

STUDENT CODE OF CONDUCT

DISCIPLINE IN ALTERNATIVE EDUCATION

[DUALP]



2021

2025



z

• • •

Eagle Pass I. S. D. School Directory

C

A

C. C. Winn Campus

265 Foster-Maldonado

830-757-0828

Jesus Diaz-Wever

Eagle Pass High School

2020 Second St.

830-773-2381

Luis Huerta

Discipline Alt. Education Program

The following programs are available in the district to assist you and your child. You may call the appropriate telephone number for assistance in each area of concern.

Problems relating to School Operations.....	830-758-7078
Questions on home visits, proof of residence	830-773-5181 ext. 82202

I. PURPOSE OF THE STUDENT CODE OF CONDUCT	7
II. SCHOOL DISTRICT AUTHORITY AND JURISDICTION	8
III. STANDARDS FOR STUDENT CONDUCT	11
IV. GENERAL INFORMATION	12
School Bus Standards of Safety and Conduct:	15
V. DISCIPLINE MANAGEMENT TECHNIQUES	16
VI. REMOVAL FROM THE REGULAR EDUCATIONAL SETTING	19
VII. SUSPENSION	21
VIII. GENERAL PROVISIONS OF THE STUDENT DRESS CODE	22
IX. LEVELS OF DISCIPLINARY OFFENSES	23
LEVEL 1: TEACHER DIRECTED DISCIPLINE	23
LEVEL 2: ADMINISTRATOR DIRECTED DISCIPLINE	25
LEVEL 3: DISCRETIONARY DAEP PLACEMENT	26
LEVEL 4: MANDATORY DAEP PLACEMENT	30
LEVEL 5: MANDATORY EXPULSION FOR SERIOUS OFFENSES	33
LEVEL 6. DISCRETIONARY EXPULSION / MISCONDUCT WHILE IN DAEP	36
X. REMOVAL TO A DAEP	38
XI. PLACEMENT / EXPULSION FOR CERTAIN SERIOUS OFFENSES	40
XII. AUTHORITY TO EXPEL/REMOVE	41
XIII. APPEALS PROCEDURES	43
XIV. REPORTS TO LOCAL LAW ENFORCEMENT/ NOTICE OF CRIMINAL PROCEEDINGS	44
XV. EMERGENCY REMOVALS	45
XVI. DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM	47
XVII. BULLYING AND OTHER TYPES OF HARASSMENT	48
Glossary	

.

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, on school grounds and school bus transportation. The code's purpose is to discipline students, prevent and intervene 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 Eagle Pass Independent School District 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, procedures for administering discipline and the state's compulsory attendance law.

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. It is mandatory that parents be notified of any conduct violation that may result in a student being suspended, ISS (In School suspension) placed in a DAEP, expelled or referred to law enforcement.

- provide guidelines for setting the length of a term of a removal or expulsion
- address the notification of a student's parent or guardian of a violation of the student code of conduct committed by the student that results in suspension, removal to a disciplinary alternative education program, or expulsion;
-

- when a student engages in cyberbullying, as provided by Education Code 37.0832
- when retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
- when criminal offenses are committed on or off school property or at a school-related event;
-

defined in FNCF (Local) explosives or incendiary items and alcohol. This program is implemented in response to drug and alcohol use problems in our District and to maintain a safe school environment conducive to education. The K-9's will be used to sniff out and alert officials to search lockers, personal belongings (purse, backpacks, etc.) and vehicles parked on school premises and all areas owned, operated and controlled by the district.

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 as per campus instructional day.
- prepare for each class; take appropriate materials and assignments to class
- meet district and campus standards for 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

Students are under the direct supervision of the school administrators or classroom teachers at all times. They are expected to conform to school policies and to class regulations. In order to create an atmosphere for learning, order must be maintained at all times. Students are to conduct themselves properly and in a manner prescribed by the administration and teachers. Failure to comply with the regulations set forth by district policy and enforced by teachers and administrators will result in disciplinary action. Students participating in school-sponsored activities are representatives of the district. Their conduct is expected to conform to the regulation set forth by the district and the sponsor.

.

The EPISD will report the number of full and partial days a student is assigned

Student operating a motor vehicle without a driver's license or not meeting insurance requirements shall be cited by law enforcement of

"

"The school bus is an extension of the classroom and student discipline will be administered by the transportation supervisor or a school administrator with the assistance from the bus driver." All school district policies that apply to student conduct and other student related activities apply to the school bus.

"

/

" Whenever a student disregards the School Bus Standards of Safety and Conduct or commits any violation jeopardizing the safety of student passengers or the driver, action must be taken using provisions of the plan." Alternative behavior management techniques included but not limited to counseling, changing seat assignment, may be used to alter the student's behavior." Should that fail, more severe measures will be taken in accordance with the step process described below.

"

1st Incident:

The driver will verbally warn the student.

"

2nd Incident:

The driver will send the Bus Conduct Report and forward it to the Bus Transportation Supervisor." The Transportation Supervisor will forward the Bus Conduct Report to the Campus Principal to take action and contact the parents." (Depending on the severity of the offense, action could lead to a three (3) day suspension).

"

3rd Incident

This will lead to a ten (10) day suspension of bus transportation services.

"

- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students in grade 2 or below who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

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.

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:

- self-defense (see glossary)
- intent or lack of intent at the time the student engaged in the conduct
- the student's disciplinary history

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 principal shall send a copy of the incident report documenting the violation to the student's parent or guardian within 24 hours.

Any student who is placed out of school or in-school suspension must be given the opportunity to complete before the beginning of the next school year each course in which the student was enrolled at the time of the removal.

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

Students with disabilities are subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent of any conflict, state and/or federal law will prevail.

- no rings, studs, string, placeholder on any part of the body except fingers of boys and fingers and ears of girls / gauges may not be worn by any student
- no see-through garments of any kind
- no oversized, sagging clothes or trench coats
- no altered garments, biker shorts, aerobic shorts, or yoga pants
- no bedtime slippers, water socks, steel-toed footwear, or any footwear with wheels
- no pajama top/bottoms
- pants with rips, tears or holes may be used, as long as no skin is visible above the knee
- no muscle shirts, tube tops, halter tops, spaghetti strap blouses, swimsuits, or any other garments that expose the midriff, chest, or back, including shirts that show the navel (belly button)
- no outerwear garment may be worn without a top or bottom
- no low or cut opening of clothing which may reveal the midriff or undergarments
- no shorts/pants that sag below the waistline
- no chains which have the potential to be used as a weapon
- athletic shorts at junior high(s)
- no skateboards
- no attire that identifies an individual belonging to a gang or group other than the district sponsored groups
- prohibited prescriptive/non-prescriptive eccentric contact lenses
- jeggings, leggings, tights may be worn with loose fitting overblouses (long shirts) that reach mid-thigh
- no make-up or high heels at elementary during the instructional day
 - Exceptions can be made at the discretion of the campus principal for special events
- No headphones or earbuds are to be visible; except when approved by the teacher for instructional purposes

- throwing objects in class
- being defiant
- annoying classmates
- excessive talking
- making excessive noise
- refusal to participate in classroom activities/ sleeping in class
- skipping class
- lack of cooperation
- rude/discourteous
- restless/inattentive
- cheating, plagiarism copying the work of another student, or allowing one's own work to be copied
- profanity/offensive language
- refusing to accept discipline management techniques assigned by a teacher or district employee
- excessive tardiness to class (3 or more per nine weeks)
- excessive absences (3 or more excused or unexcused per four weeks)
- inappropriate affection (kissing, hugging, embracing, or any other act that may be offensive)
- inappropriate language
- brings prohibited electronic devices

Any removal of a student by a teacher for behavior described above requires that the teacher report the offense to the principal or appropriate administrator. The principal or appropriate administrator will then send a copy of the report to the student's parent or guardian within 24 hours after receiving the teacher's report.

2

These level 2 student violations will result in a referral to an administrator. The disciplinary actions will depend on the offense, previous infractions, and the seriousness of the misbehavior. Included are those student acts that interfere with the orderly educational process in the classroom and/or the school. A

The maximum DAEP discretionary placement or term for a secondary student (7th – 12th) shall be 60 successful school days. Students that continue to violate the Student Code of Conduct and are assigned to the DAEP for a 2nd time during the same school year are subject to a 90 day placement.

The maximum period or term for an elementary student (1st-6th.) assigned to the DAEP under discretionary placement shall not exceed 45 days.

()

In accordance with state law, a student may be placed in an alternative education program based on conduct occurring off campus (code 10) Non-Title 5 felony and while the student is not in attendance at a school-sponsored or school-related activity if:

- the superintendent or designee has a reasonable belief that the student

- exhibits disrespect, direct profanity, vulgar language, or obscene gestures towards teachers, other district employees, or fellow students (code 21)
- pornography (e.g., being in possession of pornographic materials including, but not limited to, pictures, magazines, books, films, computer disc, or any electronic device)
- using e-mail or web sites to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes substantial disruption to the educational environment or infringes on the rights of another student at school (code 21)
- records the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others (code 21)
- attempts to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment (code 58) Level 6 Discretionary Expulsion
- attempts to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment (code 58) Level 6 Discretionary Expulsion
- use the Internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school
- sends, post, or possess electronic messages that are abusive, obscene,

- 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 of this Student Code of Conduct.) (See glossary) (code 04)
- synthetic compounds such as; look-alike drugs known as K2, spice, bath salts as controlled substance
- 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 in this Student Code of Conduct.) (code 05)
- behaves in a manner that contains the elements of an offense relating to abuse of volatile chemicals (code 06)
- behaves in a manner that contains the elements of the offense of public lewdness (code 07)
- behaves in a manner that contains the elements of the offense of indecent exposure (code 07)
- engages in expellable conduct, if the student is between six and nine years of age (Mandatory Expellable Codes)
- engages in conduct that contains the elements of the offense of retaliation against any school employee on or off school property (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.) (code 08)
-

When a student under the age of ten engages in behavior that is expellable, the student will not be expelled but rather placed in the EPISD Disciplinary Alternative Education Program. The student may not be placed in an alternative education program with any other student who is not an elementary school student. Student under the age of six will not be removed from class or placed in a Disciplinary Alternative Program, unless the student commits a federal firearm offense.

Upon receipt of notice under Article 15.27(g), Code of Criminal Procedures, the superintendent or designee shall review the student's DAEP

- Students under the age of six will not be removed from class or placed in a DAEP unless the student commits a federal

2. arson (code 16)
 3. murder, capital murder, or criminal attempt to commit murder or capital murder (code 17)
 4. indecency with a child (code 18)
 5. aggravated kidnapping (code 19)
 6. aggravated robbery (code 46)
 7. manslaughter (code 47)
 8. criminally negligent homicide (code 48)
 9. sexual abuse of a young child or children
- c) sells, gives, delivers to another person or possesses or uses or is under

()

- The principal or designee shall investigate the student's infraction and/or illegal act.
- The principal or designee shall notify and confer with student, parent(s) and/or guardian(s) regarding the alleged violation. (Provide verbal notice of proposed expulsion)
- Not later than the 3rd class day the principal/designee shall provide a written notice to the student, parents, or guardian of the proposed

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 district's hearing officer/designee must determine that:

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

0

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 district's designee. During the requested proceeding, the parent may articulate reasons why they believe the student should be returned to the student's regular school setting. The parent may also address the board during citizen's communication at a regularly scheduled school board meeting.

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the district hearing officer/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 the teacher who removed the student without that teacher's consent.

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.

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 assigned to a DAEP who are eligible to graduate, the placement in the program will continue through graduation and the student may not be allowed to participate in the graduation ceremony and related graduation activities.

/

A decision by the district's designee to remove a student to an alternative education program may be appealed to the (t) 0.2 (i-0.2 (t1 0 0 1cm BT 12 0 0 12 0 0 Tm /T

made in writing to the superintendent / designee within

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

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

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

. /
The board delegates the authority to expel or remove students from district schools to the superintendent or its designee.

The board of trustees or the board's designee (hearing officer) is delegated with the responsibility of reviewing discipline cases and determining whether the student should be expelled in accordance with state law and district policy.

The student, student's parent(s) and/or representative, shall be notified in writing of the date, time, and place of the expulsion/removal hearing. Before a student may be expelled under Texas Education Code Section 37.007, the board or the board's designee must provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parent or guardian is invited, in writing, to attend. At the hearing, the student is entitled to be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district. If the school district makes a good faith effort to inform the student and the student's parent or guardian of the time and

In determining whether a student's behavior is a manifestation of the student's handicapping condition, the ARD committee shall base their decision on all relevant evaluation and assessment data and on a review of the current IEP and behavior intervention plan. The ARD committee will consider whether the student's behavior indicates the need for new evaluation and assessment data. If the committee is unable to reach a manifestation determination without additional information, the student may be returned to his previous placement after ten (10) school days while additional assessments are being conducted, unless the student has committed a violation involving weapons, drugs or an offense in which a student causes serious bodily injury in which case the student will be placed in an alternative educational program for a maximum of 45 school days.

The ARD committee will determine the instructional placement and related services to be provided during the time of expulsion.

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

parent(s) written notice of the date, time, and place of the review. A copy of the

At the time of the emergency placement or expulsion, the student shall be accorded the appropriate due process no later than the 10th day after the placement or expulsion. He will be given oral notice of the reason for the action. The reason for emergency placement or expulsion must be a reason that may be used for a non-emergency basis. If the student subject to the emergency placement or expulsion is a student with disabilities who receives special education services, the placement or expulsion is subject to federal law and regulations and must be consistent with the consequences that would apply to a student without a disability.

When a student violates the district's code in a way that merits placement or expulsion and the student withdraws from the district during the disciplinary process, the district may complete the proceeding and issue a placement or expulsion assignment. If the student then re-enrolls in the district during the same or subsequent school year the district may enforce the assignment at that time, less any time served by the student during enrollment in another district. If the appropriate administrator or the board fails to issue a placement or expulsion assignment after the student withdraws, the next district in which the student enrolls may complete the proceedings.

A student assigned to a DAEP or expelled 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 or expulsion 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

Before a student is removed to a disciplinary alternative education program, the board's designee will conduct a hearing to determine whether a student violated district policy. If the board's designee finds the allegations are true, the student may be removed to an alternative education program for a period of time to be determined by the board's designee. If the board's designee finds that the allegations are not true, the student may be returned to his/her regular classroom. The Eagle Pass Independent School District is required to provide an alternative education program that:

- is provided in a setting other than a student's regular classroom;
- is located on or off a regular school campus;
- provides for the students who are assigned to the alternative education program to be separated from students who are not assigned to the program;
- focuses on English language arts, mathematics, science, history, and self-discipline;
- provides for student's educational and behavioral needs; and
- provides supervision and counseling

• (- , ,
, .)

It should be noted that the Texas Education Code does not require the district's alternative education program to provide courses necessary to fulfill a student's high school graduation requirements other than the courses specified above. Disciplinary Alternative Education Programs include placement in the DAEP located at 1610 Del Rio Blvd., Eagle Pass, Texas.

!

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

| A

•

•

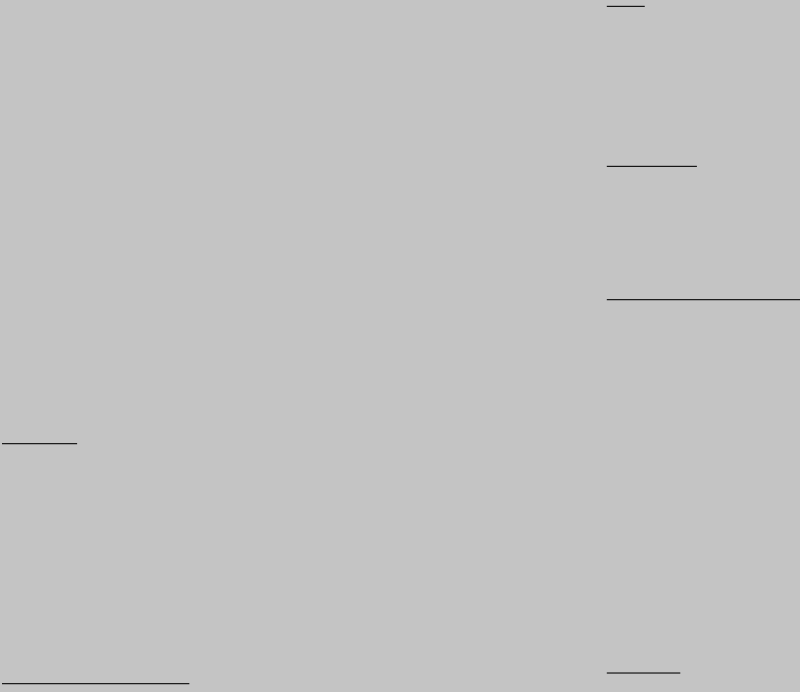
•

•

•

•

•



ACKNOWLEDGEMENT TELECOMMUNICATIONS DEVICES

2024–2025

. . . .

.

.! —

School Hours

Elementary	Junior High	High School
7:30 am – 3:15 pm	7:30 am – 4:00 pm	8:25 am – 4:20 pm

\$1 .00 .

Students are prohibited from sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal. This prohibition applies to conduct off school property if it results in a substantial disruption to the educational environment. Any student taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content will be disciplined according to the Student Code of Conduct and may be reported to law enforcement if necessary.

Parents are reminded that on state testing days, any unauthorized use of these devices could cause invalidation of the student’s testing scores. Parents and students are encouraged to discuss the telecommunications procedures so that everyone is aware that the district will firmly enforce the telecommunications devices procedures.

****The school district is not responsible or liable for the loss, theft, and/or damage of a telecommunications device. Confiscated telecommunication devices that are not retrieved by the student’s parents will be disposed of after the notice required by law. (See policy FNCE)***

I acknowledge receipt of a copy of the Telecommunication Devices policy. I agree to read the procedures, understand them and abide by them. I understand that failing to follow these procedures may result in disciplinary action.

Dear Student and Parent:

As required by state law, the District 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 behaviors and consequences, we encourage you to ask for an explanation from the student's teacher or campus administrator.

The student and parent should each sign this page in the space provided below, and then return the page to the student's school.

Thank you,

Samuel Mijares, Superintendent

We acknowledge we have received a copy of the Eagle Pass Independent School District Student Code of Conduct for the 2024-2025 school year and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

Print name of student: _____