

**STUDENT HANDBOOK**  
**2005-2006**

**Gulf Coast Council of La Raza**  
**Dr. M. L. Garza-Gonzalez Public Charter School**  
Dr. Maria Luisa Garza  
Superintendent/CEO

**AMERICANS WITH DISABILITIES ACT**

Gulf Coast Council of La Raza Charter School does not discriminate on the basis of race, religion, color, national origin, sex or disability in providing education or providing access to benefit of education services, activities and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended, and Title II of the Americans with Disabilities Act.

**MISSION STATEMENT**

The mission of the Gulf Coast Council of La Raza Dr. M. L. Garza-Gonzalez Charter School is to graduate literate and competitive citizens who can succeed in their career choices, and to do this by providing comprehensive, research-based programs designed to meet the diverse individual needs of the students through individually-paced instruction, with strong parental and community support.

**NOTICE TO STUDENTS AND PARENTS REGARDING DRUG-FREE SCHOOLS**

Gulf Coast Council of La Raza believes that the student use of alcohol and illicit drugs is both wrong and harmful. Consequently, the District has established a code of student conduct that prohibits the use, sale, possession and distribution of alcohol and illicit drugs by students on school premises or as part of any school activity, regardless of its location. Compliance with this code of conduct is mandatory, and students shall be disciplined if they are found to have violated this code of conduct.

The District's policies and its Student Code of Conduct provide the disciplinary sanctions for alcohol and drug-related offenses. In addition, a student may be referred to appropriate law enforcement officials for criminal prosecution. Procedural requirements for the imposition of suspension and expulsion are set out in the District's policies.

Depending on the nature and severity of a drug or alcohol-related offense, a student may be required to complete an appropriate rehabilitation program or in addition to other school discipline. The principal or counselor of the school can provide you with information about rehabilitation and re-entry programs that are available in our community or within reasonable access of our community.

# Table Of Contents

	Page Number		Page Number
Preface	3	Student Code of Conduct	16-33
Attendance and Absences	3-4	A. Purpose	17
Awards And Honors	4	B. Conduct	17-18
Academic Dishonesty	5	C. Abiding by law	17
Cafeteria		D. Acceptable Classroom Behavior	17
Clubs and Organizations	5	E. Responsibility	18
Communicable Diseases	5	F. Unacceptable Behavior	18
Complaints (Student /Parent)	6	G. Rules/Regulations	18-19
Computer Access	6-7	H. Disciplinary System	19
Conferences	7	I. Level I	19
Counseling	7	J. Level II	19
Desks	7	K. Level III	20-21
Distribution of Materials	8	L. Level IV	21-22
Dress Standards	8	M. Teacher Removal	22-23
Dress and Grooming	8-9	N. Review of Student Removal	23-24
Drills	9	O. Suspension	24
Emergency Medical Treatment	9	P. Expulsion	24
Extracurricular Activities	9-10	Q. Due Process for Expulsions	24
Fees	10	R. Students with Disabilities	25-26
Fund-Raising	10	S. Students (504)	26
Governmental Authorities	10-11	T. Non-Disciplinary Removal	26
Grade Classification (High School)	11	U. Definitions/Terminology	26-33
Grading	11	Textbooks	34
Graduation Requirements	11-12	Travel	34
Homework	12	Vehicles	34
Immunization	12	Visitors	34
Medicine ( at school)	12-13	Kindergarten/1 <sup>st</sup> Grade Enrollment	
Interrogation of Students	13	Procedures	35-36
On Campus Policy	13	Student Handbook Agreement	37
Parental Involvement	13	Administration of Medication	38
Parties/Social Events	13	Photography/Audio/Video Taping	39
Physical Restraint	14	Release of Directory Information	40
Posters	14		
Promotion/Retention/Placement	14		
Release of Students	14		
Report Cards	14		
Sexual Harassment	14-15		
Smoking	15		
Student Records	15-16		
Student Right to Pray	16		
Student Schedules	17		

## **PREFACE**

The Gulf Coast Council of La Raza Dr. M. L. Garza-Gonzalez Public Charter School Student Handbook contains information needed by both students and parents during the school year. It is organized alphabetically by topic. Students and parents also need to be familiar with the Gulf Coast Council of La Raza Dr. M. L. Garza-Gonzalez Public Charter School Student Code of Conduct. The Student Code of Conduct, which sets out the consequences for wrong or inappropriate behavior, is required by state law and intended to promote school safety.

## **ADMISSION**

A student (or the student's parent) who wants to enroll in the district should contact the school office for appropriate enrollment times. Required identification and records to admit a student are as follows:

- The child's birth certificate
- The child's social security card
- A record showing that the child has the current immunizations as required under Section 38.001 (of the Texas Education Code) in the case of a child required under that section to be immunized, proof as required by that section showing that the child is not required to be immunized, or proof that the child is entitled to provisional admission under that section and under rules adopted under that section
- A copy of the child's records from the school the child most recently attended if the child was previously enrolled in a school in this state or another state; (Withdrawal Sheet, Home Language Survey, Last Report Card and Transcript)
- Proof of health insurance (if applicable)
- Legal ID or driver's license
- TANF# (if applicable)

## **ATTENDANCE AND ABSENCES**

In the State of Texas, the law is as follows: Between a student's sixth and eighteenth birthdays, attendance is required each day during the instruction year unless the student is otherwise legally exempted or excused. School employees must investigate and report violations of the state compulsory attendance law. These attendance requirements also apply to any District-required tutorial sessions.

A student absent without permission from school, from any class, or from required tutorials, will be considered truant and subject to disciplinary action. According to Texas Education Code 25.093, the District will file a complaint against parents who fail to require their child to attend school and the student may be referred to county juvenile probation for appropriate action. These attendance requirements also apply to any District-required tutorial sessions.

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered cannot receive credit for the class unless the attendance committee finds that the absences are the result of extenuating circumstances.

When returning to school following an absence, a student must bring a note signed by the parent that describes the reason for the absence; notes signed by the student, even with the parent's permission, will be considered a forgery and the student will be disciplined. This note must be submitted no later than five (5) school days after the student absence.

A student may be excused for temporary absence:

- Resulting from any cause acceptable to the teacher, principal or Superintendent
- Resulting from personal illness, dangerous travel and/or a required court appearance.

- For the purpose of observing religious holy days, including traveling for that purpose, if before the absence the parent submits a written request for the excused absence
- For the treatment by health care professionals if the student begins classes or returns to school on the same day of the appointment or treatment

A student whose absence is excused shall be permitted a reasonable time to make up work missed. Students who are absent because of observations of religious holy days or for appointments with health care professionals shall be considered present for attendance purposes as long as they make up the missed work within a reasonable amount of time as determined by school officials. In all cases, the student must also earn a passing grade in order to receive credit.

If work is made up or completed as required by the attendance committee, the District will accept the following as extenuating circumstances for the purpose of granting credit for a class:

1. Student Service Committee approved extracurricular activity of public performance, subject to established limitations
2. Required screening, diagnosis, and treatment for Medicaid-eligible students
3. Documented health care appointment, if the student begins classes or returns to school on the same day as the appointment
4. Temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent (excused absence)
5. Participation in court proceedings or child abuse/neglect investigation
6. Absence required by the state or local welfare authorities
7. Family emergencies or unforeseen or unavoidable instance requiring immediate attention
8. Approved college visitation

If the Attendance Committee finds that there are no extenuating circumstances for the absence or if the student does not meet the conditions set by the committee to earn or regain credit, the student will not receive credit for the class. If a petition for credit is denied, the student or parents may appeal the decision to the Student Service Committee completing a written request to the Superintendent.

The District provides the following alternatives for a student to make up work or regain credit lost because of absences:

- Complete additional assignments, as specified by the committee
- Satisfy time-on-task requirements before and/or after school
- Attend tutorial sessions as scheduled
- Maintain the attendance standards for the rest of the semester

A student absent for any reason is encouraged to make up specific assignments missed and/or to complete additional in-depth study assigned by the teacher to meet subject or course requirements. A student who does not make up assigned work within the time allotted by the teacher will receive an “incomplete” for the assignment until the work is made up. Students shall receive an “incomplete” for assignments and tests missed because of an unexcused absence.

A student late to class is tardy, except in cases of extenuating circumstances, such as, a doctor’s appointment. Repeated instances of tardiness will result in more severe disciplinary action (principal’s discretion). A student absent from school or from any class without permission will be considered truant and subject to disciplinary action.

A student who must leave school during the day must bring a note (that can be verified) from his or her parent that day. A student who becomes ill during the school day should, with the teacher’s permission, report to the school nurse or principal. The school nurse, principal, or his designee will decide whether or not the student should be sent home and will notify the student’s parent.

## **AWARDS AND HONORS**

Awards should be an integral part of student success in providing recognition for student achievement. At all levels, students may be recognized for all "A" honor roll, all "A" and "B" honor roll each six or nine weeks, perfect attendance, and other special rewards from the principal.

## **ACADEMIC DISHONESTY**

Copying another person's work, such as homework, class work, or a test is a form of cheating. Plagiarism, which is the use of another person's original ideas or writing as one's own without giving credit to the true author, will also be considered cheating and the student will be subject to academic disciplinary action that may include loss of credit for the work in question. Teachers who have reason to believe that a student has engaged in cheating or other academic dishonesty will assess the academic penalty to be imposed. Students found to have engaged in academic dishonesty will be subject to disciplinary penalties as well, according to the Student Code of Conduct (pages 16-34).

## **CAFETERIA**

Breakfast will be available for students attending the morning (A.M.) session. Lunch will be available for students who attend both sessions ( A.M. and P.M sessions) The student may apply for either free or reduced breakfast or lunch. If the student does not qualify, the price for a cafeteria meal is \$1.25. The reduced price for lunch is \$.40.

## **CLUBS AND ORGANIZATIONS (EXTRACURRICULAR ACTIVITIES)**

Sponsors and coaches of extracurricular activities, including interscholastic athletics may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. No provision of an extracurricular behavioral standard shall have the effect of discriminating on the basis of sex, race, religion or ethnicity.

The principal and the Superintendent shall approve such behavior standards before they are communicated to students. Students shall be informed of any extracurricular behavior standards at the beginning of each school year or, in the case of interscholastic athletics, at the time the students report for workouts or practice that occur prior to the actual beginning of classes. Students and their parents shall sign and return to the sponsor or coaches statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Organizational standards of conduct of an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of conduct that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of organizational standards of conduct of an extracurricular activity or for violation of the Student Code of Conduct.

## **COMMUNICABLE DISEASES**

The school requests the parents of a student with a communicable or contagious disease telephone the school nurse/principal so that other students who have been exposed to the disease can be alerted. A student who has certain diseases is not allowed to come to school while the disease is contagious. Some of the diseases include: chicken pox, impetigo, lice, measles, mumps, pink eye, ringworm, scabies, mononucleosis, streptococcal infections, infectious hepatitis and tuberculosis.

## **COMPLAINTS BY STUDENTS/PARENTS**

The following information about how to bring a complaint to the school is intended to provide parents and students an opportunity to resolve questions and problems that may arise. Complaints about instructional materials, loss of credit on the basis of attendance, expulsion or prior review of non-school materials intended for distribution to students are handled through procedures specific to those particular areas. To review relevant policies or obtain further information regarding a complaint process, see the school principal.

A student and/or parent with a complaint regarding possible discrimination on the basis of sex in any school program should contact the school principal. For a complaint regarding sexual harassment or abuse, see pages 14-15. A complaint or concern regarding the placement of a student with disabilities or a complaint about the District's programs and services available to the student should be brought to the attention of the Special Education Director.

For all other matters, a student or parent should first discuss the problem with the appropriate teacher. If the teacher's decision is not satisfactory, the complainant may request, within ten calendar days of learning about the event or problem, a conference with the principal and the Student Service Committee. If the principal and Student Service Committee's decision is not satisfactory, the complainant may request, within ten calendar days, a conference with the Superintendent or designee. If the Superintendent or the designee's decision is not satisfactory, the student and/or parent may appear before the Board of Trustees, in accordance with Board policy.

## **COMPUTER ACCESS (ACCEPTABLE USE AND CODE OF CONDUCT)**

The internet is a worldwide telecommunications network. There are thousands of resources on the Internet: libraries, governmental agencies, universities, discussion groups and 40 million people. Dr. M. L. Garza-Gonzalez Public Charter School teachers, staff, and students will receive an account to access the internet. School training (in electronic communications) is required before an account will be activated. Should a user happen to find inappropriate materials he or she should refrain from downloading that material. Internet access is a privilege, not a right. Only students who have been authorized by the District and who are under direct supervision of designate District employees are permitted to use a District computer or to access any local network or outside telecommunications resource.

Prior to such authorization, the student and the student's parent must sign and return the District's Student Agreement Form acknowledging their responsibilities and the consequences of violation. Students are expected to observe network etiquette by being polite and using appropriate language. Students are prohibited from pretending to be someone else; transmitting or receiving obscene messages or pictures; revealing personal addresses or telephone numbers-either their own or another person's; or using the network in a way that would disrupt use by others.

The school administration is responsible for securing the network, e-mail, and internet service against unauthorized access and/or abuse, while maintaining accessibility for authorized and legitimate users. This responsibility includes informing users of expected standards of conduct and the consequences for not adhering to them. Any attempt to violate the provisions of this policy could result in actions to curtail future access regardless of the success or failure of the attempt. Permanent revocations can result from actions taken to investigate GCCLR system abuses. The users of the network are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws by the network may result in litigation against the offender. If such an event should occur, the school will fully comply with the authorities to provide any information necessary for the litigation.

**Disclaimer of Liability:** The District shall not be liable for users inappropriate use of electronic communication resources or violations of copying restrictions, user mistakes or negligence or costs incurred by users. The District shall not be responsible for ensuring the accuracy or usability of any information found on the Internet.

**Monitored Use:** Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use of educational or administrative purposes.

## **CONFERENCES**

Parents and teachers are encouraged to establish and maintain frequent communication about student progress. A student or parent who wants information or wants to raise a question or concern is encouraged to talk with the appropriate teacher, counselor or principal. A parent who wants to meet with a teacher may call the office for an appointment during the teacher's conference period or may request that the teacher call the parent during a conference period or at another mutually convenient time.

Students and parents may expect teachers to request a conference: (1) if the student is not maintaining passing grades or achieving the expected level of performance (see REPORT CARDS on page 14) (2) if the student presents any other problem to the teacher, or (3) in any other case the teacher considers necessary.

## **COUNSELING**

**Academic Counseling:** Students and parents are encouraged to talk with the Counselor, teachers, principal, assistant principal, or curriculum director to learn about the curriculum, course offerings, graduation requirements, and differences between graduation programs. All students in grades 6-12 and their parents will be provided information about the recommended courses for students preparing to attend college. Students who are interested in attending a college, university or training school or pursuing some other advanced education should work closely with the counselor. The counselor can also provide information about entrance examinations required by many colleges and universities, as well as, information about financial aid and housing. Students are encouraged to visit the Go Center to learn about the benefits of higher education and how to prepare for it.

**Personal Counseling:** A Counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, emotional, academic or needs. Information about community and special programs is offered by district resources to address personal concerns.

**Parental Involvement Program** – engages parents whose children attend the Dr. M.L.Garza-Gonzalez Public Charter School in activities designed to promote parent-child involvement.

Students who wish to meet with the counselor should make a request to the teacher or principal if it is during class time. However, before and after class students have an "open door" to the Counselor to schedule an appointment.

## **DESKS**

Desks remain under the jurisdiction of the school even when assigned to an individual student. The school reserves the right to inspect all desks. A student has full responsibility for the desks. Desks are the property of the District; as such, students should have no expectation of privacy. Searches through desks may be conducted at any time there is reasonable cause to do so whether or not the student is present. Students shall not place, keep or maintain any article or material in desks that is forbidden by District policy.

## **DISTRIBUTION OF MATERIAL**

### **SCHOOL MATERIALS**

School publications distributed to students include school newspapers, class assigned collections of student produced writings and yearbooks. All school publications are under the supervision of the teacher, sponsor and principal.

### **NON-SCHOOL MATERIALS**

Written materials, handbills, photographs, pictures, petitions, films, tapes or other visual or auditory materials may not be sold, circulated or distributed on campus by a student or a non-student without the approval of the principal and in accordance with campus regulations.

### **APPROVAL REQUIRED**

All material intended for distribution to students that is not under the District's editorial control must be submitted to the principal for review and approval. If the material is not approved within 24 hours of the time it was submitted, it is considered disapproved. Disapprovals may be appealed by submitting the disapproved material to the Superintendent; material not approved by the Superintendent within three days is considered disapproved. This disapproval may be appealed to the Student Services Committee at its next regular meeting when the student will have a reasonable period of time to present his or her viewpoint.

## **DRESS STANDARDS**

A very favorable and positive image has been created by the behavior and appearance of the student body in Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School. Our District continues to believe in the importance of encouraging high standards in dress and personal grooming that will foster dignity and self-worth while enhancing a positive learning environment. All students are encouraged to come to school dressed neatly and cleanly. Good grooming habits are expected to be part of each student's responsibility.

Students attending the Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School are required to wear blue jeans and a white tee shirt. Shirts may be tucked in and a belt must be worn. The dress code applies to both male and female students.

Teachers will also consider the following guidelines concerning student's clothing and appearance:

- Dangers to the student's health and safety
- Interference with school work
- Destruction to orderly school process, damage to school property

NOTE: Exceptions may be left to the discretion of the principal in unusual situations and/or during extracurricular activities, school sponsored functions on and off school property or on school campus during school hours. If an item becomes gang apparel/paraphernalia, or is disruptive to the educational environment, it may be banned from the campus at the discretion of the principal. No backpacks allowed.

## **DRESS AND GROOMING GUIDELINES FOR ALL GRADE LEVELS**

- Shirts, tops, dresses and blouses: No tops revealing the midriff section are permitted. Dress tops, blouses or shirts shall not have a low front neckline. The back shall be no lower than the armpits. The armhole size shall be appropriate and not large enough to show undergarments. Tank tops, muscle shirts, string straps or shirts worn with torn out sleeves are not permitted.
- Shirts may be worn tucked in and a belt is to be worn.
- "Leggings", "biking shorts", "wind shorts" and workout shorts are not permitted. Shorts of any nature are not permitted.



- Pants must be fitted at the waist and cannot sag. Students will wear clothing appropriate for their size.
- Torn clothing which show skin or undergarments are not permitted.
- Pants must be hemmed and not frayed or fringed.
- See-through material is not acceptable in any clothing.
- Appropriate undergarments will be worn.
- Clothing that depicts, advertises or glorifies Satan or satanic rites or that indicates preoccupation with death, sadism or evil is strictly prohibited.
- Suggestive writings, pictures, emblems, or symbols or depictions of sex, violence, blood, or gore is not permitted.
- Advertising (logos and emblems) of alcoholic beverages, illicit drugs and tobacco products will not be permitted on school campus during school hours or at school-sponsored functions.
- Shoes must be worn (no shower shoes, house shoes, thongs, or taps).
- No headgear (caps, hats, etc.) will be allowed on campus during school hours. (Exception: Caps may be worn in authorized areas for safety reasons.)
- Dark glasses are not permitted unless required by a doctor.
- Hair must be well groomed, not cover the eyes and not be colored in such a manner to be disruptive to the educational environment.
- Hair rollers are not permitted.
- Sideburns must be well groomed and no longer than the bottom of the ear.

### **DRILLS (FIRE, TORNADO AND OTHER EMERGENCY DRILLS)**

The Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School shall have effective emergency procedures that can be implemented on short notice and that will ensure optimum safety for students and school personnel.

The Superintendent shall have the authority to dismiss school for a part of a day or for longer periods of time, if necessary, in case of unusual or emergency situations.

Principals shall conduct fire, tornado or other emergency drills designed to assure the orderly movement of student and personnel to the safest area available.

### **EMERGENCY MEDICAL TREATMENT**

Each year parents are asked to complete an emergency care form that includes a place for parental consent for school officials to obtain medical treatment for the student, as permitted by law. Other information that may be required in case of an emergency should be provided and updated by the parents as necessary.

### **EXTRACURRICULAR ACTIVITIES**

A student will be permitted to participate in extracurricular activities subject to the following restrictions:

- A student who receives, at the end of any grade evaluation period, an average grade below 70 in any academic class or a student with disabilities who fails to meet the standards in the Individual Education Plan (IEP) may not participate in extracurricular activities for at least three weeks. A student may practice or rehearse while suspended. The student regains eligibility when the principal and teachers determine that he or she has: (1) earned a passing grade (70 or above) in all academic classes and (2) completed three weeks of suspension.
- Any disciplinary behavior-related restrictions on participation are set out in the Student Code of Conduct.

“Grade Evaluation Period” is: (1) the first six-week grade reporting period; or (2) the first six weeks of a semester and each grade reporting period thereafter, if the grade reporting period is longer than six weeks. A student who misses class because of participation in an activity sponsored by a non-approved organization will receive an unexcused absence. See CLUBS AND ORGANIZATIONS {page 5} for information regarding extracurricular codes of conduct.

## **FEES**

Materials that are part of the basic educational program are provided without charge to a student. A student is expected to provide his or her own supplies of pencils, paper, erasers and notebooks and may be required to pay certain other fees or deposits, including:

1. Any program in which the resultant product is in excess of minimum requirements and, at the student’s option, becomes the personal property of the student; fees may not exceed the cost of materials
2. Membership dues in student organizations or clubs and admission fees or charges for attending extracurricular activities when membership or attendance is voluntary
3. Security deposits for the return of materials, supplies or equipment
4. Personal physical education and athletic equipment and apparel
5. Items of personal use or products which a student may purchase at his or her own option, such as student publications, class rings, annuals and graduation announcements, cap and gown for graduation
6. Fees specifically permitted by any other statute
7. Any authorized, voluntary student health and accident benefit plan
8. Items of personal apparel which become the property of the student and which are used in extracurricular activities
9. Fees for loss of damaged books and school-owned equipment; (a \$10.00 fee will be assessed for any textbook damaged, written on or lost)

## **FUND-RAISING**

Fund-raising activities by student groups for school-sponsored projects shall be allowed, with prior administration approval and under the supervision of the project sponsor, for students in all grades. All fund-raising projects shall be subject to the approval of the principal.

The collection of monies that takes the time of the students or teachers during school hours is strictly forbidden, unless the monies collected represent payment for school lunches, monies that will benefit the school or its students or other authorized fees.

## **GOVERNMENTAL AUTHORITIES**

### **QUESTIONING OF STUDENTS:**

When law enforcement officer or other lawful authorities wish to question or interview a student at school:

- The principal or his designee will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student.
- The principal ordinarily will make reasonable efforts to notify parents unless the interviewer provides legal documents.

### **STUDENTS TAKEN INTO CUSTODY:**

State law requires the District to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court
- To comply with the laws of arrest

- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision
- To comply with a properly issued directive to take a student into custody
- By an authorized representative of Child Protective Services, Texas Department of Protective and Regulatory Services, a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in Family Code relating to the student's physical health or safety

The principal will immediately notify the Superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents. Since the principal does not have the authority to block a custody action, notification will most likely be after the fact.

The District is also required by state law to notify all instructional and support personnel who have regular contact with a student who has been arrested or taken into custody by a law enforcement agency.

### **GRADE CLASSIFICATION: HIGH SCHOOL**

The number of credits a student has upon registration determines grade classifications. Credits will be awarded at the end of the school year.

### **GRADING**

The Superintendent or designee shall ensure that the campus or instructional level develops guidelines for teachers to follow in arriving at six-week and semester grades for students. The guidelines shall ensure that a sufficient number of grades are taken to support the average grade assigned. Guidelines for grading shall be clearly communicated to students and parents. Grades shall not be reduced for disciplinary reasons except in case of late assignments, academic dishonesty, or as otherwise permitted by the Student Code of Conduct.

The grading system for the District consists of a numerical scale from 70 to 100. Grades, which are temporarily incomplete, will be indicated by the mark "I". The following numerical values are assigned to each respectively:

A	100 – 90	Excellent
B	89 – 80	Good
C	79 – 70	Average
D	69 – 60	Below Average
F	59 or below	Failing
I		Incomplete

Students shall receive an "incomplete" for assignments and tests missed because of an unexcused absence until the work can be made up.

### **GRADUATION REQUIREMENTS**

To receive a high school diploma from the District, a student must successfully complete the required number of credits and pass a statewide exit-level examination.

Beginning in the 2004-05 school year, a student entering grade nine and thereafter must complete 24 credits to receive a recommended high school program diploma. These include:

English Language Arts (4 credits)	Mathematics (3 credits)
Science (3 credits)	Social Studies (3 ½ credits)
Economics (½ credit)	Physical Education (1 ½ credits)
Health Education (½ credit)	Speech (½ credit)

Foreign Language (2 credits)

Fine Arts (1 credit)

Technology Applications (1 credit)

\*Electives (3 ½ credits)

The student, parent/guardian and a school administrator may request a waiver in order for the student to be permitted to take courses under the minimum high school program.

Upon the recommendation of the ARD committee, a student receiving special education services will be permitted to graduate under the provisions of his or her IEP. See the Special Education Director for more information.

A student in special education shall be graduated according to one of the following provisions:

1. The Admission, Review and Dismissal committee determines that the student has satisfactorily completed the minimum academic credit requirements for graduation applicable to students in regular education, including satisfactory performance on the exit-level assessment instrument.
2. The ARD committee determines that the student has completed requirements specified in the IEP.

## **DETERMINING VALEDICTORIAN AND SALUTATORIAN**

A valedictorian and salutarian will be designated on the basis of grade point average, attendance, and a satisfactory attitude. To be eligible for valedictory or salutatory honors, the student shall be ranked in the top 10 of his/her graduating class, attended a minimum of 85 days at Dr. M.L. Garza-Gonzalez Public Charter School, and have a satisfactory attitude.

## **HOMEWORK**

At the discretion of the teacher, homework may be assigned. The homework may consist of completing work not finished at school, studying for tests, reading or practicing skills which have already been taught at school.

## **IMMUNIZATION**

All immunizations **must** be completed by the first date of attendance. The law requires that students be fully vaccinated against the specified diseases in order to be enrolled.

If the student's religious beliefs conflict with the requirement that the student be immunized, the student must present a statement signed by the student (or by the parent if the student is a minor) that states that immunization conflicts with the beliefs and practices of a recognized church or religious denomination of which the student is an adherent or member. This statement must be renewed yearly.

**If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. licensed physician that states that, in the doctor's opinion, the immunization required would be harmful to the health and well-being of the student or any member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long contraindication (something that makes a particular procedure or treatment inadvisable). A parent or guardian has a thirty-day period to supply proof of inoculations.**

## **MEDICINE AT SCHOOL**

The school nurse may administer prescription medication in accordance with legal requirements. Authorized District employees may administer nonprescription medications provided by the parent under the same provisions as for prescription medications.

A student who must take prescription or nonprescription medicine during the school day must bring a written request from his or her parent and the medicine, in its properly labeled container, to the

school nurse or designee. All medication should be taken to the school nurse's office. The District also requires a doctor's written request to administer medication when medication is for more than ten days. A prescribed medication may be administered for as long as the doctor requests based on the directions provided on the prescription. No medication shall be administered after the expiration date has passed.

## **INTERROGATION AND SEARCH**

School officials may search a student or student's property, including vehicles, on school property if they have reasonable suspicion to believe that the student has violated a school rule or possesses contraband or if the student gives his or her free and voluntary consent.

Teachers and administrators have the right to question students regarding their conduct and the conduct of others. Police may question a student in the school, if the officer states to the principal the necessity of questioning the student while in school and provides his name and title for the school records. The principal shall make reasonable efforts to notify the student's parents or other person having lawful control of the student.

## **ON CAMPUS POLICY**

No student will be allowed to leave the school campus during the school day. When students are delivered to the school on public bus transportation or by any family member, they are to remain on the grounds for the whole day. When students receive permission to leave the campus because of illness, they must report to the office, where their parents will be notified, and receive a dismissal permit.

## **PARENTAL INVOLVEMENT AND RESPONSIBILITIES**

Education succeeds best when there is a strong partnership between home and school, a partnership that thrives on communication. Parents are partners with teachers, administrators and the Board and are encouraged to:

- Encourage your child to put a high priority on education and commit to making the most of the educational opportunities the school provides.
- Review the information in the Student Handbook, including the enclosed Student Code of Conduct with your child; and sign and return the acknowledgment form. Parents with questions are encouraged to contact the campus principal.
- Become familiar with all of your child's school activities and with the academic programs offered in the district. Discuss with the principal any questions, such as, concerns about placement, assignment or early graduation, and the options available to your child. Monitor your child's academic progress and contact teachers as needed.
- Grant or deny any written request from the District to make a videotape or voice recording of the child unless the videotape or voice recording is to be used for school safety; relates to classroom instruction or a co-curricular or extracurricular activity; or relates to media coverage of the school as permitted by law.

## **PARTIES AND SOCIAL EVENTS**

The rules of good conduct and grooming will be observed at school social events held outside the regular school day. Guests are expected to observe the same rules as students attending the event and the person inviting the guest will share responsibility for the conduct of the guest. A student attending a party or social event may be asked to sign out when leaving before the end of the party; anyone leaving before the official end of the party will not be readmitted.

## **PHYSICAL RESTRAINT**

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

1. Protect a person from physical injury
2. Obtain possession of a weapon or other dangerous object
3. Remove from a specific location on school property a student refusing a lawful command of a school employee in order to restore order or impose disciplinary measures
4. Restrain an irrational student

## **POSTERS**

The principal must first approve signs and posters that a student wishes to display. All posters displayed without authorization will be removed. Any student who posts printed material without prior approval will be subject to disciplinary action.

## **PROMOTION, RETENTION AND PLACEMENT**

A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. If a student's grade average in any subject or course is "borderline" or below 70 at the end of the first three weeks of any grading period, the student's parents will be notified.

## **MIDDLE SCHOOL**

To be promoted from one grade level to the next, a student shall attain an overall average of 70 or above for the year in all courses taken. Averaging the final numerical score for all courses taken shall derive the overall average.

## **RELEASE OF STUDENTS FROM SCHOOL**

A student will not be released from school at times other than regular dismissal hours without written parental consent. The teacher must determine that permission has been granted before allowing the student to leave.

## **REPORT CARDS**

Written reports of grades or performance in each class or subject are issued to parents at least once every six weeks. At the end of the first half of each grading period, parents are notified if the student's grade average is near or below 70 or below the expected level of performance. If a student receives a grade of less than 70 in any class or subject during a grading period, the parents are requested to schedule a conference with the teacher of that class or subject.

## **SEXUAL HARASSMENT**

Students must not engage in unwanted and unwelcomed verbal or physical conduct of a sexual nature directed toward another student or a District employee. This prohibition applies whether the conduct is by word, gesture or any other sexual conduct, including request for sexual favors. All students are expected to treat other students and District employees with courtesy and respect; to avoid any behaviors known to be offensive; and to stop these behaviors when asked or told to stop.

A substantiated complaint against a student will result in appropriate disciplinary action, according to the nature of the offense. See the Student Code of Conduct for information regarding disciplinary sanctions.

The District will notify the parents of all students involved in sexual harassment by student(s) when allegations occur, and will notify parents of all incidents of sexual harassment or sexual abuse by an employee. The district encourages parental and student support in its efforts to address and prevent sexual harassment and sexual abuse in the public school. Complaints will be treated in a confidential manner.

Students and/or parents are encouraged to discuss their questions or concerns about the expectation in this area with the teacher, the principal or designee. A complaint alleging sexual harassment by another student or sexual harassment or sexual abuse by a staff member may be presented by a student and/or parent in a conference with the principal, teacher or designee. A person who is the same gender as the student will ordinarily hold the first conference with the student. The conference will be scheduled and held as soon as possible within five days of the request. The principal or designee will coordinate and appropriate investigation, which ordinarily will be completed within 10 days. The student or parent will be informed if extenuating circumstances delay completion of the investigation.

The student will not be required to present a complaint to a person who is the subject of the complaint. If the resolution of the complaint is not satisfactory to the student or parent, the student or parent within ten days may request a conference with the Superintendent or designee by following procedure set out in Board Policy. If the resolution by the Superintendent or designee is not satisfactory, the student or parent may present the complaint to the Board as provided by policy.

## **SMOKING**

Students shall not possess, smoke or use tobacco products, including but not limited to cigarettes, cigars, pipes, and snuff or chewing tobacco on school premises or at school-related functions. See the Student Code of Conduct for information regarding disciplinary sanctions.

## **STUDENT RECORDS**

A student's school records are confidential and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is under 18 or a dependent for tax purposes.

A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

The principal is custodian of all records for currently enrolled students at the assigned level. The Superintendent is the custodian of records for students who have withdrawn or graduated. Records may be reviewed during regular school hours upon completion of the written request form. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

Parents of a minor or a student who is a dependent for tax purposes; the student (if 18 or older) and school officials with legitimate educational interest are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Trustees of the District, or Cooperatives of which the District is a member, or facilities with which the District contracts for the placement of students with disabilities, as well as, their attorneys and consultants, who are:

1. Working with the student

2. Considering disciplinary or academic actions, the student's case an Individual Educational Plan (IEP) for a student with disabilities under IDEA or an individually designed program for a student with disabilities under Section 504
3. Compiling statistical data
4. Investigating or evaluating programs

The parent's or student's right of access to, and copies of, student records does not extend to all records. Materials that are not considered educational records, such as records maintained by school law enforcement officials for purposes other than school discipline, do not have to be made available to the parents or students.

Certain officials from various governmental agencies may have limited access to the records. The District forwards a student's records on request and without prior parental consent to a school in which a student seeks or intends to enroll. Parental consent is required to release the records to anyone else. When the student reaches 18 years of age, only the student has the right to consent to release of records.

A student over 18 and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.

If the District refuses the request to amend the records, the requester has the right to a hearing. If the records are not amended as a result of the hearing, the requester has 30 school days to exercise the right to place a statement commenting on the information in the student's record.

Although improperly recorded grades may be challenged, parents and the students are not allowed to contest a student's grades in a course through this process.

Parents or the student have the right to file a complaint with the U.S. Department of Education if they believe the District is not in compliance with the law regarding student records.

Copies of student transcripts are available per request in writing for a minimum charge of \$1.00. Other copies of student records are available at a cost of \$.10 per page, payable in advance. Parents may be denied copies of a student's records (1) after the student reaches age 18 and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; (3) if the parent fails to follow proper procedures and pay the copying charge; or (4) when the District is given a copy of a court order terminating the parental rights. If the student qualifies for free or reduced-price meals and the parents are unable to view the records during regular school hours, upon written request of the parent one copy of the record will be provided at no charge.

Certain information about District students is considered directory information and will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about the child. This objection must be made in writing to the principal within 10 school days after the issuance of this handbook. Directory information includes: a student's name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended.

## **STUDENT RIGHT TO PRAY**

Each student has a right to individually, voluntarily and silently pray or meditate in school in a manner that does not disrupt the instructional or other activities of the school. The school will not require, encourage or coerce a student to engage in or to refrain from such prayer or meditation during any school activity.



## **STUDENT SCHEDULES**

Students may drop courses or change their schedules in accordance with campus administrative regulations. The principal shall inform students of deadlines and requirements for dropping courses or changing schedules.

## **STUDENT CODE OF CONDUCT**

### **PURPOSE:**

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. The school will foster a climate of mutual respect for the rights of others. Students are expected to respect the rights and privileges of other students, teachers, and District staff. The District's rules for conduct and discipline are established to achieve and maintain order in the school. Students who violate the rights of others or who violate District or school rules will be subject to disciplinary measures desired to correct the misconduct and to promote adherence by all students to their responsibilities as citizens in the school community.

The mission of the Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School is to graduate literate and competitive citizens who can succeed in their career choices, and to do this by providing comprehensive, research-based programs designed to meet the diverse individual needs of the students, through individually-paced instruction, with strong parental and community support.

In order to realize these objectives, the Gulf Coast Council of La Raza Dr. M. L. Garza-Gonzalez Public Charter School's responsibility for maintaining discipline in the school is crucial. While it does not appear as a subject, discipline underlies the whole educational structure and is the training that develops self-control, character, orderliness, and efficiency. It is the key to good conduct and proper consideration for other people.

### **CONDUCT TO AND FROM SCHOOL**

Community residents have a right to privacy, private property, and freedom from abusive behavior. On the way to and from school, students should not loiter, litter, trespass, abuse or create nuisance conditions for residents of the community.

While the school does not assume responsibility for the acts of students to and from school, it may take disciplinary action if circumstances warrant. The Gulf Coast Council of La Raza has the responsibility to cooperate with law enforcement agencies to which law violations affecting community members are reported, including driving safely and responsibly to and from school.

### **ABIDING BY THE LAW**

Every student and every employee of the school is expected to abide by the laws of the State of Texas and the United States. A violation of any of the laws shall constitute a violation of the policies and rules of the school and appropriate action will follow.

The school recognizes that it cannot, and should not attempt to list every action that could result in disciplinary procedures. The enumeration of certain specific rules is not intended to exclude other rules which are also laws as well as those rules of generally accepted conduct of this community.

### **ACCEPTABLE CLASSROOM BEHAVIOR**

- Make arrangements for transportation to and from school
- Come to class appropriately dressed and groomed
- Come to the class prepared and on time
- Be ready for class assignments
- Sit in assigned seat correctly

- Speak only when appropriate and raise hand to ask questions
- Respond with only the answer when the teacher asks a question
- Stay out of and/or away from other classmates' property

## RESPONSIBILITIES

The student has the responsibility to:

- Conduct himself/herself in a safe and responsible way
- Seek help from school personnel when having school or personal problems
- Demonstrate an attitude of respect toward individuals and property
- Use appropriate language when speaking to others
- Be familiar with and obey school rules and regulations
- Attend school, be punctual and be prepared for class
- Follow the teacher's directions and stay on task during instruction
- Be familiar with the curriculum requirements of the State and District
- Be familiar with and use District support services as needed, for example, guidance, counseling and testing
- Cooperate with school staff in all matters
- Maintain an appearance and grooming conducive to learning

## UNACCEPTABLE CLASSROOM BEHAVIOR

1. It is against the law for students to possess or use tobacco products. No smoking or chewing tobacco.
2. No lighters and jewelry with drug paraphernalia or gang affiliation will be permitted on campus or at any school function.
3. Do not interrupt teacher during lessons.
4. Do not get up from your seat without permission.
5. Do not talk back to the teacher.
6. Do not borrow notebooks, pencils, or anything else from other students.
7. Name-calling is not allowed.
8. Stealing, lying or cheating is not allowed.
9. Profanity is not allowed.
10. Do not make noises or any other distractions during class time.
11. Do not touch the teacher's or other students' property.
12. Do not slam doors.
13. Do not fight with others.
14. Do not pass notes in class.
15. Do not throw paper or pencils across the room.
16. Do not bring toys to school.

## RULES AND REGULATIONS (JURISDICTION)

The District has jurisdiction over the students during the school day. The District's jurisdiction includes any activity during the school day on school grounds and attendance at any school-related activity (regardless of time or location).

The District also has jurisdiction and disciplinary authority over a student who violates the law and the Student Code of Conduct even if it occurs off school grounds and not at any school-related activity when the student:

1. Retaliates against an employee either on or off school property, or
2. Receives deferred prosecution for conduct defined as a felony offense.

3. A court or jury finds that the student has engaged in delinquent conduct or conduct defined as a felony offense.
4. The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense or
5. The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in a conduct defined as a felony offense other than those defined.

The student is also subject to District jurisdiction as described in DISCIPLINE below.

State law requires that the District discipline students for certain acts of misconduct regardless of whether they take place on school property or at school related activities. These acts are listed in this Code of Conduct and the District will impose the required discipline.

Students shall observe the rules of good citizenship going to and from school. They shall not loiter, litter, trespass, abuse or create nuisance conditions for the residents of the community. The school cannot assume responsibility for the act of students going to and from school except as provided by T.E.C., Section 37.0006 and 37.007; however, it may take disciplinary action if the circumstances warrant. The District will cooperate with law enforcement agencies investigating citizens' reports of violations.

## DISCIPLINARY SYSTEM

Students violating the District's rules and regulations shall suffer disciplinary consequences commensurate with their misbehavior. In general, discipline shall be progressively administered so that penalties increase due to the severity or persistence of the misbehavior, the student's age and grade level, the frequency of misbehavior, the student's attitude, the potential effect of the misconduct on the school environment, and the statutory requirements. The length or severity of punishment will depend on the offense. One or more disciplinary options may be pursued for a single offense if deemed appropriate. The teacher or administrator responsible for the discipline of a student in a given situation may use discretion in determining the disciplinary action most appropriate to the setting and the violation. As a consequence of persistent or serious violations, students may be referred to the counselor, nurse, or other staff members with special skills for assistance in modifying the behavior. School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or District property. The offenses and consequential disciplinary options are listed in order of severity with Level I being the least severe and Level IV being the most severe.

The District may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be listed in the student handbook or posted in classrooms and may or may not constitute violations of the Student Code of Conduct.

A student who violates campus or classroom rules that are not Student Code of Conduct violations may be disciplined by one or more of the discipline management techniques. For these violations, the teacher is not required to make a Student Code of Conduct violation report, and the principal is not required to notify parents.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administrator, as appropriate and in accordance with policy.

## LEVEL I

Level I offenses are Non-Code violations of campus and classroom rules which are minor acts of misconduct, generally observed in the classroom or in the building, and which interfere with the orderly educational process. Discipline for Level I offenses is most often managed by the classroom teacher. For Level I violations, teachers may use their judgment and discretion in determining whether such minor infractions constitute a violation of the Code for purposes of the reporting requirements in the Texas Education Code. If a teacher determines that such infractions are a violation of the Code, the teacher shall file with the principal a report, not to exceed one page, documenting the violation.

Parents may be requested to come for a conference with the teacher to discuss the misbehavior and the disciplinary action.

State Law requires that violations listed under Level II through Level IV be reported to the principal or other appropriate administrator who must send notification to the parent or guardian within 24 hours of receiving the report.

## LEVEL II

More severe and disruptive misbehavior, which interferes with the learning environment, is considered Level II offenses. These offenses are serious offenses. Parents will be notified of the offense and may be requested to come for a conference with the administrator to discuss the offenses and the disciplinary action. Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy.

### OFFENSES:

- Persistent offenses from Level I (minor acts of misbehavior)
- Misuse of food in the cafeteria
- Posting or distributing unauthorized publications on school property
- Cheating or copying the work of another
- Truancy, including leaving school without permission
- Physical contact with another with intent to physically abuse
- Forgery of school records and/or forms
- Vandalism, including defacement of school property
- Engaging in acts of familiarity with another
- Selling of or soliciting for sale of unauthorized merchandise
- Using tobacco on school property
- Hazing
- Possession of a paging device or cell phone

### DISCIPLINARY OPTIONS:

- Before school, after school detention
- Grade penalty for copying or cheating
- Exclusion from extracurricular activities
- Restitution, if application
- Temporary removal from class
- Suspension
- Confiscation of paging device or cell phone
- In-school suspension
- Withdrawing or restructuring privileges
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District

## LEVEL III

Acts of misbehavior which are serious and which disrupt the orderly educational process are considered Level III offenses. Parents will be notified and requested to come for a conference with the administrator in each instance of Level III misbehavior. Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy.

### OFFENSES:

- Persistent offenses from Level II (more severe and disruptive misbehavior)
- Gambling
- Interfering with the conduct of school activities, including trespassing and boycotting
- Using profane, obscene or threatening gestures or language to others
- Possession or use of fireworks on school property
- Assault
- Fighting
- Stealing
- Insubordination, noncompliance with the directives of a member of the school staff
- Robbery
- Burglary of a District facility
- Extortion
- Vandalism
- Possession and/or concealment of a weapon not included under number four of Level IV, expellable offenses
- Behavior which is illegal that does not constitute an expellable offense
- Sexual harassment
- Engaging in inappropriate sexual conduct
- Hazing
- Possession of drug paraphernalia
- Possession of any knife other than a knife defined as being illegal

#### DISCIPLINARY OPTIONS:

- Exclusion from extracurricular activities
- Restitution, if applicable
- Suspension
- Confiscation of prohibited item
- In-school suspension
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District

A student suspected of committing a Level III offense might be suspended for up to three days pending a disciplinary hearing.

#### LEVEL IV (EXPELLABLE OFFENSES)

**The following offenses are also considered serious offenses.**

- A. The student committing any of these offenses will be reviewed automatically by the Student Service Committee that may result in expulsion for the remainder of the school year and being reported to the Corpus Christi Police Department.
  1. Uses, exhibits or possesses:
    - a. A firearm
    - b. An illegal knife
    - C.** A club
    - d. A weapon listed as a prohibited weapon
  2. Engages in conduct that contains the elements of the offense of:
    - a. Aggravated assault, sexual assault or aggravated sexual assault
    - b. Arson
    - c. Murder, capital murder, or criminal attempt to commit murder or capital murder
    - d. Indecency with a child

- e. Aggravated kidnapping
- 3. Engages in conduct involving drugs or alcohol, which would be punishable as a felony.
- 4. Engages in conduct, regardless of whether the conduct occurs on or off school property or at a school related or school-sponsored activity on or off school property, that contains the elements of any offense listed in subsections A.1, A.2, or A.3 above against any employee in retaliation for or as a result of the employee's employment with the school district;
- 5. Brings a firearm to school. For the purpose of this provision, a firearm is defined in the section at the back of this Code of Conduct under Definitions and Terminology. Federal and State Law require expulsion for this conduct.

**B. A student may be expelled:**

- 1. If the student, while on school property or while attending a school-sponsored or school-related activity on or off school property:
  - a. Sells, gives or delivers to another person or possesses, uses or is under the influence of:
    - (i.) any amount of marijuana or a controlled substance in an amount not constituting a felony offense: or
    - (ii.) any amount of a dangerous drug in an amount not constituting a felony offense
  - b. Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, used, or is under the influence of alcohol, if punishment is less than that of a felony;
  - c. If a student engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals.
- 2. If the student engages in conduct that contains the elements of the offense of criminal mischief if the conduct is punishable as a felony under that section, whether committed on or off school property or at a school-related activity. The student shall be referred to the authorized officer of juvenile court regardless of whether the student is expelled.

A student suspected of committing a Level V offense might be suspended for up to three days pending a disciplinary hearing. Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy.

**REMOVAL BY TEACHER**

- 1. A teacher may send a student to the principal's office to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques consistent with this Student Code of Conduct.
- 2. A teacher may remove a student from class:
  - (a.) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or
  - (b.) whose behavior the teacher determines is so unruly, disruptive or abusive that is seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.
- 3. If a teacher removes a student from class under Subsection 2, the principal may place the student in another appropriate classroom or into in-school suspension. The principal may not return the student to that teacher's class without the teacher's consent unless the Student Services Committee determines that such placement is the best or only

alternative available. The terms of the removal may prohibit the student from attending or participating in school sponsored or school-related activity.

4. A teacher shall remove from class and send to the principal for expulsion, as appropriate, a student who engages in conduct described under Level IV.
5. If the behavior causing the removal is a Student Code of Conduct violation, the teacher must file a one-page report with the principal or appropriate administrator. The principal or appropriate administrator must send a copy of the report to the student's parent or guardian within 24 hours of receiving the teacher's report.

A teacher or administrator may also remove a student from class for an offense for which a student may be suspended and/or placed in a disciplinary program. If the violation results in removal from class, the principal or other appropriate administrator will schedule a conference as described in REVIEW OF STUDENT REMOVALS below. After the conference, the principal will notify the student of the consequences of the Student Code of Conduct violation.

6. When a student is removed from the regular classroom and hearing is pending, the principal may place a student in:
  - Another appropriate classroom
  - In-school suspension
  - A disciplinary program in which the student must be separated from other students for the entire school program day and will be provided instruction in the core subjects. Counseling will also be provided to the student.
  - Suspension

When a student has been formally removed from class, the principal may not return the student to the teacher's class without the teacher's consent unless the Student Services Committee determines that the teacher's class is the best or only alternative available.

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy.

## **REVIEW OF STUDENT REMOVALS**

Not later than the third class day after the day on which the teacher removes a student from class, the school principal or other appropriate administrator shall schedule a conference among the parent or guardian of the student, the teacher removing the student from class (if any) and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular classroom pending the conference. Following the conference and whether or not each requested person is in attendance, after valid attempts to require a person's attendance, the principal shall order the placement of the student for a period consistent with this Code of Conduct.

## **SUSPENSION**

A student may be removed from school on suspension for a period not to exceed three (3) consecutive school days. There is no limit to the times per semester or school year that a student may be suspended, so long as each term of suspension does not exceed three (3) consecutive school days. A student may be suspended for any offense designated as serious offense in the Code of Conduct (Level II or above). A student will be afforded an informal hearing on the suspension, where the principal or designee will inform the student of the reasons for the suspension and grant the student an opportunity to give his/her version of the incident. The principal or other appropriate administrator will determine the duration of a student's suspension, which cannot exceed three school days. The principal or other

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

### **PARENT CONFERENCES**

If the Board's designee suspends a student for three or more consecutive school days or five or more accumulative school days within a semester, the designee shall encourage the student's parent or guardian to attend a conference to discuss the action and/or the student's misbehavior.

### **EXPULSION**

A student shall be expelled for the offenses listed as Level IV mandatory expulsion offenses; provided, however, if the offense is listed as one for which the student may be expelled, the District has discretion whether it will expel the student or take other appropriate action.

### **DUE PROCESS FOR EXPULSIONS**

Board delegates to the Student Services Committee have the authority to expel students. A student shall be expelled by written order setting the term of the expulsion. Before the expulsion, the Student Services Committee shall provide the student a hearing at which the student is afforded due process that shall include the following:

1. Prior written notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation;
2. Right to full and fair hearing before the Board or its Student Services Committee;
3. Right to an adult representative or legal counsel;
4. Opportunity to testify and to present evidence and witnesses in his or her defense; and
5. Opportunity to examine the evidence presented by the school administration and to question the administration's witness.

The notice shall include the date and time of the hearing, the names of the witnesses against the student and the nature of the evidence. In an expulsion hearing, the District may rely on the hearsay evidence of school administrators who investigate disciplinary infractions. The decision shall be based exclusively on the evidence presented at the hearing and shall be communicated promptly to the student and parent. At the expulsion hearing, the student is entitled to be represented by a parent, guardian or other adult who is not an employee of the District who can provide guidance to the student. After making a good faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the District may have the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

Pending the expulsion hearing, the principal may place the student in:

- Another appropriate classroom
- In-school suspension
- Suspension

### **TERM OF EXPULSION**

The Board's designee shall set a term for the expulsion on a case-by-case basis. The expulsion may not extend beyond a year.

### **APPEALS OF EXPULSIONS**

A decision by the Board's designee to expel a student may be appealed to the Board. A student with a disability shall not be excluded from his current placement pending appeal to the Board for more than ten days without ARD committee action to determine appropriate services in the interim. Pending



appeal to a special education hearing officer, unless the District and parents agree otherwise, a student with a disability shall remain in the present educational setting.

### **NOTICE TO AUTHORITIES**

The Superintendent or his/her designee shall mail a copy of the expulsion order to the student or the student's parent or guardian. No later than the second business day after the date a hearing is held, the Board's designee shall deliver a copy of the order placing a student on expulsion with a juvenile court in the county in which the student resides. If a student is expelled under Level I, B.2. the Board's designee shall refer the student to the authorized officer of the juvenile court for appropriate proceedings under Title 3, Family Code.

If the student enrolls in another school district before the expiration of the period of expulsion, a copy of the expulsion order shall be provided to that district at the same time other records are provided. The district in which the student enrolls may continue the expulsion under the terms of the order, may place the student in in-school suspension for the period specified by the expulsion order, or may allow the student to attend classes without completing the period of expulsion.

### **SANCTIONS**

Expelled students are prohibited from being on school grounds or attending school-related extracurricular activities during the period of expulsion, except by special permission. No District academic credit will be earned for work missed during the period of expulsion (unless the student is enrolled in a Juvenile Justice Program). If a court orders a student who has been expelled to attend school as a condition of probation, the District shall readmit the student, but the student is not immune from suspension, or expulsion during the term of probation.

### **EMERGENCY EXPULSIONS**

A principal or designee may immediately expel a student if the principal or designee reasonably believes that action is necessary to protect persons or property from imminent harm. At the time of the emergency expulsion, the student shall be given oral notice of the reason for the action. Within a reasonable time (ten school days) after the emergency expulsion, the student shall be given the appropriate due process listed under the provision entitled "DUE PROCESS FOR EXPULSION". If emergency expulsion involves a student with disabilities, the term of the student's emergency expulsion is subject to the requirements of Federal Law.

### **STUDENTS WITH DISABILITIES UNDER "IDEA"**

A student with a disability may be expelled for engaging in conduct that would warrant such action for a student without a disability only if the Admission, Review and Dismissal (ARD) Committee determines the misconduct is not related to the disability or inappropriate placement.

In determining whether a student's disruptive behavior is related to a student's disability, the ARD committee shall base its decision on currently effective evaluation and assessment data and on review of the current IEP documentation rather than on established eligibility or previous committee decisions. The committee shall consider whether the student's behavior indicates the need for new assessment or evaluation data. Unless the parents agree otherwise, the student must be returned to his/her current placement after ten days while additional assessments are being conducted.

The ARD committee shall determine the instructional and related services to be provided during the time of expulsion. The student's IEP shall include goals and objectives designed to assist in returning the student to school and preventing significant regression.

If the ARD committee determines that the student's disruptive behavior is related to the disability or inappropriate placement, the student shall not be expelled. If the disruptive behavior on the part of the student indicates an inappropriate placement, the ARD committee shall review the placement and recommend alternatives. If the ARD committee determines that the behavior was related to the disability, it shall either rewrite the IEP to address the student's behavioral and educational needs or, when appropriate, consider the extension of an emergency removal.

#### **STUDENTS WITH DISABILITIES UNDER SECTION 504**

A student with a disability under Section 504 shall not be expelled unless the District first determines that the misbehavior is not a manifestation of the student's disability. The same group of people who make placement decisions may make that determination. The group must have available to it evaluation data that is recent enough to afford an understanding of the student's current behavior. At a minimum, the group shall include persons knowledgeable about the student and the meaning of the evaluation data.

#### **NON-DISCIPLINARY EMERGENCY REMOVAL**

Students may be removed from regular classes or District premises for non-disciplinary health, safety and welfare reasons when the principal determines that an emergency exists. Reasons that may be considered an emergency include, but are not limited to:

- Being under the influence of alcohol or drugs
- Being highly agitated
- Suffering from any other condition that temporarily threatens the student's welfare, other individual's welfare or the efficient operation of the school.

Any student removed from school for a reason shown above who is in a condition that threatens his or her own welfare or the welfare of others shall be released to the parent, the parent's representative, or other proper authority, including, but not limited to law enforcement officers and medical personnel. Such removal shall be for as short a time as is reasonable under the circumstances, but is limited to five consecutive school days. The administrator shall make reasonable efforts to notify the parent prior to removing a student from school premises for emergency reasons. If the parent cannot be notified prior to the removal, the parent shall be notified as soon as possible after the removal and the reasons for it.

#### **NON-DISCIPLINARY EMERGENCY REMOVALS OF STUDENTS WITH DISABILITIES**

Removal of a student with a disability for any of these reasons shall be used only in emergency situations and shall not exceed five school days. Consecutive five-day removals are prohibited, unless the ARD committee determines that the student poses an immediate threat to the safety of himself/herself or others, or disrupts the safety of the learning environment. If the parents appeal the ARD committee's decision and refuse to permit a change in placement, the District may seek a court injunction to remove a dangerous student with a disability for more than ten consecutive days. If emergency removals, suspensions or removals to alternative education total 16 school days in a year, the ARD committee shall review the student's IEP, unless the discipline management portion of the IEP specifies otherwise.

Students with disabilities may be suspended or removed in the same manner as non-disabled students unless the discipline constitutes a change in the students' educational placement or is prohibited in the student's IEP.

Students with disabilities shall not be removed for more than ten days unless the ARD committee first determines whether the alleged behavior in question was related to the student's disability or to the placement. If the ARD committee determines there is a connection, they must also

determine what action is appropriate. Removal for more than ten consecutive school days requires ARD committee action, subject to the parents' right to appeal.

When the total number of days a student with a disability is removed or suspended is 16 school days in a school year, the ARD committee shall review the student's IEP, unless the disciplinary management portion of the IEP specified otherwise.

## **DEFINITIONS AND TERMINOLOGY**

The principal in the District has a copy of the definitions of the criminal offenses listed in this Code of Conduct. Parents, students and school staff may have access to this information by submitting a request to the building principal. Some of the definitions are listed below.

### **ALCOHOLIC BEVERAGE CODE (SECTION 1.04)**

"Alcoholic beverage" means alcohol, or any beverage containing more than one-half percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

### **ARSON (PENAL CODE, SECTION 28.02)**

- a. A person commits an offense if he starts a fire or causes an explosion with intent to destroy or damage:
  - (1) any vegetation, fence or structure on open space land, or
  - (2) any building, habitation or vehicle:
    - A. Knowing that it is within the limits of an incorporated city or town
    - B. Knowing that it is insured against damage or destruction
    - C. Knowing that it is subject to mortgage or other security interest
    - D. Knowing that it is located on property belonging to another
    - E. Knowing that it is located within its property belonging to another
    - F. When he is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another
- b. It is an exception to the application of Subsection (a)(1) of this section that the fire or explosion was a part of the controlled burning of open-space land.
- c. It is a defense to prosecution under Subsection (a)(20(A) of this section that prior to starting the fire or causing the explosion, the actor obtained a permit or other written authorization granting in accordance with a city ordinance, if any, regulating fires and explosions.
- d. An offense under this section is a felony of the second degree, unless bodily injury or death is suffered by any person by reason of the commission of the offense in which event it is a felony of the first degree.

## **ASSAULT**

Students shall not verbally or physically assault anyone on school property or at a school function. Assault is defined under the Penal Code, Section 22.01, in the following manner:

- a. A person commits an offense if the person:
  - (1) intentionally, knowingly or recklessly causes bodily injury to another
  - (2) intentionally or knowingly threatens another with imminent bodily injury, intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact offensive or provocative

As applied to the Zero Tolerance Policy in Gulf Coast Council of La Raza/Dr. M.L. Garza-Gonzalez Public Charter School District the definition of assault further states:

- b. Fights between two (2) students are classified as disorderly conduct. If it can be proven that a student was the sole aggressor and that the other student acted in a defensive manner using force only to the extent necessary for self-defense, the assault may apply to the aggressor. Under the Penal Code, Section 42.01(6), disorderly conduct is when a person commits an offense if he intentionally or knowingly fights with another in a public place.

### **CHEMICALS (VOLATILE)**

In this chapter, now codified as Section 484.001 of the Texas Health and Safety Code:

1. "Deliver" means to actually transfer from one person to another.
2. "Delivery" means the act of delivering.
3. "Inhalant paraphernalia" means equipment, products or materials of any kind that are used or intended for use in inhaling, ingesting or otherwise introducing into the human body a substance containing a volatile chemical, and the term includes:
  - a. A can, tube, or other container that was used as the original receptacle for a volatile chemical by the manufacturer or package of the substance, or
  - b. A can, tube, balloon, bag, fabric, bottle or other container used to contain, concentrate or hold in suspension a substance containing a volatile chemical.
5. "Person" means an individual, corporation or association.
6. "Sell" means to offer for sale, convey, exchange, barter or trade to a consumer or user.

The following chemicals or their isomers are volatile chemicals:

Toluene, hexane, trichloroethylene, acetone, ethyl acetate, methyl ethyl ketone, trichloroethane, carbon tetrachloride, methanol, methyl isobutyl ketone, methyl cellosolve acetate, cyclohexanone, amyl nitrate, butyl nitrate, chloroform, diethyl ether, petroleum distillate, aliphatic hydrocarbons, ketone solvent, glycol ether solvent, glycol ether inter solvent, xylol or xylene, and chlorofluorocarbons.

### **CLUB (PENAL CODE, SECTION 46.01(1))**

"Club" means an instrument that is specially designed, made or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to the following: blackjack, nightstick, mace, and tomahawk.

### **CONTROLLED SUBSTANCES ACT (TEXAS)**

Now codified as Chapter 481 of the Health and Safety Code. "Controlled substance" means a substance, including a drug and an immediate precursor, listed in Schedules I through IV of Penalty Groups 1- 4. Note: Schedules I through IV provide the chemical description of certain drugs. It is best to consult a pharmacist, the Physician's Desk Reference 9PDR or drug lab to determine if the substance is a controlled substance.

### **DRUG (DANGEROUS)**

Now codified as Chapter 483 of the Health and Safety Code. "Dangerous drug" means a device or a drug that is unsafe for self-medication and that is not included in Schedules I through IV of Penalty Groups 1 through 4 of Chapter 481 (Texas Controlled Substances Act). The term includes a device or drug that bears or is required to bear the legend:

- (A) Caution: Federal law prohibits dispensing without prescription; or
- (B) Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian.

### **DRUG, TOBACCO AND ALCOHOL USE**

No student shall possess or use any of the following substances on/off school premises during any school term or off school premises at school-related activity, function or event:

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

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

The District provides drug counseling and referral services on each campus within the District. Services may be obtained by contacting the campus principal.

#### **FIREARM (PENAL CODE, SECTION 921(3))**

“Firearm” means any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion of burning substance or any device readily convertible to that use. Firearm does not include antique or curio firearms that were manufactured prior to 1899 and that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by this chapter.

#### **FIREARM (18 U.S.C. SECTION 921(3))**

- Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive
- The frame or receiver of any such weapon
- Any firearm muffler or firearm silencer
- Any destructive device

“Destructive device” means any explosive, incendiary or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the preceding described devices. It also means any type of weapon (other than a shotgun shell or a shotgun that is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter, and any combination of parts either designed or intended for use in converting any device into a destructive device as described in this item, and from which a destructive device may be readily assembled.

#### **GLUE (ABUSABLE)**

In this chapter, now codified as Section 485.001 of the Texas Health and Safety Code:

- “Abusable glue or aerosol paint” means glue or aerosol paint that is:
  - a. Packaged in a container holding a pint or less by volume or less than two pounds by weight, and
  - b. Labeled in accordance with the labeling requirements concerning precautions against inhalation established under the Federal Hazardous Substances Act (15 U.S.C. Section 1261 et seq.), and under regulations adopted under the Act.
- “Aerosol paint” means an aerosolized paint product, including a clear or pigmented lacquer or finish.

## **HAZING**

“Hazing” means any intentional, knowing or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, who endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization.

The term includes:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision
5. Any activity that induces, causes or requires the student to perform a duty or task that involves a violation of the Penal Code

Students shall have prior approval from the principal or designee for any type of “initiation rites” of a school club organization. No student shall engage in any form of hazing, nor shall any student encourage or assist any other person in hazing. Act of hazing and failure to report known hazing can result in criminal penalties, as well as, school disciplinary action.

## **KNIFE, ILLEGAL (PENAL CODE, SECTION 4601(6))**

“Illegal Knife” means a:

1. Knife with a blade over five and one-half inches
2. A hand instrument designed to cut or stab another by being thrown
3. Dagger, including but not limited to a dirk, stiletto and poniard
4. Bowie knife
5. Sword
6. Spear

## **LANGUAGE (FOUL OR PROFANE)**

The utterance of abusive and obscene language, words of contempt, words used in vulgarity, cursing and swearing or use of obscene gestures.

## **LEWDNESS, PUBLIC (PENAL CODE 21.07)**

Due to the descriptive language used to define public lewdness and with respect to the sensitivity of our students and parents (which may find this language offensive), a copy of this section of the Penal Code will be available to parents upon written request to the principal.

## **MISCHIEF, CRIMINAL (PENAL CODE, SECTION 28.03)**

- (a) A person commits an offense if, without the effective consent of the owner:
  - (1) he intentionally or knowingly damages or destroys the tangible property of the owner, or

- (2) he intentionally or knowingly tampers with the tangible property of the owner and causes pecuniary loss or substantial inconvenience to the owner or a third person, or
- (3) he intentionally or knowingly makes markings, including inscriptions, slogans, drawings or paintings, on the tangible property of the owner.
- (b) Except as provided by Subsection (f), an offense under this section is:
  - (1) a Class C misdemeanor if:
    - (A) the amount of pecuniary loss is less than \$20; or
    - (B) less than \$1,500 and the actor causes in whole or in part impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public communications, public water, gas or power supply;
  - (2) a Class B misdemeanor if the amount of pecuniary loss is \$20 or more but less than \$500
  - (3) a Class A misdemeanor if the amount of pecuniary loss is \$500 or more but less than \$1,500
- (c) When more than one item of tangible property, belonging to one or more owners, is damaged, destroyed, or tampered with in violation of this section pursuant to one scheme or continuing course of conduct, the conduct may be considered as one offense, and the amounts of pecuniary loss to property resulting from the damage to, destruction of, or tampering with the property may be aggregated in determining the grade of the offense.

#### **OFFENSES (PERSISTENT)**

The District defines persistent offenses to be 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:

- 1. Assault of a teacher or other individual
- 2. Retaliation against a school employee
- 3. Murder, capital murder, or criminal attempt to commit murder
- 4. Indecency with a child
- 5. Kidnapping
- 6. Arson
- 7. Possession of a firearm
- 8. Possession of prohibited knife
- 9. Possession of a club
- 10. Possession of a prohibited weapon
- 11. The use, gift, sale, delivery, possession or being under the influence of alcohol, marijuana, other controlled substance, dangerous drugs or abusable glue or volatile chemicals
- 12. Engaging in conduct that constitutes criminal mischief
- 13. Vandalism
- 14. Robbery or theft
- 15. Extortion, coercion, or blackmail
- 16. Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities
- 17. Hazing
- 18. Insubordination

19. Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees
20. Fighting, committing physical abuse, or threatening physical abuse
21. Sexual harassment of a student or District employee
22. Possession or a conspiring to possess any explosive or explosive device
23. Falsification of records, passes, or other school-related documents
24. Possession or distribution of pornographic materials
25. Leaving school grounds without permission
26. Making or assisting in making threats, including threats against individuals and bomb threats
27. Refusal to accept discipline management techniques proposed by the teacher or principal

Students are not allowed to possess a paging device or cell phone on school property or while attending a school-sponsored or school-related activity on or off school property. (A “paging device or cell phone” means a telecommunications device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor, which includes but is not limited to a beeper, portable telephone, etc.) Prior to the District and/or peace officer confiscation of the paging device, the student will be informed of the reason(s) for the confiscation and be given an opportunity to respond to the charges.

A student in violation of this law is subject to discipline and the device and the device may be confiscated and may be disposed of in any reasonable manner at the discretion of the principal, provided the student’s parent and the company whose name and address or telephone number appear on the device are given 30 days’ prior notice of its intent to dispose of the device. Such notice shall include the serial number of the device and may be by telephone or in writing. Alternatively, at the sole discretion of the principal or designee, the device may be returned to the owner or the student’s parent(s).

#### **POSSESSION AND USE (CRIMINAL PENALTY)**

1. A person commits an offense if the person inhales, ingests, applies, uses, or possesses a substance containing a volatile chemical with the intent to inhale, ingest, apply or use the substance in a manner:
  - a. contrary to directions for use, cautions, or warnings appearing on a label of a container or the substance, and
  - b. designed to:
    - A. affect the person’s central nervous system
    - B. create or induce a condition of intoxication, hallucination, or elation
    - C. change, distort or disturb the person’s eyesight, thinking process, balance or coordination
  - c. An offense under this section is a Class B misdemeanor.

#### **POSSESSION**

Possession means actual care, custody, control or management. A student shall be considered to be in possession of any substance or thing prohibited or regulated by this Code of Conduct if the substance or thing is:

1. on the student’s person or in the student’s personal property, including but not limited to the student’s clothing, purse, book bag or briefcase



2. in any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle or bicycle
3. in any school property used by the student, including but not limited to a locker or desk

## **SUSPENSION**

Deprivation of educational services for disciplinary reasons for a period not to exceed three (3) school days.

## **TITLE V OF THE TEXAS PENAL CODE (OFFENSES AGAINST A PERSON)**

Offenses against a person include the following:

1. Murder
2. Capital murder
3. Manslaughter
4. Criminally negligent homicide
5. Kidnapping
6. Aggravated assault
7. Aggravated sexual assault
8. Injury to a child, elderly individual or disabled individual
9. Abandoning or endangering a child
10. Deadly conduct
11. Terrorist threat
12. Aiding a person to commit suicide
13. Tampering with a consumer product

## **UNDER THE INFLUENCE**

A student is considered “under the influence” when a student’s faculties are noticeably impaired but the student need not be legally intoxicated.

## **USE**

“Use” means a student has smoked, ingested, injected, imbibed, inhaled, drunk or otherwise taken internally a prohibited substance recently enough that it is detectable by the student’s appearance, actions, breath or speech.

## **VANDALISM AND DAMAGE**

Students shall not vandalize, damage or deface school property, materials (including textbooks) or equipment. Parents are liable for damages in accordance with the law and for charges to replace lost textbook(s).

## **WEAPONS (PROHIBITED) (PENAL CODE, SECTION 46.06)**

Students are prohibited from bringing to school or school-related activities any firearm, explosive weapon, illegal knife (a knife of any size including a pocket knife) or other weapon, including but not limited to: fireworks of any kind, clubs or night sticks, razors, metallic knuckles, chains or any object used to inflict bodily injury.

A person commits an offense if he intentionally or knowingly possesses, manufacture, transports, and repairs of sells:

1. An explosive weapon
2. A machine gun
3. A short-barrel firearm

4. A firearm silencer
5. A switchblade knife
6. Knuckles
7. Armor-piercing ammunition
8. A chemical dispensing device

## **TEXTBOOKS**

All textbooks are and shall remain the property of the State of Texas and the Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School. State-approved textbooks are provided free of charge for each subject or class. Books must be covered by the student, as directed by the teacher and treated with care. A student who is issued a damaged book should report that fact to the teacher.

Any student failing to return a book issued by the school loses the right to free textbooks until the book is returned or paid for by the parent or guardian. However, a student will be provided textbooks for use in class during the school day.

## **TRAVEL (SCHOOL-SPONSORED)**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. However, the principal may make an exception to this requirement under the following circumstances: (1) the parent personally requests that the student be permitted to ride with the parent; or (2) no later than the day before the scheduled trip, the parent presents a written request that the student be permitted to ride with an adult designated by the parent.

## **VEHICLES ON CAMPUS**

Vehicles parked on school property are under the jurisdiction of the school. The school reserves the right to search any vehicle if reasonable cause exists to do so. A student has full responsibility for the security of his or her vehicle and must make certain that it is locked and that the keys are not given to others. A student will be held responsible for any prohibited objects or substances, such as, alcohol, drugs or weapons, that are found in his or her car and will be subject to disciplinary action by the District, as well as, referral for criminal prosecution. Searches of vehicles may be conducted any time there is reasonable cause to do so, with or without, the presence of the student. See also the Student Code of Conduct.

Students desiring to operate vehicles on campus must produce verification of a current Texas Driver's License and liability insurance before they are permitted and allowed to operate a vehicle on campus.

The District is not responsible for damage to vehicles on school property.

## **VISITORS**

Parents and other visitors are welcome to visit the school. All visitors must first report to the main office. Visits to individual classrooms during instructional time are permitted only with the principal's approval and such visits are not permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment.

## **Kindergarten/1<sup>st</sup> Grade**

### **ENROLLMENT PROCEDURES REQUIREMENTS FOR REGISTRATION**

- **BIRTH CERTIFICATE/SOCIAL SECURITY NUMBER:**

According to State Law, an original birth certificate is required upon registration. This certificate must be examined and recorded on school records before any student may be officially enrolled in school. Each student must have this information on file prior to the first day of school. If difficulty is encountered in obtaining the birth certificate from the Bureau of Vital Statistics in the capital city of the state where the child was born, the principal of the school will assist the parents/guardians. In addition, the student's social security number must be provided to the school at the time of registration.

- **AGE OF ENTRANCE:**

To enter kindergarten, the student must be 5 on or before September 1st. To enter first grade, the student must be 6 on or before September 1st.

#### **STUDENT ARRIVAL AND DEPARTURE TIME:**

School begins at 8:00 a.m. and ends at 3:30 p.m. The side entrance door will be opened at 7:50 a.m. In order to provide supervision for students, parents shall not leave their children at school prior to the start of the school day. Students are to leave the school campus at the end of the school day unless they are participating in a supervised school activity and under the direct supervision of a teacher. Students are not to be on the playground before/after school hours. The school will not assume responsibility for any child on campus before or after the school day. It is the responsibility of the parent to provide supervision before and after school.

#### **TARDY TO SCHOOL/CHECKOUT TARDY:**

It is recognized that an elementary school child may occasionally be tardy to school due to an unforeseen emergency. Parents who bring their child to school late must bring the child in to the office to check him/her in.

#### **CHECKOUT:**

In order to provide for the best welfare of each student and the school, the following checkout policy has been adopted:

Before the student may be released from school, a parent, legal guardian, or person authorized by a parent must come to the school office and sign the student out. Students will only be released to authorized persons listed on the checkout list/contact sheet. Appropriate picture identification may be required to check out a student. For safety of students, checkouts must be made 30 minutes prior to dismissal time. Repeated tardies or checkouts can disrupt classroom activity as well as affect the normal flow of events occurring in the school. Continued student tardiness/check out can precipitate unacceptable building and classroom interruptions as well as cause a student to miss an unreasonable amount of schoolwork. After a student has been late to school or checked out early ten times, the attendance office may be notified.

In the event the child's parents are divorced and the parent with custody does not want the other parent to pick up the child, the school will attempt to notify said parent. The school cannot deny a parent access to his/her child unless there is a court order prohibiting one parent access to the child. If such a court order exists, it should be brought to the superintendent's office in order that a copy can be made and inserted in the child's cumulative folder.

**STUDENT HANDBOOK**  
**2005-2006**  
**Gulf Coast Council of La Raza**  
**Dr. M. L. Garza-Gonzalez Public Charter School**  
Dr. Maria Luisa Garza  
Superintendent

I understand and consent to the responsibilities outlined in the District's Student Code of Conduct. I also understand and agree that my child, \_\_\_\_\_, will be held accountable for the behavior and consequences outlined in the Student Code of Conduct at school and at school-sponsored and school-related activities, including school-sponsored travel, and for any school-related misconduct, regardless of time or location. I understand that any student who violates the Student Code of Conduct is subject to disciplinary action, up to and including referral for criminal prosecution for violations of law.

Student's Name (Printed): \_\_\_\_\_

Student's Social Security Number: \_\_\_\_\_

Student's Name (Signature): \_\_\_\_\_

Parent's Name (Signature): \_\_\_\_\_

Student's Grade Level: \_\_\_\_\_ Date: \_\_\_\_\_

Dr. M. L. Garza Charter School  
PARENT'S REQUEST FOR  
ADMINISTRATION OF MEDICATION

Date \_\_\_\_\_

I, the undersigned, who is the parent/guardian of \_\_\_\_\_, \_\_\_\_\_  
Student's Name Date of Birth

request the following medication(s) be administered to my child.

Medication	Dosage	Time	Refrigeration	Start Date	Stop Date
			Yes/No		
			Yes/No		
			Yes/No		

I understand that the school administrator will appoint a qualified, designated person to perform the above-mentioned health care service.

I will notify the school immediately if the health status of \_\_\_\_\_ changes,  
Student's Name

we change physicians, or the dosage is changed or cancelled.

Signature of parent/guardian \_\_\_\_\_

Address \_\_\_\_\_

Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

(Cell) \_\_\_\_\_

Dr. M. L. Garza Charter School  
Photography, Audio/Videotaping for  
School Publicity/Educational Purposes

In a typical school year, there are numerous positive activities in the schools that merit news coverage. Often the news media will want to include student pictures in their coverage. In addition, during the school year teachers and other school personnel may audio/videotape and/or photograph students involved in learning activities. Educators may use these audio/videotapes and/or photographs to demonstrate teaching and learning techniques and environments. If for some reason you as a parent or guardian **do not** want your child photographed or audio/videotaped for school publicity/educational purposes, please complete the form on this page. If this form is not signed and returned to the principal within 10 days after the issuance of this notice, it is assumed that Dr. M. L. Garza Charter School has your permission to photograph or audio/videotape your child for school publicity/education purposes.

During the 2005-2006 school year, I, \_\_\_\_\_, parent or  
Print Parent Name

guardian of \_\_\_\_\_, **do not** want the above named child to  
Print Student Name

appear for school publicity/educational purposes in a photograph or audio/videotape where the child can be easily recognized or identified.

\_\_\_\_\_  
Parent signature

\_\_\_\_\_  
Date

A specific request will be sent home by the school should a corporation or non-school entity ask to audio/videotape students for use in a film produced by that corporation or entity.

**Dr. M. L. Garza Charter School**  
**Release of Directory Information to**  
**Outside Individuals and Groups**

Directory information about students in Dr. M. L. Garza Charter School may be released to any individual or organization, (such as an insurance company that files a written request with the Chief Education Officer or designee). Dr. M. L. Garza Charter School does not endorse any product or service offered by individuals or organizations that have obtained such list.

Directory information includes a student's name, address, telephone number, date, place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent or previous school attended by a student.

If you object to the release of any or all directory information you must notify the principal in writing within ten days of enrollment. Your objection will remain in effect unless you rescind it in writing. *If you have no objection, do not return this form.*

Student Name \_\_\_\_\_ ID# \_\_\_\_\_ Current Grade \_\_\_\_\_

Do not release any directory information about my child to non-school individuals or organizations, but information other than address and phone number can be included in Dr. M. L. Garza Charter School press releases and publications.

Parent Name: \_\_\_\_\_

Parent Signature: \_\_\_\_\_

Date: \_\_\_\_\_