

# **Trinity Basin Preparatory**

## **2023-2024 Student Code of Conduct**

### **Purpose**

The Student Code of Conduct is the school's response to the requirements of Chapter 37 of the Texas Education Code. This Code provides methods and options for managing students in the classroom and on school grounds, for teaching students proper conduct, and for preventing and intervening in student discipline problems.

Texas law requires a school to define misconduct that may – or must – result in a range of specific disciplinary consequences, including removal from a regular classroom, suspension, or expulsion from school. In accordance with state law, the Trinity Basin Preparatory Student Code of Conduct will be posted at the school campus and will be available for review at the office of the campus principal. A copy will also be posted on the school's website. Students new to TBP who attend new student orientation will receive additional guidance on the disciplinary expectations of the District. Parents will be notified of any conduct violation that may result in a student being suspended or expelled.

### **Campus Authority and Jurisdiction**

The school has disciplinary authority over a student:

1. during the regular school day and while on any school transportation (field trips, etc.).
2. while the student is in attendance at any school-related activity, regardless of time or location.
3. for any school-related misconduct, regardless of time or location.
4. when retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location.
5. when criminal mischief is committed on or off school property or at a school-related event.
6. for certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas.
7. when the student commits a felony, as provided by Texas Education Code §§37.006 or 37.0081.
8. for certain offenses committed off of school property that result in a true threat of a material and substantial disruption of school, or even a reasonable forecast of such.

### **Standards for Student Conduct**

All students at Trinity Basin Preparatory are expected to:

1. demonstrate courtesy, even when others do not.
2. behave in a responsible manner, always exercising self-discipline.
3. attend all classes, regularly and on time, and be physically and mentally ready to learn.
4. prepare for each class, by taking appropriate materials, necessary supplies to aid in learning such as prescription glasses, and all assignments to class.

5. obey campus and classroom rules.
6. respect the rights and privileges of students, teachers, and other staff and volunteers.
7. respect the property of others, including campus property and facilities.
8. cooperate with and assist the school staff in maintaining safety, order, and discipline.
9. adhere to the requirements of the Student Code of Conduct.

### **General Conduct Violations**

The school prohibits the following:

1. 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 transportation.
- Refusing to accept discipline management techniques assigned by a teacher or principal.

2. Mistreatment of Others

- Using profanity or vulgar language or making obscene gestures, orally or in writing.
- Fighting or scuffling, including hitting, kicking, slapping, scratching, pushing or shoving, wrestling, pulling hair, or any other form of inappropriate physical contact, regardless of who started or initiated the fight or scuffle.
- Threatening another student or school employee on or off school property.
- Engaging in bullying, harassment, or making hit lists.
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture or any other action, including requests for sexual favors directed toward another student or school employee.
- Engaging in inappropriate or indecent exposure of private body parts.
- Hazing and name calling.
- Causing an individual to act through the use of or threat of force (coercion).
- Committing or threatening to commit 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, school employee, or one's self.
- False accusations or defamation of character levied against students and/or staff.

3. Property Offenses

- Damaging or vandalizing property owned by others.
- Defacing or damaging school property – including walls, doors, textbooks, 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.

4. Possession of Prohibited Items

Possessing, using, or selling:

- 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 weapon or “look-alike” weapon;
- an air gun or BB gun;
- ammunition;
- a stun gun;
- any knife;
- mace or pepper spray;
- pornographic material;
- tobacco products, tobacco-related products, related paraphernalia, and delivery devices, including but not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, “vapor pens,” non-prescribed inhalers, nicotine delivery devices or chemicals;
- matches or a lighter;
- a laser pointer; or
- any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

5. Possession of Telecommunication Devices

The school prohibits the unauthorized use of telecommunication devices and video or photographic devices at school during school hours, on field trips, and at school activities. Teachers and campus administrators may authorize students to display, turn on, and use telecommunication devices for educational purposes. In accordance with the law, telecommunication devices shall be defined as those that emit audible signals or vibrations, display messages, or otherwise summon or deliver a communication to the possessor. Such devices include, but shall not be limited to, cellular telephones, smart watches, MP3 players, and pagers. Telecommunication devices that are confiscated will be returned to the student’s parent or legal guardian for a \$15 fee. Devices confiscated a second time will be returned to the student’s parent or legal guardian after a parent conference and the payment of a \$15 fee. If a device is confiscated a third or subsequent time the offense will be considered repetitive behavior and the student will face disciplinary consequences including the payment of a \$15 fee for the return of the device and suspension.

6. Drugs and Alcohol

- Possessing, using, transmitting, distributing, or selling any illegal drugs, seeds, controlled substance, narcotic, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
- Possessing, using, distributing, or selling paraphernalia related to any prohibited substance.
- Possessing or distributing 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 school policy.
- Possession, use, transmission, distribution, or being under the influence of alcohol or any alcoholic beverage.
- Abusive use of glue, aerosol can, liquid paper, or any other chemical substance for inhalation.
- Possession, use, transmission, distribution, or being under the influence of any other intoxicant, mood changing, mind-altering, or behavior altering drugs prohibited under the Texas Controlled Substance Act or Federal Drug Abuse Prevention Control Act.
- Being under the influence of drugs or alcohol such that the student’s faculties are noticeably impaired, even if the student is not legally intoxicated.

7. Misuse of Computers and the Internet

- Violating computer use policies, the Internet Safety policy, rules, or agreements signed by the student and/or agreements signed by the student’s parent, including those found in the Trinity Basin Preparatory Student Handbook.
- Using the Internet or other electronic communications, including Snapchat, Instagram, Twitter, Facebook, and other social media sites, 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.

8. 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.
- Threatening use of or possession of prohibited item.
- Terroristic threat.
- Making false accusations or perpetrating hoaxes regarding school safety.
- Making false 911 calls.
- Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school environment or incite violence.
- Throwing objects that can cause bodily injury or property damage.
- Discharging a fire extinguisher or fire alarm without valid cause.

9. Miscellaneous Offenses

- Violating dress and grooming standards as communicated in the Student Dress Code.

- Attending class without materials needed to successfully learn such as prescription glasses.
- Academic dishonesty.
- Inappropriate physical contact (hugging, kissing, or any other conduct of a sexual or intimate nature).
- Falsifying records, passes, or other school-related documents.
- Engaging in actions or demonstrations that substantially disrupt or materially interfere with the classroom or school activities.
- Repeatedly violating specific rules or procedures of campus or classroom standards of conduct.
- Using headphones with phones, smart watches, personal stereos, CD players, or MP3 players during the school day.
- Unauthorized food, candy, gum, etc.
- Littering.
- Violation of classroom or campus rules.
- Gambling.
- Rough play (wrestling, etc.).
- Disrupting class.
- Throwing food in cafeteria.
- Unacceptable language.
- Attendance/tardy violations.

\*The school may impose campus or classroom rules in addition to those found in the Code of Conduct. Disregard for these rules will be considered a violation of the Student Code of Conduct and will be dealt with accordingly.

### **Progressive Discipline**

**At Trinity Basin Preparatory, discipline is defined as the systematic teaching and learning of appropriate, responsible behaviors. Our progressive discipline system is designed to protect the learning environment and to improve student conduct. Student misbehavior will be addressed through a series of corrective interventions, which will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Corrective interventions will vary according to the specific student behavior, and will be informed by an evaluation of 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.**

While all disciplinary matters are addressed on a case-by-case basis in conformity with the Progressive Discipline system outlined above, most behaviors are classified into four types: the most minor infractions being Type A through the most egregious being Type D. Corrective interventions will be individualized for each student based on the type of offense as well as the circumstances surrounding the specific offense. The Progressive Discipline System – Student Behavior and Corrective Interventions chart on page 6 provides an overview of the most common behavior infractions from Type A through Type D and **possible** corrective interventions for each.

## Corrective Interventions

The following corrective interventions **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
- confiscation of items that disrupt the educational process
- rewards or demerits
- behavioral contracts
- counseling by teachers or administrative personnel
- parent-teacher conferences
- Practice Academies – practicing a desired behavior so that the student can learn to implement a desired procedure or skill that the student has failed to use
- Detentions
- removal of student from classroom setting
- withdrawal of privileges, such as participation in activities or school clubs
- school-assessed and school-administered probation
- in-school suspension
- out-of-school suspension, as specified in the Student Code of Conduct
- expulsion, as specified in the Student Code of Conduct
- referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the school
- other strategies and consequences as determined by the school officials

The school prohibits physical activity from being used as a form of punishment.

## Progressive Discipline System – Student Behavior and Corrective Interventions

\*These are partial lists for explanation purposes and are not meant to exclude other similar behaviors.

<b>Type A Behaviors</b>	<b>Corrective Interventions</b>
Includes: violations of classroom or campus rules; unauthorized food, gum, etc.; littering; disrespect to students, faculty, facility; running/noise in hallways; talking at inappropriate times; possession of banned electronic items (cell phone, iPod, etc.); possession of inappropriate items (toy gun not resembling or mistaken for a real weapon, etc.); attendance violations (tardies or absences); homework not completed or turned in on time; dress code violations that can be corrected in class; rough play.	<p>Corrective intervention is assigned by the teacher, and <b>may</b> include parent notification, conferences, practice academy, additional or makeup work, etc.; in-school suspension.</p> <p>All behavior and corrective interventions documented in student file.</p>
<b>Type B Behaviors</b>	<b>Corrective Interventions</b>
Includes: repetition of Type A behaviors; lying/cheating; possession of another student’s property; persistent disruption of classroom environment; throwing food in cafeteria; inappropriate language; persistently unprepared for class or refusal to participate; inappropriate physical contact.	<p>Corrective intervention is assigned by the teacher and/or team of teachers, and <b>may</b> include parent notification, conferences, practice academy, additional/makeup work.</p> <p>Instances of serious or repetitive Type B behaviors may be referred directly to the campus administrator and assigned consequences including parent conference, detention, in-school or out-of-school suspension.</p> <p>All behavior and corrective interventions documented in student file.</p>
<b>Type C Behaviors</b>	<b>Corrective Interventions</b>
Includes: persistent repetition of Type A or B behaviors; dress code violations that cannot be corrected in class; cause or threaten to cause injury; gang or gang-like activity including the display of gang or drug writing, symbols, etc.; racketeering; possession of dangerous item; possession of tobacco; damage to school property; bullying; gross profanity or obscene gestures; overt disrespect/defiance; extortion/threats/intimidation; lewd, indecent, or offensive conduct; sexual harassment; racial slurs; theft/possession of stolen property; possession of a prohibited item.	<p>The student is sent immediately to the campus administrator for corrective intervention at the administrative level. Administrative interventions <b>may</b> include parent conference, detention, in-school or out-of-school suspension, or expulsion.</p> <p>Severe or illegal behaviors will be reported to the appropriate law enforcement authority.</p> <p>All behavior and corrective interventions documented in student file.</p>
<b>Type D Behaviors</b>	<b>Corrective Interventions</b>
Includes: persistent repetition of Type A, B or C behaviors; violence; fighting; possession of drugs or alcohol; possession of weapon/use of item as a weapon/possession of item resembling or mistaken for a real weapon; terroristic threat.	<p>The student is escorted immediately to the campus administrator, and <b>may</b> be suspended immediately pending an expulsion meeting. Severe or illegal behaviors will be reported to the appropriate law enforcement authority.</p> <p>All behavior and corrective interventions documented in student file.</p>

## **Bullying**

Bullying will not be tolerated at Trinity Basin Preparatory. The district has a local policy that prohibits bullying, harassment, and making hit lists, and it includes, as appropriate for students at each grade level, measures for preventing and correcting bullying behavior. Violation of Trinity Basin Preparatory's Bullying Policy can result in corrective interventions for students, up to and including expulsion.

### **Type A and B Behaviors**

Since appropriate social behavior involves a series of learned skills, it is logical that the "first line" of discipline is in the classroom. For most Type A and B behaviors, teachers will employ corrective interventions within the classroom setting.

### **Removal from the Regular Educational Setting**

In addition to other discipline management techniques, student misbehavior may result in removal from the regular educational setting in the form of a discipline referral.

A teacher or administrator will remove a student from the class in order to protect the educational environment in the classroom. A teacher may also initiate a removal from class if:

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

Students engaging in Type A and B behaviors may be referred to the campus administrator if the behavior has been determined to be repetitive and the attitude of the student defiant.

When a teacher or staff member observes any instance of Type C or D behavior, the offending student will be escorted to a campus administrator immediately.

The campus administrator will first discuss the behavior or incident with the student and then proceed with further corrective interventions including, but not limited to, counselor referral, behavior contract, detention, suspension, and/or expulsion.

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

Subsequently the parent/guardian will be informed of the details contributing to the referral and of any disciplinary or corrective interventions prescribed.



## Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or the principal. Consequences will not be deferred pending the outcome of a grievance.

## Suspension

Students generally learn most effectively in a classroom, at school. Therefore students will be removed from the regular educational setting via suspension only when multiple, appropriate corrective interventions have been attempted, or such a removal is necessary for the safety and stability of the larger school community. Students may be suspended for any behavior listed in the Student Code of Conduct as a general conduct violation. In deciding whether to order suspension, the appropriate administrator will take into consideration:

1. the student's intent at the time the student engaged in the conduct;
2. the student's disciplinary history;
3. the student's age and grade level;
4. the frequency of the student's behavior;
5. the student's attitude and conduct during the investigation and referral;
6. the effect of the misconduct on the school environment.

Before being suspended, a student will have a conference with the appropriate administrator who shall inform the student of the conduct of which he/she is accused. The student will be given the opportunity to explain his/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.

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.

## Expulsion

Behaviors for which a student **may** be expelled include:

- conduct that contains the element of assault, or threat of assault, against a student, school employee, or volunteer;
- criminal mischief;
- aggravated assault;
- sexual assault;
- sexual harassment;
- criminal attempt to commit murder or capital murder;
- murder or capital murder;
- aggravated robbery;
- conduct relating to a false alarm or report (including a bomb threat), or a terroristic threat involving a public school;
- selling, distributing, possessing, using, or being under the influence of any controlled substance, including alcohol;

- conduct that contains the elements of an offense relating to abusable volatile chemicals;
- arson;
- indecency with a child;
- kidnapping;
- use, exhibition, or possession of a firearm;
- use, exhibition, or possession of a knife, hand instrument designed to cut or stab another by being thrown, dagger, sword, spear, etc.;
- use, exhibition, or possession of a club such as an instrument specifically 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;
- possession of any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade;
- possession of a prohibited item;
- significant property damage;
- any other offense listed in Section 37.007 of the Texas Education Code; or
- persistent repetition of any other behavior listed in the Student Code of Conduct.

If a student is believed to have committed an expellable offense, the campus administrator will suspend the student immediately pending the expulsion meeting. The expulsion meeting will be scheduled within three school days of the formal referral. The student’s parent will be invited in writing to attend the meeting.

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

1. the student’s intent at the time the student engaged in the conduct;
2. the student’s disciplinary history;
3. the student’s age and grade level;
4. the frequency of the student’s behavior;
5. the student’s attitude and conduct during the investigation and referral;
6. the effect of the misconduct on the school environment.

### **Expulsion Meeting**

A student facing expulsion will be given an audience with campus administration, absent extenuating circumstances. At the expulsion meeting, the student is entitled to:

1. representation by the student’s parent or legal guardian.
2. the opportunity to testify and to present evidence and witnesses in the student’s defense.
3. the opportunity to question school employees.

After providing notice to the student and parent of the expulsion meeting, the school may hold the meeting and determine the results of the expulsion regardless of attendance of the student or parent. If the parent and student do not attend the expulsion meeting, the campus administrator will make a decision regarding expulsion based upon the information contained in the discipline referral and any other information that the administrator deems appropriate, as well as the factors stated above.

The campus administrator's decision as to whether the student will be expelled will be made at the conclusion of the expulsion meeting. If the student is expelled, the parent will be given a copy of the completed referral. The completed referral will serve as the expulsion order.

An expulsion order may recommend or suggest that the expelled student participate in certain learning and/or behavioral activities or programs in an effort to be eligible for readmission to TBP. In making this decision, the campus administrator will consider the expulsion factors above, as well as the student's attitude, emotional and/or mental status, and willingness to participate in any of the recommended programs or activities. If the expelled student and their family agree to participate as requested, the campus administrator will work with the student and provide written progress reports to the Superintendent. Any cost associated with the activities or programs recommended by the school will be the responsibility of the student. When appropriate, as determined by the Superintendent, the school may encourage the expelled student to reapply at TBP. Such application will be subject to all eligibility and or admission requirements outlined in TBP's Admission and Enrollment Policy; however, the expelled student's participation and completion of any such programs or activities will be considered by the Superintendent when evaluating the student's eligibility for readmission.

### **Special Education and Section 504 Expulsions**

If a student who receives special education or Section 504 services violates the Student Code of Conduct in a manner that makes expulsion a possibility, the expulsion process for general education students must be followed exactly with a few additional steps as outlined below.

If the Principal decides to expel, a Manifestation Determination meeting must occur. The Manifestation Determination meeting must be attended by the Special Education Coordinator or the 504/RtI Coordinator and the student's ARD Committee or 504 Committee.

In the Manifestation Determination meeting, the committee will operate as if the Principal's decision to expel the student was correct. The committee will not discuss whether the student committed an expellable offense. Rather, only the following questions will be discussed and answered:

1. Was the conduct caused by, or did it have a direct and substantial relationship to, the child's disability;
2. Was the conduct in question the direct result of the school's failure to implement the IEP or Section 504 Service Plan?

If the answer to either question is “yes,” then the expulsion must be voided. If the answer to the first question is “yes” for special education students, then a Functional Behavioral Analysis must be conducted in order to create or update a Behavior Intervention Plan.

It is important to note that the expulsion meeting and the Manifestation Determination meeting are distinct meetings. However, they may be held on the same day, back-to-back. In the expulsion meeting, the Principal has the final, sole authority to determine if the offense was expellable or not, as outlined in the school’s Student Code of Conduct. The Manifestation Determination meeting is not a fact finding meeting. The committee is to assume that all facts are true, and their purpose is simply to answer the two questions above. While the Principal is part of the committee in a Manifestation Determination, they are not the final, sole authority to answer these questions.

### **Appeal of Expulsion**

Any parent/guardian who is not satisfied with the decision of the campus administrator may appeal that decision to the Superintendent within three school days of the expulsion meeting.

The Superintendent will review all relevant documents. If necessary, the Superintendent may also talk to campus administration, witnesses, the student, and/or the student’s parent

Any parent who is unsatisfied with the decision of the Superintendent may similarly appeal to the Board of Directors within three school days. The decision of the Board of Directors is final, and is not subject to further review.

The Board of Directors will review all relevant documents in a closed meeting, unless the parent requests in writing that the matter be held in an open meeting. The Board of Directors may also hear a statement from the student or parent and from the designated administrator. The Board of Directors will base its decision on evidence reflected in the record and on any statements made by the parties at the meeting. The Board of Directors will make and communicate orally its decision at the conclusion of the expulsion review.

Any consequences or punishments assigned the student will not be deferred pending the outcome of the expulsion review.

### **Restrictions during Expulsion**

Expelled students may be prohibited from being on school grounds or attending school-sponsored or school-related activities. No academic credit will be earned for work missed due to the expulsion.