

Fruitvale ISD

Discipline Management Plan

2021 - 2022

If any issues are in conflict with the original handbook, this supplement will supersede all those policies. In addition, if any issues are not addressed in this supplement, the 2021 - 2022 Student Handbook and Student Code of Conduct are still in effect.

Administrators and teachers will treat students impartially and equitably. Discipline will be based on careful assessment of the circumstances of each case. It is the intent of the Board of Trustees and the administrative staff of Fruitvale ISD to abide by state and federal laws and district policy, and to enforce rules in a consistent and fair manner. Students that receive special services will adhere to the discipline guidelines according to their IEP.

General Guidelines for Assessing Discipline Penalties

When imposing discipline, district personnel shall adhere to the following general guidelines:

- Discipline shall be administered when necessary to protect students, school employees or property, and maintain essential order and discipline.
- Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include
 - The seriousness of the offense.
 - The student's age.
 - The frequency of misconduct.
 - The student's attitude.
 - The potential effect of the misconduct on the school environment.
- Detention may be assigned before, during, or after school hours. When detention is assigned, notice shall first be given to the student's parent to inform the parent of the reason for the detention and to allow time for necessary arrangements for the transportation of the student.

Student Responsibilities

Students are responsible for conducting themselves properly and in a manner appropriate to their age and maturity.

Student responsibilities for achieving a positive learning environment at school or school-related activities shall include:

- Attending all classes, daily and on time.
- Being prepared for each class with appropriate materials and assignments.
- Being properly dressed.

- Showing respect toward others at all times, including in classrooms, at activity tryouts, at special programs, in lunchrooms, and in hallways.
- Behaving in a responsible manner.
- Paying required fees and fines, unless they are waived.
- Participating in school fund-raising activities in a responsible manner by returning all monies and/or merchandise.
- Obeying rules of the Student Code of Conduct.
- Obeying all school rules including safety rules.
- Seeking changes in school policies and regulations in an orderly and responsible manner through appropriate channels.
- Cooperating with staff members in their investigation of disciplinary matters and volunteering information relating to serious offenses.

Student Rules and Regulations

The district has authority and control over its students during the regular school day and while going to and from school, on district transportation. This jurisdiction includes any activity during the school day on school grounds; attendance at any school-related activity, regardless of time or location; and any school-related misconduct, regardless of time or location.

The district's rules of student conduct apply to all school-sponsored and school-related activities, on or off campus. Students who violate these rules will be subject to disciplinary action. Students at school or school-related activities are prohibited from:

- Cheating or copying the work of another student, or allowing another student to copy his/her work.
- Throwing objects that can cause bodily injury or damage property.
- Leaving school grounds or events without permission.
- Being disrespectful toward other students, teachers, or school employees.
- Using profanity, vulgar language, or obscene gestures toward students, teachers, or other school employees.
- Insubordination, such as disobeying directives from school personnel or school policies, rules, and regulations.
- Playing with matches or fire, or committing arson.
- Committing robbery or theft.
- Damaging or vandalizing property owned by the school, other students, or district employees.
- Disobeying school policies and regulations about conduct on school buses.
- Fighting.

- Committing extortion, coercion, or blackmail; that is, obtaining money or another object from an unwilling person.
- Name-calling, making ethnic or racial slurs or derogatory statements.
- Engaging in inappropriate sexual contact disruptive to other students or the school environment.
- Sexually harassing other students, teachers, or other school employees.
- Assaulting a teacher or other individual.
- Selling, giving, or delivering to another person, possessing, using or being under the influence of marijuana or a controlled substance, a dangerous drug, abusable glue, or aerosol paint or volatile chemical or an alcoholic beverage.
- Possessing or using any tobacco product or electronic cigarettes.
- Hazing.
- Possessing or using a firearm, any knife (regardless of length), a club, or other weapon.
- Aggressive behavior or group demonstrations which substantially disrupt or materially interfere with school activities, conduct of classes, meetings, etc.
- Making terrorist threats.
- Public lewdness or indecent exposure.
- Retaliating against a teacher or other school employee.
- Being truant or class cutting.
- Being tardy to school and to class.
- Behaving in any way that disrupts the school environment or educational process.
- Violation of Acceptable Use Policy for technology.

Parent Responsibilities

- Establish and maintain a positive attitude toward education and teachers.
- Strive to prepare the child emotionally and socially to be receptive to learning and discipline.
- Encourage and lead the child to develop proper study habits at home.
- Assist the child in being properly attired for school according to the district dress code policy.
- Ensure the child's compliance with school attendance requirements and promptly report and explain absences and tardiness to the school.
- Maintain up-to-date addresses and phone numbers in the school office for home, work, and emergencies.
- Bring to the attention of school authorities any learning problem or condition that may relate to the child's education.
- Sign the Student and Parent Acknowledgment statement, indicating that a copy of the Student Code of Conduct has been received.

- Encourage the child to adhere to the Student Code of Conduct.
- Attend scheduled conferences and respond to the teacher's attempts to contact a parent.
- Initiate conferences to discuss academic progress or other concerns.
- Discuss work assignments and report cards with the student; request a conference with the teacher if the child receives a failing grade for the reporting period.
- Ensure the child's attendance at school tutorials as the need arises or as is required.
- Cooperate with school personnel when the child is involved in a discipline problem.
- Cooperate with school administrators and teachers in their efforts to achieve and maintain a quality school system.

Cell Phones/Electronic Devices

From the time students arrive on campus until the last bell at 3:30 phones are to be put out of sight and turned off. If a cell phone is displayed or used by a student, it will be taken to the principal's office and a fine of \$10 may be assessed to the student. Fines collected will be deposited into a scholarship fund. Repeated violations could result in further disciplinary actions. Students are allowed to use their cell phones if instructed to do so by a teacher or during lunch for high school students only.

Levels of Student Misbehavior and Disciplinary Actions

Categories of Behavior

Examples of behaviors considered to be violations of the Behavior Management Plan, and, in some cases, the Student Code or Conduct, are listed in four categories of offenses depending on the seriousness of the offense. With the different categories of offense is a list of penalties from which the administration will determine appropriate consequences. The penalty for the offense will be assessed depending on the seriousness of the violation and the frequency of the misbehavior. The groups are not intended to be all-inclusive. The categories are:

- Level I First Level Offenses
- Level II Second Level Offenses
- Level III Serious Offenses
- Level IV DAEP and Expellable Offenses

The following is an outline of each Level containing the offenses and consequences.

Level I – First Level Offenses

1. Tardiness/Absenteeism

2. Throwing objects/food (spitballs, papers, etc.)
3. Refusal to participate in classroom activities
4. Failure to complete class work/homework
5. Disrespect
6. Classroom disruption (minor)
7. Sleeping in class
8. Hall violation
9. Possession of food or drink in an undesignated area
10. Scuffling/horseplay
11. Littering
12. Inappropriate display of affection on school grounds or school related activity
13. Violation of dress code
14. Chewing gum, eating or drinking in class
15. Uncovered, damaged, or lost instructional materials or school-owned property
16. Loitering (includes before and after school)
17. Buying, trading, or selling personal items at school
18. Other offenses as determined by campus administrators
19. Unauthorized presence of students on any FISD campus (visitors)
20. Minor violation of the terms and conditions of the Acceptable use of Technology Guidelines including, but not limited to, illegal activities, security violations, inappropriate language, respect for privacy, respect of resource limits, plagiarism and/or copyright infringement, accessing inappropriate material, and damage or vandalism of hardware, software furnishings, and/or other teaching/learning materials
21. Cheating or copying off another student's work

22. Causing excessive, loud, or unnecessary noise
23. Minor vehicle violations (improper parking, disregarding stop signs)
24. Inappropriate use of radios, CD players, tape players, video games or televisions during school hours. Violation of classroom or safety rules
25. Violation of classroom or safety rules
26. Engaging in any conduct that disrupts the school environment or educational process
27. Failure to bring appropriate materials to class
28. Cell phone use

Level I – Consequences

1. Change into clothing provided by district when available/Send home to change
2. Conference with student
3. Counseling with student
4. Parent contact
5. Detention/ISS
6. Work detail or special assignment
7. Withdrawal of privileges, suspension of technology use privileges **for a period of time not to exceed 10 school days** as determined by the principal of his/her designee and/or other consequences for this level of offense
8. Assessment of fee for **uncovered**, damaged, or lost instructional materials or school owned property
9. Corporal punishment as administered according to district policy
10. Out-of-school suspension for up to 3 consecutive days
11. Cooling off/Classroom “time out”
12. Restitution/Restoration

13. Withdrawal of privileges such as participation in extracurricular activities and eligibility for seeking and holding honorary offices and /or membership in school-sponsored clubs or organizations.

Level II – Intermediate Offenses

1. Racial or ethnic remarks and slurs, i.e., demeaning, insulting, or inflammatory remarks, gestures, suggestions, or actions which relate to an individual's race and/or ethnic background and which may reasonably result in an individual's taking offense
2. Cursing or any use of profanity (***see note**)
3. Persistent misbehavior of minor offenses that are listed in Level I
4. Insubordination - Blatant refusal to obey
5. All tobacco, e-cigarette, and vaping offenses on school property or within 300 feet of school property will be reported to local police agencies, students may be fined up to the limit of the law
6. Possession of matches, lighters or any laser device
7. Truancy/class cutting
8. Leaving campus without permission
9. Failure to accept or adhere to prescribed punishment
10. Gambling
11. Cheating/Copying
12. Falsification of school records
13. Presence in unauthorized areas on school property

14. Repeated violation of the terms and conditions of the Acceptable Use of Technology Guidelines including, but not limited to, illegal activities, security violations, inappropriate language, respect for privacy, respect of resource limits, plagiarism and/or copyright infringement, accessing inappropriate material, and theft, damage or vandalism of hardware, software, furnishings, and/or other teaching/learning materials
15. Other offenses as determined by the campus administrator

Level II - Consequences

1. Detention
2. Corporal punishment as administered according to district policy
3. Removal from class being placed in “time out” or in a “cooling-off” area for a period to be determined by the campus administrator
4. May be fined up to \$200 for smoking offenses by a local government agency
5. In-school suspension
6. Out-of-school suspension for up to 3 consecutive days
7. Grade of zero for copying/cheating
8. Prohibit from attending and/or participating in extracurricular activities
9. Withdrawal of privileges such as participation in extracurricular activities and eligibility for seeking and holding honorary offices and /or membership in school-sponsored clubs or organizations
10. Suspension of technology use privileges for a period of time not to exceed one semester, as determined by the principal or his/her designee and/or other consequences for this level of offense
11. Any Level I consequence which may be applicable

***Note: Profanity/Vulgarity**

Profanity or vulgar comments or gestures on campus or at any school sponsored or school related activity is unacceptable and students who start or willingly participate are subject to the following:

1st offense – 30 minutes detention

2nd offense – ISS for one day

3rd offense – ISS for 3 days

4th offense – ISS for 5 days

Level III – Serious Offenses

1. Persistent misbehavior of Level I & II offenses
2. Bullying
3. Assault (Class C) Threats to school personnel, volunteer or other students
4. Abusive language, whether oral or written, or abusive behavior, directed toward teachers or other school employees
5. Breach of Security: including altering and providing false information on school records, and computer security breach
6. False accusation of conduct that would constitute a misdemeanor or felony
7. Stealing
8. Repeated gambling
9. Boycotts, walkouts, protests, and student demonstrations
10. Hazing
11. Vandalism/criminal mischief not defined as a felony
12. Distribution of publications and materials not approved by the campus administration
13. Fighting or instigating a fight (***See Note**)

14. Extortion
15. Indecent exposure
16. Sexual harassment
17. Use or possession of a paging device
18. False fire alarms or false 911 calls
19. Blatant insubordination
20. Intent to commit bodily harm
21. Tampering with food or drink with the intent to do bodily harm
22. Transmittal, sale, or attempted sale of what is represented to be a prohibited substance
23. Possession or usage of devices, which disrupt the school's learning environment, including firecrackers, stink bombs, smoke bombs or other incendiary devices
24. Possession of sexually explicit, suggestive, or pornographic materials
25. Possession of drug paraphernalia
26. Repeated and/or serious violation of the terms and conditions of the Acceptable Use of Technology Guidelines including, but not limited to, illegal activities, security violations, inappropriate language, respect for privacy, respect of resource limits, plagiarism and/or copyright infringement, accessing inappropriate material, and theft, damage or vandalism of hardware, software, furnishings, and/or other teaching/learning materials
27. Video or audio recording of students or employees for disruptive purposes
28. Other offenses determined by the campus administration

Level III – Consequences

1. Out-of-school suspension for up to 3 consecutive days
2. Law enforcement agency contacted, if necessary

3. Time-out area
4. Laser pointers will be confiscated and disposed of according to district policy
5. In-school suspension
6. Reimbursement for stolen or damaged property
7. Suspension of technology-use privileges for a period of time not to exceed one school year, as determined by the principal or his/her designee, notification of law enforcement agencies, filing of criminal charges, and/or other consequences for this level of offense
8. Any Level I or II consequences, which may be applicable
9. Discretionary placement in DAEP

*** Note:** Fighting on campus or at any school-sponsored or school-related activity is considered a major disturbance and students who start or willingly participate will be assigned ISS for 3 days, and the school may call the police and file charges against the students involved. Any student engaged in attempting to fight or instigating a fight (whether or not blows were exchanged) will be assigned ISS.

Level IV – DAEP and Expellable Behavior

Type A Behavior – Discipline Alternative Education Program (DAEP)

Mandatory Placement Violations

1. Engaging in any conduct on-campus or off-campus which is punishable as a felony
2. Assault (as defined by Section 22.0 (a)(1) of the Texas Penal Code or terrorist threat as defined by the Texas Penal Code
3. Selling, giving, delivering, possessing, using, or being under the influence of marijuana, a dangerous drug, controlled substance, or alcoholic beverage including vaping that contains illegal substances
4. Engaging in conduct relating to abusable glue, aerosol paint, or volatile chemicals
5. Public lewdness or indecent exposure
6. Retaliation against any school employee

7. A student shall be removed from class and placed in a DAEP if the student commits certain criminal offenses, including conduct punishable as a felony on or within 300 feet of school property.
8. A student, who is younger than 10 years of age shall be removed from class and placed in a DAEP if the student engages in expellable conduct.
9. Possession of an illegal knife. (See Student Code of Conduct)

Level IV – Consequences for Mandatory Placement Violations

1. Out-of-school suspension for up to a period of three (3) consecutive days
2. Any Level IV, Type A, behavior requiring a mandatory DAEP placement shall result in a mandatory DAEP assignment **for the remainder of the current semester, as a minimum, and to the end of the following semester as a maximum. Placement made during the final six weeks of the fall or Spring Semester may be extended through the end of the following semester, at the discretion of the principal.**
3. Contact law enforcement agency
4. Searches for weapons, drugs and/or prohibited items

Discretionary Placement Violations

1. Persistent misbehavior
2. Insubordination toward an administrator
3. Usage or possession at school or any school-related activity of fireworks, razors, chains, articles not generally considered to be weapons but which the principal or his/her designee determines are a danger to any student, school employee, or school property by virtue of their possession or use, as well as any other object which may be used in a way that threatens or inflicts bodily injury on another person, including pellet guns or pistols and air rifles (BB guns) or pistols
4. 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

5. Bomb threats

6. A student may be removed from class and placed in a DAEP, based on conduct occurring off campus, even while the student is not in attendance at a school-sponsored or related activity if the superintendent or the superintendent's designee has reasonable belief that the student engaged in a felony offense

Level IV – Consequences for Discretionary Placement Violations

1. Out-of-school suspension for up to a period of three (3) consecutive days
2. Discretionary placement in a DAEP for a minimum amount of time, to be determined by the principal or his/her designee and not exceeding the end of the following semester
3. Contact law enforcement agency
4. Searches for weapons, drugs, and/or prohibited items
5. Any other punishment from Level I, II, or III which may be applicable

Type B Behavior – Expulsion

A student shall be expelled from school, if on school property or while attending a school-sponsored or school-related activity on or off school property, for engagement in the following activities:

1. Possession or use of firearms or weapons as defined by the Texas Penal Code
2. Aggravated assault
3. Sexual assault
4. Aggravated sexual assault
5. Arson

6. Murder or criminal attempt to commit murder
7. Indecency with a child
8. Aggravated kidnapping
9. Retaliation against a school employee
10. Behavior related to an alcohol or drug offense, which could be punishable as a felony
11. Criminal mischief, if punishable as a felony (discretionary expulsion)
12. Serious or persistent misbehavior, if a student is already in a disciplinary DAEP and continues to violate the district's Student Code of Conduct (discretionary)
13. When people or property are in imminent harm (emergency expulsion)

As provided by law a student may be expelled if the student is in possession or use of an illegal drug, alcohol, glue, or aerosol paints.

Type B Behavior – Consequences

1. Expulsion
2. Contact law enforcement agency
3. May not attend or participate in any school-sponsored or school-related activities.

Transportation Code of Conduct

Riding in a bus to and from school is a privilege, not a right. The students riding a bus are under the jurisdiction of the school authorities from the time they board the bus in the morning until they are discharged from the bus in the afternoon. The bus will be treated as a classroom and the driver as a teacher in the classroom. The driver has the responsibility of maintaining order on the bus. The driver is not prohibited from exercising reasonable judgment in order to protect other passengers from bodily harm. Parents will be contacted on all bus problems, if possible, by telephone or mail. The principal or his designees shall take steps when necessary to maintain acceptable pupil conduct on the school bus. Pupils who fail to conduct themselves in an acceptable manner may be denied the privilege of school bus transportation by the principal or his/her designee. It is recommended that parents be sought in most cases before a

student is excluded from riding on the school bus. Rules against fighting, tobacco use or profanity apply the same as on campus.

Disciplinary sanctions and changes in transportation for handicapped students shall be made in accordance with the provisions of the student's IEP.

The following rules shall apply to student conduct on school transportation in addition to the Student Code of Conduct.

Bus Rules and Regulations

1. Passengers shall follow the bus driver's directions at all times.
2. Passengers shall board and leave the bus in an orderly manner at the designated bus stop nearest their home.
3. Passengers must stay in their seat at all times.
4. Passengers shall keep books, band instrument cases, feet, and other objects out of the aisles of the bus.
5. Passengers shall not extend hands, arms, or legs out of the window, nor hold any object out of the window, or throw objects within or out of the bus.
6. Passengers shall not be destructive to the bus.
7. Passengers shall not use any form of tobacco, electronic cigarettes, drugs, or alcohol on the bus.
8. Usual classroom conduct shall be observed. Unruly conduct, including the use of obscene language, will subject the passenger to disciplinary action.
9. Upon leaving the bus, the student will wait for the driver's signal before crossing in front of the bus. Immediately leave the roadway. Do not walk behind the bus.
10. No drinks or other refreshments are allowed on the bus.
11. Keep the bus clean by removing all personal materials when exiting the bus and placing waste paper in the trash container at the front of the bus.
12. Talk in a low tone of voice.
13. Do not use whistles, horns, or other noise devices nor water guns or balloons

14. A person commits the offense of disruption of transportation if the person intentionally disrupts, prevents, or interferes with the lawful transportation of children to or from school or an activity sponsored by a school on a vehicle owned or operated by an independent school district. An offense under this section is a Class C misdemeanor.

Consequences – Bus Regulations

After verbal warning the driver has the authority to refer the student to the principal or designee. The student will be disciplined according to the following

1. First bus infraction: disciplined by the principal or designee
2. Second bus infraction: Detention or corporal punishment
3. Third bus infraction: Student removed from the bus for 5 school days
4. Fourth bus infraction: Student removed from the bus for 10 school days
5. Fifth bus infraction: Student removed from the bus for 30 school days
6. Prosecution by police for violations against Rules above
7. Students who commit offenses may have bus privileges revoked immediately at the discretion of the principal or designee.

*Note: If behavior results in the student being returned to school, the student will be assigned ISS for 5 days.

Detention

Detention is a before or after-school, lunch or playground detainment for students who have conduct or attendance problems in school. Detention is held in a designated room. Students are to bring school materials to work on in the room. Skipping detention while in attendance that school day (without the principal's permission) will result in ISS the following day.

NO TRANSPORTATION WILL BE PROVIDED FOR STUDENTS IN DETENTION.

In School Suspension (ISS)

A student may be assigned to ISS for discipline problems. During ISS a student is removed from their regular class setting and placed in isolation from all other students. A student is not allowed any visitors while in ISS. The student's lessons from their classes are brought to the

room for them to complete. The student will eat breakfast and lunch in the room. A student who fails to follow these rules will be assigned additional days or suspended from school for up to three days.

ISS Rules

1. The students will report to the ISS room or office immediately upon arriving on campus. The student will remain in the ISS room until the end of the school day.
2. Absences will not count as time served in ISS and may result in additional ISS time if not excused.
3. Students must have all of their materials before admittance. Students will stay on task at all times.
4. The students first assignment is to write the rules of ISS ten times each. If all class work has been completed, the supervisor will assign additional work.
5. Students will not communicate with anyone while in ISS except the ISS supervisor unless directed by the person in charge.
6. Students will sit in an upright position at all times and will not place their head on the desk or wall to sleep or appear to be sleeping while in ISS.
7. Students must follow all school rules while in ISS.
8. Students will not distract others in any way.
9. Students must keep the area around their desk clean.
10. Students leaving ISS early will result in making up the missed time in ISS.
11. Students may not eat or drink during ISS. The only exception is that breakfast and lunch will be eaten in the ISS room.
12. Students may bring their own breakfast or lunch if they are not eating the meals provided by the cafeteria.
13. Students will not be allowed to leave ISS without permission.
14. Damage to the ISS room or equipment will result in additional consequences.
15. Students assigned to ISS are prohibited from attending any school events including practices, athletic events, etc. while they are assigned to ISS.
16. All electronic devices will be turned in to the ISS supervisor upon arrival and will not be returned until dismissal.
17. All ISS work will be turned in that day or students will return to ISS until it is finished.
18. Students in ISS will be required to complete community services projects around the district.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the campus administration. Appeals regarding the decision to place a student in a DAEP should be addressed to the campus principal in accordance with policy FOC(LEGAL). All other appeals regarding a placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy online at the following address: www.fruitvaleisd.com.

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.

Acknowledgment Form

My child and I have received a copy of the Fruitvale ISD Discipline Management Plan Addendum to the ***Student Code of Conduct*** for 2021 - 2022. I understand that the handbook contains information that my child and I may need during the school year and that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Discipline Management Plan Addendum to the ***Student Code of Conduct***.

Printed name of student: _____

Student Grade Level: _____

Signature of student: _____

Signature of parent: _____

Date: _____

Current Physical Address: _____

Mailing Address: _____

Phone # _____ Cell # _____

Email Address: _____