
• Transferring, Re-enrolling and/or W/D While Under or Pending Disciplinary Action	14
• Victims of Bullying (verified)	14
• Victims of Violent Criminal Offense (verified)	14
• Visiting Other Schools	15
Disciplinary Alternative Education Placement	15
Sexual Assaults and Campus Assignments	16
General Procedures for OSS or Removal to a DAEP	16
• Out of School Suspension	16
• Removal to a DAEP	17
Expulsion	20
• Mandatory	20
• Discretionary	21
Criminal Trespass Warning	24
Appeal Procedures	25
Attendance	26
Definitions	27
Security Cameras	29
Discipline Assignments and Notification	31
Dress Code	32
Progressive Discipline Matrix	33
Student Acceptable Use Policy	35
Sexual Harassment/Abuse and Notice of Parent and Student Rights	37

Killeen Independent School District  
**STUDENT CODE OF CONDUCT**  
**2016- 2017**

**Purpose of a Student Code of Conduct**

The Student Code of Conduct that follows is the District's response to the requirements of Chapter 37 of the Texas Education Code. The law requires the District to establish standards of student conduct and to identify the circumstances under which a student may be removed from a classroom, campus, or disciplinary alternative education program, transferred to a disciplinary alternative education program, suspended, or expelled. The Code provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

We provide you a copy of or access to the Code annually; a copy is also available for review in the principal's office of each campus in the District. The Code is posted on the District's website ([www.killeenisd.org](http://www.killeenisd.org)) and can be accessed or printed at any time from that site. If you do not have access to a computer, the principal's office at your child's campus will print one for you, upon request.

This Code is not a contract and can be amended by the District at any time. However, any change or amendment to the Code will be approved by the Board of Trustees.

Violations of the Code of Conduct are documented by teachers and other professional employees using District discipline referral forms.

Teachers and principals may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not also constitute violations of the Student Code of Conduct.

**Notification Documentation**

It is extremely important that parents and students sign and submit a document acknowledging notification of accessibility of the Student Code of Conduct, and an understanding that all students are held accountable for their behavior. Any questions concerning this code should be addressed to the school principal or designee. Failure by the parent or student to sign the document does not negate the authority of the Student Code of Conduct.

**Student Expectations and Standards for Conduct**

Each student is expected to:

- Be prepared for each class every day by bringing appropriate materials (books, pencil or pen, paper, planner and any other required items) and assignments to class.
- Behave in a responsible manner, always exercising self-discipline.
- Be on time; be in assigned location and ready to work.
- Demonstrate courtesy and respect for other students, for teachers, and for all other campus and district staff, even when others do not.
- Use appropriate manners in speech and actions toward other students and the KISD staff; arguing, inappropriate gestures, teasing, or put-downs are not acceptable.
- *Respect the rights and property of other students as well as district property and facilities.*
- Cooperate with and assist the school staff in maintaining a safe environment, partly by reporting dangerous behaviors and/or situations to school personnel.
- Obey all campus and classroom rules, and the Student Code of Conduct while at school, on school buses, and at all school functions on or off campus.
- Follow the KISD published dress code.

### **Enforcement Policy**

As a district, KISD will not tolerate, and will prosecute to the fullest extent of the law, criminal behavior such as verbal or physical assaults, drug infractions, weapons violations, or gang activities. Students who choose to endanger the lives of others must be held accountable. The district will:

1. Ensure a safe environment for all staff and students; and
2. Provide quick, realistic, and progressively punitive consequences to deter additional infractions.
3. In case of conflict between the Student Code of Conduct and other Board Policy or a student handbook, the Student Code of Conduct will prevail.

### **Disciplinary Authority**

The Texas Legislature has delegated the authority to manage independent school districts and discipline students to the Board of Trustees and its employees. The school has the authority to administer discipline whenever the interest of the school is involved, on or off school property, in conjunction with or independent of classes and school-sponsored activities.

In some cases, the district's jurisdiction extends to 300 feet beyond any school property. (See Disciplinary Alternative Education Placement and Expulsion)

The district's jurisdiction is extended for students who represent the school campus or district by performing in public or participating in competitive events and/or holding positions of honor or influence that identify them as representatives of their school or the district.

The KISD Police Department also has concurrent jurisdiction with the Killeen and Harker Heights Police Departments within 1000 feet of each secondary school campus.

### **Students with Disabilities**

If a student with a disability under §504 or Special Education services is being recommended for DAEP or JJAEP placement, a meeting of the §504 or ARD Committee will convene to address whether or not the misconduct in question was a manifestation of the student's disability. If it is determined that the misconduct is NOT a manifestation of the disability, the student will be brought before the District Hearing Officer for a disciplinary due process hearing with the recommendation of placement into the DAEP or expulsion and assignment to the JJAEP.

### **Students With Disabilities: Title II Coordinator**

The District designates the following person to coordinate its efforts to comply with and carry out its responsibilities under Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973:

Director of Student/District Community Relations: Mrs. Angenet Wilkerson  
 902 N. 10th Street  
 Killeen, TX 76541  
 (254) 336-1707

For questions specific to §504 issues contact: Mrs. Karen Raub-Kowaleski (Elementary)  
 902 N. 10<sup>th</sup> Street Ms. Marcy Eisinger (Secondary)  
 Killeen, TX 76541  
 (254) 336-0374

### **Search and Seizure**

The district has the right to conduct administrative searches of personal property such as backpacks, clothing items, purses, and automobiles driven to school by a student and parked on school property when there is reasonable cause to believe they contain articles or materials prohibited by the district and to protect the safety and order of the learning environment. The district may also conduct administrative searches in accordance with board policy. Such searches may include parking lots, classrooms, lockers, and common areas of the school and may include the use of metal detectors and/or trained detection dog.

### **Authority to Investigate and Interview**

When district staff investigates alleged misconduct students may be required to provide written statements as needed and/or may be questioned regarding the student's own conduct or the conduct of other students. Failure to cooperate in an investigation, to include refusal to provide a written statement, may be treated as insubordination.

Investigatory proceedings will be conducted without delay, and there is no right to representation in such proceedings.

### **Maximum Consequences**

Maximum consequences will be applied to students engaging in prohibited or illegal behaviors.

Those consequences include, but are not limited to:

- Suspension, either on campus (ISS), or off campus (OSS)
- Assignment to a disciplinary alternative setting
- Expulsion and assignment to the Juvenile Justice Alternative Education Program (JJAEP)
- Referral to an outside agency or authority

In addition to the consequences listed above, any criminal activity may also result in a citation being issued, filed, an arrest being made, a student being taken into custody, or a referral to Juvenile Probation.

NOTE: Criminal charges may be filed in addition to any administrative action taken.

### **SERIOUS OFFENSES**

*(All offenses in this category are subject to Disciplinary Alternative Education Placement (DAEP) and, for offenses which constitute crimes, Criminal Prosecution)*

#### **Assault (101)**

Assault involves an attack, either verbal or physical, by one individual toward another. It is further defined as:

- A. Intentionally or knowingly threatening another with imminent bodily injury.
- B. Intentionally or knowingly causing physical contact with another when the student knows, or should reasonably believe, that the other will regard the contact as offensive, provocative, or unwelcome.

NOTE: Any offense by a student considered to be any type of assault against school personnel will be disciplined by placement in the district DAEP or expulsion.

*(see also Disciplinary Alternative Education Placement in the Student Code of Conduct)*

#### **Bullying (102)**

Engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and that:

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

Such conduct as described above is considered bullying if that student:

1. exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. interferes with a student's education or substantially disrupts the operation of a school.



**Chemical Dispensing Device (100)**

A student shall not possess on school property or at any school-related activity a chemical dispensing device that is designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being. (*Penal Code 46.01(14)*)

**Computer Violation (103)**

Use of the KISD computer network(s) is a privilege, not a right, and is subject to the conditions set forth in the "Acceptable Use Policy." Any abuse of the various networks within the district may result in the loss of network use privileges and/or other disciplinary consequences.

**Conduct Toward Others/Discrimination (104)**

This district will not tolerate behavior which insults or degrades an individual, or stereotypes any race, gender, disability, physical condition, ethnic group, or religion. Students shall not (verbally or in writing) abuse or attack ethnic, religious, or racial groups, or individuals under circumstances that could reasonably support a forecast of violence or of material and substantial disruption of normal school operations.

**Criminal Mischief (100)**

Criminal mischief is defined as intentionally or knowingly damaging or destroying the property of another.

**Criminal Trespassing (100)**

Students having been issued a Criminal Trespass Warning shall not be present on any campus or district property or attend any school-sponsored or school-related activity.

**Defiance (105)**

Defiance is defined as contemptuous disregard for, or challenge to, authority.

**Disruption of Classes, Transportation (106), and/or Lawful Assembly (Demonstration) (100)**

Conduct by students either in or out of class that for any reason - whether because of time, place, or manner of behavior - materially disrupts class work or involves substantial disorder or invasion of the rights of others is prohibited.

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities. (TEC §37.124)

**Extortion, Coercion, Blackmail (100)**

Obtaining money or other objects of value from an unwilling person, or forcing an individual to act through the use of force or threat of force will not be tolerated.

**Failure to Identify Self (100)**

Students are required to properly and immediately identify themselves when asked to do so by any school personnel.

**Fighting (41)**

Fighting involves mutual combat between two or more students. Included in this provision is the instigation of any disturbance (i.e. fight or altercation), or, acting with intent to promote or assist in the commission of an offense, a student solicits, encourages, directs, aids, or attempts to aid another person to commit an offense (Penal Code 7.02 (a) (2)).

**Fireworks (100)**

Students who are in possession of and/or discharge fireworks of any kind on or within district property (including school buses) will be disciplined and may be subject to criminal prosecution. “Fireworks” is defined as “explosives and combustibles used to produce lights, smoke, and noise.” Such items may include, but are not limited to, firecrackers, sparklers, flares, stink or smoke bombs, alarm devices, and “poppers.”

**Forgery/False Documentation or Representation (100)**

Forgery involves signing another person’s name to any document, including hall passes and parental notes or medical notes. False documentation or representation involves presenting as authentic any document that has been altered in any manner for any reason, or a document containing false information. Also included is deliberately lying to or otherwise misleading (to include withholding of information from) a school official in the investigation of an alleged disciplinary violation.

**Gambling (100)**

Students are not to engage in gambling at school, on the school bus, or while attending a school-sponsored or school-related event.

**Graffiti (100)**

A person commits an offense if, without the effective consent of the owner, the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings on the property of others.

**Harassment (107)**

Harassment in any form is prohibited on any school property or at any school-related activity, regardless of time or location, including on school buses or at bus stops. Harassment means:

- threatening to cause harm or bodily injury to another student,
- engaging in sexually intimidating conduct,
- causing physical damage to the property of another student,
- subjecting another student to physical confinement or restraint, or
- maliciously taking any action that substantially harms another student’s physical or emotional health or safety.

**Hazing (100)**

Hazing means any intentional, knowing, or reckless act directed against a student that endangers the mental or physical health or the safety of a student for the purpose of being initiated into, affiliated with, holding office in, or maintaining membership in an organization. The term includes but is not limited to any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above. (*TEC § 37.151*)

**Hit List (100)**

Students shall not prepare, distribute, or be in possession of a hit list at school, on the school bus, or at any school-related or school-sponsored activity on or off school property.

“Hit list” means 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. (*TEC §37.001(b)(2)*)

**Insubordination (108)**

Insubordination is defined as failure to follow a lawful command. Any command or instruction given by any school personnel that is not illegal or immoral is to be considered a lawful command. Also included is failure to comply with school policies, rules, and regulations, and refusing to accept disciplinary action assigned by a school official.

**Leaving Without Permission (100)**

Students are not to leave school grounds, school-sponsored events, or the classroom or designated area without permission.

**Lewd Conduct (118)**

Students will not engage in any form of indecent exposure, sexual display or sexual contact while on school property or while attending a school activity on or off school property.

**Medication (120), Tobacco (33), and Look-Alike Drug (121) Abuse**

In addition to the requirements of Chapter 37 of the Texas Education Code discussed in the section of the Student Code of Conduct entitled Disciplinary Alternative Education Program, a student shall not commit the following offenses on any school campus or bus, or at any school-sponsored event:

- A. Abuse the student's own prescription medication (including inhalers), give a prescription medication to another student, or possess or be under the influence of another person's prescription medication;
- B. Possess or take prescription or over-the-counter medication at school other than as provided by district policy FFAC (LOCAL);
- C. Possess, use, give, or sell paraphernalia related to any prohibited substance;
- D. Possess, use, give, or sell any chemical substance for inhalation including, but not limited to, glue and aerosol paint;
- E. Possess or sell look-alike drugs or items attempted to be passed off as drugs or contraband;
- F. Possess, use, give, or sell tobacco or tobacco-related products in any form (i.e. cigarettes, cigars, pipes, snuff, chewing tobacco, matches, or lighters).
- G. Possess, use, give, or sell liquid nicotine or nicotine related products in any form (i.e. electronic cigarettes, liquid vapor, cartridges or pipes)

*(see also Disciplinary Alternative Placement in the Student Code of Conduct)*

**Persistent Misconduct (117)**

"Persistent Misconduct" consists of four or more separate violations of the Student Code of Conduct in general or repeated violations of the same offense.

**Persistent Minor Misconduct (109)**

Persistent Minor Misconduct is defined as repeated occurrences of the same minor violation, repeated different minor violations, or other communicated campus or classroom standards of conduct.

**Possession of Published or Electronic Material (100)**

Students are not to be in possession of published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety in any way.

**Profanity/Obscenity (110)**

Profanity, vulgar language, and obscenity in any form, including obscene gestures and pictures (including those deemed by school personnel to be pornographic in nature), will not be tolerated. If appropriate, a Class C Misdemeanor citation will be issued in addition to any other disciplinary measures taken.

**Property Damage/Vandalism (119)**

A student shall not knowingly, intentionally, recklessly nor negligently damage, deface, destroy, or threaten to damage, deface, or destroy district property or the property of others. A student shall not start a fire, cause an explosion, or threaten to do so.

Students shall be responsible for the care and return of state-owned textbooks and may be charged for damage to or replacement of textbooks.

The parent or guardian is liable for any property damage caused by their child. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with the law. Students eighteen years of age or older shall be held personally responsible for such damage.

**Robbery (100)**

Robbery involves the use of violence or the threat of violence to take another's property.

**School Bus Safety Violation (111)**

Any behavior on the bus that interferes with bus safety is prohibited. Such behaviors include but are not limited to, students not being seated properly and bringing prohibited items on the bus.

**School Bus Serious Violation (112)**

Any offense defined as "serious" in the Student Code of Conduct also applies to behavior on the school bus. Students committing such violations on the bus are subject to the same consequences as if the conduct occurred while at school or attending a school-sponsored or school-related event, but may also include temporary or permanent removal from the bus.

**Theft (113)**

Theft involves the taking, using, or being in possession of another person's property without that person's permission.

**Threat (114)**

Threats made in any form toward others will not be tolerated. This includes any physical, written or verbal threats, whether actual or implied. Also included is any form of intimidation that endangers and/or threatens to endanger the mental, emotional, or physical health of another person.

**Throwing Items (100)**

Objects that can cause bodily injury or damage to property are not to be thrown inside or outside the school, including on the school bus or at bus stops. (*Exception: items that are thrown as a part of supervised activity such as in a physical education class, athletic participation, or other structured learning activity.*)

**Violation of Campus or District Probation (100)**

A student may be placed on Campus Probation by an administrator for violations of the Student Code of Conduct. Once an administrator gives the notice of Campus Probation to the student, any additional serious violation of the code may result in revocation of the probationary status and a conference with the principal to consider DAEP placement. Students returning to the regular campus from a DAEP are on District Probation as addressed in the DAEP section of the code identified as Duration of Assignment.

**Weapons and Imitation Weapons (116)**

A student shall not knowingly, intentionally, or recklessly possess or bring on to the school premises, nor attend any school activity, function, or event with any item that may be considered to be dangerous to that student or to other students. This includes, but is not limited to, any item that is designed to look like, or is purported or represented to be, a weapon or ammunition of any kind.

**Prohibited Items (100 or 200)**

There are certain items that students are prohibited from using, displaying, or possessing at school, on a school bus, or while attending a school activity on or off school property. Prohibited items include, but are not limited to:

- Skateboards / rollerblades / scooters
- Trading cards
- Weapons/Imitation weapon, Guns
- Pacifiers
- Dice (for non-educational purposes)
- Hair picks
- Knives (blades less than 5")
- Pornographic material

•Any other item which the administrator deems will be detrimental to the safety, order, and discipline of the educational environment.

ALL ITEMS LISTED ABOVE WILL BE CONFISCATED and students in possession of such items are subject to other campus disciplinary consequences. Return policies vary from campus to campus. Consult your campus handbook for details. The school is not responsible for lost or stolen items which have been confiscated under this provision.

#### MINOR OFFENSES

##### **Dress Code and ID Badge (202)**

See 'Dress Code' section of the code.

##### **Horseplay (203)**

Students shall not engage in behavior that interferes with the safe and purposeful order of a school or which could result in injury to others even though there was no intent to injure. Horseplay may involve physical contact or intended physical contact that occurs between two or more students and is inappropriate in a school setting but does not rise to the level of being a serious offense.

##### **Inappropriate Language (206)**

Students shall not engage in language that is inappropriate to the school setting but does not rise to the level of being a serious offense such as profanity or obscenity. Included in this category would be violations such as teasing, name-calling, or insults.

##### **Other Minor Offenses (200)**

Any behavior that violates communicated standards of conduct and is not otherwise listed in the Student Code of Conduct, and which do not rise to the level of a serious offense.

##### **School Bus Rule Violations (205)**

Minor bus violations include violations of the bus rules while on the bus and minor improper behavior at the bus stop. Such violations include, but are not limited to, banging on the bus door or window, hitting, kicking or punching seats, causing a disruption by being loud, not keeping hands and feet to self, eating or drinking on the bus, not keeping the bus clean, exiting at the wrong bus stop, or riding on the wrong bus.

##### **Selling Items on Campus Without Prior Permission (204)**

Students must have permission from the campus administration prior to selling any item on campus.

##### **Telecommunications/Electronic Devices (201)**

Students may not display, turn on, or use a cellular telephone or other telecommunication device on school property during the school day (as defined by the published starting and dismissal times for each campus).

*(Exception for high school students only: Cellular telephones may be used **outside the school building** during the student's **designated** lunch period only.)*

Violators are subject to having the device confiscated by a teacher or other school official for a period of time deemed appropriate by the principal (*which could extend through the end of the semester or school year*) **and** are subject to disciplinary action. Repeat offenses may result in the loss of the privilege to possess such devices at school.

There are certain entertainment/electronic items (including but not limited to electronic recording devices) which are strictly prohibited from the classroom, but which are subject to principal, director, teacher or sponsor approval in other settings, i.e. cafeterias, commons areas, playgrounds, school buses, or on school-sponsored trips. Entertainment items that are used inappropriately are subject to confiscation, or the bus driver may submit a Student Code of Conduct Violation Report.

NOTE: The district recognizes that students are involved in an expanding technological world and understands that students learn in different modes. Therefore, campuses may choose to permit use of various electronic devices (ex. iPods and other mp3 players) in classrooms and commons areas during the

school day, in accordance with rules established and enforced at the campus level. See your campus Student Handbook for further details.

The district is required by law to provide the student's parent and the company whose name and address or telephone number appear on any paging device that is confiscated notice of its intent to dispose of the device 30 days prior to its disposal.

Neither the campus nor the district assumes responsibility or liability for loss or damage to a device or for the unauthorized use of the device.

### **DISCIPLINARY CONSEQUENCES**

Students committing an offense will receive one **or more** consequences. Consequences include, but are not limited to:

- Assignment to a Disciplinary Alternative Education Program (DAEP)
- Bus probation - an official warning that the next such offense will result in removal from the bus
- Bus Suspension (Temporary or Permanent)
- Campus Probation (to be used in combination with another consequence); parents will be notified of the Campus Probation status via certified mail (return receipt requested) or by the issuance of a Campus Probation Contract signed and dated by the parent. Refusal by parent or student to sign the contract will be documented by the administrator next to his/her signature. Such refusal does not negate the contract.
- Classroom, teacher, or schedule changes
- Community Service
- Conferences involving the student, parent, teacher, administrator, and/or others as appropriate
- Confiscation - taking possession of items that disrupt the educational environment
- Counseling by teachers, counselors, or administrative personnel
- Detention - placing a student in a supervised setting before or after school, at lunch, or on Saturday
- District Probation (assigned by District Hearing Officer or upon return to regular campus from a DAEP or Expulsion - see Duration of Assignment for details)
- Expulsion and assignment to the Juvenile Justice Alternative Education Program (JJAEP)
- In School Suspension (ISS)
- Law Enforcement or Court involvement (Citation, Criminal Prosecution, Arrest, Taking into Custody, or Referral to Juvenile Probation)
- Loss of privileges
- Opportunity to comply - the ability to comply with administrative directives regarding a particular behavior such as a dress code violation
- Other strategies and consequences as determined by school officials
- Out of School Suspension (OSS)
- Parental involvement in the classroom
- Penalties identified in individual student organizations' extracurricular standards of behavior
- Reassignment of seating on the bus
- Restitution (possibly in combination with another consequence)
- Saturday Detention (see Glossary of Terms for details)
- Seating changes within the classroom
- Time-out room (Elementary only)
- Verbal (oral or written) correction

The consequences listed above may be used alone or in combination for behavior prohibited by the Student Code of Conduct or by campus or classroom rules.

## **GUIDELINES FOR IMPOSING DISCIPLINARY CONSEQUENCES**

Consequences shall be administered when necessary to protect students, school employees or property, and maintain essential safety, order, and discipline. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case.

In assessing discipline, administrators (principal/designee/campus behavior coordinator) will consider:

1. The seriousness of the offense.
2. The student's age.
3. The student's attitude.
4. The potential effect of the misconduct on the school environment.
5. Whether the student was defending himself or herself.
6. The student's intent or lack of intent at the time the student engaged in the conduct.
7. The student's disciplinary history.
8. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, but only as required by Federal law and regulations related to discipline of students with disabilities.

Academic penalties shall not be used as a discipline management technique. However, when the disciplinary infraction is academically related, such as cheating or copying, academic penalties determined by the teacher may be imposed. (Exceptions: unexcused absences and truancies).

Violations of State and Federal laws will be referred to the appropriate law enforcement agency.

The Behavior Intervention Plan (BIP) or §504 Accommodation Plan of each student being served under the Individuals with Disabilities Education Act (IDEA) shall be considered when administering consequences. District personnel will follow all Federal and State requirements when administering disciplinary consequences to students with disabilities under IDEA or §504.

Students who are not identified under IDEA (Special Education) or §504, when being considered for a change in placement from the regular classroom for more than 10 days as a disciplinary consequence, will be screened by a committee of educators at the campus level through a process designed to identify any potential areas of disability which would adversely affect the student's ability to be successful in school.

## **SCHOOL BUSES**

Riding the bus is a student privilege provided by the district, whether to and from school each day or on school-sponsored trips. The school bus is an extension of the classroom; therefore those rules (with the exception of cell phone usage) carry over to the bus. Students must follow instructions from the drivers as they would a classroom teacher. Additional rules are also necessary for the safety and well-being of everyone on the bus. Failure to abide by these rules creates safety hazards for the student as well as all other students on the bus. Students riding district-operated buses are accountable for their behavior and are expected to conduct themselves in accordance with the rules and regulations of the KISD Student Code of Conduct, the KISD Transportation Student Rider's Safety Handbook, and those posted in the bus. Student misconduct on the bus may result in suspension from riding the bus in addition to any other appropriate disciplinary action. Video/audio monitoring devices may be used on any bus during routes or field trips.

The KISD Transportation Department is dedicated to safely transporting students to and from school, and to and from various school-related events. To accomplish this task, the help and cooperation of students, parents, and drivers is essential. Students will actively participate in School Bus Emergency Evacuation Drills as scheduled. Students and parents should read the KISD Transportation Student Rider's Safety Handbook. Students shall follow these rules:

- Obey the bus driver and be courteous to the driver and other passengers. Harassment in any form is prohibited.
- The bus driver is required to assign seats. Students shall not refuse to sit in an assigned seat or deny another a place to sit.

- Student ID cards will be worn at all times while on the bus (grades 6-12) and students will identify themselves presenting the ID for face/name recognition when asked to do so by the driver or any other school official.
- Students shall remain seated while the bus is moving and until the bus door opens. Students will face forward for the duration of the trip and will keep their feet on the floor in front of them and out of the bus aisle.
- Students will not extend any part of their body or any article out the window whether the bus is in motion or not.
- Students are expected to help keep the bus clean. Students are not to spit or throw any object inside or outside of the bus.
- Scuffling, fighting, and the use of obscene, vulgar, or profane language and gestures are forbidden and may result in immediate bus suspension. The appropriate law enforcement agency may be called regarding any of these offenses on the bus.
- Normal conversation is permitted (no louder than classroom level); any loud noises may distract the driver and create an unsafe condition. Students will remain silent when approaching and when crossing railroad crossings.
- Live creatures (animals, insects, or other pets), or objects that could roll around (such as skateboards or balls) and large or bulky items that interfere with the safe operation of the bus, will not be brought on board. Other prohibited items will be determined by the Director for Transportation Services and listed in the KISD Transportation Student Rider's Safety Handbook.
- Students shall not mark, cut or scratch any part of the bus. Vandalism costs will be reimbursed by the student responsible or by the student's parent or guardian.
- The emergency door and exit controls will be used by students only during supervised drills or actual emergencies. Unauthorized use of emergency equipment is prohibited.
- Students shall never attempt to operate the passenger door or other driver controls except in the case of extreme emergency.
- All students who use district transportation shall board and depart buses only at authorized stops. In an emergency, approval for students (eligible riders only) to embark or disembark at a bus stop other than his or her own will be provided in writing on campus stationery, signed by the campus principal or assistant principal, and given to the bus driver when the student boards the bus. Drivers are not permitted to act on notes or letters from students or parents regarding a stop change. The same requirement applies in situations when a student must ride another bus out of necessity or due to safety concerns.
- Students shall abide by the KISD Student Code of Conduct at bus stops during normally scheduled student pick-up and drop-off times.

### **Consequences for Bus Rules Violations**

If any of the above student behavior rules are broken, the bus driver will take appropriate action such as conferring with the student, recording the student's name and grade, assigning the student a different seat on the bus, and/or reporting the student to the appropriate school official.

After the bus driver makes a written report of the violation(s) to the campus administrator, appropriate action in accordance with the Student Code of Conduct will be taken. Consequences for violation of bus rules will be determined by the campus administrator, and may include bus probation or bus suspension for a specified period of time.

Campus administrators may suspend bus riding privileges for Pre-K and K grade students when the student has been returned to the campus three times due to parental failure to be present (or have an authorized representative present) at the designated bus stop for afternoon delivery. District staff will notify Child Protective Services (CPS) in instances where bus privileges have been removed for this reason.



When a student has had bus-riding privileges suspended, parents are responsible for providing transportation for the student to attend school. Bus suspension is NOT a suspension from school. If the student does not attend school during the time of the bus suspension, the absence will be considered as unexcused and appropriate disciplinary action shall be taken.

### **Disruption of School Bus Transportation**

A person (including students and parents) commits an offense if the person intentionally disrupts, prevents, or interferes with the lawful transportation of students to or from school or an activity sponsored by a school on a vehicle owned or operated by a county or independent school district. An offense under this section is a Class C Misdemeanor and a fine of \$500 may be levied under §37.126 of the Texas Education Code.

### **GENERAL INFORMATION**

#### **Automobile Use**

The operation of automobiles and other vehicles by high school students is a privilege and shall be under the supervision of the principal. A student must present a valid driver's license and proof of insurance and pay the permit fee in order to obtain a parking permit.

Any student who operates a vehicle in an unsafe or disruptive manner shall be subject to disciplinary action, including a citation, and may be denied the privilege of vehicle use on all district property.

Automobiles on school property are subject to search if there is reasonable cause to believe contraband or other prohibited items are in the vehicle.

#### **Diabetic Students**

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity.

#### **Extracurricular Activities (UIL and Non-UIL Organizations)**

Any student representative whose conduct brings a negative reflection to the student, organization, or school will be subject to a campus hearing which may result in removal of any membership or honors related to school representation. Such conduct may also result in additional discipline in accordance with the Student Code of Conduct. It is the responsibility of the student to self-disclose misconduct prohibited by the District's written rules of conduct.

Students placed in In-School Suspension, suspended, assigned to a disciplinary alternative education program through a District hearing, or expelled, may not participate in nor attend extracurricular activities or any school activity during the term of the consequence. Violation of this rule will result in further disciplinary action and/or may result in criminal trespass charges being filed.

#### **Falsification of Information**

Students who attend a school based upon falsification of enrollment and/or transfer documents are subject to school disciplinary action up to and including assignment to a Disciplinary Alternative Education Program (DAEP). IT IS A CRIMINAL OFFENSE TO KNOWINGLY MAKE A FALSE ENTRY ON ENROLLMENT OR SCHOOL REGISTRATION DOCUMENTS. A PERSON WHO KNOWINGLY MAKES A FALSE ENTRY MAY BE SUBJECT TO CRIMINAL PENALTIES.

### **Lockers, Baskets, and Desks**

Lockers, baskets, and desks are school property and remain under the control and jurisdiction of the school even when assigned to an individual student. The student has full responsibility for the security of the assigned locker, for making certain that the locker is locked, and that the combination or key is not available to others.

Searches of lockers or desks may be conducted at any time, whether or not the student is present.

The parent will be notified if any prohibited items are found in the student's locker or desk.

NOTE: Students are responsible for all items placed into lockers, baskets, and desks issued to them. If personal locks are placed onto lockers for added security, they are subject to being removed (cut off) at the student's expense if the need occurs. See your campus handbook for further instructions or requirements.

### **Notification of Disciplinary Action**

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in a suspension, placement into a DAEP, or expulsion.

If a district or school takes disciplinary action against a student and the student subsequently enrolls in another district or school before the expiration of the period of disciplinary action, the governing body of the district or school taking the disciplinary action shall provide to the district or school in which the student enrolls, at the time other records of the student are provided, a copy of the order of disciplinary action.

The school or district in which the student enrolls may continue the disciplinary action under the terms of the order or may allow the student to attend regular classes without completing the period of disciplinary action.

"Disciplinary Action" includes: out of school suspension, DAEP placement, and expulsion.

### **Prior Review of Publications**

A student may not produce or distribute non-school sponsored publications, petitions, or other printed documents of any kind, sort, or type that would reasonably indicate that a substantial disruption to normal school operations would likely result directly from such distribution. Petitions and/or other printed documents must be submitted for approval to the campus principal.

### **Scholastic Implications During Periods of Discipline**

If a student is suspended from school, the student will be allowed 5 school days upon their return in which to make up any work missed. No grade penalty will be incurred for work made up within the 5 days. Also no grade penalty will be incurred for work completed while in In-School Suspension. The school is under no obligation to provide assignments to be completed during the time of Out of School Suspension.

### **Security Cameras**

The district utilizes security cameras and video recording devices at the school campuses and other district facilities. The cameras are located in cafeterias, hallways and other designated areas in and around the school, entry ways, and parking areas. The district also randomly places video cameras on school buses to record student behavior. The district may view recordings to aid in the investigation of student misconduct and violations of the Student Code of Conduct. **Recordings may be reviewed by authorized district personnel only.**

### **Social Events**

All social activities approved by the school shall be subject to the rules of conduct applicable to regular school time.

### **Teacher Removal of Students (TEC §37.002)**

- Routine Referral:

A routine referral occurs when a teacher sends a student to the principal's office as a discipline management technique. The principal may then employ additional techniques.

- Formal Referral:

A teacher or administrator may remove a student from class for a behavior that violates the Student Code of Conduct to maintain effective discipline in the classroom. A teacher may also initiate a formal removal from class if:

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

Upon such a removal, the principal may:

1. assign the student to another appropriate classroom;
2. recommend the student for Disciplinary Alternative Education Program (DAEP) placement.

The principal may not return the student to the classroom without the consent of the teacher. Should the principal decide not to exercise one of the options above, the case will be referred to the campus Placement Review Committee. The committee may return the student to the same classroom only if it is determined that it is either the best or the only option available.

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

### **Transferring, Re-enrolling and/or Withdrawing While Under or Pending Disciplinary Action**

If a student chooses to withdraw from school pending a due process hearing for expulsion or DAEP placement, the hearing will take place as scheduled and a decision will be rendered. A student who withdraws under such conditions, and who requests re-entry during the proposed term of DAEP placement or expulsion, will be subject to a due process hearing upon re-enrollment. Failure of the student to either appear for the hearing or to notify the campus principal of a need to reschedule the hearing will be interpreted as concurrence with the recommendation for placement or expulsion. Should an attempt be made to enroll in another school district, that district shall be notified of the student's placement or expulsion from the Killeen Independent School District.

### **Victims of Bullying (verified)**

Students verified by the board or its designee as victims of bullying as defined by TEC §25.0832 may request a transfer to another classroom or campus. Such requests for transfer may be initiated with the principal of the student's current campus. Transportation is not provided for transfers to another campus.

The district may choose to transfer a student who engages in bullying to:

1. another classroom at the campus to which the victim was assigned at the time the bullying occurred; or
2. a campus in the district other than the campus to which the victim was assigned at the time the bullying occurred, in consultation with a parent or other person with authority to act on behalf of the student who engaged in bullying.

### **Victims of a Violent Criminal Offense (verified)**

Students verified by the board or its designee as victims of a violent criminal offense while in school or on school grounds may request a transfer to another campus. Such requests for transfer may be initiated with the principal of the student's current campus. Transportation is not provided for such transfers.

### Visiting Other Schools

Students enrolled in one school shall not be present in the buildings or on the grounds of another school while the latter is in session except upon the permission of the principal.

### DISCIPLINARY ALTERNATIVE EDUCATION PLACEMENT

The Texas Education Code requires placement into a Disciplinary Alternative Education Program or expulsion from school for certain conduct, and allows the district to make placements or expel for other offenses in accordance with the Student Code of Conduct.

A student SHALL be removed from the regular campus and placed into a DAEP if the student commits any of the following offenses *on school property or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property*:

1. engages in any conduct punishable as a **felony** (other than those requiring expulsion from school); (02)
2. engages in conduct containing the elements of the offense of **assault** (with bodily injury) under 22.01(a)(1) of the Penal Code; (27,28)
3. sells, gives, delivers, possesses, uses or is under the influence of **marijuana**, a **controlled substance** (Ch. 481, Health and Safety Code, or 21 U.S.C. §801) or a **dangerous drug** (Ch. 482, Health and Safety Code); (04)
4. sells, gives, delivers, possesses, is under the influence of, uses, or commits a serious act or offense while under the influence of **alcohol** (§1.04 Alcoholic Beverage Code); (05)
5. engages in conduct containing the elements of an **abusable volatile chemical** (§485.031 - 485.034, Health and Safety Code); (06)
6. engages in conduct containing the elements of the offense of **public lewdness** under Penal Code 21.07 or **indecent exposure**, under Penal Code 21.08; (07)

The following offenses **require** removal from the regular campus and placement into a DAEP *regardless of time or location*:

1. engages in conduct containing the elements of the offense of **terroristic threat** involving public schools under §22.07 of the Penal Code; (26)
2. engages in conduct containing the elements of the offense of **false alarm or report** involving public schools under §42.06 of the Penal Code; (35)
3. engages in conduct containing the elements of the offense of **retaliation** under Penal Code §36.06 against any school employee, unless the act of **retaliation** is itself an expellable offense; (08)
4. makes any serious verbal or written **threat**, whether actual or implied, directed toward any student or adult, such that the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process (114)
5. while at the home campus, continues to engage in **serious or persistent misconduct** that violates the Student Code of Conduct (TEC 37.001(a)(2)). Included in this provision is any violation of probation, whether campus imposed, or district imposed as a result of the student's return from a district DAEP, or by the District Hearing Officer through the disciplinary hearing process (117)
6. is a registered sex offender
7. receives deferred prosecution under Family Code §35.03 for conduct defined as a **felony in Title 5** of the Penal Code; (09), or the felony offense of **aggravated robbery** under §29.03, Penal Code (46)
8. a court or jury finding of delinquent conduct under Family Code §54.03 for conduct defined as a **felony in Title 5** of the Penal Code; (09) , or the felony offense of **aggravated robbery** under §29.03, Penal Code (46)

9. a finding by the superintendent or designee that he or she has a reasonable belief that the student has engaged in conduct defined as a **felony offense in Title 5** of the Penal Code; (09) , or the felony offense of **aggravated robbery** under §29.03, Penal Code (46)
10. it is determined by the superintendent or designee that there exists a reasonable belief that the student has engaged in conduct away from school which is defined as a felony **other than those set out in Title 5** of the Penal Code or the felony offense of **aggravated robbery** under §29.03, Penal Code (46) **and** determines that the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. (10)
11. is a member of, pledges to become a member of, joins, or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or **GANG** (TEC 37.121); (34)A “gang” is defined as any group of two or more individuals whose purposes may include the commission of illegal acts. A gang is a prohibited fraternity, sorority, or society as defined by TEC §37.121.

A student is considered to be a gang member when two or more indicators from the following list are present:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti, or other items that are evidence of membership or affiliation in a gang.
2. Committing any act or using any speech, either verbal or non-verbal such as gestures, handshakes, and the like, that indicates membership or affiliation in a gang.
3. Promoting interest in any gang or gang activity, including but not limited to:
  - a. Soliciting others for membership.
  - b. Requesting any person to pay protection or otherwise intimidating or threatening any person.
  - c. Committing any other illegal act or other violation of District policies.
  - d. Inciting other students to act with physical violence toward any other person.
  - e. Engaging in concert with others in intimidating, fighting, assaulting, or threatening to assault others.
  - f. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property, or on property of students or staff.

### **Sexual Assaults and Campus Assignments**

If a student has been convicted of continuous sexual abuse of a young child or children (*21.02 Penal Code*), or has been convicted of or placed on deferred adjudication for sexual assault (*22.011 Penal Code*) or aggravated sexual assault (*22.021 Penal Code*) against another student on the same campus, and if the victim or the victim's parents request that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student will be transferred to the DAEP.

### **GENERAL PROCEDURES FOR OUT OF SCHOOL SUSPENSION OR REMOVAL TO DAEP**

#### **Out of School Suspension (OSS)**

Suspension is a deprivation of educational services for disciplinary reasons. State law allows a student to be suspended for no more than three (3) school days per behavior violation.

The principal (designee/campus behavior coordinator) may suspend a student who engages in conduct for which the student may be placed in a disciplinary alternative education program, or for any prohibited activity in which the student is involved. Before being suspended a student will have an informal conference with the appropriate administrator who shall advise the student of the conduct of which he or

she is accused. The student will be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

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

Absences accrued during suspension shall be considered as excused. To receive credit for work missed, it must be turned in within five (5) days of the student's return to school. It is not expected that teachers be required to provide assignments ahead of time for students to complete during the time of suspension. Students who are suspended from school are prohibited from being present on any district campus or property, and from attending any school-related or school-sponsored activity, during the time of the suspension.

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

## **REMOVAL TO DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP)**

### **Campus Level Conference**

The campus administrator shall schedule a conference with the parent or guardian of the student, appropriate campus staff and the student. At the conference, the student is entitled to notice of the reasons for removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for removal.

### **District Level Disciplinary Due Process Hearing**

Following the campus level conference the principal may recommend removal to a DAEP. If so, a district level disciplinary due process hearing will be scheduled with the District Hearing Officer. At the hearing the campus administration will present to the District Hearing Officer the recommendation for removal to the DAEP and any supporting documentation or evidence. The student and the parents or guardian will be given an opportunity to respond to the information provided by the campus administration. The District Hearing Officer will then make the decision regarding DAEP placement. Assignments may sometimes be modified or carry contingencies with them at the recommendation and/or approval of the campus principal. An auditory recording of the hearing will be made. A copy of the recording will be made available to the parent upon request.

Should the student withdraw from school pending the District Level Hearing, the hearing will be conducted as scheduled. Should the student and/or parents or guardians not attend the hearing, the results of the hearing will be forwarded to them. If the student subsequently enrolls in another district, the results of the hearing will be provided to the receiving school as a part of the education record.

### **Description of the DAEP**

The DAEP provides a curriculum which includes English, language arts, mathematics, science, social studies, and self-discipline through supervision and counseling.

While assigned to a DAEP the student is prohibited from being present on any district campus or property, and from attending any school-related or school-sponsored activity, during the time of the assignment. Violations of the Criminal Trespass Warning may result in a substantial fine or jail term. The Criminal Trespass Warning will be in effect whether the student actually attends the district DAEP or not.

### **The District's DAEPs are as follows:**

- **Richard Cavazos Elementary School (grades K-5)**
- **Gateway Middle School (grades 6-8)**
- **Gateway High School (grades 9-12)**

Within two business days after the decision is made to place a student, the district shall send a copy of the order placing the student into a DAEP to the authorized officer of the juvenile court with any information required by Section 52.04 of the Family Code.

A student placed in a DAEP shall be provided a status review, including a review of the academic status, by the principal of the alternative school at intervals not to exceed 120 days. In the case of a high school student, the review will include the student's progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student. At the review, the student, parent, or guardian may also present reasons or information in support of returning the student to his/her home campus.

In accordance with state law, the district is not required to provide every course that a student might take on a regular campus in the DAEP. The district is also not required to provide a course necessary to fulfill a student's high school graduation requirements in the DAEP, provided, however, that the district will offer a student removed to a DAEP an opportunity to complete coursework before the beginning of the next school year in accordance with the law.

If, during the term of removal to a DAEP, a student engages in additional conduct for which removal is required or permitted, additional proceedings and consequences may occur.

If a student enrolls in the district after having been placed in a DAEP by another district, or by an open-enrollment charter school, the district may continue the DAEP placement. If the prior district was out of state, the district can continue the DAEP placement. The placement may not exceed one calendar year (not school year) unless the district determines that the student is a threat to the safety of others or the continued placement is in the best interest of the student.

### **Duration of Assignment**

The duration of the assignment (*not to be less than 10 successful school days*) and the conditions of the student's return to the regular campus shall be determined by the District Hearing Officer in consultation with the home campus principal.

#### **ELEMENTARY SCHOOL (K-5):** (*located at Cavazos Elementary School*)

The elementary DAEP program will normally consist of 30 successful days, the last 5 days being consecutive. Any adjustment to the 30 day assignment will be at the discretion of the District Hearing Officer in consultation with the home campus principal after the District Level Hearing, if needed. Upon completion of the number of successful days assigned, students will be eligible to return to the home campus. Students who are unable to complete the program in the number of assigned days plus 15 will be subject to a review by the District Hearing Officer, the Program Administrator, and the parent. A determination will be made at that time as to the student's continued placement. No student will be enrolled in or released from the Elementary DAEP during the last 5 instructional days of the school year or during state testing dates.

If a student withdraws from the District before a District Level Hearing for DAEP placement is conducted the hearing may proceed and the placement may be made. If the student re-enrolls in the District the same or subsequent school year, the District will enforce the placement at that time except for any period of the placement that has been served by the student in another district that honored the order.

All students assigned to the DAEP will be placed on District Probation for a period of 30 instructional days upon their return to the regular campus, whether or not the assignment was served in the district DAEP. During the probationary period a student is subject to being reassigned to the DAEP upon one serious violation of the Student Code of Conduct. District Probation does not imply restriction from privileges provided to other students, such as attendance at and/or participation in extracurricular activities. Students reassigned to the DAEP for violations occurring while on District Probation from an earlier assignment will be subject to a longer assignment than the original one.

GATEWAY MIDDLE SCHOOL (6-8):

The middle school DAEP program will normally consist of 45 successful days. Any adjustment to the 45 day assignment will be at the discretion of the District Hearing Officer in consultation with the home campus principal after the District Level Hearing, if needed. Upon completion of the number of successful days assigned, students will be eligible to return to the home campus. Students who are unable to complete the program in the number of assigned days plus 25 will be subject to a review by the District Hearing Officer, the Program Coordinator, and the parent. A determination will be made at that time as to the student's continued placement. No student will be enrolled in or released from Gateway Middle School during the final week of the school year or during state testing dates.

If a student withdraws from the District before a District Level Hearing for DAEP placement is conducted the hearing may proceed and the placement may be made. If the student re-enrolls in the District the same or subsequent school year, the District will enforce the placement at that time except for any period of the placement that has been served by the student in another district that honored the order.

All students assigned to Gateway Middle School will be placed on District Probation for a period of 45 school days upon their return to the regular campus, whether or not the assignment was served at Gateway Middle School. During the probationary period a student is subject to being reassigned to Gateway Middle School upon one serious violation of the Student Code of Conduct. District Probation does not imply restriction from privileges provided to other students, such as attendance at and/or participation in extracurricular activities. Students reassigned to Gateway Middle School for violations occurring while on District Probation from an earlier assignment will be subject to a longer assignment than the original one. *(Extracurricular activity participants are subject to additional restrictions if the placement into Gateway Middle School was the result of a drug or alcohol related offense. Please refer to the appropriate document governing the particular activity concerned for an explanation of the additional restrictions.)*

If assigned as a registered sex offender, the assignment is for a minimum of one (1) full semester, after which a committee will conduct a review to determine whether to continue the student's placement or return the student to the regular classroom. The committee will forward a recommendation to the board of trustees or its designee for a final decision. The student may be returned to the regular classroom UNLESS it is determined to:

- threaten the safety of other students or teachers,
- be detrimental to the educational process, or
- not be in the best interests of the district's students.

GATEWAY HIGH SCHOOL (9-12):

The high school DAEP program will normally consist of 45 successful days. Any adjustment to the 45 day assignment will be at the discretion of the District Hearing Officer in consultation with the home campus principal after the District Level Hearing, if needed. Upon completion of the number of successful days assigned, students will be eligible to return to the home campus. Students who are unable to complete the program in the number of assigned days plus 25 will be subject to a review by the District Hearing Officer, the Program Coordinator, and the parent. A determination will be made at that time as to the student's continued placement. No student will be enrolled in or released from Gateway High School during the final week of the school year or during state testing dates.

If a student withdraws from the District before a District Level Hearing for DAEP placement is conducted the hearing may proceed and the placement may be made. If the student re-enrolls in the District the same or subsequent school year, the District will enforce the placement at that time except for any period of the placement that has been served by the student in another district that honored the order.

All students assigned to Gateway High School will be placed on District Probation for a period of 45 school days upon their return to the regular campus, whether or not the assignment was served at Gateway High School. During the probationary period a student is subject to being reassigned to Gateway High School upon one serious violation of the Student Code of Conduct. District Probation does not imply



restriction from privileges provided to other students, such as attendance at and/or participation in extracurricular activities. Students reassigned to Gateway High School for violations occurring while on District Probation from an earlier assignment will be subject to a longer assignment than the original one. *(Extracurricular activity participants are subject to additional restrictions if the placement into Gateway High School was the result of a drug or alcohol related offense. Please refer to the appropriate document governing the particular activity concerned for an explanation of the additional restrictions.)*

If assigned as a registered sex offender, the assignment is for a minimum of one (1) full semester, after which a committee will conduct a review to determine whether to continue the student's placement or return the student to the regular classroom. The committee will forward a recommendation to the board of trustees or its designee for a final decision. The student may be returned to the regular classroom UNLESS it is determined to:

- threaten the safety of other students or teachers,
- be detrimental to the educational process, or
- not be in the best interests of the district's students.
- Graduating seniors assigned to Gateway High School, and whose assignment is scheduled to be completed no earlier than the last 10 instructional days of the school year, and who do not complete the assignment and reenroll at the regular campus for the last 10 instructional days of the school year, WILL NOT BE ALLOWED TO PARTICIPATE IN THE GRADUATION CEREMONY OF THE HOME CAMPUS. Students who do complete the graduation requirements prior to the end of the school year and withdraw from the DAEP will not be allowed to reenroll at the home campus upon withdrawal from the DAEP.

### **Criminal Trespass Warning**

All students, age 12 and older, if and when assigned to a district DAEP, when suspended from school, or upon withdrawal from school pending a District Level Hearing, will be issued a Criminal Trespass Warning. The warning will prohibit the student from being present on any district campus or property, and from attending any school-related or school-sponsored activity during the time of the assignment. Violations of the warning may result in a substantial fine or jail term. The warning will be in effect whether or not the student actually attends the district DAEP.

### **DAEP Assigned Students Seeking Admission**

The District Hearing Officer will review any DAEP assignment order from another school district and will determine if modifications to the order from the sending district are necessary to comply with District practices. Students seeking admission into KISD and who have been either expelled from school or assigned to a DAEP in another district within the past 12 months will not be admitted into the district unless residing in the district with a biological or adoptive parent, or a court-appointed guardian (does not include Power of Attorney).

Students transferring into the district who have been assigned to a DAEP based on their status as a Registered Sex Offender, and who have not yet completed the assignment, will be required to complete the current semester plus an additional semester in the DAEP. Following the completion of one (1) full semester in the KISD DAEP a committee review will be conducted to determine whether or not the student may return to the regular classroom.

### **EXPULSION**

Expulsion from school is the most severe consequence that the school district can impose upon a student, and is reserved for the most serious offenses. Students under (10) years of age who commit expellable offenses are subject to assignment to a Disciplinary Alternative Education Program (DAEP).

#### **A. Mandatory**

Any student engaging in an offense listed below SHALL be expelled from school and placed into a Juvenile Justice Alternative Education Program (JJAEP) if the offense occurs *on school property or while attending a school-sponsored or school-related activity on or off school property:*

1. Engages in conduct that contains the elements of the offense of **unlawfully carrying weapons** under Section §46.02, Penal Code, or elements of an offense relating to **prohibited weapons** under Section §46.05, Penal Code

NOTE: In accordance with Federal law, any student, including students under the age of ten (10) years, who brings to or possesses a **firearm** at school, SHALL be expelled for a period of AT LEAST ONE (1) CALENDAR YEAR. (11)

2. Engaging in conduct containing the elements of the offense of **aggravated assault** under Penal Code §22.02; (29,30)
3. Engaging in conduct containing the elements of the offense of **sexual assault** under Penal Code §22.011; (31,32)
4. Engaging in conduct containing the elements of the offense of **aggravated sexual assault** under Penal Code §22.021; (31,32)
5. Engaging in conduct containing the elements of the offense of **arson** under Penal Code §28.02; (16)
6. Engaging in conduct containing the elements of the offense of **murder** under Penal Code §19.02; (17)
7. Engaging in conduct containing the elements of the offense of **capital murder** under Penal Code §15.03; (17)
8. Engaging in conduct containing the elements of the offense of **criminal attempt** to commit **murder or capital murder** under Penal Code §15.01; (17)
9. Engaging in conduct containing the elements of the offense of **indecent with a child** under Penal Code §21.11; (18)
10. Engaging in conduct containing the elements of the offense of **aggravated kidnapping** under Penal Code §20.04; (19)
11. Engaging in conduct containing the elements of an offense involving use, possession or sale of **drugs or alcohol**, if punishable as a felony; (36,37)
12. Engaging in conduct containing the elements of the offense of **aggravated robbery** under Penal Code §29.03; (46)
13. Engaging in conduct containing the elements of the offense of **manslaughter** under Penal Code §19.04; (47)
14. Engaging in conduct containing the elements of the offense of **criminally negligent homicide** under Penal Code §19.05; (48)
15. Engaging in conduct containing the elements of the offense of **continuous sexual abuse of a young child or children** under Penal Code §21.02;
16. Engaging in conduct containing the elements of any offense listed in 1-17 above against any employee of the district in **retaliation** for or as a result of the employee's employment with the district, regardless of time or location. (08)

## **B. Discretionary**

A student may be expelled from school and placed into the District's Disciplinary Alternative Education Program (DAEP) if the student:

1. Commits ANY OFFENSE listed as Mandatory Expellable Offenses if they occur while within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property of another district in Texas;
2. Engages in conduct containing the elements of the offense of **criminal mischief** under Penal Code §28.03, if the conduct is punishable as a **felony**, *regardless of time or location*; (22)
3. Sells, gives, delivers to another person, uses, possesses, or is under the influence of any amount of **marijuana**, a **controlled substance**, a **dangerous drug** or **alcohol** at a school or a school-sponsored or school-related activity, or *within 300 feet* of a school; (04,05)

4. Engages in conduct containing the elements of an offense relating to an **abusable volatile chemical** (§485.031 - 485.034, Health and Safety Code) at a school or a school-sponsored or school-related activity, or *within 300 feet* of a school; (06)
5. Engages in conduct that contains the elements of **assault** under §22.01(a)(1), Penal Code, against a school district employee or a volunteer at a school or a school-sponsored or school-related activity, or *within 300 feet* of a school; (27)  
NOTE: Any offense by a student considered to be any type of assault against school personnel will be disciplined by placement in the district DAEP or expulsion.  
(*see also Disciplinary Alternative Education Placement in the Student Code of Conduct*)
6. Engages in conduct that contains the elements of the offense of **deadly conduct** under Penal Code §22.05, at a school or a school-sponsored or school-related activity, or *within 300 feet* of a school; (49)
7. Engages in conduct that contains the elements of **retaliation** against a school employee or volunteer, *regardless of time or location*. (08)
8. Engages in conduct that contains the elements of **terroristic threat** under Penal Code §22.07, *regardless of time or location*; (26)
9. Engages in conduct that contains the elements of **false alarm or report** under Penal Code §42.06, *regardless of time or location*; (35)
10. Engages in conduct that contains the elements of:
  - **aggravated assault** under Penal Code §22.02; (29, 30)
  - **sexual assault** under Penal Code §22.011; (31, 32)
  - **aggravated sexual assault** under Penal Code §22.021; (31, 32)
  - **murder** under Penal Code §19.02; (17)
  - **capital murder** under Penal Code §15.03; (17)
  - criminal attempt to commit **murder** or **capital murder** under Penal Code §15.01; (17) or
  - **aggravated robbery** under Penal Code §29.03 (46)  
against another student, *regardless of time or location*, or
11. Engages in conduct that contains the elements of the offense of **breach of computer security** under 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:
    - i. Alters, damages, or deletes school district property or information; or
    - ii. Commits a breach of any other computer, computer network, or computer system.
12. Received deferred prosecution, been found by a court or jury to have engaged in delinquent conduct, been charged with, referred to a juvenile court, received probation or deferred adjudication, or been convicted or arrested for any **Title 5 Felony** offense or the felony offense of **aggravated robbery** under §29.03, Penal Code , *regardless of time or location of the offense, whether or not the student was enrolled in school at the time of the offense, or whether the student has successfully completed any court disposition*, AND it is determined by the board or the board's designee that the student's presence in the regular classroom:
  - threatens the safety of other students or teachers,
  - will be detrimental to the educational process, or
  - is not in the best interests of the district's students.
13. Is a registered sex offender.
14. Engages in documented serious misbehavior while on the DAEP campus despite documented behavioral interventions (59) For purposes of this subsection, "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 §1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. **Public Lewdness** under §21.07, Penal Code;
  - b. **Indecent Exposure** under §21.08, Penal Code;
  - c. **Criminal Mischief** under §28.03, Penal Code;
  - d. **Personal Hazing** under §37.152 Penal Code; or
  - e. **Harassment** under §42.07(a) (1), Penal Code, of a student or district employee.

### **General Procedures for Expulsion**

If misconduct occurs that is an expellable offense, the student and the parents or guardian shall be informed in writing by the campus administrator of the allegations and the recommendation for expulsion. A decision to expel a student shall not be implemented until there has been a full hearing before the District Hearing Officer. The District Hearing Officer shall serve as the board's designee.

### **Campus Level Conference:**

The campus administrator shall schedule a conference with the parent or guardian of the student, appropriate campus staff and the student. At the conference, the student is entitled to notice of the reasons for expulsion, an explanation of the basis for the expulsion, and an opportunity to respond to the reasons. If the Principal recommends expulsion a district level hearing before the District Hearing Officer will be scheduled.

Before attending the district level hearing the student and parent will receive prior notice of the charges and the proposed sanctions as to afford a reasonable opportunity for preparation. The notice shall be in writing and advise of the nature of the evidence and names of any witnesses whose testimony may be used against the student.

The student has a right to a full and fair hearing before the District Hearing Officer.

The student has a right to be represented by the parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district.

The student will be provided the opportunity to testify and to present evidence and witnesses in his/her defense.

The student will have the opportunity to examine the evidence presented by the school administration and to question the administration's witnesses.

Courtroom rules of evidence will not apply, but all evidence and testimony must be relevant to the proceeding. An audio record of the hearing will be made by tape recorder.

If the school district makes a good-faith effort to inform the student and parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, parent or guardian or another adult representing the student attends.

### **Expelled Students Seeking Admission**

The Killeen Independent School District will review the expulsion order from another school district and will continue the expulsion under the terms of the order. Students seeking admission into KISD and who have been either expelled from school or assigned to a DAEP in another district within the past 12 months will NOT be admitted into the district unless residing in the district with a biological or adoptive parent, or a court-appointed guardian (does not include Power of Attorney).

Students transferring into the district who have been expelled to a JJAEP based on their status as a Registered Sex Offender, and who have not yet completed the assignment, will be required to complete the current semester, plus one additional semester, in the DAEP. Following the completion of one (1) full semester in the DAEP a committee review will be conducted to determine whether or not the student may return to the regular classroom.

### **Additional Expulsion Information**

Federal law requires that a student expelled for a firearms violation must be expelled from the student's regular campus for a period of at least one (1) calendar year. The superintendent, using his/her professional judgment and discretion, may modify the length of expulsion.

The district shall provide educational services to an expelled student in a Disciplinary Alternative Education Program if the student is in 5th grade or below on the date of expulsion.

Students under six years of age shall not be placed in a Disciplinary Alternative Education Program unless the student commits a Federal firearm offense.

The district shall continue expulsion proceedings once a student and parent or guardians are notified of the intent to expel, even if that student chooses to withdraw from school prior to a due process hearing. Failure of the student or parent or guardian to either appear for the scheduled due process hearing or to notify the campus principal of a need to reschedule the hearing will be interpreted as the student's concurrence with the recommendation for expulsion. The hearing will take place as scheduled and a decision will be rendered. Should an attempt be made to enroll in another school district, that district shall be notified of the student's expulsion from the Killeen Independent School District. If an order is not entered, the next district in which the student enrolls may complete the proceedings and enter an order.

Decisions made by the District Hearing Officer may be appealed to the board of trustees. Decisions made by the board of trustees may be appealed to the Bell County District Court. Pending such an appeal the expulsion will be in effect.

If, during the term of expulsion, a student engages in additional conduct for which expulsion is required or permitted, additional proceedings may be conducted regarding that conduct and the board or its designee, as appropriate, may enter an additional order of expulsion.

### **Criminal Trespass Warning**

All students assigned to JJAEP will be issued a Criminal Trespass Warning. The warning will prohibit the student from being present on any district campus or property, and from attending any school-related or school-sponsored activity during the time of the assignment. Violations of the warning may result in a substantial fine or jail term. The warning will be in effect whether or not the student actually attends the JJAEP.

### **Description of JJAEP**

Juvenile Justice Alternative Education Program (JJAEP) is the county-wide alternative campus for students who have been expelled from their home campus or district alternative campus. JJAEP serves the school districts in Bell County. The program is located at 4800 E. Rancier Avenue in Killeen, Texas. It is a cooperative effort between the Bell County Juvenile Probation Department and the county's school districts to provide education, discipline and rehabilitation to students who have been expelled from school. The JJAEP's program mission is to enable students to perform at grade level with emphasis placed on education, security and self-discipline.

Four core classes (English, Math, Science, and Social Studies) are provided to the students in grades six through twelve, with no electives offered. Classes are taught by certified teachers and aides provided by the Killeen Independent School District. Student disciplinary needs are managed by the Bell County Juvenile Probation Department. Students entering the program must adhere to rules, regulations and dress code set by the Juvenile Board.

### **Duration of Expulsion**

All students expelled from school, either a regular or an alternative campus will be placed into the Juvenile Justice Alternative Education Program (JJAEP) for the duration of the expulsion. The terms of the expulsion shall be determined by the District Hearing Officer in a due process hearing held in accordance with district guidelines, and in agreement with the Bell County Juvenile Probation

Department. For mandatory expellable offenses, the length of assignment is up to 120 successful school days.

If expelled for a Title 5 Felony offense, the duration of the assignment may be until:

- graduation,
- charges are dismissed or reduced to a misdemeanor, or
- completion of the term of placement or assigned to another program.

If expelled as a registered sex offender, the assignment is for a minimum of one (1) full semester, after which a committee will conduct a review to determine whether to continue the student's placement or return the student to the regular classroom. The committee will forward a recommendation to the board of trustees or its designee for a final decision. The student may not be returned to the regular classroom UNLESS it is determined that the student's presence:

- threatens the safety of other students or teachers,
- is detrimental to the educational process, or
- is not in the best interests of the district's students.

### **Returning from Expulsion**

Upon completion of a term of expulsion, students will be assigned to Gateway MS or HS for a transitional period prior to returning to the regular campus. If the student was expelled from the regular home campus directly to JJAEP, the transition period will normally be for 45 successful days. If the student was expelled to JJAEP from Gateway MS or HS, the transition period will normally be for the number of days remaining on the original assignment to Gateway HS or MS at the time the student was expelled. The actual duration and terms of the transitional assignment will be determined by the District Hearing Officer as a part of the expulsion hearing process.

During the transitional period between a student's assignment to JJAEP and the ultimate return to the regular campus, students will be on District Probation. While on District Probation a student is subject to being reassigned to JJAEP upon one serious violation of the Student Code of Conduct. District Probation is transferable from campus to campus, should the student change campuses while on probation.

### **APPEAL PROCEDURES**

In all cases, the original disciplinary action taken will be in effect pending any appeal process at any level.

#### **Campus Level:**

Disciplinary decisions made at the campus level may be appealed to the Executive Director for Student Services or the District Hearing Officer. If the decision is made by the Principal's designee (usually an assistant principal), the appeal must first be to the Principal. Only the Principal's decision may be appealed. In cases where the Principal is not available for more than one school day the appeal may proceed directly to the Executive Director for Student Services or the District Hearing Officer. Such appeals must be received in writing within three (3) days after notification of the campus decision. Written appeals should be addressed to either of the persons listed below:

Executive Director for Student Services-Joseph Welch  
902 N. 10<sup>th</sup> St. Killeen, TX 76541  
(254)336-2822

District Hearing Officer-Brenda Adams  
4100 Zephyr Road Killeen, TX 76543  
(254)336-2827

The decision of the Executive Director for Student Services or the District Hearing Officer is final and may not be appealed.

#### **District Level: (DAEP Placement and Expulsion)**

Decisions made by the District Hearing Officer for placement into a Disciplinary Alternative Education Program (DAEP) or expulsion and assignment to the Juvenile Justice Alternative Education Program (JJAEP) may be appealed to the board of trustees. The only aspect of the appealed case the board will

hear is due process or board policy violations. The board appeal will not include a restatement of the facts of the case, nor will any witness testimony or evidence be introduced.

Appeals to the board must be received in writing within 7 calendar days of the District Hearing Officer's decision. Written appeals should be addressed to:

Board of Trustees  
Killeen Independent School District  
P.O. Box 967  
Killeen, TX 76540

The decision of the board of trustees concerning DAEP placements is final and may not be appealed. Expulsion cases may be appealed to the District Court in Bell County. Such appeals will be "de novo" in nature. The court will hear the case in its entirety, including any new evidence which may be presented and witnesses which may be called.

**NOTES:**

- In DAEP placements resulting from notification of felony offenses committed off campus, and for which the case is either not going to court, or has been dismissed with prejudice in court, the board of trustee's decision to uphold the superintendent or designee's decision to continue the DAEP placement may be appealed to the Commissioner of Education for the State of Texas.
- The district has an obligation to report to the appropriate law enforcement agencies any disciplinary offenses which are also violations of State or Federal laws.
- In cases involving the placement of registered sex offenders the appeal to the board of trustees is limited to the factual question of whether the student is required to register as a sex offender under Chapter 62, Code of Criminal Procedure.

**ATTENDANCE:**

**Texas Education Code Excerpts:**

**§25.085**

- A child who is required to attend school under this section shall attend school each school day for the entire period the program of instruction is provided.
- Unless specifically exempted by TEC §25.086, a child who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached the child's 19th birthday, shall attend school.
- On enrollment in pre-kindergarten or kindergarten, a child shall attend school.

**§25.087**

A school district shall excuse a student from attending school for the following purposes, including travel for those purposes:

- observing religious holy days,
- attending a required court appearance, or
- temporary absence resulting from an appointment with a health care professional for the student or the student's child if the student commences classes or returns to school on the same day of the appointment.

The appointment **MUST** be properly documented by a note from the health care professional.

Students who are dependents of active military personnel (to include parents, stepparents, or legal guardians) may be excused from school for absences related to deployment to or return from duty under the following conditions:

- The deployment must be outside the locality of residence of the parent, stepparent, or legal guardian;
- The deployment must be for at least four (4) continuous months;

- The absences from school must be taken no earlier than the 60th day prior to the deployment nor later than 30 days following the return from deployment;
- The number of excused absences under this provision is limited to five (5) days.

A student whose absence is excused under any of these provisions shall be counted as if the student attended school. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of attendance.

### **§25.092**

A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit under this subsection without the consent of the judge presiding over the student's case.

### **Tuancy (122)**

A student who is absent without acceptable written documentation from school, or from any class during the school day will be considered truant and subject to disciplinary and/or court action.

### **Tardy (207)**

Tardies are a disruption of class and will be treated with discipline consequences. Tardy is defined as not being at the assigned location when the tardy bell rings.

### **Unexcused Absence (200)**

Any absence not properly documented nor determined by the campus attendance administrator to be an "extenuating circumstance," is considered to be unexcused. As students accumulate unexcused absences or trancies they may be given an opportunity to make up missed class time through Saturday detention. Failure of a student to attend or successfully complete the Saturday detention will result in the absence remaining "unexcused," and may subject the student to additional disciplinary action, and may also result in the loss of credit (high school) or promotion to the next grade level (middle and elementary school).

After a student has accumulated ten (10) absences at the elementary or middle school level, or three (3) absences per nine-week grading period at the high school level, which have been excused by parent note(s), documentation from a health care professional will be required for any additional absences. Only in extenuating circumstances may the school nurse serve as the health care professional.

It is expected that all notes be submitted to the attendance secretary or other appropriate person at the child's school within five (5) school days of the student's return to school. Absences for which notes are not received within five (5) school days are subject to being classified as UNEXCUSED.

**WARNING:** Unexcused absences and trancies are subject to court action as defined by section 25.095 of the Texas Education Code, stating that if a student is absent from school on 10 or more days or parts of days within a 6 month period in the same school year or on three or more days or parts of days within a 4 week period:

- (1) the parent is subject to civil prosecution under Texas Law
- (2) the student is subject to civil prosecution under Texas Law

## **DEFINITIONS**

### **Aggravated assault**

"Aggravated assault" is defined as causing serious bodily injury to another **or** using or exhibiting a deadly weapon during the commission of any assault. (*Penal Code 22.02(a)*)

"Serious bodily injury" is defined as bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.



“Deadly weapon” is defined as a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury. (*Penal Code 1.07(46), (17)*)

### **Assault with Bodily Injury**

Assault with bodily injury is defined as:

Intentionally, knowingly, or recklessly causing bodily injury to another. (*Penal Code 22.01(a) (1)*)

“Bodily injury” is defined as physical pain, illness, or any impairment of physical condition. (*Penal Code 1.07(8)*)

### **Cheating/Copying**

Activities which involve cheating and copying are considered to be academic problems for which academic penalties are most appropriate. If a teacher, in his or her professional judgment, finds that a student is cheating or copying, they should determine what the appropriate consequence would be for the particular situation. Consequences could include assigning a grade of “0” for the assignment affected, and providing no opportunity for make-up work.

### **Classroom Account**

Classroom account is defined as access provided by KISD Network Services and other providers who are sanctioned by KISD Network Services, Instructional Technology, and Curriculum and Instruction. This includes governmental entities such as the United States Military for communication with deployed parents of KISD students.

### **Community Service**

Campuses within the district may use community service as a disciplinary consequence for Type II minor offenses. Community service involves light clean up type activities around the school to include the cafeteria. Students assigned community service tasks are always given a choice of performing community service or accepting some other disciplinary consequence. Community service is supervised by a school employee and approved gloves are worn if the student is to engage in any type of cleaning activity. Parents objecting to their student being assigned community service must notify the campus principal that community service is a disciplinary consequence that cannot be used with their student.

### **Dating Relationship**

“Dating relationship” means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of the relationship will be determined based on consideration of (1) the length of the relationship, (2) the nature of the relationship, and (3) the frequency and type of interaction between the persons involved in the relationship. A casual acquaintance or ordinary fraternization in a school or social context does not constitute a “dating relationship.”

*Family Code 71.0021 (b)-(c)*

### **Dating Violence**

“Dating violence” includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship.

*Education Code 37.0831 (b)*

### **Detention**

Weekday: (*before or after school or during lunch*)

Students may be assigned to campus detention halls designated by the building principal for misconduct. Students may be required to complete school assignments, study their textbooks, or complete plans for responsible behavior during detention time.

Saturday:

- A. The primary purposes of Saturday Detention are to maximize the amount of time available for student reflection about misbehavior, and to make up days of unexcused absences for credit or promotion recovery.

- B. The number of Saturdays assigned will vary depending on the severity of the misconduct or the number of days of unexcused absences.
- C. The elementary Saturday Detention center is held at Clifton Park Elementary School, and is designed to serve students in 3rd, 4th, and 5th grade only. The high schools and middle schools will hold Saturday detention at their own campuses.

Transportation to (before school) and from (after school) weekday detention and both to and from Saturday detention is the responsibility of the parents.

### **Information Resources**

Information resources are defined as resources and support materials relevant to the curriculum as defined by the KISD Curriculum and Instruction Department.

### **Paging Device or Cellular Telephone**

A “paging device or cellular telephone” is a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. (*TEC §37.082*)

### **Possession**

“Possession” means having actual or constructive control of an item either on the student’s person, or in a car, locker, bag, or other article under the actual or constructive control of the student, regardless of the student’s knowledge or intent to possess the item.

### **Reasonable Belief**

Reasonable belief is a determination made by a school official using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedures.

### **Retaliation**

Intentionally or knowingly harms or threatens to harm another by an unlawful act:

- A. in retaliation for or on account of the service or status of another as a:
  - i. public servant; or
  - ii. person who has reported or who the actor knows intends to report the occurrence of a crime; or
- B. to prevent or delay the service of another as a:
  - i. public servant, witness, prospective witness, or informant; or
  - ii. person who has reported or who the actor knows intends to report the occurrence of a crime.

“Informant” means a person who has communicated information to the government in connection with any governmental function.

“Harm” means anything reasonably regarded as loss, disadvantage, or injury, including harm to another person in whose welfare the person affected is interested. (*Penal Code 1.07 (25), 36.06*)

### **Security Cameras**

The district utilizes security cameras and video recording devices at the school campuses and other district facilities. These are located in cafeterias, hallways, designated areas, entryways, and parking areas. The district also randomly places video cameras on school buses to record student behavior. The district may view recordings to aid in the investigation of student misconduct and violations of the Student Code of Conduct. Recordings may be reviewed by authorized district personnel only.

### **Self Defense**

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

**SERIOUS OFFENSE** (*see pages 3 - 7*)**Suspension**

- **In-School (ISS)**  
Students are assigned to a special classroom to complete school assignments. No interaction with other students will be allowed. Counseling services will be provided as appropriate and feasible. The length of stay will vary depending on the misconduct.
- **Out of School (OSS)**  
Suspension is a deprivation of educational services for disciplinary reasons. The length of the suspension may not exceed three (3) consecutive days per assignment. The principal (or designee) may suspend a student who engages in conduct for which the student may be placed in a disciplinary alternative education program, or for any prohibited activity in which the student is involved. Absences accrued during suspension shall be considered as excused. To receive credit for work missed, it must be turned in within five (5) days of the student's return to school. It is not expected that teachers be required to provide ahead of time assignments for students to complete during the time of suspension. Students who are suspended from school are prohibited from being present on any district campus or property, and from attending any school-related or school-sponsored activity, during the time of the suspension.

**Terroristic Threat**

Terroristic threat is a threat of violence to any person or property with intent to:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
- Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- 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).

**Title 5 Offenses**

Title 5 offenses are those that involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [see policy FOC (EXHIBIT) @ [www.killeenisd.org](http://www.killeenisd.org)].

**Under the Influence**

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

District officials may determine that a student is under the influence based on information from other students, employees, or patrons or the student's admission that the student used a prohibited substance (alcohol, dangerous drug, controlled substance, or any other intoxicant) at school or recently enough prior to being at school or a school activity that the student would experience the effects of using the substance while at school or the school activity.

**Use**

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

**DISCIPLINE ASSIGNMENTS AND NOTIFICATION**

<b>Assignments</b>	<b>Recommended or Assigned by</b>	<b>Notification/Due Process</b>	<b>Appeal to:</b>
Detention	Teacher or Administrator	Parent contact	Principal
In School Suspension	Administrator	Parent contact	Principal, Executive Director for Student Services, or District Hearing Officer; within 3 days of the latest decision
Out of School Suspension	Administrator	Parent contact	Principal, Executive Director for Student Services, or District Hearing Officer; within 3 days of the latest decision
Campus Probation	Administrator	Certified mail with return receipt requested or the issuance of a Campus Probation Contract. Refusal by parent or student to sign the contract must be documented by the administrator next to his/her signature. This refusal does not negate the contract.	Principal, Executive Director for Student Services, or District Hearing Officer; within 3 days of the latest decision
DAEP	Recommended by Campus Administrator; Decision by District Hearing Officer	Parent letter, Campus Level Conference, District Level Hearing	Board of Trustees (Due Process errors only); within 7 days of the decision
Expulsion	Recommended by Campus Administrator; Decision by District Hearing Officer	Parent letter, Campus Level Conference, District Level Hearing	Board of Trustees (Due Process errors only); District Court of Bell County within 7 days of the decision

## DRESS CODE

Students shall be dressed and groomed in a manner that is clean and neat and that will not present a health or safety hazard to themselves or others. Clothing will be worn as it is designed to be worn. All dress code issues will be subject to the **campus administrator's judgment**.

Students who are considered to be in violation of the dress code shall be advised by the campus administrator and shall be given an opportunity to comply. The opportunity to comply may take a variety of forms. In most cases the student will be allowed to call parents for a change of clothes. While awaiting the change of clothes, the student may be required to (a) wait in the office; (b) attend ISS; (c) go to class (if not a severe violation); or (d) any other option deemed necessary or appropriate by the administrator. Those who then fail to comply or who repeatedly violate the code shall be subject to disciplinary action.

Exceptions to the dress code include students who wear principal approved uniforms on designated dates and who participate as members of official school groups or organizations. Certain elective courses or extra-curricular activities may require more stringent dress or appearance standards than for the general student body.

The district prohibits pictures, emblems, or writings on clothing that:

- Are lewd, offensive, vulgar, or obscene.
- Advertise or depict tobacco products, alcoholic beverage, drugs, or any other prohibited substance.
- Contain derogatory remarks concerning any identifiable race, color, creed, national origin, religion, age, gender, or disability.

The following standards of dress and grooming apply except as noted:

1. Pants, slacks, and jeans are acceptable attire. Spandex pants or shorts, boxer shorts, "cut-offs", and shorts or pants with holes any higher than 4" above the knee are not permitted. Pants or shorts shall not be more than one size too large, and must be worn at the waist, with no "sagging." Shirts and blouses shall be appropriately sized and may not be worn in any way that reflects gang affiliation or may conceal contraband. Shirts may not extend beyond the student's fingertips when worn outside the pants or a skirt.
2. "Sagging" (wearing pants below the waistline or showing underwear) is not permitted.
3. As a general guideline, dress/skirt length and shorts should be no shorter than 4 inches above the top of the knee, and must allow students to walk, stoop, kneel, and sit with modesty.
4. Apparel designed for recreation, such as tank tops, fishnet (mesh) shirts, etc., is unacceptable. **ELEMENTARY ONLY:** Tank tops and similar apparel may be worn by students in grades Pre K-2, especially in hot weather.
5. Apparel designed as underwear or night wear may not be visible or worn as outer garments.
6. Tight and/or revealing clothing or accessories that may draw undue attention to the student is prohibited. Clothing which is of transparent and/or see-through material should not be worn. Students must wear tops that cover the upper body (ex. no halter tops, tube tops, spaghetti straps, etc.) and shoulders, and extend beyond the midriff leaving no skin exposed in the normal activities associated with school.
7. Head coverings, bandanas (in any manner), hoods, and sweatbands may not be worn inside the building. The campus administrator must approve any exceptions to this policy for religious or medical reasons.
8. Students must wear footwear which is appropriate for school. Examples of inappropriate footwear, although not inclusive, are the following: house slippers, shoe skates, water shoes, sock shoes, and shoes with metal spikes.
9. Hair must be neat, clean, and well groomed. Facial hair, if worn, must be neat and well trimmed.

10. Types of apparel, including jewelry, trench coats, emblems, badges, symbols, signs, or other items or manner of grooming which, by virtue of color, arrangement, trademark, symbol, or any other attribute indicates or implies gang membership or affiliation, or would substantially disrupt, distract, or materially interfere with the school environment, activity, and/or educational objectives, are prohibited on school grounds, or at any school-related activity, regardless of time or location.
11. Photo ID cards will be issued to all secondary (grades 6-12) students, except those assigned to the Gateway MS or HS. They will be required to be worn at all times, visible from the front (at the waist or above) while at school or at school functions, and while riding to and from school on district transportation.

Students who attend schools where a **standard dress policy** has been approved may have additional dress code provisions. The additional dress code requirements will be disseminated to students by the campus personnel.

## **KISD PROGRESSIVE DISCIPLINE MATRIX**

### **GENERAL**

School administrators are expected to handle disciplinary referrals effectively and efficiently. The following will serve as a guideline for administering disciplinary consequences in conjunction with the KISD Student Code of Conduct.

### **SERIOUS OFFENSES**

Students may be placed on **campus probation** (in conjunction with in-school suspension or out-of-school suspension). Campus Probation constitutes a “final warning,” that the next serious offense may result in a hearing for DAEP placement.

### **SCHOOL BUS SAFETY/SERIOUS VIOLATIONS**

For school bus safety violations and for serious violations that happen on the bus, the 4<sup>th</sup> bus offense shall invoke at least a temporary removal (possibly a permanent removal), and the 5<sup>th</sup> offense may invoke a permanent bus suspension. For students attending a DAEP, the 3<sup>rd</sup> bus offense may result in permanent bus suspension; any flagrant bus offense prior to the 3<sup>rd</sup> violation may result in immediate bus suspension. Under severe circumstances the Director for Transportation Services reserves the right to request temporary or permanent bus suspension at a date earlier than prescribed by this regulation.

**MINOR OFFENSES (GENERAL)** *Includes Horseplay (203), Inappropriate Language (206), and Selling Items on Campus Without Permission (204)*

Each incident = at least one (1) consequence

Office Referral 1 – 4 (coded in accordance with offense) = consequence as deemed appropriate by administrator

Office Referrals 5-7 (coded as 109) = consequence as deemed appropriate by administrator (*or bus suspension if appropriate*)

Office Referral 8 (coded as 109) = Student receives appropriate consequence **plus** student is placed on **campus probation**

Office Referral 9 (coded as 109) = DAEP placement may be recommended

### **SCHOOL BUS VIOLATION (MINOR OFFENSE)**

For school bus rule violations, the student will receive appropriate consequences through the 4<sup>th</sup> incident. The 5<sup>th</sup> through the 8<sup>th</sup> incidents shall be treated as **SERIOUS** violations with a temporary bus suspension. The 9<sup>th</sup> incident shall result in permanent bus suspension.

Campus administrators may suspend bus riding privileges for Pre-K and K grade students when the student has been returned to the campus three times due to parental failure to be present (or have an authorized representative present) at the designated bus stop for afternoon delivery. District staff will notify Child Protective Services (CPS) in instances where bus privileges have been removed for this

reason. 1<sup>st</sup> and 2<sup>nd</sup> offense – campus administrator notifies campus parent liaison for appropriate intervention. 3<sup>rd</sup> offense – campus administrator notifies CPS

### MINOR OFFENSE (SPECIFIC)

#### Tardies (207), Dress Code (202), and Telecommunications/Electronic Devices (201)

Campus office referrals for Tardies (secondary), Dress Code (including ID), and Telecommunications/Electronic Device violations are processed in accordance with the table below; however, the consequences listed are recommendations. In order to maintain an effective classroom environment campus administrators have the flexibility in applying any consequence as the violations escalate to the level of serious. Additionally, as is the case with any violation of classroom rules teachers may assign teacher directed consequences for each violation.

*Note: Any Minor (Specific) offense involving a telecommunications or electronic device (including cell phones) is subject to confiscation of the item for a period of time specified by the campus administration in addition to the consequences listed below.*

# of Referrals	# of Incidents	Consequence
1	4 ( <i>minor</i> )	Detention (AM, PM, Lunch, or Saturday)
2	8 ( <i>minor</i> )	Detention (AM, PM, Lunch, or Saturday)
3	12 ( <i>minor</i> )	Detention (AM, PM, Lunch, or Saturday)
4	16 ( <i>serious: code 199</i> )	In School Suspension
5	20 ( <i>serious: code 199</i> )	ISS <b>AND</b> Campus Probation
6	24 ( <i>serious: code 199</i> )	Possible DAEP Hearing

The table below shows a comparison between the various types of offenses and their relative consequences:

SERIOUS	MINOR ( General)	Minor (Specific) (201, 202, 207)
		#1 (4) (code 201, 202, 207) = Detention
	# 1 = appropriate consequence	#2 (8) (code 201, 202, 207) = Detention
	#2-4 = appropriate consequence	#3 (12) (code 201, 202, 207) = Detention
	#5-7 (code 109) = appropriate consequence (or bus suspension as appropriate)	#4 (16) (code 199) = ISS
#4 = *CP	#8 (code 109) = *CP + appropriate consequence	#5 (20) (code 199) = ISS and CP
#5 = Possible DAEP	#9 (code 109) = possible DAEP recommendation	#6 (24) (code 199) = possible DAEP recommendation for 30 successful school days

\*CP = Campus Probation

#### Definition of Tardy

- Tardy is defined as not being at the assigned location when the tardy bell rings.
- Secondary campuses:  
A student who is more than 15 minutes late to class is to be considered absent rather than tardy.
- Elementary campuses:
  - A warning bell will ring five (5) minutes prior to the beginning of school.
  - A second bell (**the tardy bell**) will ring at the time school is scheduled to begin.
  - The campus administration will develop a procedure to admit tardy students to class.
  - Parents will be notified by the campus upon the 3<sup>rd</sup> through the 10<sup>th</sup> tardy of each nine week grading period.
  - At the fifth (5<sup>th</sup>) tardy per grading period, the campus will establish contact with the family to develop a plan of action to eliminate tardiness.

- Positive recognition of students with no tardies is encouraged.
- Students in elementary school are subject to detention (AM, PM, Lunch, or Saturday) upon persistent violation of the tardy policy.

### **FIGHTING**

Students choosing to fight at school or at a school-related activity on or off school property will be subject to the following consequences:

#### Middle School

- One (1) fight MAY result in a due process hearing with a recommendation for DAEP placement.
- Two (2) fights SHALL result in a due process hearing with a recommendation for DAEP Placement.

#### High School

- One (1) fight SHALL result in a due process hearing with a recommendation for DAEP placement.

### **TRUANCY**

Truancy cases must be filed in court and a court appearance made prior to a recommendation for DAEP placement. Upon the 1st incident of truancy following a court appearance, a student may be recommended for DAEP placement.

## **STUDENT ACCEPTABLE USE POLICY**

### A. Personal Responsibility

The Killeen Independent School District is pleased to offer access to the World Wide Web, electronic networks and resources. We believe that our teachers will create engaging work for students using a variety of rich, digital resources available today and those emerging technologies to come. Access is a privilege, not a right, and carries with it responsibilities for all users. Technology and technology access is changing rapidly. Misuse will not be tolerated. Misuse means any violation of this agreement or any other use that is not included in the agreement but has the effect of harming another person, his or her personal property or district resources.

### B. Acceptable Activities

1. Any technology activity that supports a specific curricular focus of Killeen ISD is acceptable.
2. Any activity that supports the operations of Killeen ISD is acceptable.
3. Any activity that is required to further a user's education is acceptable.

### C. Unacceptable Activities

1. If any portion of an activity falls under the description of an Unacceptable Activity, then that entire activity is Unacceptable.
2. Any activity that is illegal as defined by any government entity recognized by the United States of America by way of sovereignty is prohibited.
3. Any activity that has been defined as illegal by the United States of America by treaty is prohibited.
4. Any information that is defamatory, inflammatory, accusatory or otherwise offensive to anyone because of their age, gender, race, creed, national origin, religion or any other factor covered under non-discriminatory law will not be communicated or published.
5. Any activity that creates a situation of civil liability or the potential for civil liability for Killeen Independent School District from known issues is prohibited, regardless of the reasons for the situation.
6. Any activity that generates income for any person or entity other than Killeen Independent School District is prohibited.
7. The purchase or sale of goods or services by any individual for private use is prohibited.
8. Any activity designed to cause any or all of the system to fail or cease functionality is prohibited.



9. Any activity that causes any portion of the system to approach failure limits is prohibited.
10. Any activity that is directed at another individual or entity with the intent of intimidation or forced coercion to action is prohibited.
11. Any activity that changes or attempts to change any stored data or settings of any device is prohibited.
12. Communications that are profane, lewd, disrespectful or otherwise inappropriate are prohibited.
13. Physical damage or destruction to any degree of any equipment is prohibited.
14. Any activity that accesses social networking sites and/or social networking based chat rooms.
15. Any activity that promotes bullying, including cyber bullying.

#### D. E-mail

1. E-mail is provided for staff and students as required by Texas State Law.
2. Students may have email access under the direct supervision of their teacher using a classroom account or as required for related coursework for communication and collaboration under Killeen ISD guidelines.
3. Students may have a student e-mail account provided for them by the district. Student e-mail accounts are a privilege.
4. Student e-mail accounts are not private and are subject to review at any time. The student e-mail account is provided primarily for instructional purposes and as a communication tool.
5. Students are not permitted to access personal email accounts using district computers or networks.
6. Any information contained in any e-mail message or attached to any e-mail message that traverses the Killeen ISD Network is public information subject to release through proper requests.
7. E-mail chain letters will not be forwarded regardless of the source or content.
8. E-mail may not be forwarded without the written permission of the sender.

#### E. Collaboration

1. Users at different physical locations may use the system to complete a task together.
2. Any technologies used for collaboration must adhere to all of the other guidelines and policies set forth.
3. Shared sites used for collaboration should belong to Killeen ISD. Commercial hosts may violate privacy law through their routine logging of stored information. They may also be inaccessible due to other content being hosted.
4. Shared sites used for collaboration should be inside the Killeen ISD firewall to prevent unauthorized access and protect individual privacy.

#### F. Publishing

1. Private information will not be published through any media without the proper release.
2. Student information will not be published without the permission of their parent or legal guardian.
3. Students may not share their personal information on district communication and/or publication resources. Limited exception to this is allowed for communication to colleges and universities.
4. No identifiers associated with Killeen ISD will be used in any publishing media without the written permission of the appropriate Killeen ISD official.

#### G. Security

1. Student images will not be published or shared without the appropriate release.
2. Student information will not be published or shared without the appropriate release.
3. Each person is required to make every reasonable effort to secure equipment under his or her control from loss or damage.
4. Students are restricted from sharing any personal information about others through e-mail.

#### H. Privacy

1. All information stored on or transmitted via any component of the network is subject to review and may be released by lawful request.
2. Any information that could be construed as a breach of an individual's privacy will not be posted or communicated.
3. System administrators may view and/or access any transmission or activity at any time without cause.
4. Parental access to student information stored on the network is addressed by established policy for parental rights.

#### I. Copyright

1. Copyright laws protect all intellectual property.
2. Students maintain ownership of works under intellectual property.
3. All copyrights will be respected.
4. All sources in all work will be properly cited.

#### J. Fair Use

1. Fair Use governs the privilege to use portions of copyrighted works in the educational process.
2. Any use of any portion of any copyrighted work will comply with Fair Use guidelines

#### K. Limitation of Liability

1. The district makes no guarantee that the functions or the services provided by or through the network will be error-free or without defect.
2. The district is not responsible for any damage which may occur, including, but not limited to, loss of data or interruptions of service.
3. The district is not responsible for financial obligations arising through the unauthorized use of the system.
4. The district is not responsible for damages directly or indirectly caused by a student. Students and parents shall be responsible for financial obligations arising through unauthorized use and/or damages directly or indirectly caused by a student.
5. The district is not responsible for any student misuse of the student's e-mail account or communication which may be transmitted, shared, or contained in an e-mail account.

### **SEXUAL HARASSMENT / ABUSE AND NOTICE OF PARENT AND STUDENT RIGHTS**

Students have a right to attend District schools and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. Parents and students are encouraged to support the District in its efforts to address and prevent sexual abuse and harassment in the public schools.

#### **What Is Sexual Harassment?**

Student to student sexual harassment includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors. Adult (or employee) to student sexual harassment includes:

- any welcome or unwelcome sexual advances,
- requests for sexual favors, and
- other verbal (oral or written), physical, or visual conduct of a sexual nature.

It also includes such activities as engaging in sexually oriented conversations for purposes of personal sexual gratification, telephoning a student at home or elsewhere to solicit inappropriate social relationships, physical contact that would be reasonably construed as sexual in nature, and enticing or coercing a student to engage in sexual behavior in exchange for grades or other school-related benefit.

### **What is Sexual Abuse?**

Sexual abuse is defined as “illegal sex acts performed against a minor....” It may include, but is not limited to, fondling, sexual assault, or sexual intercourse. Sexual abuse is a form of child abuse that must be reported to appropriate law enforcement authorities.

### **Parent Notification**

The District will notify parents of students involved in sexual harassment by other students when the allegations are not minor, or of any incident regarding sexual harassment or sexual abuse by an employee. Notification may be by telephone, letter, or personal conference.

### **The District Will Take Action**

When a principal or designee receives a report that a student is being sexually harassed or abused, the administrator will initiate an investigation and take prompt action to intervene.

Verification of incidents involving District employees will result in disciplinary action which may range from a warning to termination of employment.

Verification of incidents involving students will result in consideration of a full range of disciplinary options, up to and including expulsion, based on the nature of the offense.

Parents and Students Are Encouraged To Report Sexual Harassment/Sexual Abuse Incidents.

Any complaint alleging sexual harassment by other student(s) or sexual harassment or sexual abuse by an employee should request a conference with the principal, the principal’s designee, or the District’s Title IX Coordinator. A conference will be scheduled within five (5) days after receiving the complaint. An investigation will be coordinated by the principal or Title IX Coordinator and should be completed within ten (10) days. Parents will be informed of any delays due to extenuating circumstances. Any complaints should be made in writing.

The Student Title IX Coordinator is:

Brenda Adams  
4100 Zephyr Rd.  
Killeen, TX 76543  
(254) 336-2827

The Adult Title IX Coordinator is:

Mike Harper  
200 North W.S. Young Dr.  
Killeen, TX 76543  
(254) 336-0045

Complaints may also be filed separately with the Office of Civil Rights:

Regional Director  
Office of Civil Rights, Region VI  
1999 Bryant Street, Suite 1620  
Dallas, TX 75201  
Phone (214) 661-9600  
Fax (214) 661-9587

Title IX coordinators are responsible to assure district compliance with the requirements of Title IX. The coordinator will investigate or oversee an investigation of a complaint alleging violations of Title IX. The District’s adopted complaint procedures for handling Title IX complaints can be obtained from the principal or Title IX coordinator. Throughout the complaint process parents and/or a representative may accompany the student.