KILLEEN INDEPENDENT SCHOOL DISTRICT

Student Code of Conduct

2026-2027

KILLEEN INDEPENDENT SCHOOL DISTRICT

200 North W.S. Young Drive, Killeen, Texas 76543

P.O. Box 967, Killeen, Texas 76540-0967

Dear Parents and Students,

Killeen Independent School District works diligently to educate students so they can reach their maximum learning potential. Each student's behavior, work ethic, and daily attendance contribute to the success of our shared mission. Our Student Code of Conduct provides students, parents, and staff with clear expectations for behavior, along with the consequences for violations. By working hand in hand, we empower students to become respectful, responsible, and capable individuals who contribute positively to their communities and the world.

For the very few students who choose to disregard Code of Conduct policies, progressive disciplinary action will be taken by the district, and, when appropriate, by law enforcement officials.

Our mission is to teach so that students learn to their maximum potential, and we must remain focused on this goal. It is essential that parents and students review the policies and expectations outlined in the Code of Conduct. When students uphold these expectations, they help create safe, supportive school environments where learning can thrive.

Creating a successful and positive learning environment requires the cooperation of parents, guardians, and the broader community. We firmly believe that the foundation of a strong educational experience is built on meaningful partnerships between schools and their stakeholders. By working together, we can foster safe, secure learning environments where students excel academically, socially, and emotionally.

If you have any questions or concerns about the Student Code of Conduct or any other matters related to your child's education, please do not hesitate to contact your school's principal. Open communication between schools and families is critical to ensuring the best possible support for each student's unique needs.

As we embark on the 2026-2027 school year, we are confident that with your support, dedication, and involvement, it will be a tremendous success.

Thank you for entrusting us with your child's education and the future of our community.

Best regards,

Dr. King Davis

Superintendent of Schools

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Killeen Independent School District

Student Code of Conduct

2026-2027 School Year

If you have difficulty accessing the information in this document because of disability, please contact: central.office@killeenisd.org, 200 North W.S. Young Drive, Killeen, TX 76543, 254.336.0000

Killeen ISD 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 nondiscrimination policies: School Attorney, 200 North W.S. Young Drive, Killeen, TX 76543, 254.336.0041.

ADMINISTRATION

Dr. King Davis, Superintendent

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Adopted by the Board of Trustees

July 28, 2026

Student Code of Conduct 2026-2027

Accessibility

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Purpose

The Student Code of Conduct ("Code of Conduct"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

This Code of Conduct has been adopted by the Killeen Independent School District board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code of Conduct remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the campus principal's office. Additionally, the Code of Conduct shall be available at the campus behavior coordinator's office and posted on the district's website, www.killeenisd.org. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

It is extremely important that parents/guardians 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 the 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.

Because the Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code of Conduct and the Student Handbook, the Code of Conduct shall prevail.

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

School District Authority and Jurisdiction

School rules and the district's authority to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities. When district staff investigate 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.

The district has disciplinary authority over a student:

1. During the regular school day.
2. While the student is traveling on district transportation.
3. During lunch periods in which a student is allowed to leave campus.
4. At any school-related activity, regardless of time or location.
5. For any school-related misconduct, regardless of time or location.
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location.
7. When a student engages in cyberbullying, as defined by Education Code 37.0832.
8. When criminal mischief is committed on or off school property or at a school-related event.
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line.
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas.
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal, or any other campus administrator selected by the principal. Additional staff members may assist the CBC in the performance of the CBC's duties, provided that the CBC personally verifies that all aspects of Chapter 37, Subchapter A, are appropriately implemented. The CBC is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found at *www.killeenisd.org (see specific campus websites)* and at https://www.killeenisd.org/Page/15396.

Threat Assessment and Safe and Supportive School Team

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

Searches

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable suspicion to believe it contains articles or materials prohibited by the district.

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

Killeen ISD Guidelines for Student Searches (Administrative Procedure VII-Z)

Detection Dog Searches – The district employs a K-9 Detection dog as part of the Killeen Independent School District Police Department (KISD PD). The K-9 unit is an investigative division of the KISD PD.

The district uses dual purpose patrol/narcotic dogs to sniff and alert to the odor of illicit substances defined in Board Policy FNCF (Legal): Student Conduct – Alcohol and Drug Use. The program is implemented in response to drug and alcohol use problems in district schools and to maintain a safe school environment conducive to education.

Visits to schools shall be unannounced or coordinated with campus administrators. The dog shall be used to sniff the air in vacant classrooms, in vacant common areas, around student lockers, and around vehicles parked on school property. The dog shall not be used with students. If a dog alerts a locker, a vehicle, or an item in a classroom, it may be searched by school officials.

Searches of Vehicles – Students have full responsibility for the security of their vehicles parked on school property. Students shall not place, keep, or maintain any article or material in vehicles that is forbidden by district policy. Students shall be responsible for any prohibited items found in their vehicles while on school property. Random searches of vehicles may be conducted by detection dogs accompanied by a school administrator. If the dog alerts to a vehicle, the student shall be called out of class and told to report to the parking lot. The student shall be notified that the detection dog alerted on the vehicle and the student will be asked to unlock the vehicle and observe the search. If the student refuses, the district shall contact the student's parents/guardians. If the parents/guardians also refuse to permit the vehicle to be searched, the KISD PD may search the vehicle if probable cause has been established.

A record of all collected items shall be made. KISD Student Code of Conduct violations shall be handled by the campus administration. Criminal violations shall be turned over to Law Enforcement officials.

Searches of Lockers – Students have full responsibility for the security of their lockers. The lockers are school property. Students shall not place, keep, or maintain any article in a locker that is forbidden by district policy. Students shall be responsible for any prohibited items found in their locker while on school property. Searches of lockers may be conducted by detection dogs accompanied by a school administrator. If the dog alerts on a locker, the student shall be called out of class and told to report to their locker. The student shall be notified that the detection dog alerted on the locker and the student will be asked to unlock the locker. If the student refuses, the lock shall be cut. Parents/Guardians shall be notified of the situation. The student shall be kept at a reasonable distance from the locker while it is being searched.

A record of all collected items shall be made. KISD Student Code of Conduct violations shall be handled by the campus administration. Criminal violations shall be turned over to Law Enforcement officials.

Searches of Common Areas – Common areas, such as restrooms, will be conducted without students in that location. Contraband shall be collected, with KISD Student Code of Conduct violations handled by the campus staff and criminal violations referred to Law Enforcement officials.

Searches of Classrooms – A campus administrator shall enter randomly selected classrooms and instruct all students to stand and leave all personal property in the classroom. The students shall be escorted to a location where a metal detector has been set up. It is recommended at this time for a K-9 search of the empty classroom while all students proceed through the metal detector. If an alert is sounded, the students shall be instructed to empty their pockets, take off a belt, or remove any metal object, and walk through again. If the alert is again sounded, the student shall be escorted to a private location with an administrator and Law Enforcement Official. The student shall be asked if there is reason the detector alerted. If the student refuses to comply, the parents/guardians shall be notified and asked to report to the school. The student shall not be left alone, as they might possess a weapon.

Metal Detectors – Weapons detection systems shall be set up and used. The campus administration shall operate the system. Law Enforcement Officials may observe and be prepared to react as required. Students who do not comply with searches or weapons detection system requirements are subject to consequences for insubordination.

Delegation of Authority to Transfer a Student Who Engaged in Bullying

The Board delegates to the Superintendent the authority to transfer a student who has engaged in bullying to: 1. Another classroom at the campus to which the victim was assigned at the time the bullying occurred; or 2. A campus in the district other than the campus to which the victim was assigned at the time the bullying occurred, in consultation with a parent or other person with authority to act on behalf of the student who engaged in bullying. (See glossary for bullying.) Education Code 37.004 (Placement of Students with Disabilities) applies to a transfer under this provision of a student with a disability who receives special education services.

The Superintendent may consider past student behavior when identifying a bully. The determination by the Superintendent is final and may not be appealed.

The District is not required to provide transportation to a student who is transferred to another campus under this provision. (See policy FDB (LEGAL)).

Reporting Crimes

The principal or CBC and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel/Cameras

The board utilizes police officers, school resource officers (SROs) and/or security personnel to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the CBC and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

The law enforcement duties of district police officers are: To enforce all laws of the State of Texas that come to the attention of the police that occur within the jurisdiction of the Board of Trustees.

Investigate all criminal offenses that occur within the jurisdiction of the Board of Trustees, or against the district, identifies the perpetrator(s) when possible; and, if appropriate, arrests such perpetrator(s), files appropriate charges, and causes to be placed in jail person(s) the officer has probable cause to believe have committed an offense against the State of Texas, the district, or its employees and/or students while on the property under the control and jurisdiction of the Board of Trustees.

Perform all the duties of a licensed peace officer enumerated in the Texas Code of Criminal Procedures Art. 2.12 and 37.081 of the Texas Education Code.

Assist in providing traffic control on contiguous streets at athletic events, school closings or openings, or at any other time deemed necessary by the district to ensure the safety and welfare of students, employees, and school district patrons.

Enforce subchapter C, D, E, and F of chapter 37 of the Texas Education Code.

Exercise discretion in dealing with faculty, students, and the public.

Provide police services at school or district-sponsored activities that occur off school property as authorized by Education Code 37.081 or as deemed appropriate by the district's administration and the Board of Trustees.

Provides other law enforcement functions as deemed necessary by the district's administration, and the Board of Trustees, or the Chief of Police.

The law enforcement duties of school resource officers (SROs) are: To enforce all laws of the United States and State of Texas that come to the attention of the Military Police (MP) that occur within the exclusive federal jurisdiction of Fort Hood, Texas, involving KISD faculty, staff, and students.

Investigate all criminal offenses that occur within the jurisdiction of Fort Hood and on KISD property, or against the students, faculty, or staff of KISD, identifies the perpetrator(s) when possible; and, if appropriate, arrests such perpetrator(s), files appropriate charges, when the officer has probable cause to believe an offense has been committed against the Uniform Code of Military Justice, United States Government, State of Texas through the Assimilative Crimes Act (18 U.S.C. § 13), or KISD employees and/or students while on the property under the control and jurisdiction of the Fort Hood Military Reservation.

While not licensed by the State of Texas, perform the duties typically assigned to a licensed peace officer.

Assist in providing traffic control on contiguous streets at athletic events, school closings or openings, or at any other time deemed necessary by the district and Directorate of Emergency Services to ensure the safety and welfare of students, employees, and school district patrons.

Enforce subchapter C, D, E, and F of chapter 37 of the Texas Education Code.

Exercise discretion in dealing with faculty, students, and the public.

Provide other law enforcement functions as deemed necessary by the Installation Provost Marshal at the request of the Board of Trustees or Chief of Police.

Military Police SROs submit investigations involving civilian offenders to the Special Assistant Attorney (SAUSA) for prosecutorial decisions in federal and local juvenile courts.

Perform such other duties as assigned.

For the elementary campuses that have contracted security, their duties are more limited to the list below:

1. Patrol assigned area of campus.

2. Respond promptly and correctly in emergency situations.

3. Inform supervisor, other security guards or District Police Department of issues or incidents happening.

4. Have ability to handle multiple tasks concurrently.

5. Check areas for unauthorized personnel or movement of students.

6. Report criminal violations to the Killeen Independent School District Police Department.

7. Respond to and assist in resolving conflicts and confrontations.

The district utilizes security cameras and video recording devices at the school campuses and other district facilities. The cameras are in cafeterias, hallways and other designated areas in and around the school, entryways, and parking areas. The district also 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 unless a parent requests and is authorized to view the footage by, and with, the Executive Director of Student Support Services.*

"Parent" Defined

Throughout the Code of Conduct and related discipline policies, the term "parent" includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student's participation in graduation activities for violating the district's Code of Conduct.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered eligible, a student shall not have engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation. This includes remarks made by the valedictorian and salutatorian.

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

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, SRO, or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

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

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

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress and follow the KISD published dress code.
- 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.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline, partly by reporting dangerous behaviors and/or situations school personnel.
- Adhere at all times to the requirements of the Student Code of Conduct.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 24, **DAEP Placement** on page 26, **Placement and/or Expulsion for Certain Offenses** on page 34, and **Expulsion** on page 35, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 22.

Disregard for Authority (Defiance and Insubordination)

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 35.)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in any behavior that is motivated by antisemitism. [see **Glossary**]
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.

- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 34).
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 34).
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Insulated metal cups or thermoses.
- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device.
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon.
- An air gun or BB gun.
- Ammunition.
- A hand instrument designed to cut or stab another by being thrown.
- A firearm silencer or suppressor.
- *A location-restricted knife (blade EXCEEDS 5 ½ inches).
- *A club.
- *A firearm.
- *A short barrel firearm
- A stun gun.
- Knuckles.
- A pocketknife or any other small knife (blades LESS than 5 ½ inches).
- Mace or pepper spray.
- Pornographic material.

- Tobacco products (including nicotine pouches), cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device.
- Matches or a lighter.
- Skateboards/Rollerblades/Scooters.
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 34. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law whether it occurs on or off campus.

ALL ITEMS LISTED 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.

Possession of Personal Communication Devices

Students shall not use a personal communications device, including a cell phone, smart watch, tablet, ear buds/headphones, AI glasses, or other electronic device on school property during the school day and shall store the device in accordance with the method of storage established by the district. [see Exhibit B]

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 26 and **Expulsion** on page 35 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school. **(**See **Exhibit A**)
- Use any login credentials other than their own, share passwords, or access another person's account.
- Use personal USB drives, external hard drives, memory cards, or other personal storage devices with District equipment. All schoolwork shall be stored in District-managed cloud storage (OneDrive).
- Utilize artificial intelligence in a way that would constitute academic dishonesty or as a means of engaging in any other prohibited conduct.

Safety Transgressions

Students shall not:

- Prop open exterior doors by any means or open any exterior door for any other student, staff member or visitor unless assisting campus prohibited faculty/staff by request.
- Possesses published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.

- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as outlined in **Exhibit C.**
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including Capturing Kids Hearts and restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF (LEGAL).

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions or consequences for behavior prohibited by the Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period (elementary only) or buddy room (secondary only), in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Classroom, teacher, or schedule changes.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Restitution.
- Saturday Detention.

- Opportunity to comply.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension (ISS). Documented SMART ISS services (educational) for all Special Education and 504 students.
- Assignment of school duties or community service.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page 24. **(See *Note)**
- Placement in a DAEP, as specified in **DAEP** on page 26.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 34.
- Expulsion, as specified in **Expulsion** on page 35.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

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

Maximum consequences will be applied to students engaging in prohibited or illegal behaviors. Those consequences include, but are not limited to:

- Suspension, on campus (ISS) and/or off campus (OSS)
- Assignment to a disciplinary alternative setting (DAEP)
- Expulsion and assignment to 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, and an arrest being made, a student being taken into custody, or a referral to a Juvenile Probation. Criminal charges may be filed in addition to any administrative action taken.

Also see KISD progressive discipline matrix in **Exhibit D.**

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The CBC shall promptly notify a student's parent by phone (preferred method), in person, mailed letter, or by email of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The CBC shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good-faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone, or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the CBC shall send written notification by U.S. Mail. If the CBC is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Parental Involvement

The principal, campus behavior coordinator, or other appropriate administrator shall notify the parent of or person standing in parental relation to a student who has been placed in a disciplinary alternative education program (DAEP) or expelled of the parent's or person's right to request a behavioral agreement that specifies the responsibilities of the parent or person and student.

The behavioral agreement will specify the responsibilities of the student and parent/guardian. If followed, the agreement may result in a reduced disciplinary placement period (up to ~~10~~ 20 percent of the original assignment), as outlined in the agreement. Reduction in the disciplinary placement period does not entitle the student to a different disciplinary placement. The decision to reduce, revoke or amend the disciplinary placement period is at the sole discretion of the school administration. Compliance with the agreement is required for the reduction to remain valid.

Note: Behavioral agreements are only offered for initial mandatory placements and are not available for repeated placements within the same school year.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the CBC's office, or the central administration office or through Policy Online® at the following address: *https://pol.tasb.org/PolicyOnline?key=166*.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and FFH(LOCAL).

Bus Rider Expectations

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior, or when specific misconduct warrants immediate removal, the principal or the CBC may restrict or revoke a student's transportation privileges, in accordance with law.

In Killeen ISD, 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, parent/guardian, and drivers is essential. Students will actively participate in School Bus Emergency Evacuation Drills as scheduled. Students and parents/guardians 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~~ PK-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.
- Students shall not video or audio record while riding the bus. The use of phone/video conferencing applications such as “Facetime” or “Google Meet” are also prohibited while riding the bus.
- 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/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 an extreme emergency.
- Students are required to wear a seat belt if the bus is equipped with seat belts. (TEC 34.013)
- 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/guardians 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

A student that does not follow the behavior expectations above is subject to disciplinary consequences served at the campus such as lunch detention, Saturday detention, ISS, OSS or DAEP placement. Students can also be placed on bus probation, temporary suspension, or permanent removal from the bus. See the Student Rider's Safety Handbook for more information.

Disruption of School Bus Transportation

A person (including students and parents/guardians) 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.

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the CBC's office as a discipline management technique. The CBC shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

Formal Teacher Removal

A teacher may initiate a formal removal from class if:

1. A student's behavior repeatedly interferes with the teacher's ability to teach the class or with other students' ability to learn.

2. A student demonstrates behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or-another student in the classroom.

3. A student engages in conduct that constitutes bullying, as defined by Education Code 37.0832.

A teacher, CBC, or other appropriate administrator must notify a parent or person standing in parental relation to the student of the formal removal. A teacher may remove a student from class based on a single incident of behavior.

Within three school days of the formal removal, the CBC or appropriate administrator shall schedule a conference with the student's parent. the student, the teacher who removed the student from class, and any other appropriate administrator. The teacher has the option to provide input for the meeting through a written statement.

At the conference, the CBC or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the CBC or other administrator may place the student in:

- Another appropriate classroom
- ISS
- Out-of-school suspension
- DAEP

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

Returning a Student to the Classroom

A student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault may not be returned to the teacher's class without the teacher's written consent.

A student who has been formally removed by a teacher for any other conduct may not be returned to the teacher's class without the teacher's written consent unless the placement review committee determines that the teacher's class is the best or only alternative available and not later than the third class day after the student was removed from class, a conference in which the teacher was provided an opportunity to participate has been held. The student may not be returned to the teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student.

Members of the committee who will review a student's return to class shall be appointed by the principal or designee and include:

1. Two teachers to serve as members and
2. One member from the administrative staff of the campus.

Note: The teacher refusing to readmit the student may not serve on the committee.

Appeals of Formal Teacher Removals

A student may appeal the teacher's removal of the student from class to the school's placement review committee or the campus's threat assessment and safe and supportive school team, in accordance with a district policy providing for such an appeal to be made to this team.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for below grade 3 unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that threatens the immediate health and safety of other students in the classroom; or
- Documented conduct that results in repeated or significant disruption to the classroom; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

Process for Suspensions (OSS or ISS)

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

A student may be assigned in-school-suspension (ISS) for repeated and significant classroom disruption or if the student threatens the immediate health and safety of others. A placement review will occur every 10 days of ISS assigned to determine if continued in-school suspension is appropriate. Students will continue to receive behavioral support services and comparable educational services as the student would receive in the classroom.

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

The CBC shall determine the number of days of a student's suspension.

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

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,

4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Alternative Assignment

A parent or person standing in parental relation to the student may submit a written request to the principal or other appropriate administrator to reassign a student placed in out-of-school suspension. The parent or person standing in parental relation to the student must provide information and documentation that they are unable to provide suitable supervision for the student during school hours during the period of the suspension. It is the sole discretion of the principal or other appropriate administrator to reassign the student placed in out-of-school suspension.

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

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

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

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

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

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for the following conduct violations:

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Engages in the elements of cyberbullying which violates the Student Code of Conduct.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public-school fraternity, sorority, or secret society, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public-school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault with threat of imminent bodily injury.
- Engages in conduct that contains the elements of the offense of disruption of classes under Education Code 37.124.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student engaged in conduct punishable as a felony, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. Aggravated robbery or felonies listed as offenses in Title 5 (see Glossary) of the Penal Code are punishable as mandatory expulsions.

The CBC **may** recommend a placement to DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
    - Engages in conduct punishable as a felony (including, but not limited to, terroristic threat, false alarm or report, threat, serious or persistent misconduct, sexting, etc.).
    - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1)(3).
    - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in **Expulsion** on page 35.) (See **glossary** for "under the influence," "controlled substance," and "dangerous drug.")
    - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
    - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
    - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
    - Sells, gives, or delivers to another person or possesses or uses a cigarette/e-cigarette as defined by Section 161.081. Health and Safety Code.
    - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
    - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.

- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property.
- Engages in conduct that contains the elements of harassment under Penal Code 42.07 against any school employee or volunteer on or off of school property.

The student receives deferred prosecution [see **Glossary**], or a court or jury finds that the student has engaged in delinquent conduct [see **Glossary**], or the superintendent or designee has a reasonable belief [see **Glossary**] under Section 53.03, Family Code, for conduct defined as any of the following offenses under the Penal Code:

1. A felony offense under Title 5;

2. The offense of deadly conduct under Section 22.05;

3. The felony offense of aggravated robbery under Section 29.03;

4. The offense of disorderly conduct involving a firearm under Section 42.01(a)(7) or (8); or

5. The offense of unlawfully carrying weapons under Section 46.02, except for an offense punishable as a Class C misdemeanor under that section.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

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

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

Process

Removals to a DAEP shall be made by the campus administrator or designee. When a student is removed from class for a DAEP offense, an appropriate campus administrator shall schedule a campus level hearing within five school days with the student's parent and the student.

Campus Level Hearing

At the hearing, the appropriate campus administrator shall provide the student:

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

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

Consideration of Mitigating Factors

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

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

Placement Order

After the campus level hearing, if the student is placed in a DAEP, the campus administrator shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

Not later than the second business day after the hearing, the campus shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in a DAEP, and the length of placement is inconsistent with the guidelines included in this Code of Conduct, the placement order shall give notice of the inconsistency.

DAEP at Capacity

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

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

Coursework Notice

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

Length of Placement

The campus administrator or designee shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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

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

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

Exceeds One Year

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

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

Exceeds School Year

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

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

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

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals, regarding a student's placement in a DAEP, should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the CBC's office, the central administration office, or through Policy Online® at the following address: *https://pol.tasb.org/PolicyOnline?key=166*.

Appeals shall begin at Level One with the Executive Director of Complaints and Grievances of Student Support Services or designee.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board's designee.

Restrictions During Placement

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities. While assigned to a DAEP the student is prohibited from being present on any other district campus or property, and from attending any school-related 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.

Placement Review

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

Additional Misconduct

If during the term of placement in a DAEP, the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the student may receive an additional DAEP assignment or a recommendation for expulsion.

Notice of Criminal Proceedings

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

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

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

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

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or

designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

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

Newly Enrolled Students

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

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

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

Emergency Placement Procedure

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

Transition Services

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

DAEP Assigned Students Seeking Admission

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 court-appointed guardian (does not include Power of Attorney).

Placement and/or Expulsion for Certain Offenses

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

Registered Sex Offenders

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

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

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

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

Review Committee

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

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

Newly Enrolled Students

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

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board's designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board's designee under this section is final and may not be appealed.

Expulsion

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

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 26.)

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to die by suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol.

- Engaging in conduct contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in deadly conduct. (See **glossary**.)

Property of Another District

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

While in a DAEP

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

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

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on or off school property:

Under Federal Law

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

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

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
    - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note*: A student may not be expelled solely on the basis

of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]

  - A location-restricted knife, as defined by state law. (See **glossary**.)

- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance or a dangerous drug.
- Engages in conduct that contains the elements of the offense of exhibiting, using, or threatening to exhibit or use a firearm under Education Code 37.125.
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See **glossary**.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Kidnapping or Aggravated kidnapping.
  - Burglary, Robbery or Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or disabled individual

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

  - Engaging in conduct that contains elements of assault against a school employee or volunteer.

Under Age Ten

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

Virtual Expulsion Program

In some circumstances, a student may be placed in a virtual expulsion program.

- The school will ensure students in the program have the necessary technology and internet and will provide it if needed.
- The virtual program will, as much as possible, meet the same requirements as an in-person disciplinary alternative education program (DAEP).
- The students' placement will be reviewed every 45 school days.
- If an in-person spot becomes available at the JJAEP, the school should plan the student's return to in-person learning.
- If continued virtual placement is appropriate, the school will document the decision.

Consideration of Virtual Education as Alternative to Expulsion

Before a school district may expel a student, the district must consider the appropriateness and feasibility of, as an alternative to expulsion, enrolling the student in a full-time hybrid program, full-time virtual program, full-time hybrid campus, or full-time virtual campus. This requirement does not apply to a student expelled under Education Code 37.0081 or 37.007(a), (d), or(e).

Process for Expulsion

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

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

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

Hearing

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

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

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

The board of trustees delegates to the district designee authority to conduct expulsion hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the

student or parent with written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record, and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or district designee shall take into consideration:

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

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

Not later than the second business day after the hearing, the board's designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

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

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

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

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

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

Withdrawal During Process

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

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

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

Additional Misconduct

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

Restrictions During Expulsion

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

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

Newly Enrolled Students

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

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

- A weekly visit from a staff member (i.e., Principal, Assistant Principal, Counselor, Mentor)
- Transition plan meetings will be documented in Student Success Plan (SSP)
- Transition Services shall be implemented within the first 5 days upon return to the regular campus.

Students returning to the regular campus from a DAEP are placed on District Probation for 45 days for Secondary Students (Middle and High School) and 30 days for Elementary students. Students who violate the student code of conduct while on district probation are subject to a recommendation to return to the DAEP.

Certain Felonies

Regardless of whether DAEP placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or CBC makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 [see **Glossary**] of the Penal Code. The student must have:

• Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;

• Been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;

• Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;

• Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or

• Received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

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

1. The date on which the student's conduct occurred;

2. The location at which the conduct occurred;

3. Whether the conduct occurred while the student was enrolled in the district; or

4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

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

Newly Enrolled Students

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

Glossary

Abuse is improper or excessive use.

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

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

Antisemitism is defined by Government Code section 448.001 as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

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

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

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

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

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

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

1. Has the effect, or will have the effect, of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or damage to the student's property.
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property.
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

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

Criminal street gangs are defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

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

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

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

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine, and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

False alarm or report under Penal Code 42.06 occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

1. Cause action by an official or volunteer agency organized to deal with emergencies.
2. Place a person in fear of imminent serious bodily injury; or
3. Prevent or interrupt the occupation of a building, room, or place of assembly.

Firearm is defined by federal law (18 U.S.C. 921(a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such a term does not include an antique firearm.

General Stay Away Contract may be issued to a student who interacts inappropriately with one or more students. A conference will be held with the student, and a parent will be notified that if the student goes near, speaks to, has others pass messages to, communicates electronically with, or disturbs the student(s) discussed, the student issued the Stay Away Contract will receive an incident referral for insubordination. The notification will be placed in the student's discipline file as a warning.

Graffiti includes markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

Handgun is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL).
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
    a. Initiating communication and, during the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law.
    b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property.
    c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury.

d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

e. Making a telephone call and intentionally failing to hang up or disengage the connection.

f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section.

g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or

i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

1. Any type of physical brutality.
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances.
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

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

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

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

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

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

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

Prohibited weapon under Penal Code 46.05(a) means:

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

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

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

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

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

Serious misbehavior means:

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

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

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

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

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

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies.
2. Place any person in fear of imminent serious bodily injury.

3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or another public place.
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service.
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

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

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

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

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

Unexcused Absence

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 truancies, 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).

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

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

Exhibit A

STUDENT ACCEPTABLE USE POLICY

With this educational opportunity comes responsibility. It is important that you and your parent/guardian read the Student Responsible Use Agreement, ask questions if you need help understanding them, and sign the form. Inappropriate use of the district's technology resources may result in revocation or suspension of the privilege to use these resources, as well as other disciplinary or legal action, in accordance with the Student Code of Conduct and applicable laws.

Killeen ISD provides computer access, network, e-mail, and internet access to individuals as part of the learning environment. The use of these resources is a privilege and not a right. While these systems have the power to deliver a vast number of resources to classrooms and enhance education, their effectiveness depends on the responsible and ethical use by every individual.

Policies

Users of the Killeen ISD network are required to adhere to state and federal law as well as board policy. The following Student Acceptable Use Agreement is based on district policy and regulations. For more information, refer to the following laws and Killeen ISD documents.

Federal and state mandates including the Family Education Rights and Privacy Act (FERPA), the Children's Internet Protection Act (CIPA), the Children's Online Privacy Protection Act (COPPA), the Individuals with Disabilities Act (IDEA), and the Health Insurance Portability and Accountability Act (HIPAA)

- Student Code of Conduct, Student Device Agreement
- Board Policy CQ (Technology Resources)
- Board Policy FNCE (Personal Telecommunications/Electronic Devices)
- Board Policy FFH (Freedom from Discrimination, Harassment, and Retaliation)
- Board Policy FFI (Freedom from Bullying)

Other Associated Board Policies

If a violation of any of the policies, including this Student Responsible Use Agreement occurs, you must immediately report to a supervising teacher or district technology representative any known violation of the policies and guidelines. You must also report any requests for personally identifiable information (name, address, phone number, age, sex, race, etc.) or contact from unknown individuals, as well as any content or communication that is abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.

Access

You are being given access to the following technology resources:

- A district email account, including access to cloud-based (online) document storage and collaboration space.
- District computer hardware, software, and printers on your school campus.

- District networks, including file storage space.
- Access to district-owned technology resources for use at home.
- District-filtered internet access wired and wireless.

Safety and Security

Killeen ISD is committed to creating a safe and secure digital environment for you.

Please note that it is possible you may run across areas of adult content and some material you (or your parent/guardian) might find objectionable. While Killeen ISD will use filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for responsible use. Parents/Guardians and students should contact the school with concerns when objectionable content has been discovered.

Also know that all contents of email and online communications accessed through Killeen ISD technology resources are the property of the district. Students should have no expectation of privacy on any information stored on Killeen ISD's network, accessed from Killeen ISD's network, or used within Killeen ISD's network. Appropriate district and school officials may monitor a technology device or access its contents at any time in accordance with this agreement and applicable law.

Parental Access to Cybersecurity Resources

In compliance with House Bill 18, parents or persons standing in parental relation shall be provided with resources necessary to understand cybersecurity risks related to their student's use of electronic devices. These resources are available at www.KilleenISD.org/HB18 and include information on safe internet practices, data privacy, recognizing online threats, and steps families can take to protect devices used for educational purposes.

Student Responsible Use Pledge

I AM RESPONSIBLE FOR HOW I TREAT OTHER PEOPLE. I will use email, social media, and other means of communication responsibly. I will not send or post hateful or harassing emails, make discriminatory or derogatory remarks about others, or engage in bullying, harassment, or other antisocial behaviors while in school or out of school, whether on a school issued or personal device.

I AM RESPONSIBLE FOR USING SCHOOL-ISSUED TECHNOLOGY DEVICES PRIMARILY FOR EDUCATIONAL PURPOSES. I understand that internet, bandwidth, and email usage at school should be related to school assignments during class time. I understand that websites, content, and media should be properly cited with respect to copyright. I will also report any suspicious behavior or other misuse of technology to my teacher or other campus administrator.

I AM RESPONSIBLE FOR MAINTAINING MY DISTRICT ISSUED DEVICES AND ACCOUNTS. I understand that I will be provided network and email accounts and that I must not share this information with anyone. I will only use my school email address for teacher directed accounts. I will not allow others to use my account name and password. I will also not download or sign up for any online resource or application without prior approval from my teacher or other district administrator.

I AM RESPONSIBLE FOR MY PERSONAL INFORMATION. I understand I must always keep my personal information and the personal information of others private. I know this includes names, ID numbers, addresses, photographs, or any other personally identifiable or private information.

Inappropriate and Irresponsible Use

The following are examples of inappropriate and irresponsible use of technology resources:

- Searching, sending, possessing, or posting electronic messages, videos, audio recordings, or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school, including cyberbullying.
- Using any device or technology to copy or capture an image or the content of any district materials (such as tests or exams) without permission of a teacher or administrator.
- Making, participating in the making of, transmitting to another via an electronic device, or posting to the internet a digital, video, or audio recording or image of an actual or simulated act that involves a crime or conduct prohibited by the Student Code of Conduct.
- Using any device or technology to record the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or without the prior consent of the individual being recorded.
- Using any device or technology to record the voice or image of another to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video, or photos that reveal private parts of the body that are normally covered by clothing (i.e., sexting).
- Using the name, persona, or image of a student, district employee, or volunteer to create a web page or post one or more messages on a website without the other person's consent for purposes of harassing, intimidating, embarrassing, or threatening another.
- Using email, websites, or electronic devices to engage in or encourage illegal conduct or engage in any violations of the Student Code of Conduct, or to threaten school safety.
- Attempting to or successfully accessing or circumventing content filters, passwords, or other security- related information of the district, officials, volunteers, employees, or other students by any means.
- Attempting to or successfully altering, destroying, interrupting, intercepting, or disabling District technology equipment, district data, the data of other users of the district's computer system, or other networks connected to the district's system, including uploading, or creating computer viruses, worms, or other harmful material.
- Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the district's website.
- Using someone else's network, email, or any other digital service's account information.
- Storing non-educational files on school provided resources.

Consequences

One or more of the following consequences may be imposed:

- Suspension of access to the system.
- Revocation of the network or online account(s).

- Removal of device access.
- Other action, including disciplinary action, in accordance with Board policy and/or the Student Code of Conduct (as applicable).

NOTE: Students will not be disciplined for technological misconduct related to possessing items described above so long as the student (1) did not contribute to the creation of the item in any way, (2) possessed it only after receiving the item unsolicited from another, (3) either promptly destroyed the item or reported it to a school employee as soon as possible, and (4) did not provide a copy, forward, or re-post the item to anyone other than law enforcement, a school employee, or the student's parent/guardian. Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images, or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct, may be required to complete an educational program about the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement.

Digital Citizenship

Technology allows unlimited resources to enhance our education with vast collaborative partnerships. Learning to be a good digital citizen allows us to utilize technology in safe, responsible, and productive ways. Below are specific topics Killeen ISD will address with your student to develop trustworthy digital citizens:

Relationships/Communication

- Social Media
- Email
- Commenting & Responsibility Self-Image and Identity Commenting Responsibly and Responsibility of Self-Image and Identity
- Over-sharing
- Digital Footprint
- "Sexting"
- Self-worth - be your authentic self
- Cyberbullying
- Awareness
- Prevention and Intervention
- Reporting Information Literacy
    - Plagiarism
        - Copyright
        - Reliable Sources
- Safety, Privacy, & Security
        - Sharing Personal Information

- Mutual Consent Before Sharing or Posting
- Awareness of Online Exploitation

Internet Safety Policy

- KISD shall provide technological resources to support its instructional program. The Executive Director of Technology Services shall ensure the development of procedures for the acceptable use of technology and internet safety, including instruction to ensure that students and staff are aware of the dangers associated with internet access including interacting with other individuals on social networking sites and in chat rooms, protecting personal information, appropriate online behavior and cyber bullying awareness and response.
- Appropriate procedures shall be provided to all users, shall be published in all applicable handbooks and shall be available on the Killeen ISD web site.
- The Executive Director of Technology Services shall ensure that the district complies with all federal and state laws and regulations concerning internet safety and technology protection measures.

E-mail Distribution Guidelines

- The distribution announcements, requests, event notifications, and other informational messages sent to the e-mail list server provided by KISD shall adhere to the following guidelines:
- School sponsored activities, announcements, events, or news
- Activities of partner organizations that directly relate to student or parent education and programming. Examples of “Partner Organizations” are PTOs, PTAs, the Education Foundation for Killeen ISD, after school programs, and other organizations as determined by the Executive Director for Communications and Marketing.

Possession of Personal Communication Devices – ELEMENTARY SCHOOLS

Elementary students are not permitted to use personal communication devices (such as cell phones or other non-school-issued devices) during the school day. All devices must be turned off and placed in the designated storage container in the classroom. Devices will be returned to students at the end of the school day or when the student is signed out.

Possession of Personal Communication Devices – SECONDARY SCHOOLS

Secondary students shall not use a personal communication device, including but not limited to cell phones, ear buds, AI glasses, and smart watches, or any other electronic devices on school property during the school day and shall store the devices in the campus supplied pouch with the method of storage established by the district. Items such as tablets, headphones and laptops that are too large to secure in the pouch are not permitted during the day.

Secondary students will be assigned a personal secure pouch at the beginning of the school year. Students are expected to bring their secure pouch to school daily and return it in good condition at the end of the school year.

STATEMENT OF EXPECTATIONS

Campus staff and administrators will clearly state expectations and reinforce the importance of maintaining a cell phone-free environment at the beginning of each school year. Campus staff and administrators will monitor cell phone violations with a continued focus on the reduction of educational distractions caused by using cell phones, smart watches, AirPods/earbuds, during the school day.

The district may authorize the use of a personal communication device for the following reasons:

- To implement an individualized education program (IEP) or for a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) or a similar program or plan;
- With documented need based on a directive from a qualified physician; or
- To comply with a health or safety requirement imposed by law or as part of the district's safety protocols.

PROCESS FOR CELL PHONE POUCH USE

Start of school day, students will:

A. Turn cell phones/devices off, prior to entering the building.

B. Place all cell phones, smart watches, earbuds/headphones, or AI glasses in their secure pouch upon entering the building.

C. Securely close the pouch with devices inside, using the pouch locking mechanism and store it in their backpack and/or locker until the end of the day.

During school day students will:

A. Keep their cell phone, smart watches, AI glasses, earbuds/headphones, inside their pouch for the duration of the school day.

B. Unlock their bag in the designated area if leaving campus (for an appointment, for lunch, seniors only who meet CCMR requirements, to attend classes at the Career Center, to attend Central Texas College or to attend an after-hours UIL/campus sponsored event, etc.) and proceed to exit the building; place their devices back in their secure pouch upon returning to school and securely close it using the pouch locking mechanism; return it to their backpack and/or locker until the end of the day.

C. Not access their devices during the school day unless receiving permission from a campus administrator and are in a designated area.

D. Students who rely on their digital communication device to help manage a health condition, such as diabetes, will be issued a non-locking pouch, and will be able to continue to do that as part of their 504 accommodations or individual health plan. All other expectations will be enforced. Parents should reach out to the campus for approval.

End of school day students will:

A. Unlock their pouch at designated areas throughout the campus using an unlocking base.

B. Remove their cell phone, smart watches, headphones/earbuds, from their pouch.

C. Take responsibility for maintaining their pouch.

VIOLATIONS

Each of the following violations will result in the student's cell phone, smart watch, AI glasses, earbuds, and/or pouch being confiscated by school staff.

A. Using a phone or device anywhere on campus during school hours without permission from a campus administrator and in a designated area.

B. Physical damage to the pouch to circumvent its intended purpose. (Ex: inappropriate markings, holes, bent pin, stripped lock, etc.).

C. Persistent loss of pouch or forgetting to bring the pouch to school.

D. Damaging or taking someone else's pouch.

E. If the pouch is damaged or lost, then the student/parent/guardian will be required to purchase a replacement pouch for the full replacement cost as determined by Administrative Procedures III-A Exhibit A.

CONSEQUENCES

The following chart outlines the progression of consequences for students who violate the cell phone-free environment policy. Violations include having a cell phone, smart communication device, Smart watch, AI glasses, Earbuds/Headphones, or any similar device not in the secure pouch, visible during the school day, or found in use.

Damaged pouch immediate consequence	● Parent/guardian contacted. ● After-school or lunch detention within five school days. ● If the pouch must be replaced, a reimbursement fee as determined by Administrative Procedures III-A Exhibit A, will be issued. ● Repeated violations of this nature may result in further disciplinary consequences.
1st Offense	● Phone is confiscated and kept in a campus-designated location for the day. ● Offense noted on referral with cell phone violation. ● Parent/guardian contacted. ● Student assigned one day of after-school or lunch detention. ● Student will pick up the phone at the end of the day.
2nd Offense	● Phone is confiscated and kept in a campus-designated location for the day. ● Offense noted on referral with SERIOUS cell phone violation. ● Parent/Guardian contacted. ● Parent/Guardian must pick up cell phone during school hours (no students will be allowed to retrieve their phone). ● In-person meeting scheduled with parent/guardian. ● Student assigned minimum of one day of In School Suspension (ISS). ● Student will be placed on Campus Probation for 45 days
3rd Offense and beyond	● Phone is confiscated and kept in a campus-designated location for the day. ● Offense noted on referral with SERIOUS cell phone violation. ● Violation of Campus Probation noted in the discipline referral notes. ● Parent/Guardian contacted. ● Parent/Guardian must pick up cell phone during school hours (no students will be allowed to retrieve their phone). ● Student assigned three days of In School Suspension (ISS). Campus-Level Hearing (CLH) with a recommendation to the District Alternative Education Program (DAEP).

Exhibit C

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/guardians 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, and shorts or pants with holes any higher than 6" above the knee are not permitted: (Grades 6-12). 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 6 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: Shorts, and skirts can be no more than 4" above the knee. 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 (i.e., no halter tops, crop 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 to include covering the face), 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. 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.
10. Photo ID cards will be issued to all secondary (grades 6-12) students. 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.
11. Killeen ISD requires students to use clear or mesh backpacks. Students participating in an extracurricular activity are permitted to carry non-transparent bags to store items pertaining to their particular activity (i.e. band, athletics, etc.). Upon entry into the school, all extracurricular activity bags must be stored in lockers or designated areas. All bags are subject to search. Additionally, the maximum size for non-transparent bags that students will be permitted to carry during the school day, such as lunch boxes/kits, pencil bags, and purses, will be 6” x 9”. More information about the clear bag policy can be found at: https://www.killeenisd.org/clearbag.

*Students assigned to the elementary, middle, or high school DAEP campus will be required to be in uniform dress while attending. The specific requirements will be addressed at the DAEP enrollment and orientation.

Exhibit D

Progressive Discipline Matrix

MINOR OFFENSES

Tardies, Dress Code, and Student ID

Campus office referrals for Tardies (secondary), Dress Code (including ID), 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.

# of Incidents	# of Referrals	Consequence
4 *(minor offense)*	1	Detention (*AM, PM, Lunch, or Saturday*)
8 *(minor offense)*	2	Detention (*AM, PM, Lunch, or Saturday*)
12 *(minor offense)*	3	Detention (*AM, PM, Lunch, or Saturday*)
16 *(serious offense)*	4	In School Suspension
20 *(serious offense)*	5	ISS **AND** Campus Probation
24 *(serious offense)*	6	Possible DAEP Hearing

Definition of Tardy

- Tardy is defined as not being at the assigned location when the tardy bell rings.
- Secondary campuses: **TARDIES are recorded per SEMESTER---not cumulative.**

A student who is more than 5 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/guardians will be notified by the campus upon the 3rd through the 10th tardy of each nine-week grading period.
  - At the fifth (5th) 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.

E-CIGARETTE/CIGARETTE

Students who possess, sell, give, deliver or use a cigarette/e-cigarette, component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device, at a school related activity, on or off school property, will be subject to the following consequences:

1st Offense (possession or use)

Assigned ISS

Shall be assigned 10 days of ISS. The student must complete a district-prescribed, grade-appropriate curriculum that focuses on nicotine addiction, the harmful effects of smoking/vaping, and develop a personal quitting plan. This curriculum is designed to provide meaningful education on the dangers of smoking/vaping, helping students understand the consequences of nicotine use and encouraging them to make healthier choices.

If the student fails to attend ISS, and/or complete the lessons, a due process hearing will be held with a recommendation for a DAEP placement for 20 days.

2nd Offense (possession or use)

A due process hearing will be held with a DAEP placement for 20 days.

1st Offense (selling or delivery)

Any student who sells or delivers an e-cigarette will result in a due process hearing with a DAEP placement for 20 days.

ASSAULT AGAINST STUDENTS

Students (6-12th grade) who commits an assault against another student, as defined in part by Penal Code 22.01,03, as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative, may result in a due process hearing with a recommendation for DAEP placement.

ASSAULT AGAINST SCHOOL PERSONNEL

As permitted by the Texas Education Code (TEC), 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.

Exhibit E

General Violations

Serious Offenses

Assault-(See **glossary**)

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 Program (DAEP) Placement**)

Bullying (See **glossary**)

Computer Violation

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

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

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

Criminal Trespassing

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. Those students enrolled in DAEP (Gateway) or JJAEP are trespassed from all campuses except assigned DAEP campus.

Cyberbullying (See **glossary**)

Defiance (See **General Conduct Violations**)

Disruption of Classes, Transportation (See **glossary** and **Removal from the School Bus**)

Failure to Identify Self

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

Fighting

Fighting involves mutual combat between two or more students.

Fireworks

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 light, smoke, and noise." Such items may include, but are not limited to, firecrackers, sparklers, flares, stink or smoke bombs, and “poppers.”

Forgery/False Documentation or Representation

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.

Harassment (See **glossary**)

Insubordination (See **General Conduct Violations**)

Leaving Without Permission

Students are not to leave school grounds or school-sponsored events without permission.

(HIGH SCHOOL)
Once a student arrives at school, he/she is not permitted to leave campus at any time during the school day without administrative permission, except students who have completed their school day. Students who are enrolled in a work cooperative program may leave campus when their instructional day is completed. All KISD schools are closed campuses for lunch, with the exception for seniors who have earned their College, Career, and Military Readiness indicator and have parent/guardian permission.

Medication, Tobacco, (See **General Conduct Violations**) **and Look-Alike Drug 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. Possess, use, give, or sell any chemical substance for inhalation including, but not limited to, glue and aerosol paint.

Other Serious Offenses

Any behavior that violates communicated standards of conduct and is not otherwise listed in the Student Code of Conduct, and which rises to the level of a serious offense. While it is virtually impossible to identify each student discipline concern that may arise, the use of Other Serious (100) may be used by an administrator when an incident occurs that is not a TEC violation, or an identified Serious Offense recognized locally but warrants disciplinary action.

Persistent Minor Misconduct

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

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 (See **General Conduct Violations**)

Property Damage/Vandalism

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/guardian is liable for any property damage caused by their child. Parents/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.

School Bus Safety Violation (See **Removal from the School Bus**)

Sexting

Intentionally or knowingly by electronic means promotes, possesses or produces to another minor visual material depicting a minor, including the act, or engaging in sexual contact under 43.261 of the Penal Code.

Theft

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

Threat

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

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

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 Transition Services.

Weapons and Imitation Weapons (See **General Conduct Violations**)

MINOR OFFENSES

Dress Code and ID Badge

See 'Dress Code' in **Exhibit C.**

Horseplay

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

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 profanity. Included in this category would be violations such as teasing, name-calling, or insults.

Other Minor Offenses

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 (See **Removal from the Bus**)

Selling Items on Campus Without Prior Permission

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

Telecommunications/Electronic Devices (See **Exhibit B)**

Truancy

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

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. (See **Exhibit D**)

Compulsory Attendance

After a student has accumulated ten (10) absences at the elementary or middle school level, or three (3) absences per four weeks at the high school level, which have been excused by parent/guardian 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 truancies 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; also the parent/guardian is subject to civil prosecution under Texas Law the student is subject to civil prosecution under Texas Law.