

# LA ACADEMIA DE ESTRELLAS CHARTER SCHOOL



## Middle Grades School Code of Conduct Codigo del Conducta

# 2017-2018

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The school's rules of conduct and discipline are established to maintain order in the school. The staff of the school has the responsibility to enforce the standards and policies of the charter school's Student Code of Conduct. Full cooperation of the students and parents/guardians is expected.

Students are expected to conduct themselves in an appropriate manner at all times. Any behavior that is detrimental to the learning environment of the student or other students and/or staff members will not be tolerated. A student whose behavior shows disrespect toward others,

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including interference with another's access to a public education and a safe environment, will be subject to disciplinary action.

In general, discipline will be designed to correct misconduct, to encourage all students to adhere to their responsibilities as citizens of the school community, to protect students, school employees or property, and to maintain essential order and discipline. Disciplinary action will draw upon the professional judgment of teachers and administrators and a range of discipline management techniques. In deciding a disciplinary action the school may consider the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, the effect of the misconduct on the school environment and others, any statutory or regulatory requirements, and other appropriate factors.

**A. Principals/Discipline Coordinator**

The principals, assistant principals, and discipline coordinator of the school have the authority to implement the Student Code of Conduct up to and including the suspension of a student from campus.

**B. Superintendent**

Only the Superintendent has the authority to expel a student. Expulsions shall be handled according to the procedures described below.

**C. Campus and Classroom Rules**

In addition to rules in this Student Code of Conduct, principals may impose campus rules, and teachers and extracurricular sponsors may impose and communicate campus rules, classroom rules and rules of an extracurricular activity, where such rules are not inconsistent with this code.

**D. Assemblies/ Out of Class Activities**

A student's conduct in assemblies and other out-of-classroom activity must comply with standards applicable to those of the classroom. A student who does not abide by school rules of conduct during an assembly or other out-of-classroom activity shall be subject to disciplinary action.

**E. Field Trips**

A student's conduct during field trips must comply with standards applicable to those of the classroom. A student who does not comply with the school rules of conduct during a field trip shall be subject to disciplinary action.

**F. Extracurricular Standards**

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Sponsors and coaches may develop and communicate written extracurricular expected standards of behavior for induction in and continued participation in that activity. Such standards may be higher than those of the Student Code of Conduct. These standards must be communicated to the students involved in that activity and shall be approved by the school principal. Students who violate communicated extracurricular standards of behavior may be subject to disciplinary action under the Student Code of Conduct, and in addition, denied the opportunity to participate in extracurricular activities.

**G. Students with Disabilities**

The discipline of students who are eligible for services under federal law, including Individuals with Disabilities Education Act (IDEA) and § 504 of the Rehabilitation Act of 1973, will be administered as enumerated by the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail over the Student Code of Conduct. *School staff will determine whether a student to be disciplined is eligible for such services and shall, upon making such determination, utilize and apply the appropriate disciplinary process.*

**Character**

At LAE, we follow these principles of character:

- Respect
- Responsibility
- Caring
- Trustworthiness
- Fairness
- Citizenship

**Creed**

Students are expected to know the LAE creed. Students are expected to abide by the creed. The creed is as follows:

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*I am a student at La Academia de Estrellas Charter School.*  
*I believe in myself and my ability to do my best at all times.*  
*I will show respect for myself and others.*  
*I will be a positive example.*  
*I will strive to learn with hard work and perseverance.*  
*I will achieve my goals.*  
*I realize that education is my ticket to success.*  
*I will challenge myself to do my very best every day!*  
*I am an Estrellas student, and I accept the challenge!*

### **Discipline Management Plan**

La Academia de Estrellas' Discipline Management Plan is to be used as a guide to promote consistency of practices among all staff members; however, research indicates that the most effective strategy for discipline management is relationship building.

All infractions will be thoroughly investigated and consequences will be fair and appropriate as determined by the campus administrator. Prior to any disciplinary action by an administrator, a conference will be conducted with the student. At this conference, the student will be given the opportunity to explain the incident.

The Discipline Management Plan applies to student behavior on campus as well as all LAE related activities (i.e. field trips, clubs, extracurricular activities). Students on a specific behavior plan or receiving Sped services will be handled on an individual basis as determined by an ARD committee.

#### Offenses

Level I	Minor/Managed by Classroom Discipline Plan
Level II	Serious/Office Referral
Level III	Persistent Serious Misconduct/ Contact Office Immediately
Level IV	Mandates placement at DAEP
Level V	Discretionary/Mandatory Expulsion

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<p style="text-align: center;"><b>Cell Phone/Electronic Devices</b></p> <p>Student cell phones or electronic devices must be put up and powered off on campus. Devices that are on will be taken up by any staff member and given to the office manager.</p>	<p><b>1<sup>st</sup> incident</b>= Parents must pick up and sign for the device.</p> <p><b>2<sup>nd</sup> incident</b>= Parents must pick up, sign for the device, and pay a \$10 fee.</p> <p><b>3<sup>rd</sup> incident</b>= Device will be taken up for the remainder of the semester. Parents may pick up the device on the last day of the semester.</p>
<p style="text-align: center;"><b>Dress Code Violations</b> Contact Office</p> <p><u>Shirts</u> Kinder – 4th Grade: light blue polo or school t-shirt</p> <p><u>Pants</u> Khaki, Blue, or Black pants, shorts, or skirts (shorts &amp; skirts cannot be more than 2 inches above the knee) No cargo pants or shorts No sagging</p> <p><u>Jackets</u> Jackets must be zip up or buttoned up in the front. No pullovers.</p>	<p><b>1<sup>st</sup> Incident</b> – Students will be given alternate uniform in exchange for a personal item. Parents will also be notified.</p> <p><b>2<sup>nd</sup> Incident</b> - Students will be given alternate uniform in exchange for a personal item and will receive a lunch detention. Parents will also be notified.</p> <p><b>3<sup>rd</sup> Incident</b> - Students will be given alternate uniform in exchange for a personal item and will need to serve an after school detention. Parents will also be notified.</p> <p><b>4<sup>th</sup> Incident</b> - Students shall be given an opportunity to correct the problem at school or in some cases the parent may be given the option to correct the problem. If the problem is not corrected, the student will receive a referral and be assigned to in-school suspension for the remainder of the day or until the problem is corrected. Parents will be notified.</p>

Abbreviation Key:

ISS	In-School Suspension
OSS	Out of School Suspension
DAEP	District Alternative Education Placement

**Level I Offenses: Minor**

**A formal office referral is not required for Level 1 offenses**

**Definition:** Discipline for Level I offenses are managed by the classroom teacher/team. Classroom teachers are to follow their classroom management plan and **document** any violations. Parent contact must be made and included in the documentation. If behavior becomes persistent, Level I violations may be elevated to Level II violations. Documentation will be required to show that prior interventions were used and found to be unsuccessful for a Level I offense to become a Level II offense.

**Examples of Class I Misbehaviors:**

1. Any violation of the written/posted classroom and school wide expectations
2. Mild disruptions/talking or running and making disruptive noises
3. Not following directions
4. Not bringing supplies
5. Mild horse play between students
6. Cheating/copying the work of others
7. Failure to do assigned work or participate in classroom activities
8. Minor inappropriate comments
9. Sleeping
10. Gum, eating, drinking in class
11. Possession of a prohibited item – See Page 20
12. Violating the dress code
13. Throwing objects or passing unauthorized notes
14. Talking back/arguing or name calling
15. Spitting (without bodily contact)
16. Theft (items such as pencils, erasers, paper, etc.)
17. Level I Bullying (see appendix)
18. Fail to display ID badge
19. Violating safety rules not covered elsewhere

**Possible Consequences for Level I Offenses**

Teacher Lunch Detention	Seat Relocation
Before/After School Detention (Grade Level)	Verbal Warning/Reset
Student Reflection	Student Conference (Private)
Buddy Room	Parent Conference
Counseling	Note Home
“Timeout” in the classroom	Rewards or Demerits



Restitution of damages/ restoring to order	
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**Level II Offenses: Serious Misbehavior**  
**A formal office referral is required for Level II offenses**

**Definition:** Level II refers to a serious act of misconduct and/or *documented* persistent Level I offenses.

**Examples of Level II Misbehaviors:**

1. Inappropriate(foul or offensive) language towards a student
2. Inappropriate use of food
3. Violating dress code; repeated violations
4. Failing to serve detention
5. Possession of a prohibited item – See Page 20
6. Significant disrespect, including refusal to comply, or significant oppositional behavior
7. Aggressive physical contact against a student (non-fight)
8. Engaging in an act of familiarity with another and/or inappropriate public display of affection
9. Unauthorized use of property, minor theft
10. Using articles(not considered a weapon) to harm another person
11. Possessing or using matches or a lighter
12. Forging a signature (notes, school documents etc.)
13. Defacing or damaging school property/building
14. Leaving class, school, or designated area without permission
15. Inappropriate use of internet
16. Instigating inappropriate behavior
17. Being in facilities designated for opposite sex or for staff only
18. Selling items on school property for financial gain
19. Failing to disclose information, hiding/covering up info/evidence for self or others, committing perjury or lying as a witness
20. Retaliation against a student.
21. Exposing or attempting to expose one’s undergarments or those of another (“panting”)
22. Level II Bullying (see appendix)
23. Persistent Level I Misbehavior (Incidents Documented)

**Possible Consequences for Level II Offenses**

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Lunch Detention (up to five days)	Before/After School Detention
Restitution of damage/restoring to order	Saturday Detention
Parent shadowing at school	Exclusion from extracurricular activities
Loss of privileges	Confiscation of item
Research & Presentation	ISS (up to five days)
OSS (up to three days)	

- \* Number of Level II Referrals- not Level II individual offenses.
- \* All referrals will result in a conference with the administrator and parent contact.
- \* Students must complete a reflection for every Level II Offense that results in a referral.

**Level III Offenses: Persistent Serious Misbehaviors, Teacher Removal, and/or Severe Offenses Requires a mandatory removal of student from class, a formal office referral, and parent contact**

**Definition:** Level III misconduct is defined as “persistent Level II misbehaviors or a formal removal by the classroom teacher” under Section 37.002(b) of the Texas Education Code, or after an administrative investigation of an occurrence that finds the student engaged in a severe offense.

*Section 37.002 (b): A teacher may remove from class a student:*

- (1) who has been documented by the teacher to repeatedly interfere with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn; or*
- (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 ability of the student’s classmates to learn.*

**Level III Offenses**

- 1. Persistent offenses from Level II**
- 2. Fighting/Mutual Combat** (Based on Investigation and Mitigating circumstances)
- 3. Gross Disrespect** (Profanity or inappropriate gestures towards a teacher and/or student)
- 4. Disrupting the School Environment or Education Process-** Behaviors that significantly impacts student learning.
- 5. Possession of a Weapon** - This includes any type of gun (air, pellet, etc.), a legal knife (less than 5.5 inches), or any other objects that could be used as a weapon, excluding firearms. Possession of ammunition or explosives. (For firearms see TEC § 37.006 Mandatory Expulsion or DAEP Placement)
- 6. Possession of Tobacco Products/Paraphernalia** - i.e. cigarettes, smokeless tobacco, electronic or vapor cigarettes, or any other device designed for the use of nicotine.
- 7. Possession of a Prohibited Item** – See Page 20
- 8. Drug Paraphernalia** - Possessing drug paraphernalia (no actual drugs)
- 9. Theft** - Intentionally taking personal property from a student and or/teacher (items such as money, jewelry, electronics, etc.)
- 10. Harassment/Bullying/Intimidation/Threat (non-terroristic)** - Level III Bullying (see appendix) If the investigation confirms a case, a consequence will be issued.
- 11. Illegal Behavior** - Engaging in behavior that is illegal that does not constitute a removable or expellable offense.
- 12. Prohibited Sexual Conduct** - Making sexual comments or engaging in sexual conduct.

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- 13. Unsafe Act** - Creating a potential health or safety hazard or a situation that may result in possible injury.
- 14. Gambling-** The wagering of money or something of value (referred to as "the stakes") on an event with an uncertain outcome with the primary intent of winning additional money and/or material goods.
- 15. Hacking** - (illegal or unauthorized entry or attempted entry into a computer system)
- 16. Interfering with school activities.**
- 17. Committing extortion, coercion or blackmail**
- 18. Physical Aggression/Assault** - Physical aggression or assault against
- 19. Medications** - Possessing, selling, using, or distributing medications that are available without a prescription; possessing or selling items attempted to be passed off as drugs or contraband.
- 20. Pornographic Material** - Possessing or distributing pornographic material.
- 21. Vandalism-** Destruction of school property; damaging or vandalizing property belonging to others; discharging a fire extinguisher, except in an emergency. Tampering with a fire extinguisher, an automated external defibrillator (AED), or their storage cabinet.
- 22. Gang Activity** - Being involved in gang activity, including participating as a pledge or member, or soliciting another person to become a pledge or member of a gang, unauthorized organization or secret society.
- 23. Inappropriate Electronic Messages-** Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including sexting either on or off school property if the conduct causes a substantial disruption to the educational environment. This includes cyber-bullying.

**Possible Consequences for Level III Offenses**

After School Community Service	Before/After School Detention
Saturday Detention	Up to 5 days ISS
Research & Presentation	Up to 3 days OSS
Consult with outside agencies	Discretionary removal to DAEP

- \* All referrals will result in a conference with the administrator and parent contact.
- \* Students must complete a reflection for every Level III Offense that results in a referral.

**Level IV Offenses: Misconduct which leads to Mandatory District Alternative  
 Education Placement Level V Offenses: Misconduct which leads to  
 Mandatory Expulsion**

**Definition:** The State Board of Education and the State Law require that certain offenses merit mandatory placement to the appointed district alternative educational setting or expulsion. A student must be placed at DAEP if he/she commits any of the following offences on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property (TEC 37.006).

As a charter school we have limited resources and do not have a designated location for DAEP. The administrative team works creatively to secure a location away from the students’ peers. This location may be either at the ECC (Early Childhood Campus), a lower grade classroom, or in the district offices.

All students will be granted **Due Process** with Level IV and V offenses. Due Process is the legal requirement that the state must respect all legal rights that are owed to a person. (refer to the Student Code of Conduct for further explanation)

***See the Following Chart for Determine Offences that merit Mandatory DAEP Placement or Expulsion:***

<b>Offense</b>		<b>Mandatory DAEP Placement (Level IV)</b>	<b>Mandatory Expulsion (Level V)</b>
1.	Conduct punishable as a felony- TEC 37.006 (a)(2)(A)	X	
2.	Possessed, sold, or used marijuana or other controlled substance- TEC 37.006 (a)(2)(C) and 37.007(b) for under the influence	X	
3.	Possessed, sold, or used, or was under the influence of an alcoholic beverage- TEC 37.006(a)(2)(D) and 37.007(b)	X	
4.	Abuse of a volatile chemical- TEC 37.006(a)(2)(E)	X	
5.	Public lewdness or indecent exposure- TEC 37.006(a)(2)(F)	X	
6.	Retaliation against school employee- TEC 37.006(b) and 37.007(d)	X	X*

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7.	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5. Penal Code- TEC 37.006(c) TEC 37.007 (b) (4) and TEC 37.0081	X	
8.	Used, exhibited, or possessed a firearm- TEC 37.007 (a)(1)(A) and/or 37.007(e)brings a firearm to school		X
9.	Used, exhibited, or possessed an illegal knife- TEC 37.007(a)(1)(B)		X

10.	Used, exhibited, or possessed an illegal club- TEC 37.007(a)(1)(C)		X
11.	Used, exhibited, or possessed a prohibited weapon under Penal Code Section 46.05- TEC 37.007(a)(1)(D)		X
12.	Arson- TEC 37.007(a)(2)(B)		X
13.	Murder, capital murder, criminal attempt to commit murder, or capital murder- TEC 37.007(a)(2)(C)		X
14.	Indecency with a child- TEC 37.007(a)(2)(D)		X
15.	Aggravated kidnapping- TEC 37.007(a)(2)(E)		X
16.	Terroristic threat- 37.006 (a)(1) or 37.007 (b)	X	
17.	Assault under penal code section 22.01(a)(1)against a school district employee or volunteer- TEC 37.007(b)(2)(C)	X	
18.	Assault under penal code section 22.01(a)(1)against someone other than a school district employee or volunteer- TEC 37.006(a)(2)(B)	X	
19.	Aggravated assault under penal code section 22.02 against school district employee or volunteer- TEC 37.007(d)		X
20.	Aggravated assault under penal code section 22.01(a)(1)against someone other than a school district employee or volunteer- TEC 37.007(a)(2)(A)		X
21.	Sexual assault under penal code section 22.011 or aggravated assault under 22.021 against a school district employee or volunteer- TEC 37.007 (d)		X
22.	Sexual assault under penal code section 22.011 or aggravated assault under 22.021 against someone other than a school district employee or volunteer- TEC 37.007 (a)(2)(A)		X
23.	False alarm/false report- TEC 37.006(a)(1) and 37.007(b)	X	
24.	Felony controlled substance violation- TEC 37.007 (a)(3)		X
25.	Felony alcohol violation- TEC 37.007 (a)(3)		X
26.	Non Felony - Alcohol	X	

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27.	Aggravated robbery- TEC 37.007 (a)(2)(F) 37.006 (c)(d)	X	X
28.	Manslaughter- TEC 37.007(a)(2)(G)		X
29.	Criminally negligent homicide- TEC 37.007(a)(2)(H)		X
30.	Student is required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure and is under court supervision- TEC 37.304	X	
31.	Continuous sexual abuse of young child or children under penal code 21.02, occurring on school property or while attending a school sponsored or school related activity on or off school property- TEC 37.007(a)(2)(I)		X
32.	Invasive visual recording (TPC 21.15), on or within 300 feet of campus or at a school-related activity.**	X	
33.	Voyeurism (TPC 21.16), on or within 300 feet of campus or at a school-related activity	X	

\* Retaliation against school employee or volunteer coupled with an offense in TEC 37.007 (a) or (d).

\*\* A person commits an offense if, without the other person's consent and with intent to invade the privacy of the other person, the person:

- (1) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of an intimate area of another person if the other person has a reasonable expectation that the intimate area is not subject to public view;
- (2) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of another in a bathroom or changing room; or
- (3) knowing the character and content of the photograph, recording, broadcast, or transmission, promotes a photograph, recording, broadcast, or transmission described by Subdivision (1) or (2).

- All referrals will result in a conference with the administrator and parent contact.
- Students must complete a reflection for every Level II Offense that results in a referral.

### **Due Process**

Students are entitled to fair treatment through an established process of discipline. A course of required standard proceedings shall be applied in each and every case that does not contain actions or provisions that result in the unfair or unreasonable treatment of any LAE student or other individual. The following process shall apply in all cases: 1) The student will be told by an administrator of the actual Code of Conduct, District, Campus or Classroom infraction and the reasons why that determination has been made. 2) The student will be given an opportunity to present his/her side of the matter either verbally or in writing and will be given the opportunity to present witnesses to the incident if requested. 3) The administrator shall make a

determination as to whether or not the student is guilty of misconduct, and, if so. 4) The student shall be informed of the consequence determination and the punishment term that will be applied including any agency reporting as required by law. The infraction, consequence determination and term along with any administration comments shall be in writing on official school forms.

### **Suspension**

**A. Process**

The principal or designee has the authority to suspend a student for a period of up to five school days for any offense for the following reasons:

- (1) The severity or persistence of the Code of Conduct violation;
- (2) The need to further investigate an incident; or
- (3) A recommendation to expel the student.

Prior to suspending a student, the principal or designee must hold an informal conference with the student to:

- (1) Notify the student of the accusations against him/her;
- (2) Allow the student to relate his/her version of the incident;
- (3) Determine whether the student's conduct warrants suspension.

**B. Notification to Parents/Guardians**

If the principal or designee determines the student's conduct warrants suspension, the principal or designee will notify the student's parents/guardians. At this time, the principal or designee will also notify the student's parents/guardians of the period of suspension, the grounds for the suspension, and the time and place for a conference with the principal.

**C. Emergency Actions**

In an emergency, the principal or designee may order the immediate suspension of a student for up to five days if the student's presence threatens the health, safety, or welfare of himself/herself or other students or faculty.

If a student is suspended in an "emergency" situation without the opportunity for notice of the allegations against him/her, the principal must notify the student of the allegations and provide the student with an opportunity to present his/her version of the incident within a reasonable period of time, not to exceed three days.

A student may receive credit for work missed during the period of suspension if the student makes up work missed during the period of suspension within the same number



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of days the student was absent. Student's placed in in-school suspension will receive work to complete while serving their suspension.

### **Expulsion**

Only the Superintendent has the authority to expel for any period up to one calendar year. The principal may recommend expulsion of a student to the Superintendent. The principal's recommendations shall specify the reasons, identified in the Student Code of Conduct, for a particular student's expulsion.

**A. Process**

When the principal determines that a student's conduct warrants expulsion, but prior to taking any expulsion action, the principal will provide the student's parents/guardians with written notice of:

- (1) The reasons for the proposed expulsion; and
- (2) The date and location for a hearing before the School Superintendent, within three days after the date of the notice, unless the parents/guardians and Superintendent agree in writing to an alternate time.

The notice shall further state that the student may:

- (a) be present at the hearing;
- (b) have an opportunity to present evidence;
- (c) have an opportunity to examine/question the school's evidence and witnesses; (d) be accompanied by his/her parents/guardians; and (e) be represented by an attorney.

The notice shall also state that failure to request such a hearing constitutes a waiver of further rights in the matter.

**B. Hearing Before Superintendent**

The school shall make a good faith effort to inform the student and the student's parents/guardians of the time and place for the hearing, and the school shall hold the hearing regardless of whether the student, the student's parents/guardians, or another adult representing the student attends. The Superintendent shall audio record the hearing.

Immediately following the hearing on expulsion, the Superintendent will notify the student and the student's parents/guardians in writing of his/her decision. The decision shall specify:

- (1) The length of the expulsion, if any;
- (2) The procedures for re-admittance at the end of the expulsion period; and
- (3) The right to appeal the Superintendent's decision to the school board.

C. Appeal to Board

- (1) The student or his/her parents/guardians may appeal the Superintendent's decision to the school board by notifying the Superintendent in writing within seven days of the date of receipt of the Superintendent's decision. The board will review the audio or transcribed record from the hearing before the Superintendent at the next regularly scheduled board meeting, or at the discretion of the board, at a specially called meeting. The board will notify the student and his/her parents/guardians of its decision in writing within five calendar days of the hearing.
- (2) Consequences will not be deferred pending the outcome of an appeal of an expulsion to the board. Except when required by law, students will not earn academic credit during a period of expulsion.

**Harassment / Discrimination / Bullying/ Dating Violence**

“Harassment, Discrimination and Bullying” are forms of abuse that typically involve a power imbalance where a child or group is (repeatedly) harmed by one or more powerful kid(s). Harm can result from verbal bullying which includes abuse in the form of insults and threats; social bullying, where kids spread rumors about other students, or openly exclude them from a group; or physical bullying, that involves hitting and shoving. “Harassment, Discrimination and Bullying” are unwanted purposeful written, graphic or visual expressions, nonverbal, acts or gestures that are intended to cause distress or harm and are sufficiently severe that it has the effect or purposed effect of creating an intimidating, hostile, or offensive environment. Persistent, persuasive or repeated harm either verbally or physically intended to create or cause a threatening or abusive environment for another person(s). “Harassment, Discrimination and Bullying” is classified as conduct by an individual or group that consist of any behavior that is meant to demean, dehumanize, embarrass, or cause emotional or physical harm and is directed at one or more students and:

- is based on a student's actual or perceived classification or distinguishing characteristic as listed above or is based on an association with another person who has or is perceived to have any of these characteristics;
- places a student in reasonable fear of harm to his/her person or damage to his/her property;
- has the effect of substantially negatively impacting a student's emotional or mental wellbeing;
- substantially affects or interferes with the educational opportunities, benefits, or programs of a student; or
- has the effect of substantially disrupting the orderly operation of a school campus and/or campus environment.

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Negative or abusive expressions or conduct can be communicated or applied by *written, oral* or *physical* means. School Administrators will investigate all allegations. If allegations are founded, offenses deemed as assault or harassment may be referred to the appropriate legal authority. Recipients of bullying or cyberbullying have the right to seek an injunction (restraining order) against the bully or bullies.

***Levels of Bullying***

A. Level 1 Bullying include but not limited to:

- (1) taunting;
- (2) expressing physical superiority;
- (3) making threatening gestures;
- (4) defacing property;
- (5) taking small items;
- (6) staring/mugging/giving dirty looks;
- (7) making insulting remarks;
- (8) calling names;
- (9) teasing about possessions, clothes;
- (10) holding nose or other insulting gestures;
- (11) saying someone has germs or is unclean;
- (12) gossiping/starting/spreading rumors; (13) interfering with friendships; (14) passively not including in the group;
- (15) playing mean tricks.

B. Level 2 Bullying include but not limited to:

- (1) threatening physical harm;
- (2) pushing/shoving;
- (3) damaging property;
- (4) stealing;
- (5) scratching;
- (6) tripping or causing to fall;
- (7) assaulting;
- (8) insulting family;
- (9) harassing by verbal means;

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- (10) insulting intelligence, athletic ability, etc.;
- (11) defacing school work;
- (12) defacing personal property, clothing, etc.;
- (13) insulting race, gender, gender identity, and sexual orientation;
- (14) increasing gossip/rumors;
- (15) undermining other relationships; (16) making someone look foolish;
- (17) excluding from the group.

C. Level 3 Bullying include but not limited to:

- (1) making repeated and/or graphic threats;
- (2) practicing extortion;
- (3) making threats to secure silence;
- (4) destroying property;
- (5) biting;
- (6) physical cruelty;
- (7) assaulting with a weapon;
- (8) making “hit lists;”
- (9) frightening the victim with threats;
- (10) ostracizing;
- (11) harassing by any means while breaking the law;
- (12) threatening total group exclusion;
- (13) hazing;
- (14) arranging public humiliation;

Not all forms of aggression are bullying. For example, it is not bullying when 1) two friends get into an argument 2) someone teases someone one time 3) or, two students of equal power lose control of their anger and fight. For bullying to exist, there must be an imbalance of power (either physically, or in lack of social skills to defend oneself, or in regard to perceived status). The seriousness for all levels of behavior should be evaluated on the harm to the victim and the frequency of occurrence.

Consequences for bullying are addressed in the discipline management plan.

### **Sexual Harassment**

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Sexual harassment of a student consists of unwelcome and unsolicited sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when the unwelcome sexual conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment.

Examples of conduct which may constitute sexual harassment include:

- sexual advances
- touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex
- coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts
- coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another
- graffiti of a sexual nature
- sexual gestures
- sexual or dirty jokes
- touching oneself sexually or talking about one's sexual activity in front of others
- spreading rumors about or rating other students as to sexual activity or performance
- unwelcome, sexually motivated or inappropriate patting, pinching or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student
- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

Any person who believes he or she has been the victim of sexual harassment needs to report it to a teacher or administrator immediately. Ms. Fagan, our Title I Coordinator, is also available in room 111 in the district office suite. She may also be reached at [Kelly.Fagan@laetx.org](mailto:Kelly.Fagan@laetx.org).

### **Dating Violence**

Teen Dating Violence is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship. Teen dating violence is a pattern of coercive behavior that one partner exerts over the other for the purpose of establishing and maintaining power and control.

### **Inappropriate Display of Affection**

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Students are prohibited from the *appearance of* or the actual *engaging in* any type of inappropriate “Display of Affection”. Any act of *inappropriate* kissing, hugging, touching, etc. between students that Campus Administrators deem “inappropriate” before, during or after school hours, while on school property or while attending school related activities may be classified as inappropriate “Display of Affection” and subject to disciplinary action.

### **Fighting - Aggressive / Violent Behaviors**

Fighting, aggressive or violent behaviors have no place at school and will not be tolerated. All fights, aggressive or violent behavior will be investigated and consequences shall be administered based upon evidence. A student’s use of physical, aggressive or violent force will in no way be excused if:

- The students had the opportunity to escape or otherwise avoid the confrontation or to inform school administrators of prior threats to use force or the actual use of force;
- The student uses force in response to verbal threats and/or provocation alone;
- The student provokes, invites or encourages the use of physical force by another;
- The force is being used against any school administrator, teacher, staff ,volunteer or visitor;
- The student uses force after the other party abandons or attempts to abandon the fight or confrontation; or
- The student uses any greater force than necessary to protect him/her-self.

Engaging in a fight in which both parties assault each other will be considered mutual assault and will result in disciplinary consequences for both parties.

### **Prohibited Items**

To ensure that all students, school employees and visitors have a safe and orderly experience the following items are prohibited and therefore restricted or otherwise not permitted on school property or at any school sponsored event, anytime and anywhere. Item restrictions may be amended by the Campus Principal if such an item is related to an extracurricular activity, sporting event or a special school sponsored event. (list is non-inclusive)

- \* Aerosol cans
- \* Alcoholic Beverages
- \* Animals (except assistive animals for individuals with disabilities)
- \* Gum/Candy
- \* Chains (except to secure bikes)
- \* Knuckle Rings
- \* Bracelets, necklaces or belt buckles with inappropriate slogans, pictures, or designs
- \* Drugs of any type

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- \* Fireworks
- \* Stink Bombs, Smoke Bombs or other noxious chemicals
- \* “Shock” Pens
- \* Gang Related Items
- \* Illegal Substances
- \* Items that Promote Drugs, Alcohol, Violence, Gangs, Cults, Hate or Racism
- \* Knives of any type or size
- \* Laser Pointers
- \* Objects used to threaten or inflict harm, injury or pain
- \* Toys/Nuisance Items
- \* Permanent Marker Pens (except as needed for a specific school project) \* Razors
- \* Restricted Personal Electronic Items (see cell phones and electronic devices)
- \* Toys that resemble weapons (intent is no defense)
- \* Weapons of any type or anything used as a weapon

The District reserves the right to define other items or articles not listed above as a “Prohibited Item.” Students who possess prohibited items shall assume full responsibility for the item(s). At no time shall the District be responsible for the theft, loss or damage to any prohibited item(s) brought on to school property.

### **Searches and Questioning of Students**

School Administrators may exercise the right to search a student’s outer clothing, pockets, personal property or other articles including property used by the student or in the student’s possession when probable cause has been established or by securing the student’s voluntary consent. School Administrators reserve the right to question students regarding their conduct or the conduct of others during an investigation, when appropriate to gather information or when provocation exists. Personal searches and questioning will be conducted out of view of nonessential employees or other students by a person of the same gender and with a witness present at all times.

#### *Probable Cause*

In terms of search and seizure, probable cause merely requires that the facts available to the School Administrator warrant a "person of reasonable caution" to conclude that contraband or evidence of a local violation or a crime would be found in a search or that certain items may be contraband or useful as evidence of a violation or crime.

### **Trained Dogs**

In order to maintain a school environment that ensures student, faculty and visitor safety and is conducive to the educational process intended, the school may use trained narcotic detecting dogs to perform drug detection inspections and to search for contraband. These measures shall enforce local policy that strictly prohibits drugs and other contraband and will be activated in response to situations that are directly related to or involve controlled substances or contraband.

Visits by the dogs to the school sites will be confidential, unannounced and discreet. The dogs may inspect school classrooms, hallways, social areas, athletic locker rooms, gyms and parking lots. If a dog alerts around a particular area, person, item or article, that alert shall provoke probable cause and the area, person, item or article shall be searched so that school administrators can deal appropriately with the situation—whatever the findings. Visits may also be performed randomly throughout the school year.

### **Electronic Surveillance**

Electronic surveillance may be used to monitor student behavior and school-owned property for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses in accordance with Texas Education Code Section 26.009. Student behavior recorded by electronic surveillance equipment may be subject to disciplinary consequences consistent with the Student Code of Conduct.

### **Academic Dishonesty/ Cheating / Plagiarism**

**Academic Dishonesty:** Any type of cheating that occurs in relation to standard academic practices; any action or practice on the part of a student that undermines the purpose of assessment.

**Cheating:** To obtain something by dishonesty or deception; to practice fraud or trickery; to violate rules dishonestly or an abuse of confidence.

**Plagiarism:** Any action intended to obtain or assist in obtaining credit for work that is not one's own; copying another student's class work, test, or homework. Plagiarism is considered cheating and if a student cheats, that student will be subject to disciplinary action and the loss of credit for the work in question.

Academic dishonesty, cheating and plagiarism also include, but are not limited to, the following:



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1. Copying another student's homework or test answers with or without that student's permission. Or allowing another student to copy homework or providing test answers.
2. Using cheat notes during a quiz, test or closed book assignment.
3. Accessing a teacher's answer sheets or books by any means.
4. Obtaining test questions from students who have already taken tests.
5. Copying themes and other written papers from other students or alternative reference materials without proper citation of the source.
6. Claiming work taken from the Internet or other resources as his or her own.
7. Use of cell phones or other electronic devices during testing or class time to relay answers, take pictures of a quiz, test, or closed classroom assignment to communicate its content to another student for academic gain.

**Student Technology Policy**

**Appropriate Use of the Internet, network, and technology equipment:**

Students are responsible for appropriate behavior when using district technology resources and work areas. The lists below do not cover every possible situation. If you have any question about appropriate behavior, ask your teacher, librarian or technology teacher.

**Do:**

- Use the district and school technologies for educational pursuits.
- Use caution when giving out personal information on the Internet.
- Take care of equipment.
- Remember your user name and password.
- Follow instructions of teachers, librarians, technology teachers and computer lab assistants.
- Ask for help with equipment or software problems and report any equipment or software malfunctions.
- Conserve technology resources including network space, bandwidth, etc. Only print what is necessary or assigned.
- Immediately back out of any questionable site and report it immediately to your teacher or the technology coordinator.
- Log off when you are finished.
- Cite your digital sources correctly.
- Return all borrowed technology equipment promptly and in the same condition as you received it.
- Use your personal email for school related tasks and assignments.

**Do not:**

- Eat or drink at or near any school computer.
- Share passwords.
- Access or download any illegal, pornographic, abusive, obscene, or harassing materials.

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- Cyber-bully (Cyber-bullying is the willful harm inflicted through the medium of electronic text or images. Examples include but are not limited to: sending threatening emails, posting derogatory or personal comments and/or photos or video about someone on a web site, sending harassing text messages, physically threatening or intimidating someone and/or spreading rumors about someone.)
- Access or alter other people's files.
- Use your email for inappropriate or non-school related activity.
- Download or install software, shareware or freeware.
- Excessively consume limited hard drive space, network space, or bandwidth.
- Violate copyright laws.
- Create or spread computer viruses.
- Attempt to gain unauthorized or illegal access to district technology resources.
- Change any computer settings or alter hardware and/or cables.
- Connect personal laptops to the network.

**Unless you have your teacher's approval and supervision do not:**

- Access, download, or play games; visit game sites, access game cheat codes, or participate in simulations.
- Create or manage a personal web page on school computers.
- Download music, programs or access streaming video or audio.
- Participate in any online for-profit activities.

**Consequences for disregarding the rules of this Technology Use Agreement:**

*Depending upon the age of the student and the severity and frequency of the misuse or abuse, one or more of the following consequences will occur:*

- A warning, followed by re-clarification of the rules
- Notification of parents and administrators by phone, personal conference, or discipline referral
- For Internet misuse/abuse, loss of Internet access privileges for not less than 45 school days
- For technology equipment misuse/abuse, loss of access to district technology resources
- For technology equipment misuse/abuse, development of a plan for restitution
- Referral to proper authorities for disciplinary and/or legal action

**Note: Students who have lost Internet or network privileges may not use personal equipment in lieu of district equipment.**

Conclusion: La Academia de Estrellas School District staff will exercise reasonable oversight to ensure that the communication and technology resources and facilities are used in the appropriate manner. Students will be held liable for violations of this agreement. It is understood that the District's computer systems and technology resources are intended for educational purposes. It is further understood that while the District employs an Internet filtering system, it is still impossible for the school to restrict access to all controversial materials. The District will not be held responsible for materials acquired on the network. The District will not be responsible for any damage a user may suffer including, but not limited to, loss of data or

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interruptions of service. The District is not responsible for the accuracy or quality of the information attained through or stored on the system.

### **Food or Drinks**

No gum or candy allowed on campus (including lunch time).  
No food or drinks allowed during class time.  
Students caught eating in class, chewing gum, or eating candy will have a consequence.

### **Uniform/Dress Code**

*Students are required to wear the school uniform daily.*

The uniform of La Academia de Estrellas Charter School is as follows:

#### Shirts

5<sup>th</sup> Grade: light blue polo or school t-shirt

6<sup>th</sup> Grade: white polo or school t-shirt

7<sup>th</sup> Grade: royal blue polo or school t-shirt

8<sup>th</sup> Grade: black polo or school t-shirt

Must be appropriately sized to avoid revealing any mid-section or upper part of the body (normal pose or when arms are raised).

#### Pants

Khaki, black, or blue pants, shorts, or skirts (shorts & skirts cannot be more than 2 inches above the knee)

Blue jeans may be worn only with shirts that have the LAE logo.

No cargo pants or shorts

No sagging

No rips, tears, cuts, or holes

#### Jackets

Jackets must be zip up or buttoned up in the front.

No pullovers.

#### Backpacks/Bags

Backpacks or bags may be brought for PE, Athletics, Cheer, Dance or Karate clothing. These bags or backpacks will be placed in the designated changing rooms in the morning before class. Students will not carry backpacks or bags to class. Students arriving late in the morning will leave their backpacks or bags at the front desk in the first floor lobby.

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General Restrictions

Students shall not wear any article of clothing that, under the Principal's judgment, is startling, disruptive and indecent or brings undue attention.

Students shall not wear any item that is lewd, offensive, vulgar or obscene.

Students shall not wear any item that may be viewed as evidence of or suggest affiliation with gangs. Appropriate undergarments must be worn.

Hats and/or caps are not permitted.

Bandanas, sweatbands, skull caps, head scarves or similar accessories are not permitted.

Sunglasses shall not be worn inside the school building or any time when the student is receiving academic or other learning instruction.

Headphones/earbuds are not to be worn inside the school during instructional hours unless directed by the teacher for instructional purposes within the classroom.

**ID's**

Students will be issued school identification cards. These cards are property of La Academia de Estrellas. Students are expected to wear their ID's **every day**. All students must identify themselves upon request of school staff. All middle school students are required to wear student ID badges on campus and school events. The ID badge must be clearly displayed on the front of the student. Students may purchase a temporary badge for \$1. Replacement ID's will be \$5.

**Cell Phones and Electronic Devices**

Cell phones may not be used in school. Text messaging is prohibited. Electronic devices (personal electronics) are prohibited at all times. Cell phones and other electronic devices will be confiscated if ***found to be on***. Students must relinquish their cell phone or any other electronic device at the request of any LAE staff member.

If a student does bring a cellular phone or electronic device to school, it is the sole responsibility of that student. The school does not assume responsibility should a student's cellular phone or electronic device be lost, stolen, or damaged.

LAE staff will follow district guidelines pertaining to confiscating and returning such items as follows:

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**1st offense** – A **parent or legal guardian** of the student must report to the school office during regular office hours to retrieve the phone or electronic device. Items will not be returned to the students, but rather to the parent or guardian.

**2nd Offense** – A **parent or legal guardian** of the student must report to the school administrator and pay a \$10 fee to retrieve the phone or electronic device.

**3rd Offense** – Could result in the phone or electronic device being held until the end of the semester.

- Confiscated cell phones shall include SIM card.
- Any personal electronic device including cell phones will be confiscated by school administrators if deemed disruptive or inappropriate during any school sponsored event or activity, on or off school property.

Cell phones and/or any type electronic devices are strictly prohibited during STAAR, State Assessments or in any school testing environment. Students found with unauthorized electronic devices in testing areas will be subject to disciplinary action and test may be invalidated.

The following items personal electronic devices (PED's) are prohibited except when authorized for school projects or special events by the Site Principal. Teachers are responsible for obtaining authorization before beginning projects that require restricted items.

*Restricted Electronics (list is non-inclusive):*

Cameras of any type

Electronic/Video games or gaming systems

CD or DVD Players

I-Pods/Pads or MP3 device

Portable audio and video players

Portable data storage devices such as flash drives or external hard drives Video recording device of any type.

### **Attendance**

Regular and punctual attendance is the greatest factor in school success; therefore, a student and their parent's first concern should be to attend class regularly. La Academia de Estrellas recognizes the positive correlation between regular school attendance and achievement. Student academic success is in direct relation to their attendance and absences have a detrimental effect on student grades. The primary responsibility for attendance rests with students and their parent(s)/guardian(s). Two state laws—one dealing with compulsory

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attendance, the other with attendance for course credit—are of special interest to students and parents. They are discussed below:

A. Compulsory Attendance

Under Texas Education Code 25.093, Absence of ten (10) or more days, or parts of days, within a six- month period in the same school year or three (3) or more days, or parts of days, within a four-week period is considered truant. A student absent without permission from school; from any class; from required special programs, such as additional special instruction (termed “accelerated instruction” by the state) assigned by a grade placement committee; or from required tutorials will be considered in violation of the compulsory attendance law.

B. Attendance for Class Credit

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent, but fewer than 90 percent, of the days the class is offered may receive credit for the class if he or she completes a credit recovery plan that allows the student to fulfill the instructional requirements for the class.

If a student attends less than 75 percent of the days a class is offered or does not complete an approved Credit Recovery Plan, the student will lose credit for that class and/or will not be advanced to the next grade level.

*All absences, both **excused and unexcused**, count against the 90% attendance rule.*

### Transition Periods

Students will have 3 minutes to transition between classes. Students may use the restroom at this time. They must then report directly to class. This is not “free time.” Students must not enter other classrooms at this time- only report to their assigned class.

### Tardy Policy

***Punctuality is necessary for a student to take full advantage of available educational opportunities.***

Each day, after 1<sup>st</sup> and 5<sup>th</sup> period, and between each period after that, the LAE staff and administration will be conducting tardy sweeps **randomly**. Students who are in violation of the tardy policy will be subject to consequences that will be consistently and equitably enforced. The sweep will be conducted after the start of each class. Any student out of class without a valid pass from a teacher will immediately be directed to an administrator or staff member. The

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administrator or staff member will immediately assign a consequence, and the student will be allowed to return to his/her class.

Consequences are as follows:

Number of Tardies	Consequences
1 <sup>st</sup> Tardy	Student Warning
2 <sup>nd</sup> Tardy	Notify The Parent & Lunch Detention
3 <sup>rd</sup> Tardy	Notify The Parent & After School Detention
4 <sup>th</sup> Tardy	Referral with 3 Lunch Detentions
5 <sup>th</sup> Tardy	Referral with 3 Days of After School Detention
6 <sup>th</sup> Tardy	Referral with 1 Day of ISS
7 <sup>th</sup> Tardy and above	Referral with 2 Days of ISS

*(The process will begin again each semester.)*

### **Hall Passes**

Students are required to carry hall passes when leaving the classroom for **any** reason. Students will not be allowed to leave class the first ten and the last ten minutes of class (10/10 rule). Students found in the hallways or restrooms without a pass will be considered skipping and appropriate consequences will be given.

Hall passes will be color coded as:

- Girls Restroom- Orange
- Boys Restroom- Blue
- Office- Green
- Nurse- Red

### **Lunch / Cafeteria Guidelines**

During lunch students are to remain in the lunch room at all times and are not allowed to return to the halls or classes.

Students must dispose of trash and clean up their area before leaving the cafeteria.

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Students are required to place trash in designated containers.

Students are not allowed to order commercial food to be delivered to campus.

Students must present their Student ID Badge and money to the cashier at the time of lunch purchase.

Lunches provided by parents or guardians may only be consumed by their child.

Parents or guardians may not give lunches to students who are not their legal child.

Parents or guardians bringing lunch to their child may only bring “healthy lunches,”- no fast food or junk food.

Parents should be aware that many children are allergic to specific foods or food products.

No candy/gum/junk food allowed during lunch.

### **Arrival**

Doors will open at 7:10 a.m.. 2<sup>nd</sup> – 4<sup>th</sup> grade students eating breakfast will report directly to the cafeteria and eat between 7:10 a.m. and 7:35 a.m. Once they have eaten breakfast, they must report directly to their designated area in the gym. Students will stay seated until dismissed to class. 1. Kinder - 1st grade students will sit outside their classroom door in their respective hallway, Kinder and 1st grade teachers will walk students to the cafeteria at 7:40 to eat breakfast.

Students will be released to their advisory class at 7:40 a.m. This is not a transition period.

Students must go directly to class- not stop for water or restroom.

Students reporting after 7:45 a.m. must enter through the front entrance accompanied by a parent to receive a tardy pass. All backpacks will be left at the front entrance.

### **Dismissal**

At the end of the day, students must follow their teacher to their dismissal area. Students with younger siblings will report to their youngest sibling’s classroom. All other middle grades students will report to their designated room. Students are not permitted to stay after school unless they, themselves, are participating in an extracurricular activity such as: athletics, clubs, music, etc. Staying after school hours to assist a staff member is not permitted. Students are not permitted to stay on campus to wait for siblings or car pool members to dismiss from an after school activity.

Parents must complete an official *Walk Home Permission Form* for students to be able to walk home after school. This form is available in the reception desk.

All school rules apply during dismissal time. Students must remain quiet to listen for dismissal information.



### **Late Pick up Policy**

School dismisses at **3:30 p.m. daily**. Teachers and staff have after school obligations, such as tutoring, meeting, and planning. It is very difficult for staff to meet their after school obligations when students are not picked up on time.

Students must be picked up on time from all activities. ***Older or younger siblings who are not assigned to after school activities are not allowed to stay***, as there are no staff members available to supervise these students. **ONLY** students assigned to tutoring, detention or other after school activities may stay after school.

**All school rules apply during dismissal time. Parents will be charged \$10 for each child left after 4:00 p.m.** Remember, dismissal is 3:30 p.m. except early dismissal days. Early dismissal days, students are dismissed at 1 p.m. and a late fee will apply after 1:30 p.m.

Students participating in after school clubs (ASC) or tutoring must be picked up promptly after their activity ends. Students picked up 15 minutes after club or tutoring dismissal will be charged \$10 late fee per student. After 3 late pickups, the student will no longer be able to participate in ASC or tutoring.

### **Outstanding Balances**

Report cards will be held until all outstanding balances are paid in full.

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(Sign and return to school)

Code of Conduct Acknowledgement

I acknowledge receipt of La Academia de Estrellas Student Code of Conduct, including the Uniform Policy, Bullying Policy, and Technology Policy. I have reviewed this information with my child and understand the policies stated herein.

_____ Student Name	_____ Grade
_____ Student Signature	_____ Date
_____ Parent Signature	_____ Date

**Año Escolar 2017-2018**  
(Firme y regrese a la escuela)

Reconocimiento del Código de Conducta y Póliza de Uniforme

Yo afirmo que recibí los documentos de los códigos de Conducta y Póliza del Uniforme de La Academia de Estrellas. He repasado esta información con mi niño y entiendo las políticas indicadas.

_____ Nombre del Estudiante	_____ Grado
_____ Firma del Estudiante	_____ Fecha
_____ Firma del Padre o Tutor	_____ Fecha