

SABINE HIGH SCHOOL

5424 FM 1252 W. • GLADEWATER, TEXAS 75647 • 903-984-8587

Greetings SHS Students and Parents:

Welcome to the 2009 - 2010 school year at Sabine High School. We are looking forward to a great school year with its many opportunities and challenges. Our desire is to provide your student with the best educational opportunities available in a safe and positive environment.

Our Student Handbook and the Student Code of Conduct are provided to you as a guide and a source of information. They are statements of general information and policies that guide and govern all students as well as the many activities of Sabine High School. Please read the Handbook carefully as it will explain and clarify many of the questions you might have regarding the school.

The laws, policies, rules and regulations that are found in the Handbook and the Student Code of Conduct are necessary so that we can provide a consistent, safe, secure, equitable and optimum learning environment for all students.

Although there have been very few changes from the prior year, we heartily recommend that you read through this student handbook in order to be aware of the expectations for our students.

We hope you have a rewarding and memorable year at Sabine High and we encourage the whole family to be involved here at our school. Family involvement will contribute greatly to your student's success. If there is any way we may be of service, please feel free to contact us.

If you have changes in contact information during the school year, please let us know immediately to keep the channels of communication open.

Sincerely,

Eddie Shawn

Eddie Shawn, Principal

Regular Bell Schedule – 50 minute classes 8 periods & 1 min. announc.							
1 st Lunch				2 nd Lunch			
7:45			Entry Bell	7:45			Entry Bell
7:55	-	8:45	1 st Period	7:55	-	8:45	1 st Period
8:49	-	9:39	2 nd Period	8:49	-	9:39	2 nd Period
9:43	-	10:34	3 rd Period	9:43	-	10:34	3 rd Period
10:38	-	11:28	4 th Period	10:38	-	11:28	4 th Period
11:28	-	11:58	1 st Lunch	11:32	-	12:22	5 th Period
11:58	-	12:48	5 th Period	12:22	-	12:52	2 nd Lunch
12:52	-	1:42	6 th Period	12:52	-	1:42	6 th Period
1:46	-	2:36	7 th Period	1:46	-	2:36	7 th Period
2:40	-	3:30	8 th Period	2:40	-	3:30	8 th Period

Afternoon Activity Bell Schedule – 45 minute classes 8 periods & 1 minute							
1 st Lunch				2 nd Lunch			
7:45			Entry Bell	7:45			Entry Bell
7:55	-	8:40	1 st Period	7:55	-	8:40	1 st Period
8:44	-	9:29	2 nd Period	8:44	-	9:29	2 nd Period
9:33	-	10:19	3 rd Period	9:33	-	10:19	3 rd Period
10:23	-	11:08	4 th Period	10:23	-	11:08	4 th Period
11:08	-	11:38	1 st Lunch	11:12	-	11:57	5 th Period
11:38	-	12:23	5 th Period	11:57	-	12:27	2 nd Lunch
12:27	-	1:12	6 th Period	12:27	-	1:12	6 th Period
1:16	-	2:01	7 th Period	1:16	-	2:01	7 th Period
2:05	-	2:50	8 th Period	2:05	-	2:50	8 th Period
2:50	-	3:30	Act. Period	2:50	-	3:30	Activity Period

Morning Activity Bell Schedule – 45 minute classes 8 periods & 1 minute							
1 st Lunch				2 nd Lunch			
7:45			Entry Bell	7:45			Entry Bell
7:55	-	8:40	1 st Period	7:55	-	8:40	1 st Period
8:44	-	9:29	2 nd Period	8:44	-	9:29	2 nd Period
9:29	-	10:14	Act. Period	9:29	-	10:14	Activity Period
10:14	-	10:59	3 rd Period	10:14	-	10:59	3 rd Period
11:03	-	11:48	4 th Period	11:03	-	11:48	4 th Period
11:48	-	12:18	1 st Lunch	11:52	-	12:37	5 th Period
12:18	-	1:03	5 th Period	12:37	-	1:07	2 nd Lunch

1:07	-	1:52	6 th Period		1:07	-	1:52	6 th Period
1:56	-	2:41	7 th Period		1:56	-	2:41	7 th Period
2:45	-	3:30	8 th Period		2:45	-	3:30	8 th Period

District Calendar
goes on this
page.

ACADEMIC LETTERS AND JACKETS

Students who maintain a high school academic grade point average of 4.0 or above for two years are eligible to receive an academic award jacket. Students are eligible to receive only one major award (a jacket) in grades 9 - 12.

ATTENDANCE

90% Rule

All students are required to attend school each school day for the entire period the program of instruction is provided. To obtain credit for a course, a student must attend at least 90% of the days the course is offered. An attendance committee consisting of the campus principal or designee and other certified personnel will hear petitions for class credit from students who have absences exceeding 10% of the days the course is offered. A student absent from school shall provide a note that describes the reason for absence. The note shall be signed by the student's parent or guardian. If the student is 18 or older or has been declared by a court to be an emancipated minor, the student may sign in place of a parent or guardian.

School officials have the authority to investigate an absence. Physician verification for illness may be required if reasons given for the absence or absences are suspect. **Students must meet the 90% rule in order to have a verification of enrollment issued for driver's license applications.**

Education Code 25.095. Warning Notices

The school district is required to notify a student's parent that if a student is absent 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period, the student and/or parent is subject to prosecution in either municipal court, justice court, or a juvenile court in a county with a population of less than 100,000. The notice will request a conference between school officials and the parent to discuss the absences. **It is the parent's duty to monitor the student's school attendance and require the student to attend school.**

TRUANCY

Students absent from school without permission of parent(s) or guardian(s), or absent from class without the principal's permission, shall be considered truant and shall be subject to disciplinary action.

MAKE-UP WORK/TRUANCY

Schoolwork missed due to an absence declared as truancy shall not be made up.

MAKE-UP WORK/ABSENCES

Students shall be permitted to make up work missed due to absences that are not considered truant. It is the student's responsibility to find out the assignments and make up the work. Whenever possible, arrangements should be made prior to the absence for make-up work. If this is not possible, these arrangements must be made on the first day the student returns to class after the absence. All make-up

work should be completed in a reasonable length of time. Reasonable would mean two days after a two-day absence, etc. Only in very special cases will more than five days be allowed.

TARDIES/DETENTION

First period tardies must report to the office to receive an admit form. Tardies for other periods will report to class. **Students tardy three (3) times to a class will be assigned Friday detention.** Students needing restroom time, getting something from locker, etc. must get permission from the teacher first.

The classroom teacher will assign the detention. The student will be required to sign the detention form and will be given the student reminder portion of the detention slip. Refusal to sign will be considered insubordination.

Detention is scheduled each Friday after school from 3:35 p.m. – 4:35 p.m. Students assigned detention are to report to the designated room by 3:35 p.m. Students are to bring an assignment to work on during this time. Students who fail to report to detention will be assigned two days of detention. Students who have two no-shows to detention will be assigned ISS. Students who are absent on an assigned day must notify the office in advance of the assigned detention time to avoid penalty.

Teacher will notify the parents on the student's fourth tardy to a class. The student will be assigned ISS on the fifth tardy and each tardy thereafter during that semester. 5th tardy is one day of ISS, 6th is two days of ISS, each tardy after that is 3 days of ISS.

EXEMPTION/SEMESTER EXAMS

The exemption policy will allow students to be exempt from taking some of their semester exams. Seniors could be exempt from 4 exams, juniors from 3, sophomores from 3 and freshmen from 2. Exemption criteria will be based on attendance, grades, State mandated testing (TAKS) scores and discipline.

Attendance - A student may not have more than 3 absences of any type. Three (3) tardies will equal one (1) absence.

Grades - The class average must be 85 or above for the semester. This is the average of the three six week grades.

TAKS Test Scores - A student will not be eligible for any exemption unless that student has passed all sections of his/her (TAKS) tests, based on the latest administration.

Discipline - The students can have no ISS, suspensions or expulsions during the semester.

General Information – There are no exemptions for dual credit or credit recovery classes. Students exempt from all 3 semester exams must report to school for roll check for attendance purposes. The student will be free to leave campus after reporting. Failure to report for roll check will result in the student being marked absent for each class period that day and the student will receive a

zero for the semester exam grade in each class. Students exempt from exams may leave campus during the time the test is scheduled. Passes will be issued. Students exempt from exams but not leaving campus must report to the designated area. Classes where the test is exempted, the student must turn in an exemption notice approval signed by the parent. Although exemption notices are issued early, students will still be accountable. Exemptions can be revoked by the principal.

CLASSIFICATION OF STUDENTS

Students will be assigned grade levels according to the number of credits earned. Students will be classified at the end of each school year. If a student is behind in the number of credits needed to be placed at the next grade level and the student earns summer school credit or make-up credit the next school year, he/she will be assigned to the grade level at the beginning of the school year following the time the credits are earned.

9th GRADE - 0 - 4 1/2 CREDITS

10th GRADE - 5 - 10 1/2 CREDITS

11th GRADE - 11 - 16 1/2 CREDITS

12th GRADE - 17 and over

CLOSED CAMPUS

The high school campus is a closed campus. Students are not to leave campus during the school day without checking through the office. Students are not allowed to leave campus at lunch unless accompanied by a parent. No student will be allowed to leave the campus without a pass from the office. Security will be on duty at the campus gate. Passes will be issued to students attending college classes, early dismissal, and on work programs. After 7:55 a.m. all persons must enter through the high school office.

CREDIT BY EXAM

Credit by Exam is the approved method for students to demonstrate mastery and receive credit for a grade level or secondary course without instruction. In grades 9-12, a student will receive credit for a subject on the basis of a board-approved examination for credit in the subject if the student scores in the 90th percentile or above on the examination. If a student is given credit in a subject on the basis of an examination, the student's examination score is the course grade entered on the student's transcript (Academic Achievement Record). Credit by Examination tests are scheduled in the summer, however, the registration is due in April. Students interested in the Credit by Exam tests should talk with the counselor.

DANCES

1. After-game dances will begin at 10:30 and end at 12:30.
2. Only students in grades 9-12 may attend.
3. Persons from other schools may attend only if accompanied by a Sabine High School student.
4. Persons attending from other schools must be registered in the office at

- least two days prior to the dance.
5. No one may leave and reenter. After leaving, you must leave the premises.
 6. Smoking or alcoholic beverages are not permitted.
 7. Orderly conduct will be expected.
 8. Disorderly persons will be removed and suspended from other dances.
 9. Chaperones will be on duty.

DRESS CODE

The district's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Students should be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The district prohibits any clothing or grooming that in the principal or designee's judgment may reasonably be expected to cause disruption of or interference with normal school operations. The student and the parent may determine the student's personal dress and grooming standards provided they comply with these general guidelines and the district's dress code for students in the student handbook.

If the principal or designee determines that a student is not in compliance with the dress code, the student shall be given an opportunity to correct the problem at school. If not corrected, the student shall be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Repeated offenses shall result in more serious disciplinary action.

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, shall regulate the dress and grooming of students who participate in the activity. Students who violate these standards may be removed or excluded from the activity for a period determined by the principal or designee or sponsor and may be subject to other disciplinary action.

Dress Code Guidelines

The administration reserves the right to judge whether any current fashion or fad is appropriate for school wear and to require any student to change his/her attire if it is not found acceptable. Clothing and grooming should be in good taste and should not cause undue attention or disruption.

1. ***Shoes must be worn at all times.***
2. ***Shorts may be worn. The hem of the shorts cannot be shorter than fingertip length when arms are fully extended by the side.***
3. ***Outer clothing made from lycra material is not acceptable attire.***
4. ***Skirts and/or dresses will not be shorter than the allowed shorts.***
5. ***Any apparel that advertises or implies sex, drugs, tobacco, alcohol, profanity, etc., or that may distract from learning is not permitted.***
6. ***No caps, hats or other form of head covering will be allowed at school for either male or female students during regular school hours.***

7. ***Garments that are sleeveless by design may be worn unless undergarments are exposed or deemed inappropriate by the administration. Tank tops, spaghetti straps and muscle shirts are not allowed. Boys' shirts must have sleeves.***
8. ***Shirts designed to be buttoned must be buttoned (layering is OK).***
9. ***Transparent clothes are not allowed.***
10. ***Apparel that allows the midriff (front or back) to show is not allowed. Shirts, blouses, etc. must be long enough to cover the midriff while sitting or standing.***
11. ***Sundresses and shirts that are backless, and have spaghetti straps, etc. are NOT allowed.***
12. ***Students will not be permitted to wear sunglasses in the building. Permission can be granted if requested by a doctor.***
13. ***Extracurricular organizations may develop apparel guidelines and requirements for participation in their respective activities with the approval of administration.***
14. ***No names or insignias that represent school fraternities, sororities, secret societies or gangs as described in TEC 37.121 shall be worn.***
15. ***Sagging pants or excessively baggy clothing are not permitted. A belt must be worn and centered at the waist on any oversized pants. Clothing that allows undergarments to be visible may not be worn.***
16. ***Appropriate undergarments must be worn.***
17. ***No wallet chains or chains that attach to belt loops will be allowed.***
18. ***With the exception of female ear piercing, body adornment involving piercing will not be permitted.***
19. ***Pajamas or attire that imitates sleepwear or loungewear are not to be worn to school.***
20. ***Distracting hair colors or styles will not be permitted.***
21. ***Hair must be kept in a manner that does not cover the eyes.***
22. ***Jeans or slacks with holes above the knee are not allowed.***
23. ***Tatoos are prohibited and must not be visible.***

EARLY DISMISSAL

Early dismissal students are to leave campus or they may report to the library to study. Students on early dismissal are not to be in the parking lot or in the building.

ELECTIONS

1. All elections will be conducted according to parliamentary procedures.
2. All ballots will be in writing.
3. When three (3) or more contestants are nominated, the winning contestant must receive a majority of votes. In case there is not a majority on the first ballot, the names of the two- (2) top contestants will be placed on a final written ballot. The winning contestant will have received more votes.
4. The Student Council will be in charge of all High School elections.

GRADUATION HONORS

Candidates for Valedictorian and Salutatorian must carry a minimum of four (4) academic credit courses during their senior year. The last two- (2) years' work must be completed at Sabine High School. Rank in class is determined by the student's grade point average. Class rank for the purpose of determining valedictory, salutatory and honor graduate status is calculated after the 5th six-week grades have been posted. Honor graduates are those students who have earned a 4.0 grade point average or above on a 5.0 grade point scale. Grade points will be assigned for semester grades in all courses taken during the high school years exclusive of: band, choral music, physical education, athletics, driver education, aides, peer mentor, classes taken on the nova-net system, and summer school classes.

HALL PASSES & PLANNER

Students released from a scheduled class must have their student planner signed by their teacher stating where the student is to report. A student may not use someone else's planner.

HEALTH REQUIREMENTS-IMMUNIZATIONS

Texas state law, rules and regulations require all students to be immunized against diphtheria, tetanus, poliomyelitis, pertussis, measles, rubella, and mumps. The school nurse will inform students of areas of deficiency regarding immunizations

HONOR ROLLS

Honor Rolls will be based on the six-week average.

"A" Honor Roll

Students who earn no grade less than 90 for a six-week grading period.

"AB" Honor Roll

Students who earn no grade less than 80 for a six-week grading period.

SATURDAY DETENTION / SATURDAY SCHOOL

Sabine High School will periodically offer Saturday detention. This will allow students to serve ISS assignments without missing regular classes and will allow students to address attendance deficits to meet state attendance laws. The dates will be published in the high school office. There will be a \$10 charge for Saturday detention which shall be paid in advance. Saturday detention will normally be held from 8:00 until noon.

STUDENT ORGANIZATIONS

ELECTED OR SELECTED STUDENT LEADERSHIP

Sabine High School offers many clubs and organizations for student participation. Students must meet the guidelines adopted by the organization. Guidelines are available from the office or the sponsor of the organizations. Students must maintain compliance with all UIL guidelines.

Student Council

Students seeking an executive office must have a grade average of 80, good attendance and no excessive disciplinary referrals. Candidates for president and vice-president must be classified as juniors. Candidates for secretary, treasurer and

parliamentarian may be classified at the freshmen, sophomore or junior level. Student council executive officer candidates must give a speech before the student body. Election of officers is held during the spring term.

National Honor Society

The Sabine High School chapter of the National Honor Society adheres to the guidelines of the National Honor Society. Membership in the Sabine NHS is earned during the sophomore, junior, and/or senior years. Students must maintain a 90 overall average in order to qualify. Academically qualifying students will be given an application with explicit instructions. After receiving the completed application, a faculty committee appointed by the principal will meet to determine if the students qualify in additional areas such as character and service. These criteria are monitored throughout the student's membership in order to maintain the reputation of the organization.

Cheerleaders/Mascot

Eligibility Requirements

The candidate must be a student who has been continuously enrolled in Sabine ISD since the first day of the semester of tryouts, must sign up for tryouts by the deadline date, must obtain and complete all necessary documents needed for tryouts, and must meet all eligibility requirements for tryouts since enrollment for the current school year. The student must have 90% attendance or better for the academic year through tryouts. The student must have no more than three days of suspension (in or out of school) and no DAEP placement during the current school year. The student must have been academically eligible three of the four six weeks prior to the tryouts. Cheerleading is a full year commitment. Any student who was (a)dismissed from or (b)resigned from the current squad is ineligible to try out the following year. Prior to tryouts, the student and parent/guardian will be provided a copy of the cheerleading constitution and rules. They will be expected to understand these documents and agree in writing to abide by the constitution. A complete copy of the Cheerleader/Mascot constitution can be obtained from the cheerleader sponsor.

Cheerleader Selections

Varsity squad will consist of students who will be sophomores, juniors and seniors for the upcoming school year. The squad will consist of a minimum of 8 members. Those chosen will be those who have obtained the highest total scores and who have indicated that they are trying out for the varsity squad. The number of varsity cheerleaders will be determined by the natural break of the total scores. Junior varsity squad will consist of students who will be freshmen, sophomores, and juniors for the upcoming school year. The squad will consist of a minimum of 6 members. Those chosen will be those who have attained the highest scores after the varsity has been determined and who have indicated that they wanted JV only or either JV or varsity. The number of JV cheerleaders will be determined by the natural break of the total scores. One varsity mascot will be selected (sophomore, junior or senior). The student with the highest judges' points will serve as mascot. Cheerleaders and Mascot will be selected based on the scores from a panel of impartial judges. Squad captains will be

elected by secret ballot by squad members. Varsity captain will be a senior who has served at least one year on the varsity squad unless there is no senior on the squad. JV captain can be a 9th, 10th, or 11th grade student. Eleventh grade candidates who are trying out for their senior year, who have been SHS cheerleaders in grades 9, 10, or 11 and have served at least one year on Varsity, will not have to try out in order to be on the squad their senior year. They will automatically be placed on the squad.

General Rules, Regulations and Responsibilities

The student must meet all UIL and TEA eligibility requirements. All cheerleaders/mascots must abide by the rules and regulations in the SHS student handbook. All members must be in regular school attendance. Excessive absences will be dealt with according to the decision of the principal and sponsor. All varsity cheerleaders must participate for the entire year at: All Football Games (home and away), All play-off games (home and away), All district basketball games (home only), and the all sports banquet. Varsity cheerleaders that complete the school year in good standing will letter. All student handbook rules and guidelines for Sabine High School will be followed. All rules and regulations concerning cheerleaders and mascots are subject to the sponsors' and or the campus administrators' discretion. A demerit system will be used for disciplinary purposes not otherwise covered by the specific rules, regulations, or duties. A complete copy of the cheerleader and mascot constitution can be obtained from the high school office or the cheerleaders sponsor. All topics not covered will be governed by the sponsor and subject to approval of the administration.

Band, Drum Major and Dance Line

Requirements:

The student must meet all UIL and TEA eligibility requirements.

Student must be at or above appropriate level, as per grade, on band instrument.

It is understood that all previous playing successes on the student's instrument will enhance a student's chance of selection.

Student must have been a member of a Sabine ISD Band the year prior to tryouts.

Student must have shown acceptable conduct in both band and all other classes.

Conduct which has caused principal intervention or is contrary to proper working of a band may be cause for not allowing a student to tryout.

The student must be certified by the present director as having met these requirements

Tryout process:

Because this is a tryout process and not a contest, students will not be given an explanation for acceptance to nor rejection from a position. The student will demonstrate all fundamentals needed for their position. A list will be provided prior to tryouts by the director. All fundamentals that can be demonstrated in both hands must be. The student will perform a routine of their own choosing and it should show their maximum ability. No special costume, uniform, or special apparel will be needed for the tryouts. Shorts and a shirt will suffice. Judging will be done by the band director only as all of these positions are extensions of the band. The general appearance and demeanor of each student will be a part of the judging process.

Tryouts will be closed. Positions and numbers in the squad needed will be determined by the director.

General Rules, Regulations and Responsibilities:

The student agrees to stay in band for the entire year. Any student who drops band will automatically forfeit any awards, recognition or other benefits. The student and the parent will assume financial responsibility for uniforms and/or routines should it become necessary. Arrangements can be made for economically disadvantaged students. Students will maintain a grade of 75 or above in all classes. If a student becomes ineligible, they will be immediately removed from their position for the remainder of the year. If the student has a grade of 70 - 74, they will be on probation until they bring it up to a 75. If they fail to bring the grade up within the next 3 weeks, they will not be allowed to participate until they do. Students must be present at all rehearsals and performances of the band as well as extra rehearsals called for the position they hold. **ANY** unexcused absence will automatically result in removal from their position. The student will maintain proper discipline and image in all classes and activities. Any conduct requiring principal intervention, law enforcement intervention or band director invention may be cause for removal from the position as determined by the director. The student must be able to work in a positive way with the director and any other individual placed in a leadership position. The student must promote a positive image and attitude toward the Sabine bands in general.

STUDENT RECORDS

Both federal and state law safeguards student records from unauthorized inspection or use and provide parents and "eligible" students certain rights. For purposes of student records, an "eligible" student is one who is 18 or older OR who is attending an institution of postsecondary education.

The law specifies that certain general information about Sabine ISD students is considered "directory information" and will be released to anyone who follows procedures for requesting it. That information includes:

- **A student's name, address, telephone number, date and place of birth.**
- **The student's photograph, participation in officially recognized activities and sports, and weight and height of members of athletic teams.**
- **The student's dates of attendance, grade level, enrollment status, honors and awards received in school, and most recent school previously attended.**
- **The student's e-mail address.**

Release of any or all directory information regarding a student may be prevented by the parent or an eligible student. This objection must be made in writing to the principal within ten school days of the child's first day of this school year.

Virtually all information pertaining to student performance, including grades, test results, and disciplinary records, is considered confidential educational records.

Release is restricted to:

- The parents—whether married, separated, or divorced—unless parental rights have been legally terminated and if the school is given a copy of the court order terminating these rights. Federal law requires that, as soon as the student becomes 18 or is emancipated by a court, control of the records go to the student. However, the parents may continue to have access to the records if the student is a dependent for tax purposes.
- District staff members who have what federal law defines as a "legitimate educational interest" in a student's records. Such persons would include school officials (such as Board members, the Superintendent, and principals), school staff members (such as teachers, counselors, and diagnosticians), or an agent of the District (such as a medical consultant).
- Various governmental agencies or in response to a subpoena or court order.
- A school to which a student transfers or in which he/she subsequently enrolls.

Release to any other person or agency—such as a prospective employer, or for a scholarship application—will occur only with parental or student permission as appropriate. The District must comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parents have advised the District not to release their child's information without prior written consent.

The principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of all records for students who have withdrawn or graduated. Records may be inspected by a parent or eligible student during regular school hours. If circumstances effectively prevent inspection during these hours, the District shall either provide a copy of the requested records, or make other arrangements for the parent or student to review the requested records. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records. With regards to special education records, the special education director is the custodian of all special education records; copy requests should be made through the Gregg County Shared Service Arrangement:

Eddie Shawn, Principal
5424 FM 1252 W
Gladewater, Texas 75647

Sherry Clark
Gregg County Shared Service Arrangement
5303 Old Hwy 135 N
Gladewater, Texas 75647

A parent (or the student if he or she is 18 or older or is attending an institution of postsecondary education) may inspect the student's records and request a correction if the records are considered inaccurate or otherwise in violation of the student's privacy rights. If the District refuses the request to amend the records, the requestor has the right to request a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course is handled through the general complaint process defined by policy FNG. [See Report Cards/Progress Reports and Student or Parent Complaints and Concerns on page 9 for an overview of the process.]

Copies of student records are available at a cost of ten cents per page, payable in advance. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, one copy of the record will be provided at no charge upon written request of the parent.

Please note: Parents or eligible students have the right to file a complaint with the U.S. Department of Education if they believe the District is not in compliance with federal law regarding student records. The District's policy regarding student records is available from the principal's or Superintendent's office. The parent's or eligible student's right of access to, and copies of, student records does not extend to all records. Materials that are not considered educational records—such as teachers' personal notes about a student that are shared only with a substitute teacher—do not have to be made available to the parents or student.

TRANSPORTATION

By Private Vehicle

Students shall be allowed the privilege of driving private vehicles on the school grounds as long as the student:

1. is properly licensed by the State of Texas
2. practices safe driving techniques avoiding any action that might endanger himself or other individuals
3. does not damage school property
4. maintains proper vehicle insurance
5. properly uses parking lot facilities (The parking lot is off-limits during the school day. Students must park their cars and enter the building. No loitering in the parking lot. The front parking area is reserved for faculty and staff. Students must not park in reserved or handicapped parking.) Student vehicles are not allowed to leave campus after first arrival, without an office pass.
6. **displays a Sabine High School-issued parking permit** (Parking permits are purchased from the high school office. Cost is \$5.00. Before a permit is issued, the student must show proof of insurance and a valid Texas driver's license and participate in the district random drug testing program.) A security guard will check for parking permits and automobiles found without one may be removed at the owner's expense. Violations that endanger human life or school property will result in suspension of driving privileges on campus.

Sabine ISD Transportation Bus Discipline Regulations

Students who ride the bus in the morning may not leave the bus before it arrives on campus and may not leave the campus after arrival. Students must get on and off the bus at their designated stops. Children are not allowed to change their transportation plans without written permission from their parent/guardian. This is necessary for the safety of the student.

Bus drivers are in charge and are expected to report students who cause disturbances, violate safety procedures or refuse to cooperate. Such reports will result in discipline actions including loss of privilege to ride the bus.

Responsibility of Bus Riders

Riding a school bus is a privilege offered to Sabine ISD students. Students are expected to assist District staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in District vehicles, students are subject to behavioral standards established in this handbook and the Student Code of Conduct. Students must:

- Follow the driver's directions at all times.
- Arrive at the bus stop at designated time. Board the bus in an orderly manner, go directly to assigned seat and remain seated while the bus is in motion.
- For safety reasons students are to remain seated, face the front of the bus with feet on the floor at all times.
- Keep aisle and emergency exits clear of books, backpacks, band instruments and body parts.
- Not throw anything inside or out the window of the bus.
- Not eat or drink on the bus, with the exception of water in plastic bottles.
- Not horseplay, wrestle, or make loud noises while on the bus. This will distract the driver.
- Not deface the bus or its equipment.
- Not use profanity or obscene gestures towards anyone.
- Respect the driver and rights of others at all times.

Students failing to follow their responsibilities as Sabine ISD bus riders will be subject to the following:

Minor Violations include, but are not limited to:

- ◆ Not remaining seated properly
- ◆ Eating or drinking on the bus
- ◆ Littering
- ◆ Talking loudly or screaming
- ◆ Placing a body part (hand, arm, head, and ect.) outside of the bus while moving.
- ◆ Failing to enter or exit the bus in an orderly manner
- ◆ Using profanity, cursing, or obscene gesture to other students
- ◆ Being disrespectful to others or their property
- ◆ Spitting biting, pinching, etc.

Consequences for committing a MINOR OFFENSE are as followed:

Level I 1st written discipline report-documented warning to student

Level II 2nd written discipline report-loss of bus privileges for 3 days.

Level III 3rd written discipline report-loss of bus privileges for 9 days

ALSO: use of profanity, cursing other students, tobacco use, or indecent gesturing towards other students, **FIRST OCCURANCE** (no prior referrals) loss of bus privileges for 9 days.

Level IV 4th written discipline report-loss of bus privileges for 30 days

Level V 5th written discipline report-loss of bus privileges for school year.

Major Violations include but are not limited to:

- ◆ Vandalism
- ◆ Use of profanity, cursing, or obscene gestures to persons other than another student
- ◆ Threatening or causing any bodily harm to a bus driver or other school official
- ◆ Any reckless actions that could cause harm to the normal safe operation of the bus
- ◆ Fighting or assault

Consequence for a MAJOR VIOLATION is: suspension from bus privileges for 30 days. A second Major Violation will result in the **IMMEDIATE REMOVAL** of rider from Sabine ISD buses for the remainder of the school year. Other discipline actions may be taken as deemed appropriate by the school administrator.

Other Offenses

Other offenses of a serious nature will result in the suspension from the bus for the remainder of the school year and placement in AEP or expulsion.

Serious offenses include but are not limited to:

- ◆ Using, exhibiting or possession of a firearm, illegal knife, club, or weapon.
- ◆ Selling, giving, delivering, possessing, using or being under the influence of alcohol or and illegal drug.

Special Notes:

- If a bus rider is removed from riding the bus for the remainder of the school year for any reason during the last six weeks of the school year, he or she will not be eligible to return as a rider until the second semester of the following school year.
- Students caught vandalizing the school bus will be subject to the disciplinary actions listed as well as paying for the cost of replacement.
- Students who have been removed from bus riding privileges may not ride another Sabine ISD bus until the privileges have been reinstated.
- Parents and/or legal guardians of bus riders should note that drivers are instructed not to hold conferences or try so solve disciplinary problems while the bus is in operation

on the bus route. Parents should refer their questions or concerns to the Transportation Office at 903-984-9236 and may arrange a conference with the driver if necessary.

- Lost and found articles will be stored in the Transportation Office. Hours are from 7:00a.m. until 4:30 p.m. on school days.

All buses are equipped with video monitoring equipment. Drivers, Principals, and other transportation personnel periodically monitor the actions of riders by using the video equipment. In accordance with state law, non-school personnel will not be allowed to view these videos.

- Sabine ISD will make every effort to operate the bus fleet in a timely manner. Drivers take pride in being “on time” when loading and unloading bus riders at their homes. Traffic, discipline problems, etc. will effect the time of arrival and departure and cannot be avoided by the driver.
- Sabine ISD Drivers are trained during their certification courses to operate a bus safely. If an unsafe condition exists, the driver will stop the bus and will not continue the route until a safe environment has been restored.
- A student may ride as a “guest” or “temporary” rider if the following criteria are met:
 - a) Temporary ridership is only granted if space is available on the host bus.
 - b) If space is available, a written note, signed by the parent or guardian, is required and should state the students name and bus request.
 - c) The note must be presented to the campus principal for approval when the student arrives at school.
 - d) The note, signed by both the parent and the principal, must be presented to the driver prior to boarding the bus as a “guest”.

Appealing A Bus Removal Decision

- ◆ The campus administrator decision regarding students discipline on Sabine buses shall be considered final unless evidence is presented that clearly shows the administrator has failed to follow the district’s bus discipline policy.
- ◆ Appeals can only be requested when a student is removed from riding privileges for more than 10 days.
- ◆ All appeals must be made in writing and received by the Superintendent of Schools within (7) days of parents notification. Appeals requested after the seven day period will not be heard.
- ◆ An appeal of the administrator’s decision may be submitted by a parent or a transportation employee.

TELEPHONE AND MESSAGES

Cellular telephones, pagers, and other telecommunication devices shall not be used on school property during the school day. These devices must remain off at all times. Students who must make a telephone call should obtain a written pass from their teacher to the high school office and use the office telephone. Emergencies will be handled immediately in order to limit class interruptions and loss of instructional time, other messages will be delivered to students twice a day once before lunch and once at the end of the school day. Students will be notified of the delivery of flowers, balloons, and gifts at the end of the school day. **Cellular devices should not be out at any time during the school day. Cellular devices, which are confiscated, may be picked up by the parent/guardian only. A \$15 (fifteen dollar) administrative charge will be collected each time that the parent picks up the device.** The student discipline will follow the discipline plan based on the appropriate step for each student. Due to the importance of Statewide testing and based on state requirements, during state testing dates cell phone violations will result in immediate suspension.

TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS (TAKS)

Students who are enrolled in the 9th, 10th, and 11th grades will take the Texas Assessment of Knowledge and Skills (TAKS). Students who are enrolled in the 12th grade will not receive a diploma unless they have passed all sections of the TAKS. Test dates for the 2009-2010 school year will be published at a later date.

TEXTBOOKS

All textbooks shall be covered according to the requirements of the State Law. Books shall be kept clean. Students are responsible for books while in their possession. Students shall be assessed fines for damaged or lost books.

TRANSCRIPT REQUEST

Transcript requests should be submitted to the office 3 days in advance. The request must be signed by parent or guardian.

VOE FORMS

See attendance section for information regarding issuance of VOE forms.

VISITORS

Visitors on the school campus are not permitted except at the discretion of the Principal/designee or Superintendent. Visitors must obtain a visitor's pass/badge at the office. Unauthorized visitors are subject to arrest for trespassing.

DISCIPLINE

The Sabine ISD Board of Trustees has adopted a zero tolerance policy toward violations of our school rules. "**Zero tolerance**" means that students who choose to break school rules will be penalized for their misbehavior. Penalties can range from conferencing with students to expulsion. The Student Code of Conduct and the Student Handbook outlines unacceptable behavior and the penalties for infractions. The following guidelines offer a procedure for dealing with these disciplinary issues in a consistent manner. The following procedures categorize infractions according to the seriousness of the offense and the penalties associated with the offense. The system has built in steps that give students the opportunity to correct behavior early and avoid more serious consequences. Any disciplinary situation not covered under these procedures will be dealt with in accordance with the guidelines of the Student Code of Conduct.

Steps in the discipline procedure

- Step 1: The teacher, principal, assistant principal or designee informs the student of the infraction with a verbal caution for the offense. Detention may be assigned. Parents notified.
- Step 2: The teacher, principal, assistant principal or designee informs the student with a verbal warning. Detention may be assigned. Parents notified.
- Step 3: Student meets with the principal, assistant principal or designee and the parents are notified. The student will receive on-campus suspension, Saturday detention, corporal punishment, or public service.
- Step 4: Student meets with the principal, assistant principal or designee and the parents are notified. The student will receive on-campus suspension, Saturday detention, corporal punishment, or public service. (Different measure than penalty used in Step 3)
- Step 5: Student meets with the principal, assistant principal or designee and the parents are notified. The student is assigned to on-campus suspension.
- Step 6: Student meets with the principal, assistant principal or designee and the parents are notified. On-campus suspension, suspension from school and/or DAEP is options.
- Step 7: Student meets with the principal, assistant principal or designee and the parents are notified. Suspension and/or DAEP are options.
- Step 8: Student meets with the principal, assistant principal or designee and the parents are notified. Suspension and/or DAEP are options. (Different measure than penalty used in Step 7)
- Step 9: Student meets with the principal, assistant principal or designee and parents are notified. Student assigned to DAEP
- Step 10: Student and parent meet with the principal, assistant principal or designee. Student is expelled.

Categories of Offenses

Class I offenses: (including but not limited to the following)

1. Throwing objects that can cause bodily injury or property damage
2. Disrupting class (distractions such as excessive talking, etc.)
3. Failure to follow class rules
4. Eating or drinking out of designated areas
5. Use of profane or vulgar language
6. Sitting in parked cars
7. In parking lot or restricted area without permission
8. Violations of dress code
9. Parking violations
10. Cheating
11. Possession of non-educational electronic devices in the classroom
12. Possession or use of a laser light
13. Use of cell phone (Phone will be confiscated and parent must pick up the phone. Refusal to comply will be considered insubordination.)
14. Locker violation.
15. Pass violation, misuse of hall pass or use of another student's planner.

Penalties - 1st offense: Step 1 Subsequent offenses follow appropriate steps

Class II offenses: (including but not limited to the following)

1. Possessing or using a tobacco product
2. Engaging in extortion, coercion, or blackmail
3. Being insubordinate
4. Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or district employee
5. Being truant (will be filed with JP court)
6. Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or District employee
7. Engaging in any other conduct that substantially disrupts the school environment or educational process
8. Unsafe or disruptive operation of a motor vehicle
9. Leaving class or campus without permission
10. Public displays of affection (contact beyond holding hands)
11. Prohibited items
12. Violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent or guardian.
13. Unauthorized use of a computer
14. Possessing or selling look-alike drugs or items attempted to be passed off as drugs and contraband
15. Directing profanity, vulgar language, or obscene gestures toward other students or District employees (will be filed with the JP court)
16. Discharging a fire extinguisher
17. Gambling
18. Falsification of records, passes, or other school-related documents.

Penalties-1st offense: Step 6, 2nd offense: Step 7, 3rd offense: Step 8

Class III offenses: (including but not limited to the following)

1. Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors directed toward another student or District employee.
2. Engaging in threatening behavior toward another student or District employee on or off school property.
3. Assaulting a teacher or other school employee
4. Committing vandalism
5. Committing robbery or theft
6. Engaging in fighting(Gregg County will be called and citations issued)
7. Engaging in gang or secret society activity or membership
8. Hazing
- 9 Reaching maximum time in ISS (15 days)
- 10 Bullying including intimidation by name-calling, using ethnic or racial slurs, or derogatory statements that could disrupt the school program or incite violence
11. Engaging in an aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities

Penalties-1st offense: Step 7, 2nd offense: Step 8, 3rd offense: Step 9

Class IV offenses: (including but not limited to the following)

1. Bringing to school a firearm, as defined by federal law:
“ Firearm” under federal law includes:
 - 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
 - The frame or receiver of any such weapon
 - Any firearm muffler or firearm weapon
 - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade
2. Using, exhibiting or possessing:
 - A firearm as defined by Sec. 46.01(3) Penal Code;
 - An illegal knife as defined by Sec. 46.01(6) Penal Code, or by local policy;
 - A club as defined by Sec. 46.01(1) Penal Code; or
 - A weapon listed as a prohibited weapon under Sec. 46.05, Penal Code
3. Engaging in conduct that contains the elements of the offense of:
 - Aggravated assault under Sec. 22.02, Penal Code, sexual assault under Sec. 22.011, Penal Code, or aggravated sexual assault under sec. 22.021, Penal Code;
 - Arson under Sec.28.02, Penal Code;

- Murder under Sec. 19.02, Penal Code, capital murder under Sec. 19.03, Penal Code, or criminal attempt, under Sec. 15.01, Penal Code, to commit murder or capital murder;
 - Indecency with a child under Sec. 21.11, Penal Code;
 - Aggravated kidnapping under Sec. 20.04, Penal Code; or
 - Any conduct that contains the elements of any offense above against any employee in retaliation for or as a result of the employee's employment with a school district; or
 - Conduct related to alcohol or drugs described in TEC Sec.37.006(a)(2)or(3) that is punishable as a felony
4. Continuing to engage in serious or persistent misbehavior that violates the district's student code of conduct after being placed in an alternative education program for disciplinary reasons
 5. Engaging in conduct that contains the elements of the offense of criminal mischief, if punishable as a felony, whether committed on or off school property or at a school-related event.
 6. Sells, gives or delivers to another person; or possesses or uses; or is under the influence of:
 - (1) marihuana or a controlled substance, as defined by Chap 481, Health and Safety Code, or by 21 U.S.C. Sec 801 et seq.; or (2) a dangerous drug, as defined by Chap.483, Health and Safety Code
 7. Selling, giving or delivering to another person an alcoholic beverage, as defined by Sec. 104, Alcoholic Beverage Code, committing a serious act or offense while under the influence of alcohol, or possessing, using, or being under the influence of an alcoholic beverage
 8. Engaging in conduct that contains the element of an offense relating to abusable glue, aerosol paint, or volatile chemicals
 9. Engaging in conduct that contains the elements of the offense of public lewdness or indecent exposure
 10. Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school
 11. Engaging in conduct punishable as a felony

Penalties - 1st offense: Step 10

Definitions

Alternative Educational Program:

An educational program for students who commit disciplinary infractions, where the student continues to receive instruction in English language arts, mathematics, science, social studies, and self-discipline. Alternative educational program to which Sabine ISD students may be assigned is the Elder Cooperative Alternative School Setting . Students placed in an alternative education program are prohibited from attending school-related or school-sponsored extracurricular activities during their term of placement in the alternative educational program

Assault:

An assault is defined as:

1. Intentionally, knowingly, or recklessly causing bodily injury to another person
2. Intentionally or knowingly threatening another with imminent bodily injury
3. Intentionally or knowingly causing physical contact with another when the student knows or should reasonable believe that the other will regard the contact as offensive or provocative

Corporal Punishment:

Corporal punishment is permitted in order to preserve an effective educational environment, free from disruption. Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age and physical, mental, and emotional condition of the student; the type of instrument to be used; the amount of force to be used; and the part of the body to be struck shall be considered before administering any corporal punishment.

Corporal punishment shall be limited to paddling and shall be administered only in accordance with the following guidelines:

1. Corporal punishment will be used as a last resort.
2. The student will be told the reason corporal punishment is being administered.
3. The superintendent, school principal, assistant principal, or a teacher may administer corporal punishment.
4. The instrument to be used in administering corporal punishment shall be approved by the principal or a designee.
5. When corporal punishment is administered, it shall be done in the presence of the principal or assistant principal and shall take place in a designated place out of the view of other students.
6. Parents will be notified prior to the administration.
7. A disciplinary record shall be maintained.

Disruptive Activities:

1. obstructing or restraining the passage of persons in an exit, entrance, or hallway of a building without the authorization of the administration
2. seizing control of any building or portion of a building to interfere with any administrative, educational, research, or other authorized activity
3. preventing or attempting to prevent by force or violence or the threat of force or violence a lawful assembly authorized by the school administration
4. disrupting by force or violence or the threat of force or violence a lawful assembly in progress
5. obstructing or restraining the passage of any person at an exit or entrance to campus or property, preventing or attempting to prevent by force or violence, or by threats thereof the entrance or exit of any person to or from said property or campus without the authorization of the administration of the school

A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

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

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

Disruption of Classes:

For purposes of this rule, "school property" includes the public school campus or school grounds upon which any public school is located, and any grounds or buildings used by district schools for assemblies or other school-related activities, and "public property" includes any street, highway, alley, public park, or sidewalk.

No student shall be permitted, on school property or on public property within 500 feet of school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities. Conduct that disrupts the educational activities of a school includes:

1. emissions by any means of noise of an intensity that prevents or hinders classroom instruction
2. enticement or attempted enticement of students away from classes or other school activities that students are required to attend
3. prevention or attempted prevention of students from attending classes or other activities that students are required to attend
4. entrance into a classroom without consent of either the principal or teacher and either through acts of misconduct or use of loud or profane language causing disruption of class activities

Drug/Alcohol Use:

No student shall possess, use, sell, give, or attempt to possess, use or transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related or school-sponsored activity function, or event:

1. any controlled substance or dangerous drug as defined by law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate
2. alcohol or any alcoholic beverage
3. any abusive glue, aerosol paint, or other chemical substance for inhalation
4. any intoxicant, mood-changing, mind-altering, or behavior-altering drugs

"Use" means a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech. "Under the influence" means a student's faculties are noticeably impaired, but the student need not be legally intoxicated.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this rule. A student who uses a drug authorized by a licensed physician through prescription specifically for that student's use shall not be considered to have violated this rule. In order to respond to the drug and alcohol abuse problems in the schools and maintain a safe school environment conducive to education, the district may use specially trained dogs to sniff out concealed contraband, drugs, or alcohol on school property. The dog handler selected shall use non-aggressive dogs trained to alert illicit substances prohibited under Policy FNCF. Visits to school shall be unannounced. The dogs shall be used to sniff the air in vacant classrooms and other common areas and around student lockers and automobiles parked on school property. If the dog alerts to a particular locker, a car, or an item in classrooms or other common areas, it may be searched. If the dog alerts to a car, the student shall be asked, if necessary, to unlock the car doors and trunk for an internal inspection. If the student refuses, the parents shall be notified. The dogs shall not be used for random sweep searches of students. The dogs shall be allowed to sniff an individual student only if there is reasonable cause to believe that student possesses illicit substances. If the dog alerts to a student, the student's outer garments shall be subject to a search.

Students and parents are notified that:

1. The lockers shall remain under the jurisdiction of the district even though possessed by the students and are subject to a sniff search at any time. Students are responsible for anything found in their lockers.
2. All cars parked in school parking lots shall be subject to a sniff search at any time. Students are responsible for anything found in their cars.
3. Students will be subject to a sniff search if there is reasonable cause to believe that the student possesses illegal substances.
4. Classrooms and other common areas are subject to a sniff search at any time when students are not present.
5. If any prohibited substances are found, the student may be subject to

appropriate disciplinary measures, including suspension and placement in an alternative education program. The parents or guardian shall be notified if prohibited substances are found in searches conducted under this policy. Students found to be in violation of FNCF shall be subject to appropriated disciplinary measures, including suspension in accordance with FOD. The district's policies and the code of conduct provide disciplinary sanctions for alcohol and drug-related offenses. Students may be placed in an alternative education program or expelled up to the end of the school year. In addition, they may be referred to appropriate law enforcement officials for criminal prosecution. Depending on the nature and severity of a drug or alcohol-related offense, a student may be required to complete an appropriate rehabilitation program in addition to other school discipline.

Fraternities, Sororities, Secret Societies, and Gangs:

Students shall not become members or promise to become members of any organization composed wholly or in part of students of public school below the rank of college or junior college which seeks to perpetuate itself by taking in additional members from the students enrolled in such school on the basis of the decision of its membership, rather than upon the free choice of any student in school, who is qualified under the rules of the school, to fill the special aims of the organization.

Harassment:

Harassment includes any willful act done by a student, either individually or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social or other ostracism, shame, or disgrace other than those acts identified as hazing that are associated with initiation into a social organization. Sexual harassment in any form (student to student, student to teacher, or teacher to student) is prohibited.

Hazing:

No student shall engage in activities that involve hazing. Hazing means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. Hazing will be reported to law enforcement agencies for criminal prosecution.

Interrogations and Searches:

School officials may search a student or a student's property with reasonable or probable cause or the student's free and voluntary consent. However, consent obtained through threat of contacting the law enforcement authorities is not considered to be freely and voluntarily given. Vehicles on school property are also subject to search.

Areas such as lockers, which are owned and jointly controlled by the student and the district, may be searched if reasonable cause exists to believe that contraband is

inside the locker. Students shall not place, keep, or maintain any article or material in school-owned lockers that is forbidden by district policy or that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored event.

Searches of student's outer clothing and pockets may be conducted if reasonable cause exists. Highly intrusive invasions of a student's privacy, such as searches of the student's person, shall be conducted only if probable cause exists that the student possesses contraband.

Administrators and teachers have the right to question students regarding their conduct or the conduct of others.

Law Enforcement Questioning of Students at School:

1. The principal or designee shall verify and record the identity of the officer or other lawful authority and request an explanation of the need to question or interview the student at school.
2. Unless the interviewer objects, the principal or designee ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student.
3. Unless the interviewer objects, the principal or designee shall be present during the questioning or interview.

Physical Restraint:

Any district employee may, within the scope of the employee's duties, use and apply physical restraint to a student that the employee reasonably believes is necessary in order to:

1. protect a person, including the person using physical restraint, from physical injury
2. obtain possession of a weapon or other dangerous object
3. protect property from serious damage
4. remove from a specific location a student refusing a lawful command of a school employee, including from a classroom or other school property, in order to restore order or impose disciplinary measures
5. restrain an irrational student

Prohibited Items:

1. fireworks of any kind including smoke or stink bombs
2. pepper spray, mace, and other chemical deterrents
3. school supplies such as pencils, compasses, etc if used in a menacing or threatening manner
4. razors
5. metallic knuckles
6. chains
7. knives of any size, including pocket knives
8. any other object used in a way that threatens to inflict bodily injury.
9. "look-alike" weapons

10. air guns or BB guns
11. ammunition
12. matches or lighters
13. pornographic materials
14. possessing, using, giving, or selling paraphernalia related to any prohibited substance

***PLEASE NOTE: Prohibited items, when confiscated
are not returned.***

Students Taken Into Custody:

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal or designee shall verify the official's identity and to the best of his or her ability, verify the official's authority to take custody of the student, and then shall deliver the student to the arresting official.

The principal or designee shall immediately notify the superintendent and, unless the officer or other authorized person objects, shall notify the parent or other person having lawful control of the student. If the officer or other authorized person raises what the principal or designee considers to be a valid objection to notifying the parents at that time, the principal shall not notify the parents. (Ref: Policy GRA Local)

Tobacco Use:

Students in all grades shall not possess or use tobacco products, including but not limited to cigarettes, cigars, pipes, snuff, or chewing tobacco, on school premises or at school-related or school-sponsored functions.

Students guilty of violating this policy will be subject to school-sanctioned disciplinary action. Smoking is prohibited within any building where educational activities take place. **Violations can result in a fine up to \$500.**

Vandalism:

Students shall not vandalize or otherwise damage or deface any property, including furniture and other equipment, belonging to or used by the district or district schools.

Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with law. Students shall be responsible for the care and return of state-owned textbooks and equipment and may be charged for replacement of lost or damaged textbooks or equipment.

NOTICE

Public Notification of Nondiscrimination

It is the policy of Sabine Independent School District not to discriminate on the basis of race, color, national origin, sex, or handicap in its vocational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

It is the policy of Sabine Independent School District not to discriminate on the basis of race, color, national origin, sex, handicap or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

Sabine Independent School District will take steps to assure that lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs.

For information about your rights or grievance procedures, contact the Title IX Coordinator/Superintendent, at 5424 FM 1252 W, Gladewater, TX 75647, (903) 984-8564, and/or the Section 504 Coordinator/Superintendent, at 5424 FM 1252 W, Gladewater, TX 75647, (903) 984-8564.

Harassment-Free Environment

Sabine Independent School District believes that every student has the right to attend school and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. The District considers sexual harassment of students to be serious and will consider the full range of disciplinary options, up to and including expulsion, according to the nature of the offense.

Notice to Parents

Sabine Independent School District periodically applies pesticides as part of an integrated pest management program. All persons applying pesticides at this school are required to receive special training in pesticide application and pest control. In addition, this school has a policy that requires use of non-chemical pest control tactics whenever it is possible. Pesticides may periodically be applied if monitors and thresholds indicate the need to do so.

Should you have further questions about pesticide use, including types and timing of treatments, you may contact:

Ken Wilson, IPC Coordinator
Sabine ISD
5424 FM 1252 W Gladewater, TX 75647
903-984-7036 or 903-984-8564, Ext. 332

Sabine ISD

Student Code of Conduct 2008 – 2009

Message from the Superintendent of Schools

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator.

Thank you.

Stacey Bryce, Superintendent of Schools

STUDENT CODE OF CONDUCT

Purpose

The Student Code of Conduct is the district's response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

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, suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Sabine ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code will be posted at each school campus or will be available for review at the office of the campus principal. Parents will be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the Student Code of Conduct is adopted by the district's board of trustees it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will 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 authority of the district 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.

The district has disciplinary authority over a student:

1. *During the regular school day and while the student is going to and from school on district transportation;*
2. *During lunch periods in which a student is allowed to leave campus;*
3. *While the student is in attendance at any school-related activity, regardless of time or location;*
4. *For any school-related misconduct, regardless of time or location;*
5. *When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;*

6. When criminal mischief is committed on or off school property or at a school-related event;
7. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
8. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas; and
9. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081.

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

The district has the right to search a student's locker when there is reasonable cause to believe it contains articles or materials prohibited by the district.

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

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

Standards for Student Conduct

Each student is expected to:

- *Demonstrate courtesy, even when others do not.*
- *Behave in a responsible manner, always exercising self-discipline.*
- *Attend all classes, regularly and on time.*
- *Prepare for each class; take appropriate materials and assignments to class.*
- *Meet district and campus standards of grooming and dress.*
- *Obey all campus and classroom rules.*
- *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.*
- *Adhere to the requirements of the Student Code of Conduct.*

General Conduct Violations

The categories of conduct below are prohibited at school and all school-related activities, but the list does not include the most serious offenses. In the subsequent sections on Suspension, DAEP Placement, and Expulsion, severe

offenses that require or permit specific consequences are listed. Any offense, however, may be serious enough to result in Removal from the Regular Educational Setting as detailed in that section.

The district prohibits the following:

Disregard for Authority

- *Failing to comply with directives given by school personnel (insubordination).*
- *Leaving school grounds or school-sponsored events without permission.*
- *Disobeying rules for conduct on school buses.*
- *Refusing to accept discipline management techniques assigned by a teacher or principal.*

Mistreatment of Others

- *Using profanity or vulgar language or making obscene gestures.*
- *Fighting or scuffling. (For assault see DAEP Placement and Expulsion)*
- *Threatening another student or district employee on or off school property.*
- *Engaging in bullying, harassment, and making hit lists. (See glossary for all three terms)*
- *Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, including requests for sexual favors directed toward another student or a district employee.*
- *Engaging in inappropriate or indecent exposure of private body parts.*
- *Hazing. (See glossary)*
- *Causing an individual to act through the use of or threat of force (coercion).*
- *Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).*
- *Engaging in inappropriate verbal, physical, or sexual conduct directed toward another student or a district employee.*

Property Offenses

- *Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)*
- *Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.*
- *Stealing from students, staff, or the school.*
- *Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion)*

Possession of Prohibited Items

- *Possessing or using:*
 - 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;
 - an air gun or BB gun;
 - ammunition;
 - a stun gun;
 - a pocketknife;
 - mace or pepper spray;
 - pornographic material;
 - tobacco products;
 - matches or a lighter;
 - a laser pointer for other than 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 Expulsion)

Possession of Telecommunications Devices

- *Displaying, turning on, or using a cellular telephone or other telecommunications device on school property during the school day.*

Illegal and Prescription Drugs

- *Possessing or selling seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion)*
- *Possessing, using, giving, or selling paraphernalia related to any prohibited substance. (See glossary for “paraphernalia”)*
- *Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.*
- *Abusing the student’s own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person’s prescription drug on school property or at a school-related event.*

- *Having or taking prescription drugs or over-the-counter drugs at school other than as provided by district policy.*

Misuse of Computers and the Internet

- *Violating computer use policies, rules, or agreements signed by the student and/or agreements signed by the student's parent.*
- *Using the Internet or other electronic communications to threaten students or employees or cause disruption to the educational program.*
- *Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.*
- *Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety.*

Safety Transgressions

- *Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.*
- *Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.*
- *Making false accusations or perpetrating hoaxes regarding school safety.*
- *Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.*
- *Throwing objects that can cause bodily injury or property damage.*
- *Discharging a fire extinguisher without valid cause.*

Miscellaneous Offenses

- *Violating dress and grooming standards as communicated in the student handbook.*
- *Cheating or copying the work of another.*
- *Gambling.*
- *Falsifying records, passes, or other school-related documents.*
- *Engaging in actions or demonstrations that substantially disrupt or materially interfere with school activities.*
- *Repeatedly violating other communicated campus or classroom standards of conduct.*

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

Discipline Management Techniques

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline will be correlated to 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. Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists (see glossary) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion the district will 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 or in combination—for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

- *Verbal (oral or written) correction.*
- *Cooling-off time or "time-out."*
- *Seating changes within the classroom.*
- *Temporary confiscation of items that disrupt the educational process.*
- *Rewards or demerits.*
- *Behavioral contracts.*
- *Counseling by teachers, counselors, or administrative personnel.*
- *Parent-teacher conferences.*
- *Detention.*
- *Sending the student to the office or other assigned area, or to in-school suspension.*
- *Assignment of school duties such as cleaning or picking up litter.*

- *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 individual student organizations' extracurricular standards of behavior.*
- *Withdrawal or restriction of bus privileges.*
- *School-assessed and school-administered probation.*
- *Corporal punishment.*
- *Out-of-school suspension, as specified in the Suspension section of this Code.*
- *Placement in a DAEP, as specified in the DAEP section of this Code.*
- *Expulsion, as specified in the Expulsion section of this Code.*
- *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.*

Notification

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in a suspension, placement in a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with policy FNG (LOCAL). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: www.sabine.esc7.net.

Consequences will not be deferred pending the outcome of a grievance.

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 principal's office as a discipline management technique. The principal may then employ additional techniques.

Formal Removal

*A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. A teacher*

may also initiate a formal removal from class if:

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

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 will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator will inform the student of the misconduct for which he or she is charged and the consequences. The administrator will give the student an opportunity to give his or her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

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

Returning Student to Classroom

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

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

Suspension

Misconduct

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

In deciding whether to order suspension, the district will take into consideration:

1. Self-defense (see glossary),

2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

Process

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

Before being suspended a student will have an informal conference with the appropriate administrator who shall advise the student of the conduct of which he or she is accused. The student will be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

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

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

Disciplinary Alternative Education Program (DAEP) Placement

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

In deciding whether to order placement in a DAEP, the district will take into consideration:

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

General Misconduct

*A student **may** be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.*

Misconduct Identified in State Law

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

- *Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.*
- *Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society.*
- *Any criminal mischief, not punishable as a felony.*

*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 has engaged in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas Penal Code, 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.

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

Certain Felonies

Unless removal is otherwise required by one of the reasons below, in accordance with Education Code 37.0081, a student **may** be placed in a DAEP after an opportunity for a hearing before the board of trustees or its designee, if:

- The student receives deferred prosecution for conduct defined as a felony offense in Title 5 (see glossary) of the Texas Penal Code, or
- The student has been found by a court to have engaged in delinquent conduct for conduct defined as a felony offense in Title 5 of the Texas Penal Code.

The board or the board's designee must determine that the student's presence in the regular classroom:

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

A student's placement in the DAEP as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur 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.

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 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:*
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence")
 - 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, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- *Engages in expellable conduct and is between six and nine years of age.*
- *Commits a federal firearms violation and is younger than six years of age.*
- *Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)*
- *Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:*
 1. The student receives deferred prosecution (see glossary),
 2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a student has been convicted of or placed on deferred adjudication for sexual

assault or aggravated sexual assault against another student on the same campus, and if the victim or the victim's parents request that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student will be transferred to a DAEP.

Emergencies

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

Process

Removals to a DAEP will be made by the principal or designee.

Conference

When a student is removed from class for a DAEP offense, the appropriate administrator will schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal. At the conference, the appropriate administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

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

Placement Order

After the conference, if the student is placed in the DAEP, the appropriate administrator will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee will 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 the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order will give notice of the inconsistency.

Length of Placement

The duration of a student's placement in a DAEP will be determined by the principal or designee.

The duration of a student's placement will be determined on a case-by-case basis. DAEP placement will be correlated to 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.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that:

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

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 in a DAEP so that the students are not assigned to the same campus.

Exceeds School Year

Students who commit offenses requiring placement in a DAEP 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 principal or 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.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: www.sabine.esc7.net.

Disciplinary consequences will not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

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.

A student placed in a DAEP will not be provided transportation unless he or she is a student with a disability who has transportation designated as a related

service in the student's IEP.

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

Placement Review

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the principal or 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 will also be reviewed. At the review, the student or the student's parent will 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 conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

The office of the prosecuting attorney will notify the district if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

- 1. Prosecution of 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 will 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 will, 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 will 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 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 district may complete the proceedings and issue a placement order. If the student then reenrolls 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 appropriate administrator 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

A student assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district), at the time he or she enrolls in the district will be placed directly into the district's DAEP.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, will reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for assignment to a DAEP.

Expulsion

Discretionary Expulsion: Misconduct That May Result in Expulsion

In deciding whether to order expulsion, the district will take into consideration:

1. Self-defense (see glossary),

2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

A student **may** be expelled for:

Any Location

- *Engaging in the following no matter where it takes place:*
 - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
 - Criminal mischief, if punishable as a felony.
- *Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:*
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- *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 School Event

- *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 marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.
 - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
 - Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.

- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary)

Within 300 Feet of School

- *Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:*
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson.
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
 - Felony drug- or alcohol-related offense.
 - Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

Property of Another District

- *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 DAEP

- *Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.*

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Federal Law

- *Bringing to school a firearm, as defined by federal law. "Firearm" under federal law includes:*
 - 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.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm weapon.

- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Texas Penal Code

- *Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:*
 - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
 - An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
 - A club (see glossary) such 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, including a blackjack, nightstick, mace, and tomahawk.
 - A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary)
- *Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:*
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See glossary)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.

- Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

Under Age Ten

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

Emergency

*In an emergency, the principal or the principal's designee may order the immediate expulsion of a student for any reason for which expulsion **may** be made on a non-emergency basis.*

Process

If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time.

The student's parent will be invited in writing to attend the hearing.

Until a hearing can be held, the principal may place the student in:

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

Hearing

A student facing expulsion will 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 district's witnesses.*

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 principal or designee authority to conduct 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 written notice of the date, time, and place of the meeting at which the board will review the

decision.

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

Expulsion Order

After the due process hearing, if the student is expelled, the board or its designee will 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 principal or designee will deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

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

Length of Expulsion

The length of an expulsion will be correlated to 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 will 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 or other appropriate administrator 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 has violated the district's Code in a way that 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 reenrolls 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 appropriate administrator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

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

Restrictions during Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion. No district academic credit will be earned for work missed during the period of expulsion unless the student is enrolled in a Juvenile Justice Alternative Education Program or another district-approved program.

Newly Enrolled Students

The district will continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

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 will 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

When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will 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.

Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Armor-piercing ammunition *is handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.*

Arson *is a crime that involves starting a fire or causing an explosion with intent to destroy or damage:*

1. Any vegetation, fence, or structure on open-space land; or
2. Any building, habitation, or vehicle:
 - a. Knowing that it is within the limits of an incorporated city or town;
 - b. Knowing that it is insured against damage or destruction;
 - c. Knowing that it is subject to a mortgage or other security interest;
 - d. Knowing that it is located on property belonging to another;
 - e. Knowing that it has located within it property belonging to another; or
 - f. 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.

Assault *is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.*

Bullying *is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:*

1. To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

Chemical dispensing device *is a device designed, made, or adapted for the purpose 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 an instrument specially designed, made, or adapted for the purpose of*

inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

Deadly conduct 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.

Explosive weapon is 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 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.

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

Harassment is:

1. Conduct that meets the definition established in district policies DIA (LOCAL) and FFH (LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or

Hazing is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

Hit list is 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.

Knuckles is 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.

Machine gun 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.

Persistent misbehavior is two or more violations of the Code in general or repeated occurrences of the same violation.

Possession means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; 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; or any other school property used by the student, including but not limited to a locker or desk.

Reasonable belief is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

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

Serious offenses include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.

- *Profanity, vulgar language, or obscene gestures.*
- *Fighting, committing physical abuse, or threatening physical abuse.*
- *Possession or distribution of pornographic materials.*
- *Leaving school grounds without permission.*
- *Sexual harassment of a student or district employee.*
- *Possession of or conspiracy to possess any explosive or explosive device.*
- *Falsification of records, passes, or other school-related documents.*
- *Refusal to accept discipline assigned by the teacher or principal.*

Short-barrel firearm is 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.

Switchblade is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

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

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

Title 5 offenses are those that involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit

suicide; and tampering with a consumer product. [See FOC (EXHIBIT)]
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 or the presence of physical symptoms of drug or alcohol use. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

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

Zip gun is a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

Sabine ISD

092906

**STUDENT WELFARE
FREEDOM FROM HARASSMENT**

**FFH
(LEGAL)**

The District may develop and implement a sexual harassment policy to be included in the District improvement plan. The District shall adopt and implement a dating violence policy to be included in the District improvement plan.

Education Code 37.083, 37.0831 [See BQ]

**DEFINITION OF
SEXUAL
HARASSMENT**

Sexual abuse of a student by an employee, when there is a connection between the physical sexual activity and the employee's duties and obligations as a District employee, violates a student's constitutional right to bodily integrity.

Sexual abuse may include fondling, sexual assault, or sexual intercourse. U.S. Const. Amend. 14; Doe v. Taylor ISD, 15 F.3d 443 (5th Cir. 1994)

**EMPLOYEE- STUDENT
SEXUAL
HARASSMENT**

Sexual harassment of students may constitute discrimination on the basis of sex in violation of Title IX. 20 U.S.C. 1681; 34 CFR 106.11; Franklin v. Gwinnett County Schools, 503 U.S. 60 (1992)

[See FB regarding Title IX]

**STUDENT-STUDENT
SEXUAL**

HARASSMENT

Sexual harassment of students is conduct that is so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school. Sexual harassment does not include simple acts of teasing and name-calling among school children, however, even

when the comments target differences in gender. Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)

A District official who has authority to address alleged harassment by employees on the District's behalf shall take corrective measures to address the harassment or abuse. Gebser v. Lago Vista ISD, 118 S.Ct. 1989 524 U.S. 274 (1998); Doe v. Taylor ISD, 15F.3d 443 (5th Cir. 1994)

Sabine ISD

STUDENT WELFARE

FFH

FREEDOM FROM HARRASSMENT

(LOCAL)

Note: This policy addresses harassment of District students. For provisions regarding harassment of District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG.

The District prohibits sexual harassment, dating violence, and harassment based on a person's race, color, gender, national origin, disability, or religion.

Employees shall not tolerate harassment of students and shall make reports as required at REPORTING PROCEDURES, below.

SEXUAL HARASSMENT BY AN EMPLOYEE

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual.

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

DATING VIOLENCE

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

OTHER PROHIBITED HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, gender, national origin, disability, or religion that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

EXAMPLES

Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

REPORTING PROCEDURES

Any student who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who receives notice that a student has or may have experienced prohibited harassment is required to immediately report the alleged acts to an appropriate person designated below.

Any other person who knows or believes that a student has experienced prohibited harassment should immediately report the alleged acts to the appropriate person designated below.

Reports of known or suspected child abuse or neglect shall be made as required by law. [See FFG]

TIMELY REPORTING

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

Oral or written reports of prohibited harassment shall normally be made to the campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:

DISTRICT OFFICIALS

1. For sexual harassment, the Title IX coordinator. [See FB(LOCAL)]
2. For all other prohibited harassment, the Superintendent.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

NOTIFICATION OF REPORT

Upon receipt of a report of harassment, a principal shall immediately notify the appropriate District official listed above.

NOTICE TO PARENTS

The principal or District official shall promptly notify the parents of any student alleged to have experienced prohibited harassment by a District employee or another adult associated with the District. In cases of student-to-student harassment, the District shall promptly notify the parents of any student alleged to have experienced harassment when the allegations presented, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy.

CONFIDENTIALITY

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

INVESTIGATION OF THE REPORT

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation.

If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

DISTRICT ACTION

If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.

APPEAL

A student, including a complainant, may appeal through FNG(LOCAL), beginning at the appropriate level. A complainant shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

RETALIATION PROHIBITED

Retaliation against a student alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

RECORDS RETENTION

Retention of records shall be in accordance with FB(LOCAL).

ACCESS TO POLICY

Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

UPDATES

As regulations, policies and state mandates change, we may have updates to our student handbook. Updates and changes to the student handbook may be accessed on our website. Go to Sabine.esc7.net and choose the high school web page. You may also contact the high school office at (903) 984-8587.

STUDENT PLANNERS

IN CASE OF LOSS OR DAMAGE, REPLACEMENT PLANNERS ARE AVAILABLE FOR \$6.00 EACH. STUDENTS MUST MAINTAIN THEIR OWN PLANNER.