

Positive Solutions High School



... a positive learning experience

2017-18
STUDENT CODE OF
CONDUCT

Positive Solutions High School
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A. Positive Solutions Charter School Student Code of Conduct

Introduction

To promote and maintain a safe environment for students and adults, and to promote an appropriate environment for the educational process, Positive Solutions Charter School (PSCS) has adopted this Student Code of Conduct. PSCS recognizes that the foundation of an orderly and positive environment is a climate of mutual respect for the rights of all persons. To that end, all members of the learning community (students, parents, and PSCS employees) are expected to treat all persons with the respect, dignity, good manners and civility demanded of a civilized nation.

The Student Code of Conduct provides guidance for helping students accept responsibility for their actions by describing the behavior that is expected of all students, the ways students can contribute to a safe and positive school, inappropriate conduct that will not be tolerated, and consequences that may be imposed on students for such misconduct.

Section I – General

Jurisdiction

This Code of Conduct applies to all students enrolled in PSCS, regardless of age and grade level, and regardless of whether a student commits an offense on his/her home campus, or another PSCS campus, or away from any PSCS campus while at a school-related functions. The PSCS has jurisdiction over its students, for discipline purposes, during the regular school day and while students are going to and from school. The PSCS jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity, regardless of time or location, and any school-related misconduct, regardless of time or location. PSCS also has jurisdiction if a student remains on campus to participate in an after-school program, even if PSCS is not responsible for the operation of that program, (i.e., Challenge Program YMCA, etc.). In addition, PSCS has jurisdiction over a student when retaliation against a school employee is involved, either on or off school property, or when a student commits a felony as provided by Texas Education Code Section 37.006, or when criminal mischief is committed on or off school property or at a school-related event. Students shall comply with the PSCS Student Code of Conduct at all times while they are under the jurisdiction of PSCS.

Publication and Authority of PSCS Student Code of Conduct

Posting and distribution of the PSCS Student Code of Conduct

The PSCS Student Code of Conduct shall be displayed at each PSCS campus and be readily available to all PSCS students and/or parents. The Student Code of conduct is also available to all teachers, new professional employees, and to any person upon request. Once the PSCS Student Code of Conduct is promulgated, the Board of Trustees must approve any subsequent changes or amendments.

The PSCS Student Code of Conduct is designed to be in harmony with Board Policy and Texas federal laws. Changes in policy or law that affect this document will supersede the provisions found in this

code. Change affecting the Code of Conduct will usually be communicated by newsletter and other communications to students and parents.

Student Handbooks

A campus student handbook, while separate and distinct from the PSCS Student Code of Conduct, must be consistent with the PSCS Student Code of Conduct. If a question arises concerning whether a provision of the student handbook is consistent with the PSCS Student Code of Conduct, the Superintendent or designee shall review the provision in question and make a determination.

Each student and parent is expected to sign a statement annually that they have received and read the Student Handbook and acknowledge the rules and responsibilities outlined therein.

Rights and Responsibilities of Students

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. Students are expected to respect the rights and privileges of other students, teachers, and PSCS staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of PSCS educational mission.

Student's responsibilities for maintaining a positive learning environment at school or school-related activities include:

1. Treating other students and the adults in the school with courtesy and respect.
2. Accepting responsibility for their actions and behavior and being accountable for the consequences.
3. Actively supporting and assisting the school in maintaining a campus free from drugs, alcohol, weapons, and gang activity, by:
 - * Cooperating with staff in investigations of disciplinary cases and volunteering information within the student's knowledge relating to a serious offense.
 - * Responsibly informing staff of conduct violations by others.
 - * **Submitting** any prohibited items to staff or informing staff of location of prohibited items immediately upon delivery.
4. Attending all classes regularly and on time.
5. Being prepared for each class with appropriate materials and assignments.
6. Dressing and grooming appropriately as described in this document.
7. Seeking changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
8. Respecting the property of others, including PSCS property and facilities.
9. Refraining from violations of the PSCS Student Code of Conduct, and obeying all campus and classroom rules, including safety rules. The PSCS staff may impose campus or classroom rules in addition to those found in the PSCS Student Code of Conduct. These rules may be listed in the campus student handbook or posted in classrooms, and violations of such rules may or may not constitute violations of the PSCS Student Code of Conduct.

Discipline of Students eligible for Special Education Services

Discipline actions for students who are eligible for special education are subject to review and modification by the ARD committee. This includes offenses that may carry mandatory expulsion and the ARD committee must determine whether the student's behavior was or was not a manifestation of the student's educational handicap.

Dress Code

In General

The PSCS dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health hazard to themselves or others. All dress code rules apply to both male and female students.

Dress Code

1. Shorts and skorts are not permitted. All shirts must be tucked into the pants.
2. Skirts, dresses, and jumpers must be no shorter than three inches above the knee.
3. Appropriate footwear must be worn. Footwear which has toes reinforced with steel, hard plastics, or similar materials is specifically prohibited, as are flip flops, beach sandals, or other open-toed shoes that do not have straps to secure them.
4. Headwear of any kind shall not be worn in the building. For enforcement purposes, headwear worn as legitimate religious attire may be considered as an exception following a conference with the principal.
5. Any clothes that are suggestive or indecent or which cause distraction are prohibited. Specifically, tank tops, muscle shirts, halter-tops, spaghetti straps, exposed backs or midriffs, and see-through garments without a shell or shirt worn under the garments are prohibited.
6. Indecent/inappropriate patches, writing, or drawings on clothing or body are prohibited. Clothing with inappropriate advertising or statements that are lewd, offensive, vulgar, obscene or inflammatory (e.g., alcoholic beverages, sex, tobacco, drugs, gags, etc.) are also prohibited.
7. Any oversized clothing shall not be worn to school. Specifically, "bagging" or "sagging" pants are prohibited. All pants are to be worn at the waist. Tight-fitting pants (e.g., tights, bicycle pants, spandex, etc.) are also prohibited. Extra long belts are prohibited. Belts must be put through the belt loops on the pants.
8. Dangling key rings and chains will not be permitted. This includes chains attached to wallets, footwear and backpacks.
9. No gang-related attire will be permitted such as matching tops and bottoms, commonly called "Dickies", manufactured by any number of companies, is prohibited. This wear is usually khaki, blue, brown or green. Bandanas of any color are prohibited.
10. Dog collars, choke chains, jewelry with spikes or studs or jewelry depicting violent, lewd, offensive themes are prohibited. Visible body piercing is prohibited. Boys are not allowed to wear earrings and girls are only allowed to wear one set of earrings.

These rules apply to all PSCS campuses and facilities and to any locations off-campus where PSCS students are receiving classroom instructions (e.g., official class field trips, internships, or other programs hosted at facilities other than PSCS).

Extracurricular Activities

The principal, in cooperation with the sponsor, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary actions.

Dress for Special Occasion Days

The principal has the authority to allow all or part of the student body to vary from the dress code and establish a particular mode of attire for special occasion days or for particular school-sponsored or school-related activities.

Outerwear

Cold classrooms and cold weather clothing must support the PSCS dress code by:

1. Providing the necessary warmth;
2. Allowing students flexibility to add or remove an extra article of clothing (layering);
3. Being the correct size (not oversized);
4. Complying with specific school guidelines addressing gang-related attire as determined by the principal;
5. Being appropriate to wear in a classroom for an entire school day;
6. Allowing flexibility for extreme weather conditions; and
7. Maintaining school safety – long coats extending below mid-thigh, including but not limited to trench coats, shall not be permitted.

Dress Code Violations

If the principal determines that a student's grooming or clothing violates the dress code, the student shall be given an opportunity to correct the problem at school if the occurrence is the first or second offense during the school year. If not corrected, or if the violation is a third offense within the school year, the student shall be subject to appropriate discipline consequences as determined by the principal, for the remainder of the day or until the problem is corrected. Repeated dress code offenses may result in more serious disciplinary action. Appropriate discipline procedures shall be followed in all cases.

Computers and the Internet

Computers resources are electronic tools to enhance student learning. The purpose of using the Internet in our schools is to support research and education by providing access to unique resources and the opportunity of collaborative work. Disciplinary action shall be taken for acts of misconduct listed. All student users of computers and the Internet shall comply with the following rules:

Unacceptable Use

1. Transmission of any material in violation of any federal or state law or regulation is prohibited including, but not limited to, copyrighted materials, threatening or obscene material, or material protected by trade secret.
2. Use for commercial activities or private business is prohibited. Users shall not initiate any purchases through online communications.
3. Use for product advertisement or political lobbying is prohibited, except when used for instructional purposes.
4. Deletion, examination, copying, or modification of files and/or data belonging to others without their prior consent is prohibited.
5. Vandalism, defined as any malicious attempt to harm or destroy property is prohibited including but not limited to uploading or creating of computer viruses, the use of the network to disrupt use by others, the use of e-mail to disable servers or clog the access lines, and the destruction, modifications or abuse of hardware and software.
6. Creating, transmitting, accessing, or processing hate mail, threats, harassment, discriminatory remarks, pornographic references or graphics, and other anti-social behaviors are prohibited.
7. Use of computer resources to access or process inappropriate files or files dangerous to the integrity of the network is prohibited.
8. Illegal installation of copyrighted software for use of PSCS computers is prohibited. Copying any copyrighted-protected material in violation of the copyright law is illegal and prohibited.
9. Plagiarizing material or information from any computer resource, whether from a single program or an Internet resource, is prohibited.

Security and Monitoring

1. Electronic transmissions and other use of the PSCS computer systems by students shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use for educational purposes.
2. Any violations of the use of computer resources and/or the Internet/PSCS computer systems, or any violations of privacy, must be reported to the teacher or administrator.

Computer use/Internet Violations

The principal or designee shall investigate allegations of violations of these rules. Identified violations are generally considered to be a serious offense.

Section II – Inappropriate Conduct

Legal Requirements

When a student commits an offense, the student is subject to disciplinary action by school officials. Texas law requires schools to report certain administrative actions taken against students for violations of the Student Code of Conduct. The code numbers for the offenses correspond to offense code

numbers that school personnel submit to the Texas Education Agency for this purpose (please note that some codes are intentionally not used).

In addition, the student may also be subject to arrest and criminal prosecution for certain offenses. When administration determines that a student may have committed a criminal offense, the school official shall notify law enforcement officers because Texas law requires schools to refer students to other governmental agencies and law enforcement officials when they commit certain offenses.

LEVEL I – Minor Offenses

The following offenses are prohibited on PSCS property, at school, or at school-related activities and may be punishable by suspension, detention, Saturday school, assignment of school duties other than class tasks, withdrawal of extracurricular or honorary privileges, or any other discipline management techniques listed in Section III of this Code, as determined by the campus principal. Students who commit minor offenses will be assessed discipline penalties commensurate with the offense.

In some cases, the offenses in this section may also meet the definition of conduct that warrants more severe discipline, or expulsion. If this occurs, the offense is elevated to a Level II, III, or IV offense, and the campus administration may consider more severe discipline, or expulsion, as warranted.

OFFENSE

- 01 Cheating or copying work of another student.
- 02 Throwing objects that can cause bodily injury or damage property.
- 03 Leaving school grounds during the academic day without permission.
- 04 Without permission, leaving the classroom during instructional time.
- 05 Without permission, leaving a school-sponsored event in which the student is a participant.
- 06 Engaging in minor sexual acts/contact (including, but not limited to kissing, necking, etc.).
- 07 Possessing or using matches or a lighter.
- 08 Possessing Mace or pepper spray.
- 09 Violating dress and grooming code standards.
- 10 Loitering or trespassing on school grounds. Students should be on campus for an educationally related purpose, such as tutorials or extracurricular activities. Students who are waiting for a ride home shall not be considered to be loitering.
- 11 Possessing, using, or exhibiting school supplies (i.e., pencils, pens, and scissors) or any other item(s) in a manner that threatens to inflict or actually inflicts bodily harm to another person.
- 12 Engaging in conduct that constitutes a disruption of classes or lawful assemblies, activities, or transportation.
- 13 Participating in gambling or games of chance that are not authorized by campus administration.
- 14 Possessing or using skateboards, inline skates, or similar items.
- 15 Engaging in any other conduct that disrupts the school environment or educational process but that the principal/designee determines is a minor offense.

Level II – Serious Offenses

The following actions constitute “serious misbehavior” where that term appears in this PSCS Student Code of Conduct. These offenses are prohibited on PSCS property, at school or school related activities and are punishable by suspension, detention, Saturday school, assignment of duties other than class tasks, withdrawal of extracurricular or honorary privileges, or any other discipline management techniques listed in Section III of this Code, as determined by the campus principal. These offenses are considered to be more serious than LEVEL I – Minor Offenses listed in Section II of the Code. Thus in most cases, the offenses listed in this section will warrant greater consequences than those listed in the LEVEL I – Minor Offenses section. Students who commit serious offenses will be assessed discipline penalties commensurate with the offenses.

In some cases, the offenses listed in the section may also meet the definition of conduct, which warrants suspension or expulsion. If this occurs, the offense in question is elevated to a LEVEL III or IV offense, and the campus administration may consider expulsion, as warranted.

OFFENSE

- 20 Stealing from students, staff, campus visitors, or school (i.e. theft that does not constitute a felony according to the Texas Penal Code).
- 21 Committing extortion, coercion, or blackmail (i.e. obtaining money or other objects of value from an unwilling person, or forcing an individual to act through the use of force or threat of force).
- 22 Engaging in verbal abuse (i.e. name-calling, making racial or ethnic slurs, derogatory statements, or oral statements which are abusive or confrontational)
- 23 Insubordination
- 24 Directing disrespect or profanity, vulgar language, or obscene gestures toward another person or persons, including teachers and other school employees.
- 25 Fighting, committing physical abuse, or threatening physical abuse (i.e. conduct that does not meet the definition of assault in Texas Penal Code 22.01 (a)(1).
- 26 Hazing (as described in the Glossary)
- 27 Engaging in offensive conduct that constitutes sexual harassment {see glossary} or sexual abuse, whether verbal or physical, that may include requests for sexual favors or other intimidating sexual conduct directed toward other students or District employees.
- 28 Falsification of records, passes or other school-related documents.
- 29 Possessing, exhibiting, or distributing pornographic or obscene materials.
- 30 Refusal to accept discipline management techniques proposed by a teacher or by administration.
- 31 Selling or trading, on campus, any item not authorized by the principal.
- 32 Placing a substance in another person’s food, drink and/or other possession without that person’s consent.
- 33 Participating in gang-related activities (first offense).
- 34 Using any electronic equipment (e.g. paging devices or cellular phones) in a manner that disrupts the peace or provokes hostility.
- 35 Possessing, exhibiting, or using a toy gun, cap gun, pellet gun, air-powered rifle, or any other instrument which may be perceived by another person as a firearm.
- 36 Violating any rule set forth in the Code of Conduct pertaining to computers and the Internet.
- 37 Possessing or using unloaded firearm accessories or parts (such as a gun barrel or a gun clip).

- 38 Possessing, exhibiting, or using material arts objects, small pocket knives, razor blades, or other objects that can be used as a weapon to the extent that these objects are not within the definition of illegal knives or prohibited weapons under the Texas Penal Code.
- 39 Possessing, exhibiting, or using a prescription drug (that is not a controlled substance or dangerous drug) that does not belong to the person using, exhibiting, or possessing it.
- 40 Pulling a fire alarm, as a prank, in a building owned or operated by PSCS, when there is no smoke, fire, or danger that requires evacuation.
- 41 Possessing or using fireworks (e.g. smoke bomb, cherry bomb, poppers, etc.) combustibles or other incendiary devices to the extent that these objects are not within the definition of prohibited weapons under the Texas Penal Code.
- 42 Repeatedly violating other communicated campus or classroom standards or behavior (including repeated violations of the dress code).
- 43 Selling, attempting to sell, or receiving look-alike drugs or items attempted to be passed off as drugs or contraband.
- 44 Possessing, smoking, or using tobacco products or paraphernalia.
- 45 Using Mace or pepper spray (in some cases, the use may be classified as an assault and may cause bodily injury-LEVEL III).
- 46 Possessing a laser pointer when not authorized by a teacher for school use (in some cases the use of a laser pointer may be classified as an assault and may cause bodily injury – LEVEL III).
- 47 Engaging in inappropriate, unwelcome verbal, physical or sexual conduct, which is disruptive or offensive to another student, PSCS employees or volunteers, or the school environment.
- 48 Intentionally and knowingly making false accusations against teachers, other school employees, volunteers, or other students.
- 49 Engaging in conduct that damages or tampers with the property of another that does not otherwise constitute misdemeanor criminal mischief (vandalism) or graffiti (see glossary).
- 50 Engaging in any other conduct that disrupts that school environment or educational process.

LEVEL III – Offenses for Expulsion

The following actions constitute offenses that shall or may result in expulsion. These offenses are considered to be more serious than the LEVEL II – Serious Offenses listed in this Code. The terms of a expulsion under that section shall prohibit the student from attending or participating in school sponsored or school-related activities, including, but not limited to, extracurricular activities. The principal shall suspend a student for these offenses while recommending the student’s expulsion.

MANDATORY EXPULSION:

Offenses Requiring Expulsion

A. Offenses Occurring on Campus or at School-Related Activities

A student will be expelled if the student commits the following on or within 300 feet of school property, as measured from any point on the school’s real property boundary line, while attending a school-sponsored or school-related activity on or off school property, or as otherwise allowed by law:

OFFENSE

- 51 Engages in conduct that contains elements of assault causing bodily injury or a threat by terrorist means {see glossary for explanation of various threats}.
- 52 Sells, gives or delivers to another person, or possesses, uses or is under the influence of:
 - Marijuana or a controlled substance.
 - A dangerous drug
- 53 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.
- 54 Engages in conduct that contains the elements of an offense relating to abuse by glue or aerosol paint or relating to volatile chemicals.
- 55 Engages in conduct that contains the elements of the offense of public lewdness {see glossary} or indecent exposure.
- 56 Engages in conduct that is punishable as a felony. Felony conduct may include, but not limited to, bomb hoaxes, bomb threats, other false reports, and graffiti [see glossary].
- 57 Retaliates against a school employee, when not combined with another offense, either on or off school property.

B. Offenses Occurring off Campus/Not at School-Related Activities

Additionally, a student shall be removed from class based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

OFFENSE

- 58 The student receives deferred prosecution under Section 53.03, Family Code, for conduct defined as a felony offense under Title 5 of the Texas Penal Code [see glossary].
- 59 A court or jury finds that the student has engaged in delinquent conduct under Section 54.03, Family Code, for conduct defined as a felony offense under Title 5 of the Texas Penal Code; or
- 60 The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense under Title 5 of the Texas Penal Code.

DISCRETIONARY SUSPENSION/EXPULSION:

Offenses Which May Result in Suspension/Expulsion

A. Offenses Occurring on Campus or at School-Related Activities

A student shall be suspended/expelled for the following offenses. Additionally, a student may be suspended/expelled if the student commits the following on campus, while attending a school-sponsored or school-related activity on or off campus, or as otherwise allowed by law:

OFFENSE

- 61 Possessing a knife with a blade length up to and including 5 1/2 “. This does not include knives that are classified as prohibited weapons or illegal knives [see glossary].

- 62 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.
- 63 Engages in behavior that the principal or designee determines is so unruly, disruptive or abusive that it 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.
- 64 Following a previously documented offense (LEVEL II), engages in gang activity, including participation as a member or pledge or soliciting another person to become a pledge or member of a gang. [In some cases it may be punishable as a felony offense – see glossary].
- 65 Following a previously documented offense (LEVEL II), engages in a public school fraternity, sorority, or secret society, including participation as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society.
- 66 Engages in conduct constituting misdemeanor criminal mischief (vandalism), graffiti not classified as a felony [see glossary], or otherwise engages in conduct that damages or tampers with the property of another causing substantial inconvenience or pecuniary loss up to an including \$1,499.99.
- 67 Engages in unruly, disruptive, disrespectful, or abusive conduct
- At any location on PSCS property (e.g. the mall area, parking lots, etc).
 - At a PSCS-related activity or event.
 - Or affecting any location of PSCS property/event that substantially interferes with the orderly operation of the campus of PSCS – related activity or event, or with the transportation of students on a vehicle owned or operated by PSCS.

B. Offenses Occurring off Campus / Not at School – Related Activities

Additionally, a student may be suspended/expelled if the student commits the following conduct off campus and while the student is not in attendance at a school – sponsored or school – related activity if:

OFFENSE

- 68 The superintendent or the superintendent’s designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those offenses defined in Title 5 of the Texas Penal Code; and the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.
- 69 Engages in any activity on the way to or from school that would ordinarily be grounds for alternative education placement or expulsion if the activity had occurred on campus; or
- 70 The student is truant or has left campus without authorization for any portion of the instructional day and the student engages in an activity while off campus that would ordinarily be grounds for alternative education placement or expulsion.

LEVEL IV – Offenses for Expulsion

The following actions constitute offenses that shall or may result in expulsion. These offenses are considered to be more severe than the serious offenses listed in the Code. The principal shall suspend a student for these offenses, pending a complete investigation and recommendation for expulsion.

MANDATORY EXPULSION: Offenses Requiring Expulsion

A student must be expelled for any of the following offenses if committed on school property, while attending a school-sponsored or school-related activity on or off school property, or as otherwise required by law:

OFFENSE

- 71 Commits a firearm violation, as defined by federal law [see glossary].
- 72 Uses, exhibits, or possesses a firearm under the Texas Penal Code.
- 73 Uses, exhibits, or possesses an illegal knife, such as a knife with a blade over 5 ½ inches; hand instrument designed to cut or stab another by being thrown (including martial arts throwing star); dagger, including, but not limited to, a dirk, stiletto, and poniard; Bowie knife; sword; or spear [see glossary].
- 74 Uses, exhibits, or possesses a club [see glossary].
- 75 Uses, exhibits, or possesses a prohibited weapon, such as an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun. A switchblade knife is also included in this category [see glossary].
- 76 Engages in conduct containing the elements of aggravated assault, sexual assault, or aggravated sexual assault under the Texas Penal Code.
- 77 Engages in conduct containing the elements of arson under the Texas Penal Code.
- 78 Engages in conduct containing the elements of murder, capital murder, or criminal attempt to commit murder under the Texas Penal Code.
- 79 Engages in the conduct containing the elements of indecency with a child under the Texas Penal Code.
- 80 Engages in conduct containing the elements of aggravated kidnapping under the Texas Penal Code.
- 81 Engages in behavior related to an alcohol or drug offense that could be punishable as a felony.
- 82 Retaliates against a school employee or volunteer, combined with one of the above-listed offenses, on or off school property or while attending a school – related or school – sponsored activity on or off school property.

DISCRETIONARY EXPULSION: Offenses, Which May Result in Expulsion

Additionally, a student may be expelled if a student commits the following while on school property, while attending a school-sponsored or school – related activity on or off school property, or as otherwise allowed by law.

OFFENSE

- 83 Sells, gives, or delivers to another person, or possession, uses or is under the influence of any amount of :
 - a. Marijuana or a controlled substance
 - b. A dangerous drug

- 84 Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of any amount of an alcoholic beverage.
- 85 Engages in conduct that contains the elements of an offense relating to the abuse of glue or aerosol paint under Section 485.031 through 485.035,
- 86 Engages in conduct that constitutes criminal mischief (vandalism), if such conduct is punishable as a felony (i.e. if the cost of the damage in question is \$1,500 or more).
- 87 Engages in conduct that contains the elements of assault (intentionally, knowingly, or recklessly causing bodily injury to another) against a PSCS employee or volunteer.
- 88 Engages in conduct that contain the elements of assault (intentionally, knowingly, or recklessly causing bodily injury to another) against a PSCS employee or volunteer in retaliation for or as a result of the person’s employment or association with the PSCS, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property.

Section III – Consequences of Inappropriate Conduct

Discipline Management Techniques

Discipline management techniques are always available when assessing penalties for violations of the PSCS Student Code of Conduct, regardless of the offense, except as otherwise required by law. Discipline management techniques may include:

- Seating changes in the classroom.
- Reassignment to another classroom.
- Counseling by teachers, counselors, special services, or administrative personnel.
- Parent-teacher conferences.
- Cooling-off or time-out.
- Behavioral contracts.
- Participation in peer conflict resolutions proceedings.
- Assigned school duties other than class tasks.
- Verbal correction.
- Withdrawal of privileges, including, but not limited to, participation in extracurricular activities and eligibility for seeking or holding honorary positions.
- Sending the student to the office or other assigned areas.
- Detention
- Anger Management
- School-defined and imposed probation
- Rewards and incentives.
- Referral to outside agency or authority, including school-community programs.
- Confiscation of items that disrupt the educational process.
- Grade reductions as permitted by Board Policies EIA (Local) and FO (Local).
- Withdrawal or restricting bus privileges.
- Suspension (out-of-school).
- Disciplinary transfer to another campus, to be determined by the Superintendent’s designee.

- Expulsion.
- Each disabled student's Individual Education Plan (IEP)/Individual Accommodation Plan (IAP) shall address the student's specialized needs on discipline, including which of the discipline management techniques can appropriately be used with the student.

Physical Restraint

Any PSCS employee may, within the scope of the employee's duties, use and apply appropriate physical restraint to a student that the employee reasonably believes is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.
2. Obtain possession of a weapon or other dangerous object(s).
3. Prevent a student from fleeing when fleeing would put the student or others in danger.
4. Protect property from serious damage.
5. Remove from a specific location a student refusing a lawful command of a school employee, including from a classroom or other school property, in order to restore order or impose disciplinary measures. (However, an employee is not allowed to use physical restraint as a disciplinary measure; corporal punishment is prohibited)
6. Restrain an irrational student.

General Guidelines for Assessing Discipline Penalties

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

1. Discipline shall be administered when necessary to protect students, school employees, or property, maintain essential order and discipline, and to teach students proper conduct.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
 - Seriousness of the offense.
 - Student's age.
 - Grade level.
 - Frequency of misconduct.
 - Student's attitude.
 - Potential effect of the misconduct on the school environment.
 - Statutory requirement.
 - Student's disabling conditions, if any.

Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses. Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher may be imposed.

Credit during Disciplinary Process

Students suspended from school are entitled to make up assignments or tests, regardless of the reason for the suspension. Teachers are to inform students of the time allotted for completion of the work.

Students are responsible for obtaining the assignments and completing the work in the time allotted, and students are allowed to make up both class work and homework.

Detention

For infractions of the Code of Conduct or other policies and regulations, teachers may detain students after school hours. Before assigning students to detention, the teacher shall inform the student of the conduct that allegedly constitutes the violation, and the student shall be given an opportunity to explain his or her version of the incident.

When detention is used, notice shall be given to the student's parent or legal guardian to inform the parent of the reason for the detention and permit arrangements for the necessary transportation of the student. Except in the case of a student who is 18 or older living apart from parents and emancipated minors, the detention shall not begin until the parent has been notified. The student's parent or guardian is required to provide transportation when the student has been assigned to detention.

Teacher Removal

A Teacher may send a student to the principal's office with appropriate documentation in order to maintain effective discipline in the classroom. The principal or designee shall respond by employing appropriate discipline management techniques consistent with this PSCS Student Code of Conduct and local policy.

A teacher may remove from class a student who (1) 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 to the student's classmates to learn; or (2) whose behavior the teacher determines is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the student's classmates to learn.

In lieu of the removal, student may be prohibited from attending or participating in school-sponsored or school-related activities.

Conference and Review Requirements for Students Removed from Class

Not later than the third class day after the day in which the student is removed from the class by the teacher under the Texas Education Code Section 37.002(b) or (d), or by the principal or other appropriate administrator under the Texas Education Code section 37.006, the principal or other appropriate administrator shall schedule a conference with the principal or other appropriate administrator, a 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 return to the regular classroom pending the conference. Following the

conference, and whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal shall order the placement of the student as provided by Texas Education Code Section 37.002 or 37.006, as applicable, for a period consistent with the PSCS Student Code of Conduct.

Students with disabilities may not be removed in violation of specific IEP/IAP provisions or for more than 10 school days in a school year without ARD/Section 504 Committee approval.

The principal may not return the student to the classroom of the teacher who removed the student without the teacher's consent unless the Placement Review Committee determines that such placement is the best or only alternative available.

Suspension (Out of School)

Students may be suspended for a period not to exceed three school days for engaging in any minor or serious offense as described and set forth in this PSCS Student Code of Conduct. Additionally, students may be suspended expulsion.

A principal or other appropriate administrator may suspend a student prior to (but not in lieu of) expulsion, where a student's conduct requires such expulsion.

Before suspending a student, the principal or designee shall consider reasonable alternative, including appropriate discipline management techniques. If the principal or designee determines that a suspension is the most appropriate alternative, no other disciplinary action need precede the suspension.

Conference with Students

Before suspending a student, the principal or designee shall conduct an informal conference, at which:

1. The student is advised of the conduct with which he or she is charged.
2. The student is given the opportunity to explain his or her version of the incident.

Notice to Parents

A student's parents shall be notified by telephone or other appropriate means, as soon as reasonably possible, of a suspension. Parents of students who have been suspended shall be advised that it is their responsibility to provide adequate supervision for the student during the period of suspension. Furthermore, the student is not allowed on the home campus or any other school campus or at any school-related activity during the period of suspension. If a student violates the prohibition, the student can be charged with illegal trespass, a Class C Misdemeanor.

Transfer or Withdrawal from an Alternative Education Program

If a student transfers into PSCS from another school district in which the student was placed in an Alternative Education Program, PSCS shall continue the Alternative Education Program under the terms of the order provided by the sending school district.

Students who transfer out of PSCS to another public or private institution, including students who withdraw from PSCS for the purpose of home schooling, and students who do not attend the Alternative

Education Program for the duration of the placement for any reason (other than reasons which constitute an “excused absence” under PSCS policy), shall be required, upon return to PSCS, to complete the number of days missed in the Alternative Education Program before being allowed to return to the regular campus.

Placement of Students with Disabilities

The placement of a student with a disability may only be made following a manifestation determination review ARD/Section 5034 meeting which determines that the misconduct was not related to the student’s disability. A student with a disability who receives special education services may not be placed in Alternative Education Programs solely for educational purposes if the student has not also committed one of the offenses warranting placement in the Alternative Education Program [Texas Education Code Section 37.004]

Hearing

Following an initial determination by the principal or investigating administrator that a student has committed an offense that requires suspension/expulsion, a hearing will be scheduled with a hearing officer who shall determine appropriate discipline warranted. If PSCS makes a good faith effort to inform the student and the student’s parents or guardian of the time and place of the hearing, PSCS may hold the hearing, regardless of whether the student, the student’s parent or guardian, or another adult representing the student attends.

Expulsion

Firearm Violations

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by Federal law, to school. However, the Superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

Expelled Transfer Student

If an expelled student from another school district enrolls in PSCS, the Board of Trustees of the district that expelled the student shall provide to PSCS, at the same time other records of the student are provided, a copy of the expulsion order and the referral to the authorized officer of the Juvenile Court.

Emergency Expulsion

A principal or the principal’s designee may order the immediate expulsion of a student if the principal or the principal’s designees 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 after the emergency expulsion, the student shall be accorded the

appropriate due process. Students with disabilities are subject to applicable federal and state law regarding the term of a student's emergency expulsion.

Expulsion of Special Education Students

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 a manifestation determination review ARD (Admissions, Review, and Dismissal) committee determines that the misconduct was not related to the student's disability.

In determining whether a student's misconduct was related to a student's disability, the ARD committee shall consider current evaluation/observations of the child and determine provided consistent with the student's IEP and placement; and the student's disability did not impair the ability of the student to understand and control the behavior subject to expulsion.

If the ARD committee determines that the behavior of the student was not a manifestation of the student's disability, the student shall not be expelled. If the ARD committee determines that the student's placement and/or IEP are inappropriate, the misconduct must be considered a manifestation of the student's disability and the student must not be expelled. The ARD committee may propose changes in the student's placement (other than expulsion), and/or changes in the student's IEP, including the student's behavioral intervention plan as appropriate.

Expulsion of Section 504 Students

A student who is disabled according to Section 504 shall not be expelled unless the Section 504 committee first determines that the student's misbehavior was not a manifestation of the student's disability. The Section 504 committee must review current evaluation data and the student's current placement. If the section 504 committee determines that the student's misconduct was not a manifestation of the student's disability, the student may be expelled. However, if the Section 504 committee determines that the student's misconduct was related to the student's disability, the student must not be expelled.

All Students: Representation during the Expulsion Hearing

At a hearing on expulsion, the student may be represented by the student's parent or guardian or another adult who can provide guidance to the student. The student and student's representative shall be notified in writing of the date, time, and place of the expulsion hearing.

If the student has been removed under the emergency expulsion provision pending the expulsion hearing, the PSCS shall obtain the parent's written agreement in the event the student will be excluded from the school setting for more than ten consecutive days and before the hearing is conducted. If the parent's agreement cannot be obtained, the PSCS shall return the student to school or ensure that the expulsion hearing is timely conducted so that the student is not excluded from school for more than ten consecutive days without an opportunity for a due process hearing.

Due Process

Before a student is expelled, the Board or its designee shall provide the student an opportunity for a hearing at which the student is afforded due process, which shall include the following:

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

If the PSCS makes a good faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the PSCS may hold the hearing, regardless of whether the student, the student's parents or guardian, or another adult representing the student attends.

The notice shall be in writing and shall advise of the nature of the evidence to be used against the student. The PSCS may rely on the hearsay evidence of school administrators who investigated discipline infractions. The decision shall be based exclusively on evidence presented at the hearing. The final decision shall be communicated promptly to the student and parent.

If the Board's designee conducts the hearing, a tape recording or transcript of the proceeding shall be made for the Board's review on appeal, in the event that matter is appealed to the Board.

Student's who are expelled are referred for enrollment to the Bexar County Juvenile Justice Academy, the school for expelled students.

Section IV – Searches, Questioning of Student's and Police Intervention

Searches

Students shall have a diminished expectation of privacy while under the jurisdiction of PSCS. School administrators may search a student's outer clothing, pockets, or property by establishing reasonable suspicion or securing the student's voluntary consent. Vehicles on school property are also subject to search.

PSCS school administrators may routinely conduct blanket school searches. Students shall not place, keep, or maintain any article or material that is forbidden by this PSCS Student Code of Conduct, PSCS policy, or municipal, state, or federal laws that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function.

Students are responsible for any prohibited items found in their possession, or in vehicles parked on school property, and shall be subject to appropriate school disciplinary action in accordance with this PSCS Student Code of Conduct and/or prosecution.

Random Drug Searches

In order to ensure a drug-free learning environment, PSCS conducts random drug searches of the school facilities. During these random drug searches, personal items, hallways, unoccupied classrooms,

grounds, vehicles, etc. are subject to drug checks by trained dogs at any time. If a dog alerts to a personal item or any item in a classroom, or vehicle, school officials may search the item or vehicle.

Questioning of Students

Students are expected to cooperate with administrative staffing the investigation of disciplinary causes and to volunteer information within the students' knowledge relating to violations of the PSCS Student Code of Conduct. Administrators, teachers, and other professional personnel have the right to question students regarding their conduct or the conduct of others. Students may be requested to submit a written statement describing their knowledge of an incident.

Police Questioning of Students or Taking Students into Custody

Law enforcement officers or other lawful authority have the authority to question or interview a student at school. Law enforcement officers also have the authority to arrest or take a student into custody at school [See Board Polices GRA (legal) and GRA (Local)]

B. Other PSCS Policies and Procedures

Section I – General

Mutual Respect of Rights

Members of the PSCS community must respect the rights of each other. PSCS officials, teachers, parents, and students will not retaliate, intimidate, interrogate or harass any other member of the PSCS community for exercising their rights.

Non-discrimination Policy

It is the policy of Positive Solutions Charter School not to discriminate on the basis of race, color, national origin, sex, or handicap in its programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

- PSCS will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in all educational and vocational program.

Section II – Student and Parent Information

Admission Requirements

Age Requirements

Students enrolling at PSCS must be between the ages of 14 – 20. Any student under 18 must be accompanied by a parent or legal guardian. Parents/legal guardians must submit proof of residence for

PSCS boundaries, such as a current telephone bill, City Public Service bill, or mortgage or lease contract, if it includes the parent's name and the current address of their residence.

A student who is living separate and apart from a parent, legal guardian, or other person having lawful control under a court order may apply for admission. The principal shall review the application as explained in Administrative Procedures. However, the PSCS is not required to admit a student who has engaged in conduct within the proceeding year that has resulted in removal to an AEP or expulsion, has engaged in delinquent conduct or conduct in need of supervision and is on probation, or has been convicted of a criminal offense and is on probation or other conditional release: the principal shall refer these students to the PSCS Administrator for admission.

Documentation

In addition to proof of residency, the parent will need to present the following documents/information to register a student:

1. Proof of child's identity: adoption records, birth certificate, baptismal record, driver's license, hospital birth record, passport, school ID card, records or report card, or any other legal document that establishes identity. Other demographic information also required includes complete name, sex, and ethnicity, date of birth, home language, and migrant information.
2. Academic information: A copy of the child's records from the school the child most recently attended. The child's Social Security number is important in ensuring that the correct information is received. Even if written documentation is not available at the time of registration, the parent must explain the following to school officials:
 - Information regarding special education/Section 504 disabling condition and special education/Section 504 instructional setting.
 - Information regarding disciplinary placement: placement in an AEP (alternative school), disciplinary transfers, expulsion, etc. Texas Education Code Section 37.008(j) stipulates that if a student was placed in an AEP by another school district and has not completed the term of placement, PSCS shall continue the placement in an AEP until the term is completed by the student. Therefore, it is necessary that parents and students wishing to enroll clearly communicate such a placement to the school upon registration.
3. Up-to-Date Immunization Record

Students who have never been enrolled in a school in the United States and the child is initially entering a public school (i.e. coming from another country), immunization records are required before the student can be enrolled [Texas Education Code section 38.001(a)]. A student may be provisionally admitted if the student has begun the required immunizations, as verified by submitted records, and continues to receive the necessary immunizations as rapidly as is medically feasible.

Students who are transferring from another school in the United States must present copies of the immunization record that establishes that the student's immunizations are current. A grace period of thirty (30) calendar days may be allowed while the school awaits the transfer

of written proof of the immunizations; this does NOT mean that the parent has thirty days to have the student immunized. The student may be provisionally admitted during the thirty-day grace period, or if the student had begun the required immunizations, as verified by submitted records, and continues to receive the necessary immunizations as rapidly as is medically feasible.

In addition, the parent is required to complete various registration forms at the school, some of which will be the Student Registration Form, registration data for – Public Education Information Management System form, and the Home Language Survey.

Should the parent not have written documentation of the above information at the time of registration, the written proof must be submitted within thirty (30) calendar days (except in 3 a. above which requires records upon enrollment). Enrollments completed by either the parent giving the information verbally to school personnel or completing the Student Registration Form (FORM F1 – D] are not submitted within thirty (30) days, the principal shall report to the proper authorities as required by law. It is vital that parents be aware of the importance of giving correct information and their legal obligation to do so.

Academic Achievement

Grade Reporting and Progress Reports

Report cards are issued after the end of each six-week grading period to inform the parent of the student's academic status. Usually, report cards/progress reports are available within days after the end of the grading period. Teachers notify the parents if a student is failing or in danger of failing by sending home a progress report after the end of each grading period. Progress reports may also be issued any time a student's progress becomes unsatisfactory. The parent should sign and return the designated portion of the progress report the day after it is received.

Grading Scale

A	90 – 100 - Passing
B	80 – 89 - Passing
C	75 – 79 – Not Passing
F	70 – 74 – Not Passing

Attendance

Regular school attendance is essential for the student to make the most of his or her education – to benefit from teacher-led activities, to build each day's learning on that of the previous day's and to grow as an individual.

Students are required to attend school during the hours of 7:50 – 11:50 AM or 12:50 – 4:50 PM. If a student is tardy for class, the student must receive a tardy slip from their assigned student coordinator. Students arriving after 9:30 for the morning session or 2:30 PM for the afternoon session will not be admitted to class and will be marked as absent for that session.

It is also the law in Texas that:

- A student between the ages of 6 thru 18 must attend school and PSCS requires tutorial sessions unless the student is otherwise legally exempted or excused. School

employees must investigate and report violations of the state compulsory attendance law. A student absent without permission from school, from any class, or from required tutorials, will be considered truant and subject to disciplinary action. In addition, the parent and/or the student may also be assessed a penalty by a court of law for violating the state compulsory attendance law.

- A student age 18 or older shall attend school for the entire instructional period. PSCS may revoke for the remainder of the school year the enrollment of a student age 18 or older who has more than five absences in a semester that are not excused. A student whose enrollment is revoked may be considered an unauthorized person on PSCS property for purposes of the trespass law.

School Attendance Committee

A student and the student's parent or guardian shall be given written notice of a student's attendance in any class dropping below 90 percent of the days the class is offered. When a student's attendance drops below 90 percent of the days that class is offered, credits may be denied. The student, parent, or representative may submit a written petition to the appropriate school Attendance Committee requesting award of credit. The Attendance Committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit.

Petitions for credit may be filed at any time the student receives notice, but in any event no later than 30 days after the last day of classes.

The school Attendance Committee may review the records of all students whose attendance drops below 90 percent of the days the class is offered, whether or not a petition is filed.

Absence Procedures

1. When a student must be absent, the student, upon returning to school, must bring a note, signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older.
2. A student absent for any reason should promptly make up specific assignments missed.
3. If a student has an appointment with a health care professional, the student may be counted present for the day if: the student attends class sometime during the day of the appointment, either before or after the appointment; and the student provides written documentation from the health care professional for his/her presence at the appointment. The student is responsible for completing any assignment missed.
4. A student who is tardy to class will be subject to the consequences established in accordance with the possible consequence in the PSCS Student Code of Conduct.
5. Student and parents should be aware of specific school procedures for contacting the Attendance Office at the school.
6. A student absent from school may not be allowed to participate in school-related activities on that day or evening.

Complaints/Concerns of Parents or Students

Usually student or parent complaints or concerns can be addressed simply – by a phone call or a conference with the teacher, counselor, or other staff member. If a conference is preferred, that parent

should make an appointment with the appropriate teacher or other campus staff members to discuss the concern. If the concern remains unresolved following the discussion with the teacher or other staff member, the parent or student shall discuss the situation with the campus principal within ten calendar days of the event causing the concern.

Although in most cases, parent and student concerns are resolved at the campus level, the PSCS has adopted a standard policy that outlines the steps to be taken if the situation is unresolved after a discussion with the principal. The parent or student shall request a conference with the Superintendent within ten calendar days of the conference with the principal. Either before or during the conference, the parent or student shall submit a written complaint to the Superintendent which explains the complaint, any evidence in its support, the solution sought, and the date of the conference with the principal, and the signature of the person presenting the complaint. If the parent or student remains dissatisfied with the decision, he/she may request a conference with the Superintendent/designee within ten calendar days of the conference. Following the response from the Superintendent/designee, the parent may appeal that decision to the Board of Trustees following the procedure outlined in the policy.

Conference with Teachers and Administrators

As partners in the education of our students, school personnel are available to meet with parents. We recognize that close communication between parents and educators forms a foundation for student success. The parent may make an appointment for a conference by contacting the school's main office or by writing a note to the teacher, counselor, or administrator. Teachers do not have a conference period during the day, but parents are welcome to set an appointment before or after school.

Emergency School Closings

When weather or another emergency makes it necessary to close schools, information on school closings will be broadcasted on late night or early morning radio and television.

Food Services

PSCS provides free breakfast to all students rather than qualifying individual students for free or reduced meals based on income. At registration, each parent of a new student must provide some income information on the Compensatory Education Funding form in order to comply with the requirements of the Texas Education Agency regarding the free or reduced meal program.

Guidance and Counseling Programs

If PSCS plans to implement a comprehensive and developmental guidance and counseling program, it shall annually conduct a preview of such programs for parents and guardians. All materials, including curriculum to be used during the year, will be available for a parent or guardian to preview during school hours. Materials or curriculum not included in the materials available on the campus for preview will not be used.

Health Service and Medical Treatment

Communicable Diseases

A communicable disease is one, which may be passed directly or indirectly from one person to another. The principal shall exclude from attendance any student suffering from a communicable disease, as defined by the Texas Board of Health, until one of the criteria for re-admittance is fulfilled.

Conditions for which children may be excluded include, but are not limited to, hepatitis A, chickenpox, pediculosis (head lice), scabies, impetigo, ringworm of the scalp, and infectious forms of conjunctivitis (pink eye).

Students excluded due to a communicable disease shall be re-admitted on the basis of one or more of the following methods:

- Written medical clearance from the student's physician;
- Readmission permit from the local health authority (San Antonio Metropolitan health District);
- After the disease is no longer contagious, as established by the Texas Commissioner of Health.

Emergency Medical Treatment

If a student should have a medical emergency at school or at a school-related activity when the parent cannot be reached, the school will need to have written parental consent to obtain emergency medical treatment. Therefore, parents are asked each year to complete the consent portion of the Student Registration form, an official registration document. Parents should keep emergency care information up-to-date (name of doctor, emergency phone number, allergies to medications, etc.).

Having current information will be of critical importance should an accident or injury occur that requires medical attention. Please contact the school to update any information. If, in the opinion of the campus administrator, a life-threatening emergency occurs, EMS will be called.

Mandated Screenings

Vision and hearing screenings are required by the Special Senses and Communication Disorders Act for 9th grade students. Students who do not pass the screening tests are referred to a medical practitioner for further testing. It is the parent's responsibility to select a specialist of their choice and to pay for the professional services.

Medicine at School

The parent must submit a written request when a student must take medicine during the school day, along with the medicine, in its original, properly labeled container, to the school (administrator). Such written permission is required for both prescription and non-prescription, regardless of the length of time the medication is to be taken and forms are available from the school (administrator). Medication to be taken for more than ten days requires a doctor's signature on the form. Medications not listed by the U.S. Pharmacopoeia and approved by the FDA may not be administered at school. Also, sample medicine or medicine obtained from outside the U.S. will not be administered at school. **Students are**

not permitted to carry any prescriptions or over-the counter medicines at school or at school-related activities.

Instructional Materials, Surveys, and parental Consent

The Board of Trustees has adopted guidelines to ensure that written consent is obtained from the parent, legal guardian, or person entitled to enroll a student to participate in those activities for which PSCS requires parental consent.

Instructional Materials and Surveys

The Protection of Pupil Rights Act sets forth requirements regarding inspection of instructional materials and limitations on surveys and evaluations. These requirements are:

1. Inspection of instructional materials by parents or guardians:
All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.
2. Limits on survey, analysis, or evaluations:
No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning:
 - a. Political affiliations;
 - b. Mental and psychological problems potentially embarrassing to the student or his family;
 - c. Sex behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating and demeaning behavior;
 - e. Critical appraisals of other individuals with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
 - g. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

Other matters that of a personal or family nature without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent.

Other Parent Consent Required

1. PSCS requires consent for certain activities: An employee of PSCS must obtain the written consent of a child's parent before the employee may:
 - a. Conduct a psychological examination, test, or treatment, unless the examination, test, or treatment is required under Texas Education Code Section 38.004 or state or federal law regarding requirements for special education; or
 - b. Make or authorize the making of a videotape of a child or record or authorized the recording of a child's voice (same applies to the taking of pictures).

2. An employee is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:
 - a. Purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;
 - b. A purpose related to a co-curricular or extracurricular activity;
 - c. A purpose related to regular classroom instruction; or
 - d. Media coverage of the school

PSCS will keep as part of the student's permanent record, written consent of the parent or legal guardian if required by law. The consent form shall include specific information on the consent of the program and the types of activities in which the student will be involved.

Outside Counselors

Before a student is referred to an outside counselor for care or treatment of a chemical dependency or psychological condition, PSCS will obtain written, informed consent from the parent. This parental right is set forth in detail in Texas Education Code Section 38.010.

Parental Rights

1. Parents may by written petition either request the assignment or transfer of their student to a designated school or to a school to be designated by the board, and file an objection to the assignment of their student to the school to which the student has been assigned. A parent is entitled to petition the board, pursuant to Administrative Procedures, designating the school in which the parent's child will attend;
2. Parents are allowed reasonable access to the school principal, or a designated administrator, with the authority to reassign a student, or to request a change in the class or teacher to which their student has been assigned.
3. Parents may request:
 - a. The addition of an academic class to their student's curriculum in keeping with the required curriculum (there must also be sufficient interest shown to make it economically practical to offer the class),
 - b. That their student be allowed to attend a class for credit above their student's grade level (unless a representative of PSCS expects that the child cannot perform satisfactorily in the class),
 - c. That their student be allowed to graduate from high school earlier than the student would have graduated (provided that their student has completed all graduation requirements), and
 - d. To have a child who graduates early, as provided above, participate in graduation ceremonies at the time the child graduates.

The decision of the PSCS Board of Trustees concerning a request described in 2 or 3 is final and may not be appealed.

4. Parents may have access to all written records of PSCS concerning their student including:
 - a. Attendance records
 - b. Test scores
 - c. Grades
 - d. Disciplinary records

- e. Counseling records
- f. Psychological records
- g. Applications for admission
- h. Health and immunization information
- i. Teacher and counselor evaluations
- j. Reports of behavioral patterns

Unless otherwise allowed by law, a minor student's education records are not kept in confidence from the minor's parents. Parents must follow procedures under Student Records in this section to request access to these records.

5. Parents may have access to a copy of each state assessment instrument administered under Texas Education Code Section 39.023 to their child.
6. Parents may have the opportunity to review:
 - a. All teaching materials, textbooks, and other teaching aids used in the classroom of their student
 - b. Each test administered to their student, after the test has been administered
7. Parents may have access to any meeting of the PSCS Board of Trustees, except those meetings that are closed to the public under the provisions of the Texas Open Meeting Act;
8. Parents may receive full information regarding school activities of their child, except as provided by Texas Education Code Section 38.004;
9. A parent may remove their student temporarily from a class or other school activities that conflicts with the parent's religious or moral beliefs provided that the parent present or deliver to the teacher of their student a written statement authorizing the removal of their child from the class or other activity. This right does not allow the parent to remove their child from a class or other school activity to avoid a test or to prevent their child from taking a subject for an entire semester. These rights are set forth in the Texas Education Code, Sections 25.003 and 26.001 to 26.012.

Release of student from School

A student will not be released from school at times other than regular dismissal hours except with the permission of the principal/designee or according to the campus sign-out procedures.

School personnel reserve the right to require that the person requesting the student's release provide personal identification prior to the release of a student. A person picking up a student must wait in the front office area for the student to be released. A student who will need to leave school during the day must bring a note from his/her parent that morning. The note should include a telephone number or other method of contact during the day for verification by school staff.

A student who becomes ill during the day should, with the teacher's permission, report to the school administrator. The administrator will decide if the student is so ill the parent should be contacted to pick up the child from school. It is the responsibility of the parent and the student to provide at least one emergency telephone number so that the parent's can be notified immediately, if necessary.

School-Based Health Centers and Student Medical Records

The parent has the right to join participation, with school-based health care staff, in identifying any health-related concerns of a student that may be interfering with the student's well-being or ability to succeed in school.

Before a school-based health center may provide services to a student, PSCS or the health care provider with whom PSCS has contracted for the delivery of health care services and programs, must obtain written consent from the student's parent or guardian, or other person having legal control of the student. The student's parent, guardian, or other person having legal control of the student may give consent for the student to receive ongoing services, or may limit the consent to one or more services provided on a single occasion.

Before PSCS, or school-based health care center, may refer a student for mental health services, the parent, guardian, or other person having legal control of the student will be notified by the staff of the center, verbally and in writing, of the basis for the referral. The referral may not be provided unless the parent, guardian, or other person having legal control of the student provides written consent for the type of services to be provided and provides specific written consent for each treatment occasion.

The parent or guardian of a student is entitled access to the medical records of the student maintained by PSCS. Upon payment of the appropriate fee, the PSCS must provide a copy of the student's medical records to the parent or guardian. These rights are set forth in the Texas Education Code, Section 38.001 and 38.0095.

School Facilities

Pest Control Information

In accordance with Board policy and the Texas Structural Pest Control Act, Article 135b-6, PSCS hereby notifies parents, guardians, and managing conservators of students that pesticides are periodically applied to PSCS facilities and that information about the application of pesticides is available upon request through the school principal.

Sexual Harassment Complaints

All concerns of possible sexual harassment must be directed to Ms. Pamela Solitaire, Principal, in writing or via phone at (210) 299-1025.

Site-Based Decision-Making

PSCS policies, in response to legal mandates, establishes teams at the overall site level and the campus level to act in an advisory capacity on educational goals and objectives.

Special Programs/Academic Planning

As students progress through their school career, students and parents need to make informed curriculum choices so that the students may be prepared for success beyond high school. Close communication with the Student/Curriculum Coordinator is a primary way for students and their parents to gain information that will help them make these decisions. Student or parents with questions about these programs should contact the school office or Student/Curriculum Coordinator .

Bilingual/Limited English Proficiency

Bilingual education is a program of instruction that uses the student's primary language as a tool for instruction while students begin learning English. Only students who have been identified as speaking little or no English and/or have not developed cognitive/academic language proficiency in English are offered this special approach. English as a Second Language (ESL) courses are offered in middle and high school to identified students who speak little or no English (limited English proficient).

Scholarships/Grants/Financial Aid

Students may qualify for one or more of the many scholarships and grants available, as well as for other forms of financial aid. State programs include the TEXAS (Toward Excellence, Access, and Success) Program and the Teach for Texas Program. In addition, top-ranking students may be eligible for the state's automatic college admission program. For details and application, students and parents may contact the Student/Curriculum Coordinator.

Special Education

Students who qualify may receive Special Education services such as Contact Mastery, Speech and Language Development, self-contained classes for students with learning and/or emotional difficulties, and specialized support in regular classes. A variety of other services are available for students with special needs.

Other Learning Disabilities, Including Dyslexia

Students who have a physical or mental disability which substantially limits one or more major life activities (including learning) that do require some modifications, but that is not severe enough to require Special Education, may be eligible under Section 504 of the Rehabilitation Act of 1973. Some examples of potential 504 handicapping conditions include dyslexia, some communicable diseases (HIV, tuberculosis), attention deficit disorder, and other medical conditions. This is a regular education service.

Student Arrival and Departure Times

Parents are responsible for ensuring that their children arrive on campus no earlier than 45 minutes prior to the start of the school day and depart from campus in a timely manner (generally within 30 minutes) following the student's dismissal. It is imperative for safety reasons that students do not arrive before the specified time in the morning or remain later than the expected time of departure in the afternoon or following an after-school event. Parents and students will be held responsible for cooperating with school personnel regarding compliance with these hours. Individual campuses will determine the places and times where students will be permitted to assemble before and after school and will notify students and parents of these places and times. In addition, the mall area is open before the start of the school day so that students may participate in the breakfast program.

Student Publications or Materials

School-sponsored Publications

PSCS professional employees shall exercise editorial control over style and content of student speech in school-sponsored expressive activities, so long as their actions are reasonably related to legitimate pedagogical concerns.

PSCS may refuse to disseminate or sponsor student speech that:

1. Might reasonably be perceived to advocate drug or alcohol use, inappropriate and irresponsible sexual behavior, or conduct otherwise inconsistent with the shared values of a civilized social order.
2. Is inappropriate for the level of maturity of the readers.
3. Does not meet the standards of the professional employees who supervise the production of the publication.
4. Can be reasonably interpreted to associate the school with any position other than neutrality on matters of political controversy.

Non-School Publications

PSCS's classrooms during the school day are provided for the limited purpose of delivering instruction to students in the course and subjects in which they are enrolled. Classrooms shall not be used for distribution of any materials over which the school does not exercise control. Hallways in school buildings are provided for the limited purpose of facilitating the movement of students between classes. Hallways shall not be used for the distribution of any materials over which the school does not exercise control.

Each school campus shall designate an area where materials that are not PSCS or school-sponsored publications, but which have been approved for distribution to students, as provided below, may be made available to students or distributed to students, in accordance with the time, place, and manner restrictions developed and approved by the campus principal.

Distribution of such materials may be restricted, subject to the following guidelines:

1. Distribution may be limited in order to prevent materials and substantial interference with normal school operations in circumstances where there is evidence that reasonably supports a forecast that disruption will likely result directly from the distribution.
2. Reasonable administrative regulations as to the time, place, and manner of distribution shall promote orderly administration of school activities by preventing disruption, but shall not be designed to stifle expression.
3. Contact of the non-school-sponsored materials to be distributed shall conform to the following standards:
 - a. Materials that are obscene or sexually inappropriate for the age and maturity of the audience or that endorse actions endangering the health and safety of students shall not be distributed.
 - b. Material may not be forbidden if the portions of specific language objected to may also be found in material that is made available to students through school facilities, i.e., the school library or readings assigned by teachers.
 - c. Libelous material is prohibited for distribution. Libelous material includes defamatory falsehoods about public figures or governmental officials, which are made with knowledge of their falsity or reckless disregard for truth.

- d. Publications that criticize Board members or school officials or advocate violation of school rules are prohibited if they fall within the disruption standard described in item 1 above. Advocacy directed toward inciting or producing imminent lawless or disruptive action and that is likely to incite or produce such actions shall be restricted.
- e. Hate literature that scurrilously attacks ethnic, religious, or racial groups, and similar irresponsible publications aimed at creating hostility and violence, are prohibited if they fall within the disruption standard described at item 1 above.

Prior Review of Non-School Materials

All written materials that are not a PSCS or school-sponsored publication but that is intended for distribution to students shall be submitted for prior review according to the following procedures:

1. Material shall be submitted to the school principal or a designee for review.
2. The principal or a designee shall approve or disapprove submitted material within 24 hours of the time the material is received. Failure to act within the 24-hour shall be interpreted as disapproved.
3. The student may appeal disapproval to the Superintendent, who shall decide the appeal within three days of its receipt. Failure of the Superintendent to act within the three-day period shall be interpreted as disapproved.
4. If the request to distribute material was initiated by a student, the disapproval, may be appealed to the Board under FNG (LOCAL), beginning at Level Four. If initiated by someone other than a student, the disapproval may be appealed to the Board under GF (LOCAL), beginning at Level Four.

Student Records

Educational Records

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ('eligible students') certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's educational records within 45 days of the day PSCS receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. If the student qualifies for free or reduced lunch and the parent is unable to inspect the records at the time arranged by the principal then the principal, upon written request of the parent, will provide one copy at no charge.

Request for copies of records: parents or eligible students must submit to the school a written request that identifies the records(s) they wish to have copied. Copies are available at a per copy cost.

2. Parents or eligible students have the right to request amendment of the student's education records that they believe are inaccurate or misleading. They should write the school principal, clearly identify the part of the record that they want changed, and specify why it is inaccurate or misleading.

3. The right of disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by PSCS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom PSCS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, PSCS discloses education records, without consent, to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by PSCS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington, DC 20202-4605.

Directory Information

At the time of registration or at the beginning of each school year, a copy of "Release of Information from Student Record" is provided to each parent. This notice explains that basic directory information (name, grade, age, etc.) may be released by PSCS unless the parent submits an objection to the release of this information (a form is attached to the notice). Please review this notice carefully.

Record Retention

All student records are retained according to the Texas State Library and Archives Commission regulations. The school keeps records for withdrawn students for 2 years before forwarding them to Management Information Services. Records of graduated students are kept at the high school for 6 months and then forwarded to Management Information Services.

Transcript Requests

Requests for official high school transcripts should be directed to the Registrar's office. All requests require a 24-hour notice and will be processed for the next day service. A nominal fee is charged and can be paid by cash or money order (to PSCS) only.

Diploma Requests

Requests for a duplicate high school diploma should be directed to the school's registrar. This request requires a 24-hour notice and takes 2 to 4 weeks for completion. A nominal fee may be assessed, if so payment must be made by money order only.

Testing

The state-mandated Texas Assessment of an Academic Skills (TAAS) and Texas Assessment of Knowledge and Skills (TAKS) measures a student's academic performance. New Texas law contains provisions to eliminate social promotion by requiring that these assessments be used to activate accelerated instruction and retest opportunities for individual students. Those students who do not pass the grade-level test will be provided accelerated instruction and will be given at least three opportunities to take the test. **Grade placement committees will be formed to determine the accelerated instruction and make promotion or retention decisions for individual students.**

Texas laws enacted in 1999 have also changed the entire state assessment program regarding which tests are administered at which grade levels. While some changes are immediate and others will be phased in, this legislation will impact all grade levels over the next few years. School personnel will notify students and parents about these changes. Students and parents may direct questions to the school regarding these tests.

Valuable/Personal Items

Students are responsible for their own personal belongings while on campus or at a school-related or school-sponsored event. Students are discouraged from bringing or wearing valuable items such as jewelry/watches, cameras, expensive jackets or clothing, etc. PSCS is not responsible for personal items that are lost, damaged, or stolen.

Vehicles on Campus

A student has full responsibility for the security of his/her vehicle and must make certain that it is locked and that the keys are not given to others. PSCS is not responsible for damaged or stolen vehicles.

Visitors

To maintain the safety and security of the campus for the student and staff, PSCS requires that all visitors, including parents, first report to the main office. There they will be asked to sign in, declare their purpose for the visit, and obtain authorization for the visit. Parents who are coming to the campus for a conference with a teacher, counselor, or administrator must first sign in and receive authorization prior to the conference. School officials shall prohibit and, if appropriate, remove any unauthorized person from the campus.

Visits to classrooms during instructional time are permitted only with approval of the principal/designee and teacher, so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Visits to other areas are also subject to approval by the principal/designee, and visitors are required to report to the main office to sign in and receive authorization prior to entering these areas. At the conclusion of the visit, the visitors must return to the main office and sign out.

Withdrawal from School

A parent wishing to withdraw a student from school should notify the school at least 24 hours in advance by presenting a signed request to the principal, stating the reason for the withdrawal and the

effective date, or by contacting the principal or designated administrator and relating the same information. The parents shall also provide the name of the new school in which the student will be enrolling to document that the student will continue to be enrolled as required by the Compulsory Attendance Laws. By presenting this information in advance, parents help facilitate the withdrawal process. The principal or other administrator will then verify information when the parent arrives to sign withdrawal papers to complete the process.

Glossary

[General Terms Not Intended as Legal Explanations]

AEROSOL PAINT (used for graffiti): an aerosolized paint product.

AGGRAVATED ASSULT: An assault that causes serious bodily injury to another; or an assault during which the person uses and exhibits a deadly weapon.

ALTERNATIVE EDUCATION PROGRAM (AEP): An educational program provided by PSCS for students who have engaged in serious misconduct, such as assault, drug-or drug related offenses, public lewdness, glue or paint abuses, and unruly, disruptive or abusive classroom behavior. AEP's are located off the regular campus so that students in AEPs are separated from students in the regular program. The AEP provides supervision and counseling and focuses on English language areas, mathematics, science, history, and self-discipline.

ARD: Admissions, Review, and Dismissal. An ARD Committee serves to make decisions regarding the educational program of students who qualify for Special Education Services.

ASSAULT: Assault is defined as intentionally, knowingly, or recklessly causing bodily injury to another, or intentionally, knowingly, or recklessly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact offensive or provocative.

BEXAR COUNTY JUVENILE JUSTICE ACADEMY (BCJJA): An alternative school administered by the Bexar County Juvenile Justice Board that provides education services to students who are expelled.

BIP – BEHAVIOR INTERVENTION PLAN: a behavior plan developed for some students who receive special education services to meet their individual needs. Behavior Improvement Program: An educational program offered by PSCS to meet the behavior needs of some eligible special education students.

BOARD POLICIES: Statements adapted by PSCS Board of Education that govern the District. The policies are based on laws and other official authority, such as the U.S. and Texas Constitutions, federal statutes, the Texas Education Code, and other state laws, etc. A copy of the Policies, Rules, and Regulations of PSCS School District is available upon request.

Citation (“Ticket”): Notice of disorderly conduct, tobacco use or other legal violations that may be issued by law enforcement personnel when a student engages in certain conduct; this is an action separate from any school disciplinary action.

CLUB: 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; to tomahawk.

CONTROLLED SUBSTANCE: A substance which is illegal to possess or be under the influence of, or to sell, give, or deliver to another person, without the legal authorization to do so. Controlled

substances include, but are not limited to, cocaine, LSD, marijuana, Valium, Xanax. For more complete information refer to the Texas Health & Safety Code.

CRIMINAL MISCHIEF (VANDALISM): Without the effective consent of the owner, (a) intentionally or knowingly damaging or destroying the tangible property of the owner, (b) intentionally or knowingly tampering with the tangible property of the owner and causing pecuniary loss or substantial inconvenience to the owner or a third person; or (c) intentionally or knowingly making markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner (see Graffiti).

DISRUPTIVE BEHAVIOR: Any oral or physical behavior by a student that is deemed by a teacher or other school official to interfere with the delivery of classroom instruction or that infringes upon the peace and tranquility of the campus environment or a school-related activity.

DUE PROCESS HEARING: A hearing is provided to any student who is recommended for expulsion at which the student and parent/guardian can present evidence and testimony in the student's defense. The Hearing Officer makes the decision regarding expulsion based upon the evidence presented at the hearing [See Section III of the PSCS Student Code of Conduct in this handbook for complete details of the due process hearing].

EXPULSION: An act of the PCSC administration that prohibits a student from attending school for a period in excess of three school days. Expulsion can be for periods as long as a semester or a school year. In serious cases, an expulsion can be longer than one school year.

FALSE ALARM OR REPORT: Knowingly initiating, communicating or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that the person knows to be false or baseless and that would ordinarily cause action by an official or voluntary agency organized to deal with emergencies, place a person in fear of imminent serious bodily injury or prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or automobile or other mode of conveyance.

FELONEY OFFENSE: An offense that is considered grave and that is designated as a felony by law or is punishable by death or confinement in a penitentiary; an offense more serious than a misdemeanor.

FIREARM: Under Federal law, includes:

1. 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.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm weapon.
4. Any destructive device, such as any explosive, incendiary, or poison gas bomb or grenade.

GANG: An organization composed, in whole or in part, of students, which seeks to perpetuate itself by taking in additional members from the student population on the basis of the decision of the organization's membership as a whole, rather than on the free choice of the individual student.

GANG ACTIVITIES AND SECRET SOCIETIES: Students who participate in gang activities shall be subject to disciplinary action as outlined in the Student Code of Conduct. In addition, a person who

coerces, solicits, or induces gang membership may be charged with a state jail felony or a third degree felony in accordance with state law. The following activities may be considered to be gang-related:

1. Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti or other affiliation in any gang.
2. Committing any act or omission or using any speech, either verbal or non-verbal (gestures, handshakes, etc.), showing membership or affiliation in a gang.
3. Using any speech or committing any act or omission in furtherance of interest in any gang or gang activity, including but not limited to:
 - a. Soliciting others for membership in any gang.
 - b. Requesting any person to pay for protection, or otherwise intimidating or threatening any person.
 - c. Inciting other students to act with physical violence upon any other person.
 - d. Engaging in conduct with others in intimidating, fighting, assaulting, or threatening to assault others.
 - e. Committing any other illegal acts or other violations of PSCS policies.

GRAFFITI: The offense of graffiti may fall into two categories:

1. A person commits an offense if with aerosol paint or an indelible marker and without the effective consent of the owner, the person intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner. If the marking is made on a school, and pecuniary loss to real or tangible property results, the offense is a felony.
2. Graffiti that is made with items other than aerosol paint or an indelible marker may be categorized as criminal mischief and may be punishable as a felony or misdemeanor, depending upon the extent of the damage and/or other application of the law. (See also) Criminal Mischief, Vandalism)

HAZING: Hazing means any intentional, knowing, or reckless act directed against a student, whether on or off the campus, by one person alone or acting with others, that 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 any organization whose members are or include other students. The term includes, but is not limited to:

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, and 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 the 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 the safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that affects the mental health or dignity of the student or discourages the student from entering or remaining

registered in a PSCS school, or that may reasonably be expected to cause a student to leave the organization or the school rather than submit to acts described above.

5. Any activity that includes, causes, or requires the student to perform a duty or task that involves a violation of the Texas penal Code.

IAP: Individual Accommodation Plan. An IAP is developed for each student who receives Section 504 services to meet the student's individual needs.

IEP: Individual Education Plan. An IEP is developed for each student who receives special education services to meet the student's individual needs.

ILT: Instructional Leadership Team. Each campus has a team composed of employees, parents, and community members to advise the principal.

INDELIBLE MARKER (used for graffiti): A device that makes a mark with a paint or ink product that is specifically formulated to be more difficult to erase, washout, or remove than ordinary paint or ink products.

INHALANTS (ABUSABLE GLUE OR AEROSOL PAINT): 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 by the Federal Hazardous Substance Act (15 U.S.C. 1261, et seq.) and under regulations adopted under the Act.

IN-SCHOOL SUSPENSION (ISS): An alternative placement on the regular school campus for students officially removed from the regular classroom for disciplinary reasons. The school administration may place a student in ISS for a temporary period in accordance with the Student Code of Conduct.

JURISDICTION: The sphere of authority or control; the territorial range over which PSCS authority extends.

KNIVES: Knives fall into three categories in relation to offenses in this Student Code of Conduct. Possessing, using, or exhibiting any knife is prohibited by the PSCS Student Code of Conduct. Knives can cause serious injury and possessing, using, or exhibiting most knives are considered Level III or IV offenses and can result in expulsion or AEP placement. Also, as with other weapons, using any knife in a threatening manner can lead to other serious charges.

1. AN ILLEGAL KNIFE – Level IV offenses (expulsion):

- a. A knife with a blade over 5 ½ inches;
- b. A hand instrument designed to cut or stab another by being thrown (includes martial arts throwing stars);
- c. A dagger, including, but not limited to, a dirk, stiletto and poniard (regardless of the length of the blade);
- d. A Bowie knife;
- e. A sword; or
- f. A spear

The length of the blade is not always a factor in identifying some of these knives.

2. A PROHIBITED WEAPON – Level IV offense (expulsion):

A switch blade knife, butterfly knife, or similar knife is classified as a prohibited weapon. The length of the blade is not a factor in identifying these knives since their design and features identify them.

3. OTHER KNIVES: Possession of any other knife, with a blade length up to and including 5 ½ inches, is prohibited by the Student Code of Conduct. The administrator determines the consequence based upon the size of the knife and the student’s actions regarding the knife (such as, whether the student was possessing or was also displaying the knife). These knives may be considered to be a violation of:

- Level III offenses resulting in AEP placement, or
- Level II offense, generally resulting in suspension from school or other serious consequences.

MISDEMEANOR OFFENSE: An offense so designated by law or punishable by fine, by confinement in jail, or by both fine and confinement in jail; less serious than a felony.

PARENT: Throughout this document, the term “parent” refers to a parent, guardian, or other person having lawful control under court order.

PERSISTENT MISBEHAVIOR: (1) Two or more documented serious offenses; (2) Five or more documented minor offenses; or (3) Any combination of documented serious offenses and minor offenses that the principal or designee deems to be an impairment of the ability of either the program or the school to provide an education to other students.

POSSESSION: the actual care, custody, control, or management of an object. Possession does not require that the person have the object being possessed on his/her person; having an object in one’s locker, book bag, vehicle, or other area where one exercises care, custody, control, or management is possession. For administration purposes, any student who accepts possession of an illegal or prohibited item and who does not submit it immediately to a school official shall be considered to be in possession of the item shall be subject to appropriate disciplinary action.

PRIVILEGE: Permission or authorization to participate and/or hold membership in school-related or extra-curricular activities, including, but not limited to, the following: honor and scholarship clubs/societies and activities, or other school-related clubs/societies and activities; school assemblies, graduation exercises, school dances, junior-senior proms, class or group trips (other than instructional field trips which are part of the curriculum); theater organizations, plays, presentations/performances, and talent shows; student body government, class organizations, and other similar activities and organizations; and participation in field days, carnivals, or other school-related celebrations.

PROHIBITED WEAPON: A weapon including, but not limited to, an explosive weapon; a machine gun; a short-barrel firearm; a firearm silencer; a switchblade or butterfly knife; knuckles; armor-piercing ammunition; a chemical dispensing device; or a zip gun.

PROHIBITION: A rule, law, order or decree that forbids something.

PUBLIC LEWDNESS: Knowingly engaging in certain acts of a sexual nature in a public place, or, if not in a public space, being reckless about whether another is present who will be offended or alarmed by such acts, including but not limited to, sexual intercourse and other acts of sexual contact [See Texas Penal Code Section 21.07 for the legal definition of “public lewdness”]

REASONABLE SUSPICION: An awareness of facts about a particular student or students that reasonably suggests a violation of the Student Code of Conduct or other school policies or rule.

RETALIATION: Intentionally or knowingly harming or threatening another by an unlawful act in retaliation for or on account of the service of that person as a public servant (e.g. teacher), witness, informant, or one who has reported the occurrence of a crime.

SALT: San Antonio Leadership Team. A District level team composed of professional employees, parents, community members, and business representatives.

SEXUAL HARASSMENT: Unwanted or un-welcomed verbal or physical conduct of a sexual nature directed toward another person, whether by word; gesture, or any other sexual conduct, including request for sexual favors.

SCHOOL DAYS: Days the schools are in session according to the official PSCS calendar adopted by the Board.

SUSPENSION (out of school): An act of the school administration taken as a disciplinary action which prohibits a student from attending school for one, two or three school days. The student is not allowed on the home campus or any other school campus or at any school-related activity during the period of suspension. If the student violates this prohibition, the student can be charged with illegal trespass, a Class C Misdemeanor.

TERRORISTIC THREAT: Threatening to commit any offense involving violence to any person or property with intent to: (1) cause a reaction of any type by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury; (3) prevent or interrupt the occupation or use of a building, room, place of assembly, etc., or (4) cause impairment or interruption of public communication, transportation, power supply, water, gas, or public service.

THREATS: A bomb threat and other threats may be classified as a “false alarm or report,” which is a felony offense [See False Alarm or Report]. Some threats are classified as “terrorist threats” [See Terrorist Threat]. School personnel shall take all threats seriously, whether toward a person or a group or a school, and take disciplinary action. In most cases, threats constitute Level III offenses and can result in AEP placement.

TITLE 5 FELONY OFFENSES: Title 5 of the Texas Penal Code identifies “offences against the person” which include, but are not limited to, such serious crimes as under, capital murder, manslaughter, criminally negligent homicide, aggravated kidnapping, indecency with a child; sexual assault, aggravated assault, injury to a child, elderly individual or disabled individual, and abandoning or endangering a child. For a complete listing and explanation, see Texas penal Code.

TRESPASSING: A person entering or remaining on property or in a building without effective consent and the person had notice that the entry was forbidden or received oral or written notice to depart but failed to do so.

TRUANCY: Failure of a student to attend school or class when the student's absence has not been excused by the School District.

VANDALISM: Destruction or damage to property. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with law, and may be subject to criminal penalties [See also Criminal Mischief, Graffiti].

VIOLATILE CHEMICALS: harmful chemicals such as chloroform, acetone, ketone, methanol, toluene, etc. [See Texas health & Safety Code Section 484].

WEAPON: Any device, such as a gun, club, or knife that can be used to inflict bodily harm upon a person.