



Arlington Classics Academy

strength • wisdom • courage • vigilance

www.acaedu.net

Student Code of Conduct 2023-2024

Non-Discrimination Policy:

ARLINGTON CLASSICS ACADEMY does not discriminate in its admission decisions and no person shall be excluded from participation in, denied the benefits of, or subjected to discrimination, harassment or retaliation in any ARLINGTON CLASSICS ACADEMY program on the basis of age; race, color, or national origin; sex, gender, or gender identity; or disability, or relationship or association with an individual with a disability; or any other basis protected by law in the educational program or activity which it operates. ARLINGTON CLASSICS ACADEMY'S District Title IX Coordinator can be contacted at 817-987-1819 x 3000, District Section 504 Coordinator [817-987-1819](tel:817-987-1819) x 3209.

Table of Contents

PHILOSOPHY..... 1

APPLICATION OF THE CODE 1

AUTHORITY AND JURISDICTION 1

EXPECTATIONS FOR STUDENT CONDUCT..... 2

DETERMINING APPROPRIATE DISCIPLINE 2

DISCIPLINE MANAGEMENT TECHNIQUES 3

RESTORATIVE DISCIPLINE PRACTICES 4

PROCEDURES FOR USE OF RESTRAINT..... 5

PROCEDURES FOR USE OF TIME-OUT 5

INVESTIGATING DISCIPLINE ISSUES 6

DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS 6

LEVELS OF STUDENT MISBEHAVIORS AND DISCIPLINARY ACTION 7

SUSPENSION PROCESS 13

EXPULSION PROCESS 15

TERMS OF EXPULSION 16

EXPULSION APPEAL PROCESS..... 16

GUN-FREE SCHOOLS ACT..... 17

FREQUENTLY ASKED QUESTIONS BY STUDENTS AND PARENTS..... 17

DEFINITIONS..... 20

ACKNOWLEDGEMENT FORM 30

PHILOSOPHY

Arlington Classics Academy (“ACA” or the “School”) expects the highest standards of moral and ethical behavior. The original Greek word for discipline is “discipli”, which means “to teach, to train the mind and character.” It will always be a goal of ACA to “teach” socially acceptable behavior; however, there may be times during which behavior interferes with the teacher’s ability to teach class or another student’s opportunity to learn. The goal of dignified behavior begins with valuing the rights of students, teachers, parents, and administrators. These rights are protected under state and federal law.

ACA will do all it can to create a balance between these rights and the inherent responsibility for all to foster a positive school climate. The Student Code of Conduct (Code) has been designed to help all ACA stakeholders understand that positive student behavior is our expectation. Behavior which is detrimental to the positive learning environment will result in consequences. The consequences will be administered with a “progressive discipline plan” philosophy. This progressive discipline plan and Student Code of Conduct is designed to inform students, parents, legal guardians, and school personnel of rules of conduct applicable to meet the desired behaviors expected of all Arlington Classics Academy students.

APPLICATION OF THE CODE

The ACA Board of Directors has adopted this Student Code of Conduct (the “Code”) in accordance with Section 12.131 of the Texas Education Code, in order to clearly communicate standards for expected student conduct, the disciplinary consequences which may be applied to students who violate those standards, and the applicable procedures for the implementation of disciplinary consequences. All students must comply with the Code. Definitions of words and phrases used throughout this Code are provided at the end of the Code.

Parents and students are encouraged to contact campus administration with any questions or concerns regarding the requirements and provisions of the Code. Parents and students are expected to review and be familiar with the provisions of the Code. Lack of knowledge or awareness about any school rules, including this Code, will not excuse violations of the Code. Parents and students will be required to sign a statement acknowledging receipt and understanding of the Code. A copy of this Code is available in each campus office and located on the school’s website.

AUTHORITY AND JURISDICTION

ACA has disciplinary authority over a student:

1. During lunch periods in which a student is allowed to leave campus if and when applicable;
2. During the regular school day or before or after school while the student is going to and from school or school events on ACA transportation;
3. For any expulsion offense committed away from ACA property and not at a school-sponsored or school-related event, if the misconduct creates a substantial disruption to the educational environment;
4. For any expulsion offense committed while on ACA property or while attending a school-sponsored or school-related activity of ACA or another school in Texas;
5. For any school-related misconduct, regardless of time or location;
6. When criminal mischief is committed on or off ACA property or at a school-related event;
7. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
8. When the student commits a felony, including those provided by Texas Education Code

- §§ 37.006 or 37.0081, regardless of time or location;
9. While a student is participating in any remote / virtual classroom or other period of online instruction provided by ACA; and
 10. While the student is attending any school-related activity, regardless of time or location.

EXPECTATIONS FOR STUDENT CONDUCT

ACA's mission is to equip a diverse student body with a comprehensive education, including a special focus on Western civilization. Students will develop a commanding knowledge of the origins of our liberty and the ability to sustain it through moral leadership. We aim to accomplish this goal through a high level of academic instruction and high behavioral expectations. To achieve that mission, ACA must be an environment safe, secure and free from disruption. Students are expected to demonstrate behavior appropriate to the school's learning environment, to treat other students, school personnel, and visitors to the school with respect. As such, each student is expected to:

- Attend school daily, except when ill or otherwise lawfully excused, on time, and in the accepted ACA uniform without variance.
- Sign a statement indicating you have received, read, and agree to follow the Student Code of Conduct.
- Follow all rules and regulations established by ACA faculty and staff.
- Cooperate fully with all lawful and reasonable directives issued by school personnel.
- Be prepared for each class with assigned work and appropriate materials.
- Always pursue academic mastery to the best of your ability.
- Show respect for others and their property and seek help from ACA staff or faculty when confronted with problems.
- Refrain from making profane, insulting, threatening, or inflammatory remarks.
- Refrain from verbal or written acts of bullying whether in person or online.
- Avoid violations of this Code.

Students are expected to comply with the School's technology and electronic media use policies and procedures. Students are also expected to demonstrate the same behavior online or while using electronic media as is expected in the classroom, on school property, or at school-related events. Sending, posting, or possessing electronic messages that are disrespectful, disruptive, abusive, obscene, illegal, threatening, harassing or damaging to another person disrupts the learning environment and will not be tolerated.

Parent cooperation is essential to achieving the School's mission and ensuring that students learn in a safe, secure and positive environment. Parental involvement and cooperation is vital in the discipline process. Parents should understand and be familiar with the Code, ensure that his or her child understands and seeks to comply with this Code, and assist ACA in counseling students regarding appropriate behavior.

DETERMINING APPROPRIATE DISCIPLINE

Depending on the nature and severity of the offense, discipline may be issued by the student's classroom teacher, campus administrator, or administrator's designee, in accordance with this Code. In order to make a determination of misconduct or issue disciplinary consequences under this Code, the authorized School employee must have a reasonable belief that the student engaged in the suspected conduct. The employee's conclusion may be based on any relevant evidence including, but not limited to, observation, other personal knowledge, verbal or written witness statements, other forms of documentation, or information received from law enforcement.

In reaching a decision regarding a student discipline matter, ACA may consider the specific facts and circumstances of the situation, including but not limited to:

- The student's intent;
- The student's age and grade level;
- The student's past disciplinary history;
- Whether the student's conduct may have been the manifestation of a disability;
- The extent of the student's cooperation during the investigation of the matter;
- The nature and severity of the alleged conduct;
- Whether the student has previously engaged in similar conduct;
- Whether self-defense was involved;
- The student's remorsefulness for the conduct;
- The severity of the effect or harm of the conduct on other persons or property; and/or
- The frequency of the conduct

ACA may issue discipline based on a determination that a student has engaged in conduct meeting the elements of a criminal offense. The School has the authority to make such a determination without regard for whether the student is arrested, charged, or otherwise processed by the criminal justice system for the criminal offense. The School may consider information received from law enforcement or other entities within the criminal justice system in issuing discipline under this Code. Actions will not be based on a student's race, ethnicity, national origin, gender, sex, religion, disability, or any other unlawful consideration.

DISCIPLINE MANAGEMENT TECHNIQUES

Disciplinary management techniques are designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline for a particular offense, unless otherwise specified by law, may bring into consideration varying techniques and responses.

The following discipline management techniques may be used—alone or in combination—for behavior prohibited by the Code or by campus or classroom rules:

- Behavioral contracts.
- Cooling-off time or "time-out."
- Counseling by teachers, counselors, or administrative personnel.
- Rewards for positive behavior.
- Demerits.
- Detention.
- Expulsion from ACA as specified in the expulsion section of the Code.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- In-school suspension, as specified in the suspension section of the Code.
- Out-of-school suspension, as specified in the suspension section of the Code.
- Parent-teacher conferences.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by ACA.
- Restorative discipline practices.
- School-assessed and school-administered probation (final warning contracts).
- Seating changes within the classroom.

- Sending the student to the office or other assigned area.
- Techniques or penalties identified in individual student organizations' extracurricular standards of behavior.
- Temporary confiscation of items that disrupt the educational process.
- Verbal correction, oral or written.
- Withdrawal of privileges, such as participation in extracurricular activities, field trips, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Withdrawal or restriction of bus privileges.
- Other strategies and consequences as determined by school officials.

Corporal Punishment

ACA will NOT administer corporal punishment upon a student for misconduct.

RESTORATIVE DISCIPLINE PRACTICES

ACA may utilize a wide variety of restorative discipline practices, which are designed to build a sense of school community based on cooperation, mutual understanding, trust, and respect, and emphasize the importance of positive relationships and pro-social relationships between students. Specifically, ACA believes that when students engage in inappropriate conduct, restorative discipline practices may hold the potential to:

- Build trust, respect, and relationships
- Develop self-discipline and positive behaviors
- Encourage accountability and responsibility in the school community
- Establish mutual understanding
- Help students understand the harm caused by the misconduct
- Identify and respond to the needs of the person harmed and the person who caused the harm
- Increase parent partnerships
- Promote equitable input from all stakeholders
- Reintegrate students who have caused harm in the school community
- Strengthen school culture

Essentially, the restorative approach sees misbehavior or conflict as an opportunity for students to learn about consequences for their actions, develop empathy for others, and learn methods to make amends in a way that strengthens interpersonal bonds.

Examples of restorative discipline practices may include, but are not limited to:

- Affective statements;
- Apologies;
- Community building circles;
- Mediation;
- Relationship building;
- Repairing harm circles;
- Restitution
- Restorative circles or conferences; and
- Restorative dialogues/making agreements.

Restorative discipline practices may take the form of alternatives in lieu of other disciplinary consequences allowed under the Code and/or supplemental action taken along with other

disciplinary consequences.

Restorative discipline practices are a collaborative process, and may not be required or appropriate in all student discipline situations.

PROCEDURES FOR USE OF RESTRAINT

School employees, volunteers or independent contractors are authorized to use restraint in the event of an emergency and subject to the following limitations:

- Only reasonable force as is necessary to address the emergency may be used.
- The restraint must be discontinued at the point at which the emergency no longer exists.
- The restraint must be implemented in such a way as to protect the health and safety of the student and others.
- The student may not be deprived of basic human necessities.

“Restraint” generally means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

In a case where restraint is used, school employees, volunteers, or independent contractors shall document the incident as required by the Texas Education Agency. Additionally, ACA shall report electronically to the Texas Education Agency, following standards provided by the Commissioner of Education, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by the Commissioner of Education for reporting the use of restraint involving students with disabilities.

PROCEDURES FOR USE OF TIME-OUT

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or the threat of physical force will not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques, and must be included in the student’s IEP or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.
3. Time-out will not be utilized in a manner that precludes the ability of the student to be involved in progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student’s IEP.

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The student's ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

INVESTIGATING DISCIPLINE ISSUES

In order to determine whether a violation of the Code has occurred, campus administrators or other authorized individuals may conduct an investigation. Investigations of student misconduct may involve, but are not limited to, interviews of other students, employees and adults, review of school surveillance footage, review of relevant documents, review of information on School-owned computers, verification of tips received from other individuals, gathering of physical evidence, contact of or cooperation with law enforcement agencies and officials.

Students should have no expectation of privacy with respect to School-owned property. Lockers, desks, and other items provided for student use remain School property, and students do not have a reasonable expectation of privacy in School property or in personal items placed inside School property. School administrators or other authorized personnel may monitor and search student desks and lockers for any reason. School officials may search any School property, including School property that is within a student's possession or otherwise being used by a student, at any time, with or without notice to the student and without consent. School officials may confiscate any items found during a search, including prohibited items, dangerous items or other items that violate School policy.

A student's person or property may be searched by authorized school officials if the official has a reasonable belief that the search will result in the discovery of evidence of a violation of the Code or of the law. Any personal property which is brought onto school property or to a school-sponsored or school-related activity or event, on or off school property, may be subject to search (e.g., student cell phone, backpack, personal computer, purse, car, etc.).

Reporting Crimes: In addition to disciplinary consequences, conduct containing the elements of certain criminal offenses will be reported to appropriate law enforcement agencies as required by Texas Education Code § 37.015.

DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS

Students eligible for services under the Individuals with Disabilities in Education Act ("IDEA") or Section 504 of the Rehabilitation Act of 1973 ("Section 504") are subject to discipline under those laws and in accordance with the provisions of this Code.

A student with a disability shall not be removed from his or her current placement for disciplinary reasons and/or pending appeal to the Board of Directors for more than ten days without action by the student's admission, review, and dismissal committee ("ARD committee") to determine appropriate services in the interim and otherwise in accordance with applicable law. A student who is eligible for services under the IDEA or Section 504 must have a manifestation determination review within 10 school days of any decision to make a disciplinary change of placement of the child with a disability because of a violation of the Code. However, an ARD committee is able to remove a student to an interim alternative educational setting for up to 45 school days without regard to whether a student's behavior is determined to be a manifestation of the student's disability if the student:

1. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under ACA's jurisdiction;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under ACA's jurisdiction; or
3. Inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under ACA's jurisdiction.

A student who has not been determined eligible for special education services and who has engaged in behavior that violates the Code is entitled to the protections under the IDEA regarding discipline of a student with special needs described above if the school has knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. If the School does not have knowledge that a student is a student with a disability prior to taking disciplinary action, the student may be subject to the disciplinary actions applied to students without disabilities. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary action, the evaluation shall be conducted in an expedited manner.

LEVELS OF STUDENT MISBEHAVIORS AND DISCIPLINARY ACTION

Class I Misbehaviors

In general, discipline for Class I misbehaviors will be designed to correct misconduct and to encourage all students to adhere to their responsibilities as citizens of the school and community. Class I rule violations require only teacher documentation and do not require notification of school administrators. Parents should be notified by teachers as these behaviors become more consistent and persistent.

Class I disciplinary infractions may include, but are not limited to:

- Actions or misbehaviors interrupting a student's right to learn
- Failure to abide by published campus or classroom rules and procedures
- Failure to have supplies and/or assignments
- Improper dress as defined by the ACA student dress code
- Misconduct: May include but not limited to:
 - Chewing gum, eating candy or food, not being on task, bothering other students, inappropriate or loud talking, cutting in line, throwing paper, note writing, sleeping, excessive noise, running, minor defacing of school/other's property
- Possessing items that distract from the learning environment, such as cell phones, tablet devices, or other electronic or analog devices that do not support the learning process
- Tardiness or attendance violations

Class I Consequences

- Denial of class privileges
- Detention
- Seating changes within the classroom
- Time-outs
- In-class discipline; may include but is not limited to lower citizenship grades and/or teacher assigned detention
- Misbehavior warning (oral or written)
- Temporary confiscation of item(s) that disrupt the educational process

- Parent contact, by written message, in person, or by phone
- Any other disciplinary action deemed appropriate by the teacher or administrator
- Section 504, if applicable, review Behavior Intervention Plan
- Special Education Student – refer to Individual Education Plan and/or Behavior Intervention Plan

Class II Misbehaviors: Discipline Infractions

Discipline infractions may include, but are not limited to:

- Academic dishonesty (cheating, plagiarism, etc.)
- Excessive, repetitive misbehaviors from Class I Misbehaviors (three or more Class I Misbehaviors in a semester)
- Defacing school/other's property
- Forging signatures
- Exhibiting unacceptable physical contact not resulting in injury (e.g., pushing)
- Failing to abide by school rules at extracurricular or co-curricular activities
- Harassing or insulting others
- Horseplay
- Inappropriate public display of affection
- Leaving class/campus without school permission which includes before school and during school hours
- Participating in dishonest, deceitful activities
- Persistent improper dress as defined by the ACA student dress code (three or more dress code violations in a semester)
- Possession, distribution, or posting of magazines, books, electronic data or printed material not appropriate for school
- Possession of articles inappropriate for school including, but not limited to: cell phones, pagers, lasers, electronic games, radios, matches, lighters, etc. or items considered as distractions to the classroom environment (toys, etc.)
- Refusing to follow directions and instructions given by school personnel
- Throwing objects, causing and/or participating in disturbances in the classroom, hallways, restrooms, or campus

Class II Disciplinary Consequences

- A zero may be given for dishonest or deceitful actions on class assignments
- Confiscation of inappropriate articles
- Denial of privileges – i.e., field trips, recess, parties
- Detention
- Disciplinary reassignment by a building administrator
- In-school suspension
- Removal from the classroom to an administrator's office
- Restitution/restoration
- Any other disciplinary action deemed appropriate by the administrator
- Section 504, if applicable, review Behavior Intervention Plan
- Special Education Student – refer to Individual Education Plan and/or Behavior Intervention Plan

Class III Misbehaviors: Disruptive Activities

Disruptive activities may include, but are not limited to:

- Excessive, repetitive misbehaviors from Class II Misbehaviors (three or more Class II Misbehaviors in a semester)
- Breach of computer security
- Defiance of authority of school personnel
- Demeaning racial, religious, or ethnic-related statements or acts
- Drawings depicting tobacco, drugs, alcohol, gangs, guns, or violent activities on self, notebook, or other student materials
- Engaging in online impersonation
- Failure to complete more than one scheduled in-school suspension without a confirmed excuse
- Fighting
- Gambling
- Hazing
- Inflicting bodily harm on others
- Installing unauthorized software on ACA computer equipment
- Obscene gestures or actions
- Possession of any object, which could be used for the purpose of a weapon or improvised weapon
- Possession of knives not meeting the penal code definition of “illegal knife” (Penal Code 46.01.)
- Possession, usage or distribution of electronic or published material that is pornographic or obscene or which threatens others or incites others to violence.
- Possession, use/abuse, or distribution of over-the-counter drugs and/or supplements
- Profane language
- Serious acts of disobedience or disorderly conduct
- Sexual harassment that does not include physical contact
- Sexual/suggestive comments or notes
- Tampering with computer hardware or software leading to the disruption of the learning environment
- Targeting another individual for bodily harm
- Theft (actual or attempted) up to \$50.00
- Verbal or nonverbal threats to students

Class III Disciplinary Consequences

- Detention
- Denial of privileges – i.e., field trips, recess, parties
- Emergency Removal from school
- In-School Suspension
- Referral to law enforcement agencies
- Restitution/Restoration
- Any other disciplinary action deemed appropriate by the administrator.
- Out of School Suspension – no more than 5 consecutive days or 10 days per semester
- Special Education Student – refer to Individual or Behavioral Education Plan
- Section 504, if applicable, review Behavior Intervention Plan

Class IV Misbehaviors: Serious, Persistent Problems or Illegal Acts

Serious, persistent problems or illegal acts may include, but are not limited to:

- Excessive, repetitive problems from Class III **Misbehaviors (two or more Level III Misbehaviors in a semester)**
- Abusing a student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug while on ACA property or at a school-related event
- Activities relating to unapproved organizations (gangs, fraternities, sororities or secret societies)
- Altering records (electronic or hard copy)
- Any discretionary or mandatory expulsion violation under Texas Education Code, Chapter 37
- Any offense listed in Sections 37.006(a) or 37.007 of the Texas Education Code, no matter when or where the offense takes place
- Arson
- Assault or fighting
- Commission of a felony offense listed under Title 5, Texas Penal Code
- Committing the following offenses on school property or within 1,000 feet of school property as measured from any point on ACA's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Behaving in a manner that contains the elements of an offense relating to abusable volatile chemicals
 - Behaving in a manner that contains the elements of the offense of public lewdness or indecent exposure
 - Committing an assault under Texas Penal Code 22.01(a)(1)
 - Engaging in conduct punishable as a felony
 - Selling, giving, or delivering to another person an alcoholic beverage; committing a serious act or offense while under the influence of alcohol; or possessing, using, or being under the influence of alcohol, if the conduct is not punishable as a felony offense
 - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense
- Creating or participating in the creation of a "hit list" under Texas Education Code § 37.001(b)(3)
- Engaging in bullying and/or cyberbullying
 - Engaging in bullying that encourages a student to commit or attempt to commit suicide
 - Inciting violence against a student through group bullying
- Engaging in conduct containing the elements of retaliation against any ACA employee or volunteer, whether on or off of school property
- Engaging in the electronic transmission of sexually explicit visual material that:
 - Depicts any person engaging in sexual conduct, or
 - Depicts a person's intimate parts exposed, or
 - Depicts the covered genitals of a male person that are in a discernibly turgid state, and
 - Is not sent at the request of or with the express consent of the recipient.
- Engaging in conduct punishable as a felony
- Engaging in conduct punishable as a felony listed under Title 5 of the Texas penal Code when the conduct occurs off ACA property and not at a school-sponsored or school-related event and:
 - The student receives deferred prosecution;

- A court or jury finds that the student has engaged in delinquent conduct; or
 - The Principal or designee has reasonable belief that the student engaged in the conduct
- Engaging in conduct relating to harassment of an ACA employee, including but not limited to:
 - Initiating communication and in the course of the communication making a comment, request, suggestion, or proposal that is obscene;
 - Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the employee, a member of the employee's family or household, or the employee's property;
 - Conveying, in a manner reasonably likely to alarm the employee receiving the report, a false report, which is known by the scholar to be false, that another person has suffered death or serious bodily injury; or
 - Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school
- Engaging in conduct relating to a false alarm to induce emergency response
- Engaging in conduct that constitutes dating violence, including intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship
- Engaging in conduct that constitutes discrimination or harassment, including conduct motivated by race, color, religion, national origin, gender, disability, or age and directed toward another student or ACA employee
- Engaging in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including an ACA student, employee, or volunteer
- Extortion or blackmail
- Graffiti
- Identification with gangs and gang-related activities
- Improper use of aerosols
- Inappropriate sexual conduct
- Indecency with a child
- Inhalant abuse
- Major student group disruption
- Possessing, distributing, or selling any prohibited items, including but not limited to:
 - A "look-alike" weapon (includes but is not limited to BB guns, CO2 guns, air pistols or rifles, pellet guns, or any other device designed to appear to be a firearm or other weapon)
 - A laser pointer for other than an approved use
 - A pocketknife or any other small knife with a blade less than 1.5" in length
 - A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person
 - A stun gun
 - Ammunition
 - An air gun or BB gun;
 - Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic or explosive device
 - Mace or pepper spray
 - Matches or a lighter
 - Stink bombs

- Tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device or accessory to a vapor product
 - Any articles not generally considered to be weapons, including school supplies, when the Principal or designee determines that a danger exists
- Possessing, distributing, or selling look-alike drugs or items attempted to be passed off as drugs or contraband
- Possessing, distributing, or selling seeds or pieces of marijuana in less than a usable amount
- Possessing or using alcohol
- Possessing, selling, distributing, or being under the influence of inhalants
- Possessing, selling, distributing, or being under the influence of a simulated controlled substance
- Possessing, using, giving, or selling paraphernalia related to any prohibited substance, including illegal, prescription, and over-the-counter drugs
- Possession, use, transfer or exhibition of any firearm, handgun, improvised explosive device, location-restricted knife, club, or any other prohibited weapon or harmful object (as determined by ACA)
- Releasing or threatening to release “intimate visual material” of a minor or student who is 18 years of age or older without the student’s consent
- Required registration as a sex offender
- Rioting, group disobedience, or disturbance
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a cannabidiol (CBD) substance, a dangerous drug, or an alcoholic beverage
- Sending or distributing sexually suggestive, nude, or partially nude photographs and/or sexually explicit message via text message, social media applications, or other methods of electronic delivery while at school, or while away from school if the conduct creates a substantial disruption to the school environment
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment
- Sexual conduct
- Solicitation of immoral or illegal acts
- Tampering or setting off a fire alarm (may result in a citation from appropriate law enforcement agencies)
- Theft (actual or attempted) over \$50.00, robbery, or burglary
- Threats to “kill” or cause bodily injury to any school personnel
- Use, exhibition, or possession of a hand instrument designed to cut or stab another by being thrown, including but not limited to a dagger; dirk; stiletto; poniard; bowie knife; sword; spear; switchblade; assisted-open knife (regardless of length); or as otherwise defined by Board policy
- Use, exhibition, or possession of a knife with a blade more than 1.5" in length, including but not limited to switchblade knives or any other knife not defined as a location-restricted knife
- Using a cell phone or other electronic device to make an audio and/or video recording of another person in a restroom, locker room, changing room, or other similar area
- Vandalism (criminal mischief as defined by Penal Code 28.03). Students may be subject to criminal penalties. If damages exceed \$1,500.00, it is an expellable offense
- Violating ACA's computer use policies, rules, or agreements, such as the Student Acceptable Use policy, and including conduct involving but not limited to:

- Attempting to access or circumvent passwords or other security-related information of ACA or its students or employees, and uploading or creating computer viruses, including such conduct off school property if the conduct causes a substantial disruption to the educational environment
- Attempting to alter, destroy, or disable ACA computer equipment, ACA data, the data of others, or other networks connected to the ACA system, including conduct occurring off school property if the conduct causes a substantial disruption of the educational environment
- Using the Internet or other electronic communications to threaten ACA students, employees, or volunteers, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including conduct occurring off school property if the conduct causes a substantial disruption to the educational environment
- Using e-mail or Web sites at school to encourage illegal behavior or threaten school safety
- Violating copyright laws regarding computer software
- Violating the terms of a student behavior contract

Class IV Disciplinary Consequences

- Confiscation of inappropriate article
- Denial of privileges – i.e., field trips, recess, parties
- Expulsion from ACA
- In-School Suspension
- Referral to appropriate law enforcement agency
- Restitution/Restoration
- Out of School Suspension - no more than 5 consecutive days or 10 days per semester
- Any other disciplinary action deemed appropriate by the administrator
- Special Education Student – refer to Individual or Behavioral Education Plan
- Section 504, if applicable, review Behavior Intervention Plan

SUSPENSION PROCESS

ACA utilizes two kinds of suspension: in school suspension and out of school suspension.

In School Suspension

The following rules and regulations apply to all students assigned to in school suspension (“ISS”):

1. Students must report to the detention room at the beginning of the school day.
2. Students will bring materials to work on, including an ISS assignment with their teachers’ names, subjects, and assignments. Students are responsible for obtaining assignments from each teacher.
3. Students will not be permitted to go their lockers. All materials must be brought to the room when reporting.
4. Students may not bring food or drink into the detention room.
5. No disruptive behavior will be allowed.
6. Unexcused absences from suspension will be referred to the Principal or designee.
7. Sleeping is prohibited.
8. Students must abide by ACA’s policies and behavioral standards during their suspension period.

9. A student who misses a scheduled ISS session without a confirmed excuse will be assigned one day out of school suspension. If a student misses more than one scheduled ISS session without a confirmed excuse, he or she may be subject to expulsion.

Failure to follow these guidelines will be reported to the Principal or designee for further action, which may include up to three days of out of school suspension or any other Level I consequence.

Out of School Suspension

In deciding whether to order out-of-school suspension, ACA may take into consideration factors including self-defense, prior discipline history, the student's status as a student in foster care or who is homeless, intent or lack of intent and other appropriate or mitigating factors determined by the School.

In addition to the Code of Conduct violations listed above that may result in suspension, the Principal or designee has authority to suspend a student for a period of up to five school days for any of the following additional reasons:

1. The need to further investigate an incident,
2. A recommendation to expel the student, or
3. An emergency constituting endangerment to health or safety.

Special Rules for Suspensions Involving Homeless Students

ACA may not place a student who is homeless in out-of-school suspension unless the student engages in the following conduct while on school property or while attending a school-sponsored or school-related activity on or off of school property:

1. Unlawful possession of a firearm or other weapon;
2. Assault, sexual assault, aggravated assault, or aggravated sexual assault; or
3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana or a controlled substance, a dangerous drug, or an alcoholic beverage.

Emergency Placement

If the Principal or designee reasonably believes a student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with students in a class, with the ability of a student's classmates to learn, or with the operation of ACA or a school-sponsored activity, the Principal or designee may order immediate removal of the student. The Principal or designee may impose immediate suspension if he or she reasonably believes such action is necessary to protect persons or property from imminent harm. At the time of such an emergency removal, the student will be given verbal notice of the reason for the action and appropriate hearings will be scheduled within a reasonable time after the emergency removal.

Process for Suspensions Lasting Up to Five Days

Prior to suspending a student for up to five days, the Principal or designee must attempt to hold an informal conference with the student to:

1. Notify the student of the accusations leading to the suspension recommendation;
2. Allow the student to relate his or her version of the incident, and
3. Determine whether the student's conduct warrants suspension.

If the Principal or designee determines the student's conduct warrants out-of-school suspension for up to five days, the Principal or designee will make reasonable efforts to notify the student's parent(s) that the student has been suspended before the student is sent home. The Principal or designee will notify a suspended student's parent(s) of the period of suspension, the grounds for the suspension, and the time and place for an opportunity to confer with the Principal or designee.

A student shall receive credit for work missed during the period of suspension if the student makes up work missed during the period of suspension within the same number of school days the student was absent on suspension.

Removal from School Transportation

A student being transported by ACA transportation to or from school or a school-sponsored or school-related activity may be removed from a school vehicle for conduct violating ACA's established standards for conduct in a school vehicle.

EXPULSION PROCESS

Notice

When the Executive Director of Schools ("EDS") or designee determines a student's conduct warrants expulsion, the EDS or designee will provide the student's parent(s) with written notice of:

1. The reasons for the proposed disciplinary action; and
2. The date and location for a hearing before the Principal or designee, within five school days from the date of the disciplinary action.

The notice shall further state that, at the hearing, the student:

1. May be present;
2. Shall have an opportunity to present evidence;
3. Shall be apprised and informed of ACA's evidence;
4. May be accompanied by his or her parent(s); and
5. May be represented by an attorney.

Hearing Before the Principal or Designee

ACA shall make a good faith effort to inform the student and the student's parent(s) of the time and place for the hearing, and ACA shall hold the hearing regardless of whether the student, the student's parent(s) or another adult representing the student attends. The Principal or designee may audio record the hearing.

Within 48 hours or two school days, whichever is later, following the hearing, the Principal or designee will notify the student and the student's parent(s) in writing of his or her decision as to whether the student's conduct warrants suspension and/or expulsion and, if so, the decision shall specify:

1. The length of the extended suspension or expulsion, if any;
2. When or if the expulsion is not permanent, the procedures for re-admittance at the end of the expulsion period if at all; and
3. The right to appeal the Principal or designee's decision to the Board of Directors or the Board's designee.

The notice shall also state that failure to timely request such an appeal constitutes a waiver of

further rights in the matter, and that disciplinary consequences will not be deferred pending the outcome of an appeal.

The School will notify the independent school district in which the student resides of the student's expulsion within three business days of the Expulsion Order.

TERMS OF EXPULSION

The period of expulsion may be determined by many factors, including the severity of the conduct and the existence of a continuing risk of harm to other students and employees if the student were allowed to return. An expulsion may be temporary or permanent. A temporary expulsion may extend to one calendar year. A permanent expulsion allows ACA to deny future admission to the student based on consideration of the student's past disciplinary history. In each instance, the Expulsion Order must explain the circumstances which justify the length of the expulsion.

During a period of expulsion, the student is prohibited from entering onto any school property and attending any school-sponsored or school-related events. Failure to comply with this prohibition will result in the filing of criminal trespass charges against the student. Except as otherwise required by law, students will not receive educational services or receive course credits during a period of expulsion.

No Credit Earned

Except when required by law, students will not earn academic credit during a period of expulsion.

EXPULSION APPEAL PROCESS

A parent, legal guardian, or adult student may appeal an expulsion decision by filing a written appeal with the EDS within five school days of the date of the Expulsion Order. The EDS or designee will review the record of the expulsion proceedings at the campus level, along with any other relevant information, and will issue a written decision to the appealing party within ten school days of receiving the request for review.

If the appealing party is not satisfied with the decision of the EDS or designee, he or she may appeal that decision to the Board of Directors by filing a request for review with the EDS's office within five school days of the date of the initial appeal decision. The student and/or his or her parent(s) will be informed of the date, time, and location of the meeting in which the disciplinary consequence will be reviewed. The Board will review the disciplinary administrative record and any audio recording or transcription/minutes of any hearings or conferences before the Principal or designee at a regular or specially called meeting in closed session as permitted by the Texas Open Meetings Act. The appeal shall be limited to the issues and documents considered during the disciplinary consequence, except that if the administration intends to rely on evidence not included in the expulsion record, the administration shall provide the student or parent(s) notice of the nature of the evidence at least three days before the Board meeting.

The Board may, but is not required to, allow an opportunity for the student or parent(s) and the administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board will consider the appeal and may request that the administration provide an explanation for the disciplinary decision.

The Board will communicate its decision, if any, orally or in writing before or during the next regularly scheduled Board meeting. If no decision is made by the end of the next regularly scheduled Board meeting, the School's decision with respect to the disciplinary action shall be upheld. The Board may not delegate its authority to issue a decision, and any decision by the

Board is final and may not be appealed.

As stated above, disciplinary consequences will not be deferred pending the outcome of an expulsion to the Board.

GUN-FREE SCHOOLS ACT

In accordance with the federal Gun-Free Schools Act, ACA shall expel, from the student's regular program for a period of one year, any student who is determined to have brought a firearm, as defined by federal law, to school. The Principal or designee may modify the term of expulsion for a student or assess another comparable penalty that results in the student's expulsion from the regular school program on a case-by-case basis and in accordance with legal requirements.

For the purposes of this section, "firearm" means:

1. Any weapon – including a starter gun – which will, or is designed to, or which may readily be converted to expel a projectile by the action of an explosive from the frame or receiver of any such weapon;
2. Any firearm muffler or firearm silencer;
3. 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 1/4 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 1/2 inch in diameter; and any combination of parts either designed or intended for use in converting any device into a destructive device as described, and from which a destructive device may be readily assembled.

FREQUENTLY ASKED QUESTIONS BY STUDENTS AND PARENTS

1. What is a Student Code of Conduct? Why do we need one?

The benefit a student derives from enrollment in ACA depends very much on the student's attitude toward learning and adherence to a high standard of discipline and self-mastery. ACA's Student Code of Conduct defines misconduct along with a uniform system of rules and consequences designed to redirect inappropriate behavior. ACA also requires that every student and parent receive a copy of the Student Code of Conduct.

The purpose of the Code is to ensure every student receives a quality education in a safe, orderly and well-managed environment free of disruptions and inappropriate or harassing behavior.

ACA has adopted a Progressive Discipline Plan with four levels of consequences related to four levels of misbehaviors, beginning with the less severe infractions. Class I misbehaviors are coupled with the least serious Class I consequences. Class IV misbehaviors are those which are comprised of very serious, persistent misbehaviors, or illegal acts. Class IV misbehaviors carry with them Class IV consequences which are serious and appropriately tailored to the act of misbehavior. Each of the classes of misbehavior, Class I, II, III, and IV, are progressively more serious in nature and carry more serious consequences.

2. What is meant by Progressive Discipline?

Progressive discipline requires there to be an understanding that different levels of misbehaviors have corresponding levels of appropriate disciplinary consequences. The more serious the misbehavior, the more severe the consequence for that behavior becomes. The ACA Progressive Discipline Plan also considers that some students may repeatedly misbehave at one level and not respond positively to the disciplinary consequences at that level. With this consideration, the Progressive Discipline Plan allows for more serious consequences after all reasonable attempts have been exhausted to curb the undesired behavior at the lower level. For example, repeated offenses of a Class I misbehavior may result in a student being disciplined at a Class II level of consequence due to the fact that Class I consequences did not change the behavior of the student.

Students who repeatedly do not respond to appropriate consequences for misbehavior progress to the next level of discipline. There are circumstances when ACA imposes the strictest form of discipline allowed in the Code while bypassing lower-level consequences.

Please Note: Disciplining students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) are subject to the provisions of those laws.

3. Can two students receive different consequences for the same act of misbehavior?

Yes. Every student's behavior record and behavior progress is unique and individual. Therefore, two students may actually commit the same offense, and due to their individual disciplinary records, may receive very different consequences due to the nature of progressive discipline.

4. Who has the authority to decide which consequence is given to the student after any act of misbehavior?

Any classroom teacher or ACA administrator has the legal authority and responsibility to assign appropriate consequences for student misbehavior; however, only an ACA administrator may assign In-School Suspension, or Out of School Suspension. Conferencing with the parents before assigning a consequence is ideal but may not always be possible. Every effort will be made to contact the parent upon each office referral.

5. May I know the disciplinary consequence given to another student?

No. School authorities are not allowed, by law, to discuss with anyone other than the parent or legal guardian of a student, any issues which pertain to confidential information. Academic and disciplinary records fall under such confidential records. While this can be particularly frustrating to parents, confidentiality laws are in place to protect the rights of every child.

6. What is meant by confidentiality of student discipline records?

Student records are governed by federal statute, the Family Educational Rights and Privacy Act (FERPA). FERPA limits access to a student's records by anyone other than the student and his or her parent or legal guardian, unless FERPA allows a school to share information with outside parties.

7. What are my student's rights in the discipline process?

A parent and/or student may disagree with decisions involving discipline. School administrators have a duty to maintain a proper educational environment and are authorized to make decisions regarding consequences for discipline infractions. Any disagreement with any building administrator regarding consequences should be brought to the Executive Director of Schools.

8. Can a student be expelled from ACA?

Yes, in severe cases of repeated disciplinary infractions or major expellable offenses in which the educational process is disrupted. Expulsion decisions may be appealed to the Board of Directors.

9. What is due process of the law?

Due process of the law is a fairness standard that occurs when there is the potential for the loss of a constitutional property right. Expulsion from ACA requires a due process hearing.

A student considered for expulsion from ACA is entitled to:

- 1) prior notice of charges and the proposed actions to afford reasonable opportunity for preparation
- 2) be present during the disciplinary hearing
- 3) present evidence during the disciplinary hearing
- 4) be apprised and informed of ACA's evidence
- 5) be accompanied by a parent
- 6) be represented by an attorney or other representative

10. Is a student entitled to representation other than during an expulsion from ACA hearing?

Yes. A student may have representation at any time they deem it necessary.

11. How long is a student discipline record kept?

Discipline records are kept for the length of time required by the Texas Education Agency and/or for the length of time required by state record retention laws.

12. What is criminal trespass?

The Texas Penal Code (30.05) provides for local policy regarding criminal trespass.

Criminal trespass occurs when a person enters or remains on property or in a building of another without effective consent and has been given notice that the entry was forbidden and having received notice to depart and failed to do so. For the purpose of the statute, "enter" means the intrusion of the entire body and "notice" means (1) oral or written communication by the owner or someone with apparent authority to act for the owner, or (2) fencing or other enclosure obviously designed to exclude intruders, or (3) signs posted which are reasonably likely to be seen by an intruder. The authority of this trespass includes areas up to 300 feet of the school building and grounds.

13. What should a student do if he/she is being sexually harassed?

The student should immediately communicate any perceived inappropriate actions to school

personnel, which would include a classroom teacher, a counselor, or an administrator, of any such behaviors.

14. What are Penal Code Title V offenses?

Penal Code Title V offenses are those offenses that deal with criminal homicide, kidnapping, aggravated kidnapping, false imprisonment, indecency with a child, sexual assault, aggravated sexual assault, or injury to a child. Those behaviors are subject to immediate expulsion from ACA.

DEFINITIONS

ABUSE: Improper or excessive use.

ABUSABLE VOLATILE CHEMICAL OFFENSE: Defined by Health and Safety Code § 485.001 and 485.031. No student shall inhale, ingest, apply, use, or possess an abusable volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to the directions for use, cautions, or warnings appearing on a label of a container of the chemical; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination, or elation, or change, distort, or disturb the person's eyesight, thinking process, balance, or coordination.

No student shall knowingly deliver to a person younger than 18 an abusable volatile chemical. Health and Safety Code § 485.032

No student shall knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body an abusable volatile chemical. No student shall knowingly deliver, sell, or possess with intent to deliver or sell inhalant paraphernalia knowing that that person who receives it intends to use it to inhale, ingest, apply, use, or otherwise introduce into the human body an abusable volatile chemical. Health and Safety Code § 485.033

ARMOR PIERCING AMMUNITION: Handgun ammunition used principally in pistols and revolvers and that is designed primarily for the purpose of penetrating metal or body armor.

ARSON: Defined by Texas Penal Code § 28.02 and occurs when a person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

- Any vegetation, fence, or structure on open-space land; or
- Any building, habitation, or vehicle:
 - Knowing that it is within the limits of an incorporated city or town,
 - Knowing that it is insured against damage or destruction,
 - Knowing that it is subject to a mortgage or other security interest,
 - Knowing that it is located on property belonging to another,
 - Knowing that it is located within property belonging to another, or
 - When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Arson also occurs when a person:

- Recklessly starts a fire or causes an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
- Intentionally starts a fire or causes an explosion and in so doing recklessly damages or destroys a building belonging to another, or recklessly causes another person to suffer bodily injury or death.

ASSAULT: Offense as defined under Penal Code 22.01, a person intentionally, knowingly, or recklessly causes bodily injury to another, threatens another with imminent bodily injury or causes unwelcome or offensive physical contact with another.

BULLYING: A single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct 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, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or the school; or (4) infringes on the rights of the victim at school. Bullying also includes "cyberbullying," which means bullying that is done through the use of any electronic communication device including a cellular telephone or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool. Bullying conduct includes conduct (1) that occurs on or is delivered to ACA property or to the site of a school-sponsored or school-related activity on or off school property; (2) that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and (3) cyberbullying that occurs off ACA property or outside of a school-sponsored or school-related activity if the cyberbullying (i) interferes with a student's educational opportunities or (ii) substantially disrupts the orderly operation of a classroom, ACA, or a school-sponsored or school-related activity.

BREACH OF COMPUTER SECURITY: Includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Texas Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a public school; and the student knowingly alters, damages, or deletes school property or information; or commits a breach of any other computer, computer network, or computer system.

BURGLARY: The entering of a habitation or building with the intent to commit theft.

CHEMICAL DISPENSING DEVICE: A device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.

CLUB: An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death, including but not limited to a blackjack, nightstick, mace, and tomahawk.

CONFERENCE: A procedure in which the student shall be advised of the conduct with which he or she is charged. The student shall be given the opportunity to explain his or her version of the incident in question.

CONTRABAND: Property whose possession is forbidden by law or policy.

CONTROLLED SUBSTANCE OR DANGEROUS DRUG: Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq. This includes but is not limited to marijuana; any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, barbiturate; anabolic steroid; or prescription medicine provided to any person other than the person for whom the prescription was written.

CRIMINAL MISCHIEF: A person commits an offense if, without the consent of the school, knowingly or intentionally tampers with, damages or destroys school property.

CRIMINAL STREET GANG: Three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

DATING VIOLENCE: The intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Texas Family Code § 71.0021.

DEADLY CONDUCT: Occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, and includes, but is not limited to, knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

DEFERRED ADJUDICATION: An alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

DEFERRED PROSECUTION: May be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

DELINQUENT CONDUCT: Conduct that:

- Violates either state or federal law, other than a traffic offense, and is punishable by imprisonment or confinement in jail;
- Violates a lawful order of a court under circumstances that would constitute contempt of that court in a justice or municipal court, or a county court for conduct punishable only by a fine;
- Constitutes an intoxication and alcoholic beverage offense under Chapter 49 of the Texas Penal Code; or
- Violates Texas Alcoholic Beverage Code § 106.041 relating to driving under the influence of alcohol by a minor (third or subsequent offense).

DISCRETIONARY: Means that something is left to or regulated by a local decision maker.

DRUG PARAPHERNALIA: is fully defined in the Health and Safety Code 481.002 and includes but is not limited to meaning anything that is and/or could be used to prepare or process any controlled substances for introduction into the human body.

E-CIGARETTE OR ELECTRONIC CIGARETTE: Means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, electronic circuit

to deliver nicotine or other substances to the individual inhaling from the device, or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other similar device. The term also includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe; a dab pen; a vapor product; or any other similar device under another product name or description. Also included is any component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device. The term does not include a prescription medical device unrelated to the cessation of smoking.

ELECTRONIC MEDIA: Refers to all forms, kinds and types of electronic devices, communication systems, networks, software, websites, and any other technology resources including, but not limited to, social media, text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing or file sharing Web sites, cellular telephones, portable electronic devices, computers.

EMERGENCY REMOVAL: A building administrator or designee can recommend immediate placement of a student in In-School Suspension or Home-Based Instruction if the administrator reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively. The terms of such a removal preclude the student from participating in any school-sponsored or school-related activity during the duration of the removal.

EXPLOSIVE WEAPON: Any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

EXPULSION: The total deprivation of academic credit and educational services provided by Arlington Classics Academy for disciplinary reasons. Expulsions may be appealed to the Board of Directors.

EXTRACURRICULAR: Any school activity that is not a part of the required curriculum or course of studies as required by the Arlington Classics Academy.

FALSE ALARM OR REPORT: Occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

- Cause action by an official or volunteer agency organized to deal with emergencies;
- Place a person in fear of imminent serious bodily injury; or
- Prevent or interrupt the occupation of a building, room, or place of assembly.

FALSE ALARM TO INDUCE EMERGENCY RESPONSE: Occurs when a person makes a report of a criminal offense or an emergency or causes a report of a criminal offense or an emergency to be made to a peace officer, law enforcement agency, 9-1-1 service, official or volunteer agency organized to deal with emergencies, or any other governmental employee or contractor who is authorized to receive reports of a criminal offense or emergency when (1) the person knows the report is false and (2) the report causes an emergency response from a law enforcement agency or other emergency responder.

FELONY: A major crime for which the law statute provides a greater punishment than for a misdemeanor.

FIGHTING: Mutual combat that results in physical contact, bodily injury, or where one student knowingly and intentionally assaults another. ACA administration reserves the right to contact local law authorities where there is a fight or assault. Once the local law agency has been notified, it will be at the discretion of the officer who responds as to whether a citation should be issued or whether an arrest should be made.

FIREARM: Defined by federal law (18 U.S.C. § 921(a)) as:

- Any weapon (including a starter gun) that will, is designed to, or 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 weapon; or
- Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

Such term does not include an antique firearm.

FIREARM SILENCER OR SUPPRESSOR: Means any device designed, made, or adapted to muffle the report of a firearm.

GAMBLING: A bet as defined by 47.01 of the Texas Penal Code and/or any other agreement between two or more persons that a sum of money or other valuable thing may be won or lost.

GANG, SECRET SOCIETIES, SORORITIES or FRATERNITIES: Three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of violation of the Student Code of Conduct.

GRAFFITI: Markings, drawings, or paintings on tangible property while on school grounds without the consent of the school or having such markings on oneself or one's property.

HANDGUN: Defined by Texas Penal Code § 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

HARASSMENT: Includes:

- Conduct that meets the definition of harassment set in Board policy and/or the Handbook;
- Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating or obscene, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety; or
- Conduct including the elements of (1) initiating a communication and in the course of the communication making a comment, request, suggest, or proposal that is obscene; (2) threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property; (3) conveying a false report that another person has suffered death or serious bodily injury; (4) causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm abuse, torment, embarrass, or

offend another; (5) making a telephone call and intentionally failing to hang up or disengage the connection; (6) knowingly permitting a telephone under the person's control to be used by another to engage in harassment; or (7) publishing on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern.

HAZING: Means an intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, that is directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization, if the act involves situations outlined in Texas Education Code § 37.151.

HIT LIST: A list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

HORSEPLAY: To engage in mutual pushing and shoving, running, play fighting, etc.

IMPROVISED EXPLOSIVE DEVICE: Defined by Texas Penal Code § 46.01 as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

INDECENT EXPOSURE: Exposing one's anus or genitals with intent to arouse or gratify the sexual desire of any person while being reckless about whether another is present who will be offended or alarmed by the act.

INTIMATE VISUAL MATERIAL: Visual material that depicts a person (a) with the person's intimate parts exposed; or (b) engaged in sexual conduct.

KNUCKLES: Any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

LOCATION-RESTRICTED KNIFE: A knife with a blade over five and one-half inches.

LOOK-ALIKE WEAPON: An item that resembles a weapon but is not intended to be used to cause serious bodily injury.

MACHINE GUN: Any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

MANDATORY: Something that is obligatory or required because of an authority.

IN-SCHOOL SUSPENSION (ISS): A special classroom or area designated as the ISS room where a staff member is on duty. In this setting, the student receives assignments/instruction in each course to the extent possible, with little or no opportunity for social interaction with peers. A student in ISS shall not be allowed to participate in extracurricular activities or field trips during the duration of the assigned ISS time.

OBSCENE: Something which is considered indecent or lewd or objectionable to the accepted standards of decency.

OFFENSIVE: Something which is considered to be disagreeable, distasteful, obnoxious or objectionable by a reasonable person.

ONLINE IMPERSONATION: Occurs when a person, without obtaining the consent of another person and with the intent to harm, defraud, intimidate, or threaten any persons, uses the name or persona of another person to:

- Create a web page on a commercial social networking site or other Internet website; or
- Post or send one or more messages on or through a commercial social networking site or other Internet website, other than on or through an electronic mail program or message board program.

Online impersonation also occurs when a person sends an electronic mail, instant message, text message, or similar communication that reference a name, domain address, phone number, or other item of identifying information belonging to any person:

- Without obtaining the other person's consent;
- With the intent to cause a recipient of the communication to reasonably believe that the other person authorized or transmitted the communication; and
- With the intent to harm or defraud any person.

OUT OF SCHOOL SUSPENSION (OSS): An off-campus setting in which a student is given assignments to complete. The student shall receive an excused absence while assigned to OSS. Out of School Suspension days shall not exceed **no more than 5 consecutive days or 10 days per semester**. Assignments will be provided for the student as soon as possible after placement in OSS. Full earned credit will be given for all completed assignments. Assignments will be due on the first day back from suspension.

PARAPHERNALIA: Devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body. It also includes equipment, products, or materials used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance.

PORNOGRAPHY: Explicit depiction or description of sexual acts.

POSSESSION: Regardless of the student's knowledge or intent to possess the item, to have in or on: (1) a student's person or in the student's personal property, such as the student's clothing, purse, or backpack; (2) in any vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) any other school property used by the student, such as a locker or desk.

PROFANE LANGUAGE: Profane language is any language directed to another person with the intent to incite a breach of peace. Profane language may result in a citation issued by local law enforcement.

PROHIBITED WEAPON: Means an explosive weapon; a machine gun; a short-barrel firearm; armor-piercing ammunition; a chemical dispensing device; a zip gun; a tire deflation device; or an improvised explosive device.

PROGRESSIVE DISCIPLINE PLAN: The system of discipline infractions and consequences which are listed in Class I, II, III, IV which escalates consequences with repeated violations of the Student Code of Conduct or with the severity of a violation of the Student Code of Conduct.

PUBLIC LEWDNESS: Occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in a public place or, if not in a public place, is reckless about whether another is present who will be offended or alarmed by the act.

RACIAL SLURS: A racial slur is any statement that degrades or demeans any person's racial, ethnic, cultural, or national origin.

REASONABLE BELIEF: A determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

RETALIATION: The act or threat of doing harm or taking action towards another person because the person exercised legal authority of the student, disciplined the student, or reported the student.

SECTION 504: Having a physical or mental impairment which substantially limits one or more major life activities.

SELF DEFENSE: Self-defense is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect him or herself considered appropriate and will be considered as a mitigating circumstance only when the student has a reasonable belief that the force is immediately necessary to protect himself against the other's use or attempted use of force that could result in serious bodily injury. Verbal assault or threat is never enough to justify self-defense. Reasonable belief in the school setting means a belief that would be held by the school principal in the same circumstances as the actor. Each student is responsible for making every effort to avoid the use of any force and is advised to remove him or herself from the situation if at all possible. ACA does not condone or authorize students to use force against another individual, even if that individual provokes or instigates a fight or altercation.

SERIOUS OR PERSISTENT MISBEHAVIOR: A misbehavior that disrupts the educational process due to its magnitude or repetition.

SEXUAL CONDUCT: When a student intentionally or knowingly engages in sexual contact with another person. An offense of sexual conduct may result in notification of Child Protective Services and/or local law enforcement agencies.

SEXUAL HARASSMENT: Defined in ACA's non-discrimination policies and procedures.

SHORT-BARREL FIREARM: A rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

SWITCHBLADE KNIFE: Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or by the application of centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

TERRORISTIC THREAT: A threat of violence to any person or property with intent to:

- Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
- Place any person in fear of imminent serious bodily injury;
- Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
- Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- Place the public or a substantial group of the public in fear of serious bodily injury; or
- Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state, or a public charter school (including ACA).

THREATS: an expression of intention or warning that one will inflict harm, evil, injury or damage to another.

TIRE-DEFLATION DEVICE: A device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

TITLE 5 OFFENSES: Offenses that involve injury to a person and include murder; manslaughter; criminally negligent homicide; trafficking in persons; unlawful transport; kidnapping; assault (on a public servant); aggravated assault; sexual assault; aggravated sexual assault; unlawful restraint; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment of a public servant; improper photography; smuggling persons; and tampering with a consumer product.

TRESPASSING: Entering or remaining on the property of another (including ACA) without effective consent of the owner, and the person (1) had notice that the entry was forbidden; or (2) received notice to depart but failed to do so. Trespassing may also include presence on ACA's campus if expelled or suspended.

UNDER THE INFLUENCE: A student commits an offense punishable by expulsion if the student consumes any amount of alcohol, controlled substance, tobacco, a drug or any other illegal substance into the body, or does not have normal use of mental or physical faculties even though the student may not meet legal definitions of intoxication.

USE: With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.

VANDALISM: Are willful or malicious acts that are intended to damage or destroy property and/or reckless acts that result in the damage or destruction of property.

VAPOR PRODUCT: Electronic cigarettes (e-cigarettes) or any other device that uses a mechanical heating element, battery, or electronic circuit to deliver vapor that may include nicotine to the individual inhaling from the device, or any substance used to fill or refill the device.

WEAPON: Any instrument or device used for fighting either in an attack or defensive mode.

ZIP GUN: A device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

ARLINGTON CLASSICS ACADEMY
STUDENT HANDBOOK & CODE OF CONDUCT
SIGNATURE PAGE
2023-2024

ACKNOWLEDGEMENT FORM

Student Name: _____

School/Campus: _____ Grade Level: _____

I, as the parent or guardian of _____, have received a copy of or have been given access to the Arlington Classics Academy Student Handbook & Student Code of Conduct (the “Code”) for the 2023-2024 school year. I have read, understand, and agree that my child shall abide by the Code. I understand that my child will be held accountable for his or her behavior, and he or she is required to comply with the expected standards of conduct set out in this handbook and Code and will be subject to disciplinary consequences if he or she fails to do so. I understand that the handbook and the Code governs my child’s behavior while on school property and at school-sponsored or school-related activities whether on or off campus; and that my child may also be subject to discipline for certain conduct which occurs outside of school regardless of time or location, including any school-related misconduct. I understand that the School may contact law enforcement for further investigation or criminal prosecution for certain violations of law.

I also understand that parental involvement and cooperation is vital in the discipline process. By signing below, I acknowledge my understanding and commitment to ensure that my child understands and complies with the Code.

Parent/Guardian Name (Print)		Student Name (Print)
Parent/Guardian Signature		Student Signature
Date:		Date: