

Houston Heights HS

Student Code of Conduct

2010-2011

ENROLLMENT REQUIREMENTS

1. **Application Form**
2. **Birth Certificate** (hospital certificate, NUMMI printout from Social Security Administration, baptismal certificate or passport)
3. **Report Card** (Report card from last school attended)
4. **Proof of Address** (Lease agreement, utility bill, *driver's* license, etc.)
5. **Medical Requirements** (Copy of shot record from last school or doctor)

For Students enrolling for the first time in a Texas school

DPT/DT - 3 doses required, with last dose since age 4 and within 10 years

Polio - 3 doses required with last dose since age 4

Rubella - 1 dose required on or after first birthday

Mumps - 1 dose required on or after birthday (12 year olds will be required to show proof of having MMR #2)

Tuberculin Skin Test - Physician's statement of results is required. (Must be within one year).

6. **Enrollment Packet**

Enrollment Form

Home Language Survey

Health Inventory

Medical Release/Field Trip Permission

Parent/Student Contract

Letter to Households to Qualify for Compensatory Education Funding

Compensatory Education Funding Qualification Form

Student Contract for Computer Systems Use & Individual Access to the Web

Right to Request Teacher Qualifications Form

Access to Student Information by Military or College Recruiters Form

Annual Notice for Disclosure of School Directory Information Form

Annual Notice of Student Education Record Privacy

Protection of Pupil Rights Amendment Annual Notice to Parents

Request for Records Form for New Students

Signed Student Code of Conduct Form

Special Education Form with copy of ARD if applicable

Students with a history of discipline problems or truancy may not enroll at Houston Heights High School. Falsifying enrollment information is grounds for immediate dismissal from Houston Heights High School.

The Houston Heights High School does not discriminate on the basis of race, color, national origin, sex, or disability in its educational programs and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies under Title IX of the Education Amendment of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964 (Title VI), under the regulations and statutes.

Name: Jose Zapata, Director of Social Services
Title IX Coordinator/Sec 504

Address: 1125 Lawrence
Houston, Texas 77008

Telephone No. 713-868-9797

Options and Requirements For Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other support services that are available to all students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If evaluation is needed, the parent will be notified and asked to provide consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. The district must give a copy of the report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of their rights if they disagree with the district. Additionally, the notice must inform the parent how to obtain a copy of the *Notice of Procedural Safeguards - Rights of Parents of Students with Disabilities*.

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is:

Contact Person: Erica McCready

Phone Number: 713-868-9797

Opciones y requisitos para proporcionar ayuda a los estudiantes que tienen dificultades en el aprendizaje o que necesitan o pueden necesitar educación especial

Si un niño está experimentando dificultades en el aprendizaje, el padre puede comunicarse con la persona mencionada más abajo para enterarse sobre el sistema de estudios de diagnóstico y de recomendación de la educación general del distrito para los servicios de apoyo. Este sistema conecta a los estudiantes con una variedad de opciones de apoyo, incluyendo la recomendación para una evaluación para educación especial. Los estudiantes que tienen dificultades en el aula normal deberán ser considerados para tutoría, servicios compensatorios y otros servicios de apoyo, académicos o de comportamiento, disponibles para todos los estudiantes.

En cualquier momento, un padre tiene derecho a solicitar una evaluación para los servicios de educación especial. Dentro de un período de tiempo razonable, el distrito debe decidir si la evaluación es necesaria. Si la evaluación es necesaria, el padre será notificado y se le pedirá que dé consentimiento informado por escrito para la evaluación. El distrito debe completar la evaluación y el informe dentro de los 60 días de calendario desde la fecha en que el distrito reciba el consentimiento por escrito. El distrito debe darle una copia del informe al padre.

Si el distrito determina que la evaluación no es necesaria, el distrito proporcionará al padre una notificación por escrito que explica el motivo por el cual el niño no será evaluado. Esta notificación por escrito incluirá información que le explica al padre los derechos que tiene si no está de acuerdo con el distrito. Además, la notificación debe informarle al padre la manera de obtener una copia de la *Notificación de las Salvaguardas del Procedimiento – Derecho de los Padres de Estudiantes con Discapacidades*.

La persona designada con quien puede comunicarse en relación a las opciones que tiene un niño que experimenta dificultades en el aprendizaje o para una recomendación para la evaluación para educación especial es:

Nombre de la persona: Erica McCready

Número de teléfono: 713-866-9797

DRESS CODE

THE PARENTS OF STUDENTS NOT FOLLOWING THE DRESS CODE ARE REQUIRED TO MEET WITH THE SUPERINTENDENT. GANG SYMBOLS IN ANY FORM AS DETERMINED BY HHHS ARE NOT TOLERATED. FAILURE TO MEET WITH THE SUPERINTENDENT OR CONTINUED DRESS CODE VIOLATIONS WILL RESULT IN EXPULSION FROM SCHOOL.

SCHOOL UNIFORMS are **REQUIRED** for all students. Students are required to wear solid color (without designs or logos) collared golf shirts that are white or black. Shirts must fit. They may not be oversized. Official Houston Heights High School T-shirts may also be worn. Khaki, blue jeans, or black fitted pants worn at the waist are required. A belt must be worn. Tennis shoes, boots, or dress shoes must be worn. No shoes with a strap between the toes or slippers are allowed. Business casual dress is encouraged on Wednesdays. Please see www.heightshs.org for examples of business casual dress, uniforms, and unacceptable dress.

ELECTRONICS & CELL PHONES

Electronic devices such as cell phones, mp3 players, or ipods are not allowed. Any electronic device that is seen or heard by a staff member during school hours is immediately confiscated. Staff confiscating the device shall turn the device over to the Principal. Parents are called and given a description of the device and told that if the device is not claimed within sixty days it will be disposed of as per the Texas Education Code 37.083. Only a parent, guardian, or their adult designee can claim the electronic device after school from the Principal. Under no circumstances will a device be returned to the student. A \$40.00 fine **MUST** be paid. No Exceptions. If a student refuses to give up their electronic device, in addition to the above, a parental conference is mandatory **BEFORE** the device is returned. Additionally, the student is subject to further disciplinary action as a result of their refusal.

Electronic devices such as laptop computers and calculators are allowed. Permission to carry these types of devices must be obtained **BEFORE** they are brought to school from the Superintendent or their designee.

STUDENT FEES

Students and parents are responsible for paying student fees. Student fees cover the costs of such things as field trips, yearbooks, prom, graduation robes, etc. For students enrolling in August and September, student fees must be paid within sixty days after enrolling. There is a 10% penalty for dues that are paid late. For students enrolling after September 30th, class dues are due the day that they enroll. **Student fees are not refunded if the student withdraws or is removed from school for any reason. No exceptions.**

Quick Reference Discipline Guide

Fighting The Houston Police Department is contacted. Charges are filed. Students are taken into custody. Parents are contacted by phone. Parents must meet with school officials before the student returns. Offenses that seriously disrupt the educational process in the classroom or at school related activities could require dismissal from Houston Heights HS. The superintendent or their designee will make the determination to expel or suspend.

Suspected Under the Influence The parent is contacted by phone. The parent must pick up their child within one hour. If the student is not picked up, the Houston Police Department is contacted. Charges are filed. The student is taken into custody. The parent is contacted by phone and informed that their child was arrested. The parent must meet with school officials before the student returns to school. The Principal may suspend the student for up to three days out of school.

Possession of a Controlled Substance The Houston Police Department is contacted. Charges are filed. The student is taken into custody. The parent is contacted by phone. The parent must meet with school officials before the student returns to school and serves a mandatory suspension. If the charge is possession with the intent to sell, the student is referred for expulsion.

Defacing School Property Defacing school property is a felony. "Tagging" which is writing on any school property is a felony. School property includes walls, textbooks, and desks. The Houston Police Department is contacted. Charges are filed. The student is taken into custody. The parent is contacted by phone and informed that their child was arrested. The student is referred for expulsion.

Profanity Profanity is not acceptable. If a staff member is offended by a student's use of profanity, the student is ticketed and maybe subject to arrest and incarceration. The parents are informed by a telephone call or in writing.

Searches Students are subject to reasonable search and seizure.

Late to School Any student late for school must serve after school detention that same day. Excessive tardiness can result in expulsion.

Refusing to Attend Tutoring Any student who refuses to attend afterschool and Saturday school tutoring as required by HHHS is not committed to their academic success. Their parents must withdraw their child and enroll them in another school within two working days. Failure to do so will result in expulsion.

RESPONSIBILITIES IN BEHAVIOR MANAGEMENT

The effective enforcement of the Code of Student Conduct is essential for keeping Houston Heights High School and/or school-related activities free of disruption and is dependent on the exercise of the responsibilities by the following:

STUDENTS

- Adhere to school and classroom rules and regulations for behavior and good conduct.
- Attend all classes each day and be on time.
- Prepare for each class with appropriate materials and completed assignments.
- Dress according to the dress code adopted by the school.
- Know that the use, possession, and/or sale of illegal or unauthorized drugs, alcohol, and weapons are unlawful and prohibited.
- Show respect toward themselves and others.
- Conduct oneself in a responsible manner.
- Pay required fees and fines.
- Know and obey all school rules in the Code of Student.
- Cooperate with staff in investigation of disciplinary matters.
- Seek changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
- Students have the responsibility not to carry on their person or to have on school property or at school sponsored events such items as drugs, weapons, alcohol, cigarettes, or other contraband materials in violation of school policy or state law.
- Students are entitled to the guarantees of the Fourth Amendment; and they are subject to reasonable searches and seizures.
- The 18-year-old student who has adult status may enroll and attend public school. The 18-year-old student who is enrolled in public school has the responsibility to follow the policies, procedures, rules, and regulations of the school. The 18-year old student maybe dropped from school after 5 unexcused absences.

PARENTS

- Support school and classroom rules for student behavior and ensure that their children conduct themselves according to district standards.
- Make sure that their children arrive at school on time and remain the full day.
- Make sure that their children complete all homework assignments.
- Provide the school with current address and, when available, current telephone numbers, and email address.
- Pay required fees and fines.
- Know and obey all school rules in the Code of Student.
- Cooperate with staff in investigation of disciplinary matters.
- Seek changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
- Parents or eligible students have the responsibility to release information to those individuals or agencies that are working actively and constructively for the benefit of the student.

TEACHERS

- Establish classroom management procedures that concentrate on good student conduct and support the Code of Student Conduct.

STUDENT DISCRIMINATION GRIEVANCES

Students should utilize the grievance procedure to raise any discrimination on the basis of race, color, national origin, sex, or handicap. In addressing any of these concerns, students should utilize the following procedures:

Informal Procedure

It is recognized that in the course of providing the best education possible in an atmosphere conducive to learning instances occur involving individuals and personalities, and the student may be affected by conflicting or adverse decisions that require third-party resolution. In the event the student believes such instances require a remedy or that there is a basis for a grievance, he/she will first discuss the matter with his/her teacher. Should this procedure fail to satisfy the student, he/she may next discuss the matter with the principal or principal's designee with the objective of solving the matter informally. Should the informal procedure fail to satisfy the student, a grievance may be taken through the formal procedure. A letter of grievance must be submitted to the principal.

Formal procedure

The aggrieved shall send a formal written grievance within five (5) days of the incident to his/her principal. The grievance must explain what policy or procedure was violated or the wrong the aggrieved experienced and offer a reasonable resolution to the situation. Within five (5) days of the date the grievance is filed, the principal, or person appointed by the principal, shall schedule a meeting with the aggrieved and his/her parents or guardian or designated representative and the grievance committee in an attempt to resolve the grievance. The committee shall indicate their disposition of the grievance in writing within five (5) days of such meeting and shall furnish copies thereof to the aggrieved and the principal. If the aggrieved is dissatisfied with the grievance committee's response, they may appeal to the principal in writing. The aggrieved has three (3) days after receiving the committee's decision to appeal. The appeal must include the grievance committee's written response, explain why they believe the grievance committee's decision was in error, and offer a reasonable resolution to the situation. If the aggrieved is dissatisfied with the principal's response, they may appeal to the Board of Directors in writing. The aggrieved has (3) days after receiving the principal's decision to appeal. The appeal must include the grievance committee's written response, the principal's written response, explain why they believe the grievance committee's decision was in error, explain why they believe the principal's decision was in error, and offer a reasonable resolution to the situation. The Board of Directors reserves the right to hear only grievances relating to violations of policy or procedure. Any grievance the Board of Directors hears is introduced during the first Board meeting after the grievance is filed. Action by the Board of Directors is taken at the next meeting held.

PROCEDURES TO REPORT AND INVESTIGATE A STUDENT'S COMPLAINT OF SEXUAL HARASSMENT BY ANOTHER STUDENT

Student misconduct, which is alleged to be sexual harassment by one student toward another student, should be reported to a campus teacher, counselor, principal, or other adult staff member. The adult staff member who receives the report of student misconduct shall give the report to the Principal within 24 hours. Students found to have committed the misconduct shall be disciplined according to the level of student

misconduct in the Code of Student Conduct. Students and parents may appeal to the Houston Heights High School Board if they are not satisfied with the resolution reached at the school level. The student and parent have three days after receiving the principal's decision to file a written appeal to the Board of Directors. The appeal must include the principal's written response, explain why they believe the principal's decision was in error, and offer a reasonable resolution to the situation. The Board of Directors reserves the right to hear only grievances relating to violations of policy or procedure. Any appeal the Board of Directors hears is introduced during the first Board meeting after the appeal is filed. Action by the Board of Directors is taken at the next meeting held.

PROCEDURES TO REPORT AND INVESTIGATE ALLEGED SEXUAL HARASSMENT OF A STUDENT BY AN ADULT

A student, parent, or an individual with knowledge of the alleged act of sexual harassment of a student by an adult is encouraged to report it to a teacher, counselor, nurse, school administrator, principal, or the principal's designee.

At any time, including at the time of making the initial complaint, the student, parent, or individual with knowledge of the alleged act of sexual harassment may complain directly to the superintendent.

Whenever a complaint of sexual harassment of a student by an adult is received, the following steps shall be taken:

Efforts will be taken to obtain all of the facts from the student and to verify these facts. Such efforts may include requesting a written statement from the student, requesting a written statement from the student's parents or guardian, and obtaining names of witnesses of the alleged acts of sexual harassment so that interviews of witnesses can be conducted. If appropriate, Harris County Children's Protective Services must be contacted. The investigation shall begin within 5 school days of receiving the information from the student, parent, or individual with knowledge of the alleged act of sexual harassment. A thorough investigation includes an interview with the individual who allegedly committed the sexual harassment to inform the individual of the specific allegations and to provide an opportunity for a response. Upon completion of the investigation, the student and/or parents should be informed of the resolution of the complaint. Upon completion of the investigation, the individual who allegedly committed the sexual harassment shall be informed of the resolution of the complaint. They may have a representative present to discuss the resolution of the complaint. Upon completion of the investigation, the documentation of the complaint, steps taken to investigate the complaint, and proposed resolution shall be sent to the Houston Heights High School Superintendent. Any disciplinary action against any Houston Heights High School employee shall be proposed and implemented in accordance with Houston Heights High School Board Policy.

STUDENT MISCONDUCT

Suspension and Expulsion are limited to Level III and Level IV infractions of the Student Code of Conduct. The Student Code of Conduct provides a description of a broad range of behaviors considered as student misconduct. The behavior described should be viewed as representative of the misconduct that most frequently causes a disruption

to the orderly educational process. The acts of misconduct listed in Levels I, II, III, and IV are not inclusive. The student who commits an act of misconduct that may be classified into any of the four levels will be subject to disciplinary action by the classroom teacher, assistant principal, and/or the principal.

WHEN AND WHERE THE RULES APPLY

The policies and administrative procedures concerning student conduct apply to actions of students on school property. This includes actions occurring before, during, and after school. Additionally, the rules apply to actions of students at all school-sponsored or school-related activities or events, such as field trips, sporting events, stadium assemblies, fairs, or evening school-related activities. Additionally, students should be aware that the commission of any felony offense, whether at school or away from school, would result in EXPULSION FROM HOUSTON HEIGHTS HIGH SCHOOL. Finally, students should be aware that administrators who are made aware of criminal activity whether on or off of campus will make a report to appropriate law enforcement agencies and that in addition to these administrative rules, students may be subject to criminal charges for violations of the law.

GENERAL DISCIPLINE GUIDELINES FOR ASSESSING PENALTIES

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

1. Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case and may include such factors as:
 - a. Seriousness of the offense;
 - b. Student's age;
 - c. Frequency of misconduct;
 - d. Student's attitude;
 - e. Potential effect of the misconduct on the school environment; and
 - f. State law requirements for certain disciplinary consequences.

Zero Tolerance Pursuit of Criminal Charges

The Board of Directors believes the school environment should be safe for all students and free of disruptions that interfere with the educational process. In response to this belief, the Board has developed a policy of zero tolerance. This policy shall apply to all students. All students who unlawfully possess a firearm, knife, explosive, or any other dangerous object or weapon on school property, on school buses, and/or in attendance at school related activities are expelled from Houston Heights High School. The Board of Directors further declares that the Student Code of Conduct will be strictly applied. In every case where students commit a criminal offense in violation of the Student Code of Conduct, the Texas Education Code, or Penal Code, Houston Heights High School will pursue charges, arrests, and removal to facility or county jail. Houston Heights High School will honor expulsion orders from other schools and shall not admit a student expelled from another district for the period of the other school's expulsion.

LEVELS OF OFFENSES

Acts of misconduct are categorized into the following four levels of offenses:

Level I Teacher Directed: Offenses that generally occur in the classroom and can be corrected by the teacher.

Level II Administrative Intervention: Offenses that are more serious in nature and a continuance of Level I misconduct.

Level III Suspension or Dismissal from Houston Heights High School: Offenses, which seriously disrupt the educational process in the classroom, school related activities, or a continuance of repeated Level I, II, or III misconduct.

Level IV Dismissal From Houston Heights High School: Serious criminal offenses. This includes any felony, whether school related or not.

Personnel will use their professional judgment in determining which disciplinary action will be most effective in dealing with specific acts of student misconduct. Disciplinary actions apply equally to all students, except as provided under Board Policy and Administrative Procedures related to disabled students.

GENERAL PROCEDURE FOR RESOLVING SCHOOL PROBLEMS

School problems can best be resolved at the campus level where problems start. In order to resolve problems, parents, guardians, and/or students can meet with a teacher at the appropriate times to discuss existing problems. **Teachers cannot leave their class to meet with parents.** If the parents, guardians, or students, are dissatisfied with the teachers decision or explanation, they can schedule a meeting with the Principal to review the area of concern.

LEVELS OF STUDENT MISCONDUCT AND DISCIPLINARY OPTIONS

LEVEL 1: TEACHER DIRECTED

The classroom teacher should successfully manage many behaviors. There should be immediate and consistent interventions of any behavior that impedes orderly classroom procedures or interferes with the orderly operation of the classroom.

Level I Misconduct Examples:

Violations of rules and/or procedures established by the teacher.

Cheating and/or copying the work of other students.

Refusal to participate in classroom activities.

Unexcused tardiness to class.

Failure to bring required classroom materials and/or assigned work to class.

General misbehavior including, but not limited to, eating in class, horseplay, violating campus dress codes, making excessive noise, any other act which impedes the orderly classroom procedure or interrupts the orderly operation of the class.

Failure to deliver and/or return written communications between home and school.

Disciplinary Options/Responses:

- Verbal corrections.
- Teacher-student conference.
- Parent contact: note or telephone call to parent.
- Detention (maintained by teacher) during non-instructional time such as before or after school.
- Other appropriate in-class disciplinary actions.

Procedures:

1. The teacher who is supervising the student and observes the misbehavior should tell the student that they are violating the Student Code of Conduct and give the student the opportunity to correct their behavior.
2. The teacher makes a log entry titled "FYI" in the student database. For first time Level I offenses only, teachers may use their discretion and may deem minor

infractions as not a violation of the Student Code of Conduct for purposes of this reporting. This provision shall have no effect upon the disciplinary options available to the classroom teacher under Level I for addressing student misconduct.

3. The teacher should discuss the misbehavior with parent, administrator, and/or support personnel.
4. Level I behavior violations and Discipline Options and Responses are not limited to those provided. Serious and/or repeated violations shall result in a more severe response and/or referral to Level II.

LEVEL II: ADMINISTRATOR INTERVENTION

Some infractions will result in a referral to an administrator. The disciplinary actions will depend on the offense, previous actions, and the seriousness of the misbehavior. Level II Acts of Misconduct include those student acts that interfere with the orderly educational process in the classroom and/or the school. A teacher who observes a student engaged in Level II must make a log entry in the student database with the title "Action Required".

Level II Misconduct Examples:

Repeated/continuation of Level I misbehavior.

Leaving the classroom or school grounds without the permission of school personnel.

Dress Code violations.

Inappropriate display of affection.

Any verbal abuse of others including name-calling or derogatory statements.

Posting or distributing unauthorized materials on school grounds.

Failure to abide by rules and regulations at extracurricular activities and/or co-curricular activities such as field trips.

Disruptive behavior and any other acts that interfere with the orderly educational process in the classroom and/or the school.

Disciplinary Options/Responses:

- Parental contact by phone and/or written notification to parent or guardian
- Administrator/student/parental conference
- Exclusion from extracurricular activities including, but not limited to, field trips, commencement exercises/award ceremonies
- Behavior and/or conduct contracts
- Teacher removal of the student from the classroom, which may result in expulsion from Houston Heights High School
- Any other appropriate disciplinary actions determined by the administration.

Procedures:

1. Staff makes a log entry in the student database with the title "Action Required".
2. Administrator confers with student and/or teacher to establish appropriate action.
3. The administrator emails the referring staff member with the result of the conference.
4. Repeated violations shall result in a more severe response and/or referral to Level III.

LEVEL III: SUSPENSION OR EXPULSION FROM HOUSTON HEIGHTS HIGH SCHOOL.

Level III acts include conduct for which the student may be suspended or expelled from Houston Heights High School. The principal or other appropriate administrator will make

the determination whether to suspend or expel the student. The period of the suspension is limited to three days per occurrence.

Level III Misconduct Examples:

Chronic or repeated disciplinary Infractions of Level I and/or II offenses

Fighting

Interfering with school authorities

Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities. This includes such acts as boycotts, sit-ins, trespassing, and walkouts

Failure to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel

Failure to adhere to terms of behavior contracts

Indecent/unsolicited sexual proposal/sexual harassment

Selling or soliciting for sale any merchandise on school campus without the authorization of the building principal

Display of disrespect toward school personnel or campus visitors

Profanity, vulgar language or obscene gestures

Engaging in acts of intimidation which interfere with another student's desire or willingness to participate in the educational process

Leaving campus without permission and/or truancy

Disciplinary Options/Responses:

- Required administrator/student/parental conference.
- Expulsion from Houston Heights High School
- Financial restitution or restoration, as applicable, for vandalism to property.
- Exclusion from extracurricular activities including, but not limited to field trips, and commencement exercises/award ceremonies.
- Suspension for up to three school days per occurrence.
- Teacher removal of the student from the classroom in accordance with the section in this Code entitled "Procedures for Teacher Removal of Students".
- Any other appropriate disciplinary actions determined by the administration.

Procedures:

1. Staff makes a log entry in the student database with the title "Action Required".
2. Administrator confers with student, and/or teacher, and/or parent to establish appropriate action.
3. The administrator emails the referring staff member with the result of the conference.
4. A written notice of the offenses and the action taken are given to the parent and/or student.
5. The parent and student are informed in writing that they may appeal the decision to the Board of Directors of the Foundation for Recovering Youth. The appeal must be presented in writing to the Superintendent within 5 working days of the decision. The Board of Directors of the Foundation for Recovering Youth will make a decision at the next regularly scheduled Board meeting.

LEVEL IV: EXPULSION FROM HOUSTON HEIGHTS HIGH SCHOOL

The campus administrator shall expel a student from Houston Heights High School when the student engages in any conduct punishable as a felony, whether the conduct occurs on or off of school property and regardless of whether the conduct occurs before, during, or after school hours.

Level IV Misconduct Examples:

Engaging in assault, this is defined as intentionally, knowingly or recklessly causing bodily injury to another. (Section 22.01 (a)(i), Penal Code)

Engaging in terroristic threat, defined as but not limited to threatening to commit violence or harm to any person or property with intent to cause an emergency response or which places any person in fear of imminent serious bodily injury: or interrupting the occupation or use of a building, room, place of assembly, place to which the public has access by threats of violence or other means: or causing impairment or interruption of public communications, public transportation, public water, gas or power supply or other public service. (Section 22.07, Penal Code)

Selling, giving, delivering to another person, possessing, using or being under the influence of Marijuana, a controlled drug, or other controlled substance. (Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et. seq.)

Selling, giving, delivering to another person, possessing, using or being under the influence of a dangerous drug. (Chapter 483, Health and Safety Code)

Selling, giving or delivering an alcoholic beverage to another person.

Regardless of whether on or off of campus or at a school function, if a student engages in conduct that contains elements of the offense of retaliation under Section 36.06, Penal Code against any school employee by engaging in conduct including but not limited to intentionally or knowingly threatening to harm another by an unlawful act in retaliation for that persons performance of their official duties.

Possession means actual care, custody, control or management. A student shall be considered to be in possession of any substance or object prohibited or regulated by this Code if the substance or object is: (1) on the student's person or in the student's personal property, including but not limited to the students clothing, purse, book bag, or briefcase; (2) in any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; or (3) in any school property used by the student, including but not limited to a locker or a desk.

Procedures:

1. Staff makes a log entry in the student database with the title "Action Required".
2. Administrator confers with student and/or teacher and/or parent to establish appropriate action.
3. The administrator emails the referring staff member with the result of the conference.
4. A written notice of the offenses and the action taken are given to the parent and/or student.
5. The parent and student are informed in writing that they may appeal the decision to the Board of Directors of the Foundation for Recovering Youth. The appeal must be presented in writing to the Superintendent within 5 working days of the decision. The Board of Directors of the Foundation for Recovering Youth will make a decision at the next regularly scheduled Board meeting.

The principal has an obligation under the law to notify the Houston Police Department if the principal has reasonable grounds to believe that any of the above offenses has occurred in school, on school property, or at a school sponsored or school-related activity on or off school property.

Non-Disciplinary Removal

The administrator may remove a student from his or her regular classes or from school district premises for non-disciplinary health, safety, or welfare reasons whenever the administrator determines that an emergency exists for doing so. Reasons which may be considered an emergency include, but are not limited to, the fact that the student is highly agitated, is suffering from any condition which temporarily threatens his or her welfare, other individuals' welfare, or the efficient operation of the school. Any student who is removed from school premises pursuant to this subsection and who is in a condition that threatens his own welfare or the welfare of others must be released to the student's parent, a representative of the parent, or other proper authority, including, but not limited to, law enforcement officers and medical personnel. Such removal must be for as short a time as is reasonable under the circumstances, but is limited to five consecutive school days. The administrator shall make reasonable efforts to notify the parent prior to removing a student from school premises under this subsection. If the parent cannot be notified prior to removal, the parent must be notified as soon as possible after the removal and the reasons for it.

DISCIPLINE OF SPECIAL EDUCATION STUDENTS UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Students with disabilities are expected to exhibit appropriate conduct and may be subject to the requirements of this Student Code of Conduct. A student with disabilities is one who has been determined by an Admission Review and Dismissal/Individual Education Plan (ARD/IEP) Committee as being orthopedically impaired, other health impaired, auditory impaired, visually impaired, deaf/blind, mentally retarded, emotionally disturbed, learning disabled, speech impaired, traumatic brain injured, autistic, multiplied impaired, and who, because of those impairments, needs special education and related services.

In some instances, the disabled students ARD/IEP Committee may have developed a discipline management plan which may be followed in administering discipline in situations addressed by the discipline management plan. If the ARD/IEP Committee developed a discipline management plan for a disabled student, that plan will be contained on the ARD/IEP Supplement: Discipline Management Plan form.

In the event the ARD/IEP committee has not developed a discipline management plan, it may become necessary for the ARD/IEP committee to first determine whether the alleged behavior in question was related to the disabled student's disability. If the ARD/IEP committee determines there is a connection, it must also determine what action is appropriate. In the implementation of the zero tolerance policy previously discussed in this booklet, the ARD/IEP Committee must review the discipline management plan and/or determine if there is a relationship between the behavior and the disability prior to changing the student's placement.

Suspension

Disabled students may be suspended in the same manner as non-disabled students for a period not to exceed a total of three school days per occurrence so long as the total

number of cumulative suspensions does not constitute a change in placement. Procedures regarding the suspension and the length of suspension shall be the same as those for non-disabled students, so long as the suspensions do not constitute a change in placement. All reasonable efforts must be made to notify the parent of the behavior, the suspension, and the decision. If a response to misconduct is specified in the IEP or a Discipline Management Plan, then the actions or procedures specified in the plan may be followed without recourse to hearing procedures. If no response is specified and suspension for more than three days or dismissal is contemplated, then the ARD/IEP Committee must first determine whether the alleged behavior in question was related to the disability or to an inappropriate placement. If the ARD/IEP committee determines there is a connection or that it was related to an inappropriate placement, it must also determine what action is appropriate.

Emergency Removal of a Disabled Student

The designated building administrator may remove a disabled student from a class or school for non-disciplinary health, safety, or welfare reasons for as short a period as is reasonable under the circumstances not to exceed five consecutive school days, for compelling reasons. This removal is used in emergency situations only. Consecutive five school day emergency removals are prohibited unless the ARD/IEP Committee determines that the student poses an immediate threat to the safety of himself/herself or others, or disrupts the safety of the learning environment. If the ARD/IEP Committee makes this determination, it may institute a second five-day-emergency removal. If the student is removed under those conditions, during the day, the student must be released to the student's parent, a representative of the parent, or other proper authority including, but not limited to law enforcement officers and medical personnel. The building administrator shall make reasonable efforts to notify the parent prior to removing the student. If the parent cannot be notified prior to removal, the administrator must notify the parent as soon as possible after the removal and the reasons for it.

Limitation on Days of Removal of Disabled Students

When a disabled student has been suspended, and/or removed for emergency reasons for a combined total of 10 school days in any one school year, an ARD/IEP Committee must be convened to review current evaluations, assessments, and IEP, unless such removal is warranted in the student's IEP. The ARD/IEP Committee must determine appropriate actions and adjustment with the goal of keeping the student in school. For example, a decision to remove a disabled child for disciplinary reasons into home-based instruction is a change in placement that can only be made by the ARD/IEP Committee.

Dismissal of a Disabled Student

A disabled student may be dismissed from Houston Heights High School for any acts of misconduct that would warrant the dismissal of a non-disabled student. However, a disabled student may be dismissed for such conduct only if the ARD/IEP Committee determines the misconduct was not related to the student's disabling condition or an inappropriate placement. If the ARD/IEP Committee determines that there is no behavior, disability, placement link, procedures regarding dismissal, shall be the same as those for a regular education student.

If the ARD/IEP Committee determines that the student's disruptive behavior is related to the disabling condition or inappropriate placement, the disabled student shall not be dismissed. The ARD/IEP Committee will adjust the IEP or placement as appropriate.

All decisions of the ARD/IEP Committee are appealable through the Special Education Due Process Procedures. The disabled student's placement during such appeal is governed by 34 Code of Federal Regulations 300.513 that maintains the student's current educational placement during the appeal unless the parties agree otherwise.

DISCIPLINE OF STUDENTS SERVED UNDER SECTION 504 OF THE REHABILITATION ACT

(STUDENTS NOT ELIGIBLE UNDER THE INDIVIDUALS, WITH DISABILITIES EDUCATION ACT)

Students served under the Individuals with Disabilities Education Act (IDEA) include students who have one of 13 specific categories of disabilities and who because of their disabilities are in need of special education and related services in order to receive a free appropriate public education. Section 504 of the Rehabilitation Act of 1973 covers a broader range of individuals. A disabled student under Section 504 is defined as a student who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks."

Discipline of Section 504 students mirrors the procedural framework involved with special education students, however, it is a separate procedure promulgated under separate laws. As with special education students, if there is a behavior plan that specifies disciplinary options or responses to student misconduct, then those options or responses should be implemented in accordance with the plan.

For more serious misconduct which may require dismissal or other exclusion that constitutes a significant change in placement, the Section 504 Committee must conduct a "manifestation determination" to determine whether the student's conduct was caused by his/her disabling condition. The Section 504 Committee is composed of a group of persons knowledgeable about the student. Such a determination should be based on current data.

If it is determined by the Section 504 Committee that the misconduct is not caused by the student's disabling condition, the student may be dismissed from school in the same manner as similarly situated non-disabled students are dismissed.

If it is determined by the Section 504 Committee that the misconduct is caused by the student's disabling condition, the student may not be dismissed. The Section 504 Committee must then determine whether the student's current educational placement is appropriate.

Pursuant to federal law, students who currently possess illegal drugs or alcohol may be held to the same standard of performance behavior to which non-disabled students are held.

Rules concerning use or possession of illegal drugs and alcohol will be enforced evenly with respect to all students, both disabled and non-disabled.

**HOUSTON HEIGHTS HIGH SCHOOL
CODE OF STUDENT CONDUCT**

The purpose of the Code of Student Conduct is to inform all students, parents and teachers of the Houston Heights High School's expectations regarding behavior and conduct. Please sign and date in the space provided verifying that you either received a copy of the Code of Student Conduct or agreed to read Code of Student Conduct on line at www.heightshs.org.

This form is kept in your child's school record folder. Your signature indicates that you will follow the Code of Student Conduct.

**Student's
Name:**

**Student's
Signature:**

Date: _____

**Parent's
Signature:**

Date: _____