

**Gulf Coast Council of La Raza, Inc.  
Dr. M. L. Garza-González Charter School**

**STUDENT HANDBOOK**  
**2019-2020**



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*Nuestra Juventad---Our Youth - Nuestro Futuro ---Our Future*

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## **PREFACE TO STUDENTS AND PARENTS**

**This handbook contains information that students and parents must know to ensure a successful school year. The Student Code of Conduct is required by state law and is intended to promote school safety and an environment for learning. This handbook is updated annually, while policy adoptions and revisions are ongoing throughout the year. Changes in policy that affect handbook provisions will be communicated to students and parents/guardians as they are approved by the Board of Trustees. This student handbook is not contractual in nature and shall not be deemed in any context to give contractual rights to any individual or entity. Dr. M. L. Garza-Gonzalez Charter School Board policies, as well as state and federal law, are the legal guidelines that bind the District, its employees, and students. Such policies and law take precedence over the information in this student handbook, and any conflicts between such shall be interpreted and resolved in compliance with, and in favor of, Board policy and/or applicable laws.**

## **MISSION STATEMENT**

The Dr. M. L. G.- Gonzalez Charter School's staff, parents, and community are dedicated to the intellectual, personal, social, emotional and physical growth of students. Our highly qualified staff recognizes the value of professional development in order to rigorously challenge our students. Our teaching practices are both reflective and responsive to the needs of our students. Through diversified experiences, our students discover their potential; achieve readiness for fluid transition into any high school program, college/careers, and succeed in a safe and caring environment.

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## **Admissions and Enrollment**

### **How is a student admitted and enrolled?**

- current students will be required to complete a "Return the School " form prior to May 14th of each year.
- new students will complete an application for admission beginning May 16th - August 20th
- applications received after the deadline will be accepted in the order that they were received until all openings are filled
- if capacity of enrollment is met, students that apply during the application period will be placed on a waiting list according to grade level.
- once capacity of enrollment is met, students will remain on waiting list until application process for following school year is open
- all remaining students will be placed on a wait list.
- all **deadlines** are on applications
- contact the school office if other admission and enrollment information is needed
- student must present the following for admission
  - The child's birth certificate
  - The child's social security card
  - current **immunization** record or proof that the child is not required to be immunized, or proof that the child is entitled to provisional admission IMMUNIZATIONS (TEC § 38.001)
- All immunizations **must** be completed by the first date of attendance. The law requires that students be vaccinated against specified diseases in order to be enrolled.
- If the student's religious beliefs conflict with the requirement that the student be immunized, the student must present a statement signed by the student (or by the parent if the student is a minor) stating that immunization conflicts with the beliefs and practices of a recognized church or religious denomination of which the student is an adherent or member. This statement must be renewed yearly.
- If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. licensed physician that states that, in the doctor's opinion, the immunization required would be harmful to the health and well-being of the student or any member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long contraindication (something that makes a particular procedure or treatment inadvisable). A parent or guardian has a thirty-day period to supply proof of inoculations.

### **IMMUNIZATIONS FOR PRE-KINDERGARTEN**

**New Immunization Requirements: Law requires children attending child-care centers, enrolled in pre-kindergarten, Head Start, or other early childhood programs to be vaccinated against invasive pneumococcal and hepatitis A diseases. The Texas Department of State Health Services (DSHS) is requiring these two vaccines in addition to those already required.**

- child's records from the school the child most recently attended if the child was previously enrolled in a school in this state or another state; (Withdrawal Sheet, Home Language Survey, Last Report Card and Transcript)
- Proof of health insurance (if applicable)
- Legal ID or driver's license
- TANF# (if applicable); or Food Stamp #

## **Attendance and Absences**

### **What are the attendance rules?**

- law requires that a student between the ages of 6 and **19** years must attend school unless the student is otherwise legally exempted or excused.
- attendance is mandatory through the school year in which the student's **19th** birthday occurs, unless the child has graduated, received a GED, is being home-schooled, or is married and meets the legal requirements stated.
- if a student **19** or older has more than five unexcused absences in a semester, the District may revoke the student's enrollment

- a student absent without permission from school, from any class, or from required tutorials, will be considered truant and subject to disciplinary action.
- To receive credit in a class, a student must attend at least 90 percent of the days the class is offered.

### **What happens if attendance expectations are not met?**

- School employees must investigate and report violations of the state compulsory attendance law.
- the District will file a complaint against parents who fail to require their child to attend school and the student may be referred to county juvenile probation for appropriate action
- attendance requirements also apply to any District-required tutorial sessions.
- student who attends fewer than 90 percent of the days the class is offered cannot receive credit for the class unless the attendance committee finds that the absences are the result of extenuating circumstances.

### **If student is absent what must be done?**

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

### **What is an excused absence?**

A student may be excused for temporary absence:

- for personal illness, dangerous travel and/or a required court appearance.
- observing religious holy days, including traveling for that purpose, if before the absence the parent submits a written request for the excused absence
- treatment by health care professionals if the student begins classes or returns to school on the same day of the appointment or treatment
- any cause acceptable to the teacher, principal or superintendent

### **Can the student make up work when absent?**

- A student whose absence is **excused** shall be permitted a reasonable time to make up work missed.
- Students who are absent because of observations of religious holy days or for appointments with health care professionals shall be considered present for attendance purposes as long as they make up the missed work within a reasonable amount of time as determined by school officials.
- In all cases, the student must also earn a passing grade in order to receive credit.
- If the Attendance Committee finds that there are no extenuating circumstances for the absence or if the student does not meet the conditions set by the committee to earn or regain credit, the student will not receive credit for the class.
- If a petition for credit is denied, the student or parents may appeal the decision to the Student Service Committee completing a written request to the Superintendent.
- A student absent for any reason is encouraged to make up specific assignments missed and/or to complete additional in-depth study assigned by the teacher to meet subject or course requirements.
- A student who does not make up assigned work within the time allotted by the teacher will receive an "incomplete" for the assignment until the work is made up.
- Students shall receive an "incomplete" for assignments and tests missed because of an unexcused absence.

### **What if the student is tardy?**

- A student is tardy if they arrive after 8:40 AM then after the bell rings in all subsequent classes, except in cases of extenuating circumstances, such as, a doctor's appointment.
- Repeated instances of tardiness will result in more severe disciplinary action (principal's discretion).

### **May a student leave school before the end of the school day?**

- Yes, if the student who must leave school during the day, brings a note (that can be verified) from his or her parent that day.

- A student who becomes ill during the school day should, with the teacher's permission, report to the lead teacher or principal.
- The school nurse (if a nurse is on staff), principal, or his designee will decide whether or not the student should be sent home and will notify the student's parent.
- This school has a "Closed Campus"
- No student will be allowed to leave the school campus during the school day. When students are delivered to the school on public bus transportation or by any family member, they are to remain on the grounds for the whole day. When students receive permission to leave the campus because of illness, they must report to the office, where their parents will be notified, and receive a dismissal permit.
- **RELEASE OF STUDENTS FROM SCHOOL** A student will not be released from school at times other than regular dismissal hours without written parental consent. The teacher must determine that permission has been granted before allowing the student to leave.

### **May students make up work for days missed?**

- **Yes**, students with excused absences may make up work within a specific time frame with teacher approval. The usual time frame will be approximately 5 days from the absence.

## **Food Services**

### **Does school have a cafeteria/food services facility?**

#### **Yes**

- Breakfast and lunch will be available for students that are in attendance
- Students meals are available at no charge due to a federal program.
- A la carte food items are available at a nominal cost. Usually ranging from \$ .50 to \$4.00
- The cost of an adult meal is \$4.00

## **Dress and Grooming**

### **What is the dress and grooming code?**

- Our District believes in the importance of encouraging high standards in dress and personal grooming that will foster dignity and self-worth while enhancing a positive learning environment. Good grooming habits are expected to be part of each student's responsibility. All students are encouraged to come to school dressed in a neat, clean and appropriate attire. **The dress code applies to both male and female students.**

#### **Students may wear:**

- Students will wear clothing appropriate for their size.
- Blue jeans or khaki pants and must be fitted at the waist and cannot sag.
- No tops revealing the midriff section are permitted
- Dress tops, blouses or shirts shall not have a low-cut front neckline.
- The back of shirts/blouses shall be no lower than the armpits.
- The armhole size shall be appropriate and not so large that the undergarments show.
- Tank tops, muscle shirts, string straps or shirts worn with torn out sleeves are not permitted.
- Leggings, biking shorts, wind shorts and workout shorts are not permitted.
- Shorts of any nature are not permitted for students in grades 3-8<sup>th</sup> grades. Pre-K through 2<sup>nd</sup> grade may wear shorts during warm weather but, they must be an appropriate length, no short shorts are allowed, principal's discretion.
- Pants must be fitted at the waist and cannot sag.
- Torn clothing which show skin or undergarments are not permitted.
- Pants must be hemmed and not frayed or fringed.
- See-through material is not acceptable in any clothing.
- Appropriate undergarments must be worn.
- Clothing that depicts, advertises or glorifies Satan or satanic rites or that indicates preoccupation with death, sadism or evil is strictly prohibited.
- Suggestive writings, pictures, emblems, or symbols or depictions of sex, violence, blood, or gore is not permitted.

- Advertising (logos and emblems) of alcoholic beverages, illicit drugs and tobacco products will not be permitted on school campus during school hours or at school-sponsored functions.
- Shoes must be worn (no shower shoes, house shoes, thongs, or taps).
- No headgear (caps, hats, etc.) will be allowed on campus during school hours.
- Dark glasses are not permitted unless required by a doctor.
- Hair must be well groomed, not cover the eyes and not be colored in such a manner as to be disruptive to the educational environment.
- Hair rollers are not permitted.

**NOTE:** Exceptions may be left to the discretion of the teacher and/or principal in unusual situations and/or during extracurricular activities, school sponsored functions on and off school property or on school campus during school hours. If an item is considered to be gang apparel/paraphernalia, or is disruptive to the educational environment, it will be banned from the campus at the discretion of the teacher and/or principal. This rule also applies to clothing, items or behavior that may present itself to be:

- **A danger to the student’s health and safety**
- **Interference with school work**
- **A disruption to an orderly school environment, and**
- **damage to school property**
- **A danger to the other student’s health and safety**

**Are backpacks allowed?**

- **Yes**, backpacks are allowed but, they **must be clear or see through netting type backpacks**, no exceptions .

**Are students assigned homework?**

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

**Grading Policy**

**What is the grading policy?**

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

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

A	100 – 90	Excellent
B	89 – 80	Good
C	79 – 70	Average
F	69 – below	Failing
I		Incomplete

Students shall receive an “incomplete” for assignments and tests missed because of an excused or unexcused absence until the work is made up.

**Do students receive report cards/progress reports?**

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

Yes, progress reports are issued each three weeks to student whether passing or failing courses.

### **May students be promoted, retained and/or placed in specific grade levels?**

#### **PROMOTION, RETENTION AND PLACEMENT (TEC § 28.021)**

A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. If a student's grade average in any subject or course is "borderline" or below 70 at the end of the first three weeks of any grading period, the student's parents will be notified. Failure to pass the STAAR/EOC Exams mandates remedial classes, homework, and tutorials.

**In grades 5 and 8, students must pass both the reading and math test in order to be promoted to 6th and 9th grade. The first time a student in grade 5 or 8 fails the STAAR, they must be provided at least 2 additional opportunities to retake the test.**

#### **MIDDLE SCHOOL PLACEMENT**

To be promoted from one grade level to the next in grades 5<sup>th</sup> and 8<sup>th</sup> grades, a student shall attain an overall average of 70 or above for the year in all courses taken and must pass the STAAR Exams. The final numerical score for all courses taken shall derive the overall average.

### **May a student change their class schedule?**

Students may drop courses or change their schedules in accordance with campus administrative regulations. The principal shall inform students of deadlines and requirements for dropping courses or changing schedules. Students have "one" week to request to Add or Drop a course at the start of the semester. Once the drop/ add time frame is ended the students will not be granted permission to charge, drop or add a course. An "Add/Drop Form" must be completed by the student with the parent and student signature and must be submitted to the counselor or the principal within the above stated timeframe.

## **Student Behavior**

### **What is expected student behavior?**

#### **ACCEPTABLE CLASSROOM BEHAVIOR**

- Make arrangements for transportation to and from school
- Come to class appropriately dressed and groomed
- Come to the class prepared and on time (Bring required school supplies)
- Be ready for class assignments
- Sit in assigned seat correctly
- Speak only when appropriate and raise hand to ask questions
- Respond appropriately when the teacher asks a question
- Stay out of and/or away from classmates' property, respect other's property

#### **RESPONSIBILITIES**

The student has the responsibility to:

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



- Follow Dress code

### **UNACCEPTABLE CLASSROOM BEHAVIOR**

1. It is against the law for students to possess or use tobacco products. No smoking or chewing tobacco.
2. No jewelry with drug paraphernalia or gang affiliation will be permitted on campus or at any school function.
3. Do not interrupt teacher during lessons.
4. Do not get up from your seat without permission.
5. Do not talk back to the teacher.
6. Do not borrow notebooks, pencils, or anything else from other students.
7. Name-calling, bullying is not allowed.
8. Stealing, lying or cheating is not allowed.
9. Profanity is not allowed.
10. Do not make noises or any other distractions during class time.
11. Do not touch the teacher's or other students' property.
12. Do not slam doors.
13. Do not fight with others.
14. Do not pass notes in class.
15. Do not throw paper or pencils across the room.
16. Do not bring toys to school.
17. Do not leave the classroom without permission.
18. Do not use cell phones in the classroom unless given permission by the teacher to use as an instructional tool. If a student shows a cell phone, the phone will be collected for the day. Subsequent violations will result in the phone being held until a parent meets with the teacher or principal to discuss the problem.
19. No lighters, cigarettes, electronic smoking devices, pipes, drug paraphernalia, matches etc.

## **Bullying**

**Bullying of any kind will not be tolerated at Dr. M. L. Garza-Gonzalez Charter School. Students can report any incidents of bullying to any staff member (i.e. teacher, counselor). All reports are taken seriously and are fully investigated.**

Bullying, meaning engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and that:

- (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
- (2) is sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- (3) exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
- (4) interferes with a student's education or substantially disrupts the operation and safety of a school or student.

## **Cyber bullying**

Cyber bullying, at or away from campus, defined as the use of the Internet, cell phones, or other devices to send, post, or text-message images and material intended to hurt or embarrass another student. This may include, but is not limited to, continuing to send e-mail to someone who has said he or she wants no further contact with the sender; sending or posting threats, sexual remarks, or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in electronic forums and posting false statements as fact intended to humiliate another student; disclosure of personal data such as another student's real name, address, or school on web-sites or forums to embarrass or harass; posing as another student for the purpose of publishing material in his or her name that defames or ridicules him or her; sending threatening and harassing text, instant messages, or e-mails to another ; and posting or sending rumors or gossip to incite others to dislike and/or gang up on the target, which is determined to have a material and substantial interference with school activities or with the rights of students.

## Hazing

"Hazing" means any intentional knowing, or reckless act, occurring on or off the campus, by one person alone or acting with others, directed against a student that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are students. The term includes but is not limited to:

1. any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of harmful substance on the body, or similar activity;
2. any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk or harm or that adversely affects the mental or physical health or safety of the student;
3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student;
4. any activity that intimidates or threatens the student with ostracism that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code. Sec. 4.52.

**Hazing will not be tolerated.**

## ACADEMIC DISHONESTY

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

## DESKS (Local Policy)

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

## CELL PHONES (Students) (Local Policy)

Student cell phones are not allowed to be used during classroom hours (this includes in the classrooms, halls, restrooms, but may be used in the cafeteria/ dining area but students must not be playing, listening or viewing inappropriate games, websites, music, etc.. Strict adherence to this policy will be enforced. The following procedures will be implemented regarding student's noncompliance with the cell phone policy.

1. **First Offense:** Teacher warning and the phone will be picked up and a return fee of **\$5.00** may be required from the parent in order to release the phone.
2. **Second Offense:** Principal warning and the phone will be picked up and a return fee of **\$5.00** will be required from the parent in order to release the phone.
3. **Third Offense:** Principal will require that the phone not be returned until the end of the year or a fee of **\$30.00** is paid in conjunction with a parent conference. The principal may elect to require that the student withdraw from the campus due to noncompliance of school regulations.

## **AWARDS AND HONORS**

Awards/ Award Assemblies are an integral part of student success in providing recognition for student achievement. At all levels, students may be recognized for all “A” honor roll, all “A” and “B” honor roll each six week period, perfect attendance, and other special rewards as scheduled by the principal.

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

### **CIPA Requirement in Accordance with ESSA**

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

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

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

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

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

## **DISTRIBUTION OF MATERIAL (Local Policy)**

### **SCHOOL MATERIALS**

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

### **NON-SCHOOL MATERIALS**

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

### **APPROVAL REQUIRED**

All material intended for distribution to students that is not under the District's editorial control must be submitted to the principal for review and approval. If the material is not approved within 24 hours of the time it was submitted, it is considered non-approved. Non-approvals of forms, etc. may be appealed by submitting the non-approved material to the Superintendent; material not approved by the Superintendent within three days is considered non-approved and may not be distributed unless; the non-approved material is submitted to the Board of Trustees and appealed to the Board of Trustees at its next regular meeting so that the student may have a reasonable period of time to present his or her viewpoint.

#### **POSTERS (Local Policy)**

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

## **Counseling Services**

### **Are counseling services provided to students?**

**Yes, Academic Counseling:** Students and parents are encouraged to talk with teachers, principal, assistant principal, or curriculum director to learn about the curriculum, course offerings, graduation requirements, and differences between graduation programs. All students in grades 6-8<sup>th</sup> and their parents will be provided information about the recommended courses for students preparing to enter into a high school setting. Students who are interested in attending a college, university or training school or pursuing some other advanced education should work closely with the counselor so that they take the high school courses to best prepare them for further work. The counselor can also provide information about entrance examinations required by many colleges and universities, as well as, information about financial aid and housing.

**Personal Counseling:** A Counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, emotional, academic or needs. Information about community and special programs is offered by district resources to address personal concerns. Students who wish to meet with the counselor should make a request to the teacher or principal if it is during class time. However, before and after class students have an "open door" to the Counselor to schedule an appointment.

**Parental Involvement Program** – Parents are encouraged to become engaged with the Dr. M. L. Garza-Gonzalez Public Charter School (DMLGG) in activities designed to promote parent-child involvement. Parent Volunteers are always welcomed but, a criminal background check must be conducted before any parent can begin to volunteer with the school. Parents must also sign in at the office upon entering the building if planning on remaining on the campus for more time than just dropping off their child/children. Parent volunteers assist with various tasks within the campus, they may be asked to work in a classroom with the teacher, or assist with duplicating and preparing instructional classroom materials, read to the students and other such activities. Parent volunteers are a great addition to any school system!

### **Tutorial Services:**

Yes, contact the counselor or teachers for tutorial times and days for tutorial sessions. Tutorials are offered before and after school as well.

## **Health Care Services**

### **Are health care services available?**

<http://www.dshs.state.tx.us/schoolhealth/schnursnursingpractice.shtm#Q2> TEA **does not require** charter schools to staff a nurse; however, in case of injuries and/or illnesses during the school day, if a school nurse is available and on staff the students should request from their teacher to have the nurse notified. The judgment of the nurse or principal, sometimes with the help of the parent/guardian, will determine whether a student should stay in school or be sent home.

All students are issued the Emergency Health Card to complete during registration and a copy will be on file in the school nurse's office. Parents must note any special health concerns of the student on the emergency health card and should notify the school immediately of any change in home and/or telephone

numbers of the adults listed as emergency contacts. Reasonable attempts will be made by school nurse or school officials to contact parent/guardian when an emergency arises. The school shall not be responsible for costs of treating injuries or illness nor does it assume liability for any costs associated with an injury or illness.

### **COMMUNICABLE DISEASES**

The school requests the parents of a student with a communicable or contagious disease to call the school and inform the school nurse/principal about the illness so that other students who have been exposed to the disease can be alerted. A student who has certain diseases is not allowed to come to school while the disease is contagious. If a child is running a temperature the parent will also be called to come pick up the child until the fever has been controlled. Contagious diseases include: chicken pox, impetigo, lice, measles, mumps, pink eye, ringworm, scabies, mononucleosis, streptococcal infections, infectious hepatitis and tuberculosis.

### **HEALTH ADVISORY (TEC § 38.0025)**

**(Bacterial Meningitis)** Senate Bill 31 requires public schools to provide students and their families with information about bacterial meningitis, its symptoms, and what to do if a student is diagnosed with the disease.

The Texas Department of State Health Services stresses that bacterial meningitis is not a widespread problem in public schools. The population most at risk for contracting bacterial meningitis is college freshmen living in dormitories.

Information about bacterial meningitis in both English and Spanish is printed in this handbook.

### **MEDICINE AT SCHOOL (TEC § 38.015)**

The school nurse if one is on staff or the principal may administer prescription medication in accordance with legal requirements. Authorized District employees may administer nonprescription medications provided by the parent under the same provisions as for prescription medications.

A student who must take prescription or nonprescription medicine during the school day must bring a written request from his or her parent and the medicine, in its properly labeled container, to the school nurse or designee. All medication should be taken to the school nurse's office or to the principal's office. The District also requires a doctor's written request to administer medication when medication is required in order to administer prescribed or over the counter medication. A prescribed medication may be administered for as long as the doctor requests based on the directions provided on the prescription. No medication shall be administered after the expiration date has passed.

## **Extracurricular Activities**

### **Are there extracurricular activities for students?**

#### **CLUBS AND ORGANIZATIONS**

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

The administrator and the Superintendent shall approve such behavior standards before they are communicated to students. Students shall be informed of any extracurricular behavior standards at the beginning of each school year or, in the case of interscholastic athletics, at the time the students report for workouts or practice that occur prior to the actual beginning of classes. Students and their parents shall sign and return the athletic/ extracurricular

statement to the sponsor or coaches that states that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

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

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

### **EXTRACURRICULAR ACTIVITIES (TEC § 33.081)**

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

- A student who receives, at the end of any grade evaluation period, an average grade below 70 in any academic class or a student with disabilities who fails to meet the standards in the Individual Education Plan (IEP) may not participate in extracurricular activities for at least three weeks. A student may practice or rehearse while suspended. The student regains eligibility when the principal and teachers determine that he or she has: (1) earned a passing grade (70 or above) in all academic classes and (2) completed three weeks of suspension.
- Any disciplinary behavior-related restrictions on participation are set out in the Student Code of Conduct.
- Grade Evaluation Period is: (1) the first six-week grade reporting period; or (2) the first six weeks of a semester and each grade reporting period thereafter, if the grade reporting period is longer than six weeks. A student who misses class because of participation in an activity sponsored by a non-approved organization will receive an unexcused absence

### **PARTIES AND SOCIAL EVENTS (Local Policy)**

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

### **FEES (TEC § 12.108)**

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

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

### **FUND-RAISING (Local Policy)**

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

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

## **Grievance Policies**

### **COMPLAINTS BY STUDENTS/PARENTS (Local Grievance Policy)**

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

A student and/or parent with a complaint regarding possible discrimination on the basis of sex, race, religion, or gender in any school program should contact the school principal. For a complaint regarding sexual harassment or abuse, see page 21. A complaint or concern regarding the placement of a student with disabilities or a complaint about the District's programs and services available to the student should be brought to the attention of the Special Education Director.

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

### **CONFERENCES (Local Policy)**

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

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

At the end of every six weeks reporting period, the DMLGG Charter School will provide a parent/teacher conference day. On those days, (see current School Calendar) students will be released early to allow for teachers and parents to meet and discuss individual student progress.

## **PARENTAL INVOLVEMENT AND RESPONSIBILITIES (Local Policy)**

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

- Encourage your child to put a high priority on education and commit to making the most of the educational opportunities the school provides.
- Review the information in the Student Handbook, including the enclosed Student Code of Conduct with your child; and sign and return the acknowledgment form (page 36). Parents with questions are encouraged to contact the campus principal.
- Become familiar with all of your child's school activities and with the academic programs offered in the district. Discuss with the principal any questions, such as, concerns about placement, assignment or early

graduation, and the options available to your child. Monitor your child's academic progress and contact teachers as needed.

- Grant or deny any written request from the District to make a videotape or voice recording of the child unless the videotape or voice recording is to be used for school safety; relates to classroom instruction or a co-curricular or extracurricular activity; or relates to media coverage of the school as permitted by law. (Page 37)
- Make every effort to participate and attend parent meetings, school functions, join a Committee, and any other school related activity to ensure the maximum amount of parental involvement that you can reasonably accommodate. Parental Involvement is paramount to student success and we provide parents opportunities to become involved in their child's educational process.

## **STUDENT RECORDS (FERPA – Federal Educational Records Protection Act)**

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

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

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

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

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

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

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

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

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

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



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

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

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

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

### **STUDENT RIGHT TO PRAY (TEC §25.901)**

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

### **STUDENT CODE OF CONDUCT (TEC § 37.001)**

#### **PURPOSE:**

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

**The mission of the Gulf Coast Council of La Raza/Dr. M. L. Garza-Gonzalez Public Charter School** is dedicated to the intellectual, personal, social, emotional and physical growth of students. Our highly qualified staff recognizes the value of professional development in order to rigorously challenge our students. Our teaching practices are both reflective and responsive to the needs of our students. Through diversified experiences, our students discover their potential; achieve readiness for fluid transition into any high school program, college/careers, and succeed in a safe caring environment.

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

### **STUDENT BEHAVIOR WHEN IN TRANSIT TO AND FROM SCHOOL (Local Policy)**

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

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

### **ABIDING BY THE LAW (Local Policy)**

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

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

### **RULES AND REGULATIONS (JURISDICTION) (T.E.C., Section 37.0006 and 37.007)**

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

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

1. Retaliates against an employee either on or off school property, or
2. Receives deferred prosecution for conduct defined as a felony offense.
3. A court or jury finds that the student has engaged in delinquent conduct or conduct defined as a felony offense.
4. The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense or
5. The Superintendent or the Superintendent's designee has a reasonable belief that the student has engaged in a conduct defined as a felony offense other than those defined.

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

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

Students shall observe the rules of good citizenship going to and from school.

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

## **What are the safety provisions for the students?**

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

DMLGG has an effective emergency procedures plan called the Emergency Management Plan and it is based on the National and State requirements for schools. It can be implemented on short notice and it ensures optimum safety for students and school personnel. Parents are advised to remind students that all reasonable orders requested by DMLGG staff during an emergency are to be immediately followed to ensure the maximum safety of students, staff, and parents in the building in the event of an emergency.

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

Principal/Administration shall by TEA/ State law conduct fire, tornado or other emergency drills designed to assure the orderly movement of students and personnel to the designated, safe areas available (within or outside the campus building).

### **DRUG-FREE SCHOOLS (TEC §38.007 & §38.008) (Title IV, Part A)**

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

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

Depending on the nature and severity of a drug or alcohol-related offense, a student may be required to complete an appropriate rehabilitation program in addition to other school discipline measures. An administrator or counselor of the school can provide you with information about rehabilitation and re-entry

## **GOVERNMENTAL AUTHORITIES**

### **QUESTIONING OF STUDENTS:**

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

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

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

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

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

The administrator will immediately notify the Superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents. Since the administrator does not have the authority to block a custody action, notifications will most likely be after the fact. The District is also required by state law to notify all instructional and support personnel who have regular contact with a student who has been arrested or taken into custody by a law enforcement agency.

## **INTERROGATION AND SEARCH (*Supreme Court New Jersey vs. T.L.O*)**

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

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

## **PHYSICAL RESTRAINT (TEC § 37.0021)**

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

1. Protect a person from physical injury
2. Obtain possession of a weapon or other dangerous object
3. Remove from a specific location on school property a student refusing a lawful command of a school employee in order to restore order or impose disciplinary measures
4. Restrain an irrational student, combatant student that may cause injury to his/herself, another student or a staff member.

## **SEXUAL HARASSMENT (TEC § 37.083)**

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

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

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

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

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

### **SMOKING (TEC §38.006) (Local Policy)**

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

### **DISCIPLINARY SYSTEM (Local Policy)**

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

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

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

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

### **LEVEL I Offenses**

Level I offenses are Non-Code violations of campus and classroom rules which are minor acts of misconduct, generally observed in the classroom or in the building, and which interfere with the orderly educational process. Discipline for Level I offenses is most often managed by the classroom teacher. For Level I violations, teachers may use their judgment and discretion in determining whether such minor infractions constitute a violation of the Code for purposes of the reporting requirements in the Texas Education Code. If a teacher determines that such infractions are a violation of the Code, the teacher shall file with the principal a report, not to exceed one page, documenting the violation. Parents may be requested to come for a conference with the teacher to discuss the misbehavior and the disciplinary action. State Law requires that violations listed under Level II through Level IV be reported to the principal or other appropriate administrator who must send notification to the parent or guardian within 24 hours of receiving the report.

### **LEVEL II Offenses**

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

### **OFFENSES:**

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

#### **DISCIPLINARY OPTIONS:**

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

#### **LEVEL III Offenses**

Acts of misbehavior which are serious and which disrupt the orderly educational process are considered Level III offenses. Parents will be notified and requested to come for a conference with the administrator in each instance of Level III misbehavior. The DMLGG Public Charter School abides by the TEA/ TEC Chapter 37 Student Discipline Code the following may occur: *A student may be expelled if the student, for disciplinary reasons, continues to engage in serious or persistent misbehavior that violates the district's student code*; it is therefore, the policy of the GCCLR Dr. ML Garza Gonzalez Charter School to expel the student according to Texas Education Code and the Dr. ML Garza Gonzalez Charter School policy.

#### **OFFENSES:**

- Persistent offenses from Level II (more severe and disruptive misbehavior)
- Gambling
- Interfering with the conduct of school activities, including trespassing and boycotting
- Using profane, obscene or threatening gestures or language to others
- Possession or use of fireworks on school property
- Assault
- Fighting
- Stealing
- Insubordination, noncompliance with the directives of a member of the school staff
- Robbery
- Burglary of a District facility
- Extortion
- Vandalism
- Possession and/or concealment of a weapon not included under number four of Level IV, expellable offenses

- Behavior which is illegal that does not constitute an expellable offense
- Sexual harassment
- Engaging in inappropriate sexual conduct
- Hazing
- Possession of drug paraphernalia
- Possession of any knife other than a knife defined as being illegal

**DISCIPLINARY OPTIONS:**

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

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

**LEVEL IV (EXPELLABLE OFFENSES)**

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

A. The student committing any of these offenses will be reviewed automatically by the Student Service Committee that may result in an expulsion for the remainder of the school year and must be reported to the Corpus Christi Police Department Juvenile Justice Department System.

1. Uses or exhibits or possesses:
  - a. A firearm
  - b. An illegal knife
  - c. A club
  - d. A weapon listed as a prohibited weapon
2. Engages in conduct that contains the elements of the offense of:
  - a. Aggravated assault, sexual assault or aggravated sexual assault
  - b. Arson
  - c. Murder, capital murder, or criminal attempt to commit murder or capital murder
  - d. Indecency with a child
  - e. Aggravated kidnapping
3. Engages in conduct involving drugs or alcohol, which would be punishable as a felony.
4. Engages in conduct, regardless of whether the conduct occurs on or off school property or at a school related or school-sponsored activity on or off school property, that contains the elements of any offense listed in subsections A.1, A.2, or A.3 above against any employee in retaliation for or as a result of the employee's employment with the school district;
5. Brings a firearm to school. For the purpose of this provision, a firearm is defined in the section at the back of this Code of Conduct under Definitions and Terminology. Federal and State Law require expulsion for this conduct.

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

1. If the student, while on school property or while attending a school-sponsored or school-related activity on or off school property:
  - a. Sells, gives or delivers to another person or possesses, uses or is under the influence of:
    - (i.) any amount of marijuana or a controlled substance in an amount not constituting a felony offense: or
    - (ii.) any amount of a dangerous drug in an amount not constituting a felony offense

- b. Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, used, or is under the influence of alcohol, if punishment is less than that of a felony;
  - c. If a student engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals.
2. If the student engages in conduct that contains the elements of the offense of criminal mischief if the conduct is punishable as a felony under that section, whether committed on or off school property or at a school-related activity. The student shall be referred to the authorized officer of juvenile court regardless of whether the student is expelled.
- A student suspected of committing a Level V offense may be suspended for up to three days pending a disciplinary hearing. Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate and in accordance with policy.

### **REMOVAL BY TEACHER (TEC § 37.002)**

1. A teacher may send a student to the principal's office to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques consistent with the Student Code of Conduct.
  2. A teacher may remove a student from class:
    - (a.) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or
    - (b.) whose behavior the teacher determines is so unruly, disruptive or abusive that the behavior seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.
  3. If a teacher removes a student from class under Subsection 2, the principal may place the student in another appropriate classroom or into in-school suspension. The principal may not return the student to that teacher's class without the teacher's consent unless the Student Services Committee determines that such placement is the best or only alternative available. The terms of the removal may prohibit the student from attending or participating in school sponsored or school-related activity.
  4. A teacher shall remove from class and send to the principal for expulsion, as appropriate, a student who engages in conduct described under Level IV.
  5. If the behavior causing the removal is a Student Code of Conduct violation, the teacher must file a one-page report with the principal or appropriate administrator. The principal or appropriate administrator must send a copy of the report to the student's parent or guardian within 24 hours of receiving the teacher's report.
- A teacher or administrator may also remove a student from class for an offense for which a student may be suspended and/or placed in a disciplinary program. If the violation results in removal from class, the principal or other appropriate administrator will schedule a conference as described in

REVIEW OF STUDENT REMOVALS below. After the conference, the principal will notify the student of the consequences of the Student Code of Conduct violation.

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

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



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

## **REVIEW OF STUDENT REMOVALS (TEC 37.009)**

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

## **SUSPENSION**

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

## **PARENT CONFERENCES**

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

## **EXPULSION**

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

## **DUE PROCESS FOR EXPULSIONS**

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

1. Prior written notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation;
2. Right to full and fair hearing before the Board of Trustees or its Student Services Committee;
3. Right to an adult representative or legal counsel but, the campus/district administration should be notified if legal council is going to attend with the parent/student prior to the meeting taking place.
4. Opportunity to testify and to present evidence and witnesses in his or her defense; and
5. Opportunity to examine the evidence presented by the school administration and to question the administration's witness.

The notice shall include the date and time of the hearing, the names of the witnesses against the student and the nature of the evidence. In an expulsion hearing, the District may rely on the hearsay evidence of school administrators who investigate disciplinary infractions. The decision shall be based exclusively on the evidence presented at the hearing and shall be communicated promptly to the student and parent. At the expulsion hearing, the student is entitled to be represented by a parent, guardian or other adult who is not an

employee of the District who can provide guidance to the student. After making a good faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the District may have the hearing regardless of whether the student, the student's parent or guardian, or another adult representing the student attends.

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

- Another appropriate classroom
- In-school suspension
- Suspension

## **TERM OF EXPULSION**

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

## **APPEALS OF EXPULSIONS**

A decision by the Board's designee to expel a student may be appealed to the Board. A student with a disability shall not be excluded from his current placement pending appeal to the Board for more than ten days without ARD committee action to determine appropriate services in the interim. Pending appeal to a special education hearing officer, unless the District and parents agree otherwise, a student with a disability shall remain in the present educational setting.

## **NOTICE TO AUTHORITIES**

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

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

## **SANCTIONS**

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

## **EMERGENCY EXPULSIONS (TEC § 37.019)**

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

## **STUDENTS WITH DISABILITIES UNDER “IDEA” (TEC § 37.004)**

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

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

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

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

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

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

## **NON-DISCIPLINARY EMERGENCY REMOVAL**

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

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

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

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

Removal of a student with a disability for any of these reasons shall be used only in emergency situations and shall not exceed five school days. Consecutive five-day removals are prohibited, unless the ARD committee determines that the student poses an immediate threat to the safety of him/her or others, or disrupts the safety of the learning environment. If the parents appeal the ARD committee’s decision and refuse to permit a change in placement, the District may seek a court injunction to remove a dangerous student with a disability for more than ten consecutive days. If emergency removals, suspensions or

removals to alternative education total 16 school days in a year, the ARD committee shall review the student's IEP, unless the discipline management portion of the IEP specifies otherwise.

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

Students with disabilities shall not be removed for more than ten days unless the ARD committee first determines whether the alleged behavior in question was related to the student's disability or to the placement. If the ARD committee determines there is a connection, they must also determine what action is appropriate. Removal for more than ten consecutive school days requires ARD committee action, subject to the parents' right to appeal.

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

## **DEFINITIONS AND TERMINOLOGY**

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

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

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

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

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

### **ASSAULT**

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

- a. A person commits an offense if the person:
  - (1) intentionally, knowingly or recklessly causes bodily injury to another

- (2) intentionally or knowingly threatens another with imminent bodily injury, intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact offensive or provocative  
As applied to the Zero Tolerance Policy in Gulf Coast Council of La Raza/Dr. M.L. Garza-Gonzalez Public Charter School District the definition of assault further states:
- b. Fights between two (2) students are classified as disorderly conduct. If it can be proven that a student was the sole aggressor and that the other student acted in a defensive manner using force only to the extent necessary for self-defense, the assault may apply to the aggressor.  
Under the Penal Code, Section 42.01(6), disorderly conduct is when a person commits an offense if he intentionally or knowingly fights with another in a public place.

### **CHEMICALS (VOLATILE)**

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

1. "Deliver" means to actually transfer from one person to another.
2. "Delivery" means the act of delivering.
3. "Inhalant paraphernalia" means equipment, products or materials of any kind that are used or intended for use in inhaling, ingesting or otherwise introducing into the human body a substance containing a volatile chemical, and the term includes:
  - a. A can, tube, or other container that was used as the original receptacle for a volatile chemical by the manufacturer or package of the substance, or
  - b. A can, tube, balloon, bag, fabric, bottle or other container used to contain, concentrate or hold in suspension a substance containing a volatile chemical.
  - c. "Person" means an individual, corporation or association.
5. "Sell" means to offer for sale, convey, exchange, barter or trade to a consumer or user.  
The following chemicals or their isomers are volatile chemicals:  
Toluene, hexane, trichloroethylene, acetone, ethyl acetate, methyl ethyl ketone, trichloroethane, carbon tetrachloride, methanol, methyl isobutyl ketone, methyl cellosolve acetate, cyclohexanone, amyl nitrate, butyl nitrate, chloroform, diethyl, ether, petroleum distillate, aliphatic hydrocarbons, ketone solvent, glycol ether solvent, glycol ether inter solvent, xylol or xylene, and chlorofluorocarbons.

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

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

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

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

### **DRUG (DANGEROUS)**

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

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

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

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

- Any controlled substance or dangerous drug as defined by law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine or barbiturate, alcohol or alcoholic beverage
  - Alcohol or alcoholic beverage
  - Any abusable glue, aerosol paint or any other chemical substance for inhalation
  - Any other intoxicant or mood-changing, mind-altering or behavior-altering drugs
- Students in all grades shall not possess or use tobacco products, including but not limited to cigarettes, cigars, pipes, snuff, chewing tobacco or e-cigarettes on school premises or at school-related functions.

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

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

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

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

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

### **GLUE (ABUSABLE)**

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

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

### **HAZING**

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

The term includes:

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

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

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

“Illegal Knife” means a:

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

**LANGUAGE (FOUL OR PROFANE)**

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

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

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

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

- (a) A person commits an offense if, without the effective consent of the owner:
  - (1) he intentionally or knowingly damages or destroys the tangible property of the owner, or
  - (2) he intentionally or knowingly tampers with the tangible property of the owner and causes pecuniary loss or substantial inconvenience to the owner or a third person, or
  - (3) he intentionally or knowingly makes markings, including inscriptions, slogans, drawings or paintings, on the tangible property of the owner.
- (b) Except as provided by Subsection (f), an offense under this section is:
  - (1) a Class C misdemeanor if:
    - (A) the amount of pecuniary loss is less than \$20; or

- (B) less than \$1,500 and the actor causes in whole or in part impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public communications, public water, gas or power supply;
- (2) a Class B misdemeanor if the amount of pecuniary loss is \$20 or more but less than \$500
- (3) a Class A misdemeanor if the amount of pecuniary loss is \$500 or more but less than \$1,500
- (c) When more than one item of tangible property, belonging to one or more owners, is damaged, destroyed, or tampered with in violation of this section pursuant to one scheme or continuing course of conduct, the conduct may be considered as one offense, and the amounts of pecuniary loss to property resulting from the damage to, destruction of, or tampering with the property may be aggregated in determining the grade of the offense.

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

The District defines persistent offenses to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation. Serious offenses include, but are not limited to, the following:

1. Assault of a teacher or other individual
2. Retaliation against a school employee
3. Murder, capital murder, or criminal attempt to commit murder
4. Indecency with a child
5. Kidnapping
6. Arson
7. Possession of a firearm
8. Possession of prohibited knife
9. Possession of a club
10. Possession of a prohibited weapon
11. The use, gift, sale, delivery, possession or being under the influence of alcohol, marijuana, other controlled substance, dangerous drugs or abusable glue or volatile chemicals
12. Engaging in conduct that constitutes criminal mischief
13. Vandalism
14. Robbery or theft
15. Extortion, coercion, or blackmail
16. Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities
17. Hazing
18. Insubordination
19. Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees
20. Fighting, committing physical abuse, or threatening physical abuse
21. Sexual harassment of a student or District employee
22. Possession or conspiring to possess any explosive or explosive device
23. Falsification of records, passes, or other school-related documents
24. Possession or distribution of pornographic materials
25. Leaving school grounds without permission
26. Making or assisting in making threats, including threats against individuals and bomb threats



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

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

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

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

### **POSSESSION**

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

1. on the student’s person or in the student’s personal property, including but not limited to the student’s clothing, purse, book bag or briefcase
2. in any private vehicle used by the student for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle or bicycle
3. in any school property used by the student, including but not limited to a locker or desk

### **SUSPENSION**

Deprivation of educational services for disciplinary reasons shall not exceed three (3) school days unless extenuating and a serious offense requiring more than a 3 day suspension is assigned to a student.

A parent may call the school and request that class/homework be provided to the student while out on suspension. The parent may pick up the work and return it to the school when completed by the student.

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

Offenses against a person include the following:

1. Murder
2. Capital murder
3. Manslaughter

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

### **UNDER THE INFLUENCE**

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

### **USE**

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

### **VANDALISM AND DAMAGE**

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

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

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

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

1. An explosive weapon
2. A machine gun
3. A short-barrel firearm
4. A firearm silencer
5. A switchblade knife
6. Knuckles
7. Armor-piercing ammunition  
A chemical dispensing device

### **TEXTBOOKS/Library Books (Local Policy)**

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

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

Library books may be checked out from the Dr. ML Garza Gonzalez Charter School Library according to school policy. Books must be returned undamaged and on a timely basis. Failure to return books when due will result in fines/fees and loss of books or materials from the library will result in replacement costs for the materials.

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

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

### **VEHICLES ON CAMPUS (Local Policy)**

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

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

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

### **VISITORS (TEC §38.022) (Local Policy)**

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

**Gulf Coast Council of La Raza**  
**Dr. M. L. Garza-Gonzalez Public Charter School**  
Dee Dee Bernal, Superintendent

**District's Student Code of Conduct**

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

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

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

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

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

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

**CHECK HERE IF YOU DO NOT WANT DIRECTORY INFORMATION REGARDING YOUR STUDENT RELEASED.**

**Gulf Coast Council of La Raza**  
**Dr. M. L. Garza-Gonzalez Public Charter School**  
Dee Dee Bernal, Superintendent

**Photography, Audio/Videotaping for  
School Publicity/Educational Purposes**

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

During the 2019-2020 school year, I \_\_\_\_\_,  
Print Parent or Guardian Name

of (student name) \_\_\_\_\_,

\_\_\_\_\_ **do not** want the above named child

\_\_\_\_\_ **give my approval** for the above named child

to appear for school publicity/educational purposes in a photograph or audio/videotape, web page photo/video where the child can be easily recognized or identified **and** may be used for campus promotional and informational purposes as related to the school.

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

\_\_\_\_\_  
Date

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

**Gulf Coast Council of La Raza**  
**Dr. M. L. Garza-Gonzalez Public Charter School**  
Dee Dee Bernal, Superintendent

**Release of Directory Information to  
Outside Individuals and Groups**

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

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

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

Student Name \_\_\_\_\_ ID# \_\_\_\_\_

Current Grade \_\_\_\_\_

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

Parent’s Name: \_\_\_\_\_

Parent’s Signature: \_\_\_\_\_

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

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