

**BROWNWOOD
INDEPENDENT SCHOOL
DISTRICT**

**LEVELS OF CONDUCT
OFFENSES AND
CONSEQUENCES**

2016 - 2017

LEVEL 1 OFFENSES

- Disorderly conduct:
 1. Running in hallways/walkways
 2. Horseplay/cutting in line
 3. Loud or unnecessary noises
 4. Taunting other students
 5. Inattention or disruption in class
 6. Littering
 7. Sleeping in class
 8. Violation of classroom rules
 9. Threatening/harassment (minor)
 10. Lying to staff
 11. Causing embarrassment of others
- Tardiness
 1. Tardies are defined as being late to class without mitigating circumstances. If a student has a valid pass from a staff member, the accepting teacher shall allow the student admittance to class without penalty. Tardy counts begin anew with each semester.
 2. On the third tardy, students shall be assigned one of the following consequences:
 - Before or after school detention
 - Consequences on the discipline management plan
- Nonconformity to regular school/classroom rules
- Being in unauthorized areas of campus
- Eating or drinking outside designated area
- Minor vandalism
- Minor defacing of school property (non-gang related writing on desks, walls, books, etc.)
- Leaving classroom without a hall pass or teacher permission
- Minor public display of affection
- Violating dress and grooming standards as communicated in the student handbook
- Violating extracurricular standards of behavior
- Possess a pocketknife or any other small knife

LEVEL 1 CONSEQUENCES

- Counsel, verbal reprimand
- Withdrawal of privileges
- Seating change, seating isolation
- Detention
- Parental contact or conference
- Restitution
- Counseling
- Special assignment/extra duties
- Confiscation
- Note: Examples and disciplinary options/responses are not limited to these provided. These are at the discretion of the building administrator.
- Habitual Level 1 offenses constitute progression to Level 2.
 - Each offense is added to previous offenses and has a more exact and escalating consequence.

Additional consequences for students participating in extracurricular activities:

- Ineligible for extracurricular activities while suspended in school or out of school
- Additional consequences as outlined in extra-curricular constitution/and or program policies

LEVEL 2 OFFENSES

- Continuation of Level 1 behavior
- Cheating or copying the work of another
- Throwing objects that can cause bodily injury or property damage
- Failing to comply with directives given by school personnel
- Leaving school grounds or school-sponsored events without permission
- Disobeying rules for conduct on school buses
- Damaging or vandalizing property owned by others
- Possessing or using articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists
- Causing or participating in classroom/hallway disturbances
- Near fight-Causing public disruption by actions (no blows thrown)
- Publication and distribution of materials not authorized by the building administrator (this includes obscene material)
- Threatening behavior which includes inappropriate physical contact (Public display of affection more inappropriate than Level 1)
- Possessing or using matches or a lighter
- Possessing fireworks or any kind, smoke or stink bombs, or any other pyrotechnic device
- Discharging a fire extinguisher
- Possessing mace or pepper spray
- Making false accusations or hoaxes regarding school safety
- Abusing the student's own prescription drug, giving a prescription drug to another student, or being under the influence of another person's prescription drug on school property or at a school-related event
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties.
- Record 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
- Violating the District's policy on taking prescription drugs and over-the-counter drugs at school
- Violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent or guardian
- Using the Internet to threaten students, employees, or cause disruption to the educational program

LEVEL 2 CONSEQUENCES

- Parental conference
 - Withdrawal of privileges/denial of attendance and or participation in extracurricular activity
 - In School Suspension
 - Out-of-school suspension as specified in the Suspension's Section of this Student Code of Conduct
 - Extra campus duties
 - Before/after school detention hall
 - In accordance with transportation policy guidelines
 - Referral to outside agencies when necessary
 - Restitution, repayment
 - Confiscation
 - Note: Examples and disciplinary options/responses are not limited to those provided. These are at the discretion of the building administrators.
 - Habitual Level 2 offenses constitute progression to Level 3.
 - Each offense is added to previous offenses and has a more exact and escalating consequence.
 - *Corporal punishment
- *Used at the discretion of the campus principal and only with parent permission

Additional consequences for students participating in extracurricular activities:

- Ineligible for extracurricular activities while suspended in school or out of school
- Additional consequences as outlined in extra-curricular constitution/and or program policies

LEVEL 3 OFFENSES

LEVEL 3 CONSEQUENCES

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| <ul style="list-style-type: none">• Chronic misbehavior cited in previous level• Fighting• Hazing• Membership, participation, or solicitation of another person to join in any secret society, fraternity, sorority, gang, or any society not sanctioned by the school• Stealing from students, staff, or the school• Defacing or damaging school property including textbooks, lockers, furniture, and other equipment• Possessing razors, box cutters, chains, or any other object used in a way that threatens or inflicts bodily injury to another person• Possessing or selling “look-alike” weapons• Possessing air guns or BB guns• Possessing ammunition• Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or District employee• 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• Inappropriate or indecent exposure of a student's private body parts• Possessing, smoking, or using tobacco products, including e-cigarettes/vaporizing devices• Possessing or selling look-alike drugs or items attempted to be passed off as drugs and contraband• Possessing or selling seeds or pieces of marijuana in less than a usable amount• Possessing, using, giving, or selling paraphernalia related to any prohibited substance• Possessing or using a laser pointer for other than an appropriate use• Sending or posting messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal• Engaging in verbal or written exchanges that threatens the safety of another student, a school employee, or school property• Possessing published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety, using e-mail or Web sites at school to encourage illegal behavior, or threatening school safety• Repeatedly violating other communicated campus or classroom standards of behavior• Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person)• Forcing an individual to act through the use of force or threat of force | <ul style="list-style-type: none">• In School Suspension• Out-of-school suspension• Cooperation with law enforcement agencies (confiscated materials may be ceded to the local law enforcement agencies for storage)• Withdrawal of privileges• Detention• Referral to outside agency when necessary• Restitution repayment• Confiscation• Discretionary placement Alternative Education Program• *Corporal punishment <p>*Used at the discretion of the campus principal and only with parent permission</p> |
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LEVEL 3 OFFENSES - **Continued**

- Engage in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship
- Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed later in the Student Code of Conduct.)
- Engaging in the threatening behavior toward another student or District employee on or off school property
- Engaging in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 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.
- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- Any criminal mischief.
- A federal firearms violation, for a student six years of age or younger.
- Bullying including intimidation by name-calling, using ethnic or racial slurs, or derogatory statements that could disrupt the school program or incite violence
- Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or District employee
- Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence

Additional consequences for students participating in extracurricular activities:

- Ineligible for extracurricular activities while suspended in school or out of school
- Additional consequences as outlined in extra-curricular constitution/and or program policies

LEVEL 4 OFFENSES

- Chronic misbehavior cited in previous level
- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school
- Engages in conduct punishable as felony
- Commits an assault
- 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 in this Student Code of Conduct.) (See glossary)
- 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.)
- Behaves in a manner that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals
- Behaves in a manner that contains the elements of the offense of public lewdness
- Behaves in a manner that contains the elements of the offense of indecent exposure
- Engages in expellable conduct, if the student is between six and nine years of age
- Engages in conduct that contains the elements of the offense of retaliation against any school employee, regardless of where or when the conduct occurs. (Committing retaliation in combination with another expellable offense is addressed in the expulsion section of this Student Code of Conduct.)
- 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.
 2. A court or jury finds that the student has engaged in delinquent conduct.
 3. The Superintendent or designee determines there is reasonable belief that the student has engaged in the conduct.

LEVEL 4 CONSEQUENCES

- Mandatory removal to a disciplinary Alternative Education Program and,
- Charges filed if applicable

Additional consequences for students involved in extracurricular activities:

- Ineligible while suspended/assigned to disciplinary Alternative Education Program
- Additional consequences as outlined in extra-curricular constitution/and or program policies

LEVEL 5 OFFENSES

A student may be expelled for engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)

A student may be expelled for 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 at a school in another district in Texas.

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, 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 any amount 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)

A student may be expelled for the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Committing aggravated assault, sexual assault, or aggravated sexual assault.
- Committing arson.
- Committing murder, capital murder, or criminal attempt to commit murder or capital murder.
- Committing indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Committing a felony drug- or alcohol-related offense.
- Using, exhibiting, or possessing a firearm (as defined by state law, an illegal knife, a club, or prohibited weapon, or possessing a firearm (as defined by federal law).

A student may be expelled if the student engages in the following conduct no matter where the conduct takes place;

- Engaging in conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Engaging in criminal mischief, if punishable as a felony.

LEVEL 5 CONSEQUENCES

- Charges filed
- Mandatory Disciplinary Alternative Education Program
- or
- Expulsion

LEVEL 5 OFFENSES - Continued

A student may be expelled if the student engages 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.

A student may be expelled for engaging in serious or persistent misbehavior that violates the District's Student Code of Conduct while placed in a DAEP. The District defines "persistent" as two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation. Serious offenses include, but are not limited to, the following:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.
- 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 management techniques assigned by the teacher or principal.

Additional consequences for students involved in extracurricular activities:

- Ineligible while suspended/assigned to disciplinary Alternative Education Program
- Additional consequences as outlined in extra-curricular constitution/and or program policies

LEVEL 6 BEHAVIORS

- 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:
- Bringing to school a firearm, as defined by federal law.
"Firearm" under federal law includes:
 1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
 2. The frame or receiver of any such weapon.
 3. Any firearm muffler or firearm weapon.
 4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.
- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
 5. 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.
 6. An illegal knife, such as a knife with a blade over 5 ½ 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.
 7. A club 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.
 8. 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.

LEVEL 6 CONSEQUENCES

- Charges filed.
- Mandatory Expulsion

LEVEL 6 OFFENSES - Continued

- Behavior containing the elements of the following offenses under the Texas Penal Code:
 1. Aggravated assault, sexual assault, or aggravated sexual assault.
 2. Arson.
 3. Murder, capital murder, or criminal attempt to commit murder.
 4. Indecency with a child.
 5. Aggravated kidnapping.
 6. Behavior punishable as a felony that involves the selling, giving, or delivering to another person, 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.
 7. Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

Additional consequences for students involved in extracurricular activities:

- Ineligible while suspended/assigned to disciplinary Alternative Education Program
- Additional consequences as outlined in extra-curricular constitution/and or program policies