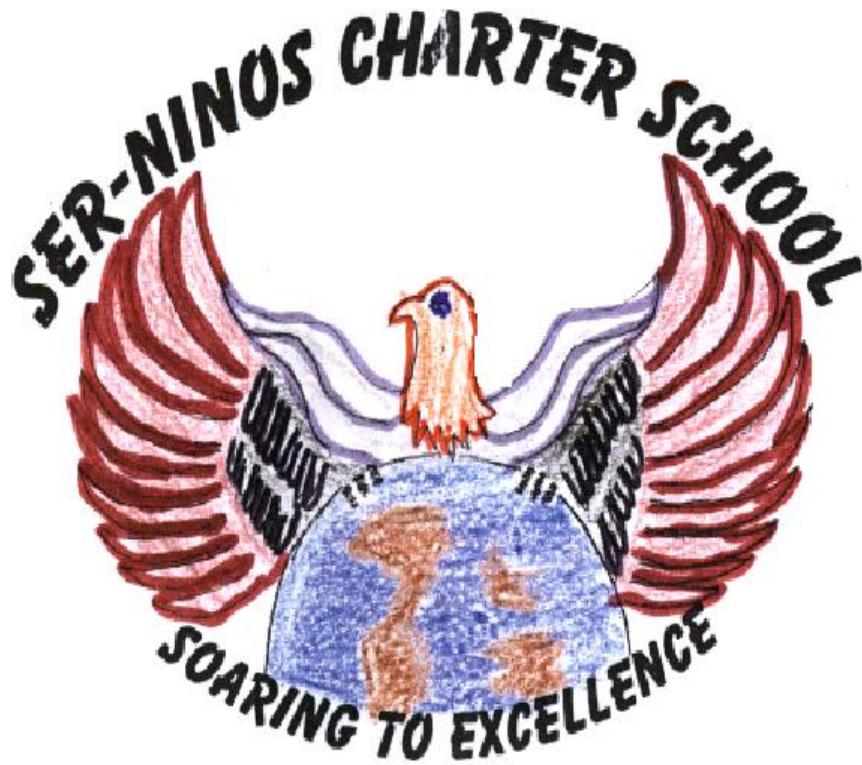


Student Code of Conduct



SER-NIÑOS CHARTER SCHOOL

BOARD MEMBERS

**Rene Gonzalez
Chairman of the Board**

**Dr. Waynel Sexton
Vice Chairman of the Board**

**Dominique Varner
Board Secretary**

**Forest Ralph
Treasurer**

**Joseph Soliz
Board Member**

**Juan Salazar
Board Member**

**Larry Payne
Board Member**

**Charmaine Constantine MEd.
Superintendent**

Web Page for SER-Ninos Charter School: www.serninos.org

It is the policy of SER-Niños Charter School System not to discriminate on the basis of age, color, handicap or disability, ancestry, national origin, marital status, race, religion, sex, veteran status, political affiliation, sexual orientation, and gender identity and/or gender expression in its educational or employment programs and activities.

SER-Niños Charter School Philosophy

A child's potential for academic and personal development is significantly enhanced when teachers, parents, or other primary caregivers work together for the benefit of the child. Therefore, the faculty and staff of SER-Niños cultivate and maintain positive relationships with parents and other family members.

SER-Niños Charter School Mission

SER-Niños Charter School is a public school which provides an innovative dual language curriculum in the Gulfton area of Houston, Texas. It offers a high quality education through public and private funding to at-risk children in grades Pre-K through eighth. SER-Niños was founded on the premise that every child can develop the characteristics and abilities to overcome economic hardship and achieve success. SER-Niños actively involves teachers, parents, and the community to ensure the strong and positive development of the whole child.

STUDENT CODE OF CONDUCT

The SER-Niños Charter School Student Code of Conduct represents a significant commitment of various resources. The benefits a student derives from this depends very much on the student’s attitude toward learning and the student’s adherence to high standards of behavior.

TABLE OF CONTENTS

Overview of Responsibility.....	4
Standards for Student Conduct.....	5
General Misconduct Violations.....	6
Removal from the Regular Education Setting.....	8
Expulsion.....	12
Mandatory Expulsion.....	14

Student Code of Conduct SER-Niños Charter School

Purpose

A successful education process represents a significant commitment of community resources. The life-long benefits a student gains from education depends very much on the student's attitude toward learning and appropriate behavior while in a school setting. The Student Code of Conduct that follows is the school's specific response to requirements of Chapter 37 of the Texas Education Code, which requires public schools to define misconduct that may or must result in specific disciplinary consequences. This code, developed by SER-Niños faculty and administration, has been adopted by the Board of Directors and provides information and direction to students and parents regarding standards of behavior as well as consequences of misconduct.

Overview

The intent of the SER-Niños Charter School Student Code of Conduct is to assist in developing appropriate, positive social skills and behaviors as well as to address inappropriate and unacceptable behaviors and choices among its students through a set of consequences. These consequences will be correlated to the seriousness of the offense, the student's age and grade, the frequency of the misbehavior, the student's attitude, the effect of the misconduct on the school environment, and/or statutory requirements.

Issues related to student conduct are divided into four sections.

Section I	Standards for Student Conduct
Section II	Misconduct Violations and their Consequences
Section III	Removal of Students from the Regular Education Setting and Suspensions
Section IV	Expulsion, Emergency Removal, and the Appeals Process

SECTION – I STANDARDS FOR STUDENT CONDUCT

Each student is expected to:

- Demonstrate courtesy and respect for others
- Behave in a responsible manner
- Attend all classes, regularly and on time
- Prepare for each class and take appropriate materials and assignments to class
- Be well-groomed and dress appropriately
- Obey all campus and classroom rules
- Respect the property of others, including school property and facilities

- Cooperate with or assist the school staff in maintaining safety, order and discipline
- Avoid violations of the Student Code of Conduct

A student whose behavior shows disrespect for others, including interference with their access to a public education and a safe environment, will be subject to disciplinary action. School rules and the authority of the school to administer discipline apply whenever the interest of the school is involved on or off school grounds in conjunction with, or independent of, classes and school-sponsored activities.

SER-Niños has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school on school-provided transportation
2. While the student is participating in any activity during the school day on school grounds, within 1,000 feet of school property
3. While the student is in attendance at any school related activity, regardless of time or location
4. For any school-related misconduct, regardless of time or location
5. When retaliation against a school employee is involved either on or off school property
6. When the student commits a felony, as provided by Texas Education Code 37.008
7. When criminal mischief is committed on or off school property or at a school-related event

In general, discipline will be designed to correct misconduct and to encourage all students to adhere to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Disciplinary action will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements. Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques.

The school 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 violations of these rules 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.

The following discipline management techniques may be used alone or in combination for Student Code of Conduct and non Student Code of Conduct violation:

- Oral corrections
- Redirection
- Review, re-teach, and practice expectations
- Provide opportunities for students to practice expected behavior and provide descriptive feedback
- Cooling off time or “time-out”
- Seating changes in the classroom
- Teacher-student conference
- Student-counselor conference
- Parent-teacher conferences
- Temporary confiscation of items that disrupt the education process
- Grade reductions as permitted by the policy
- Rewards or demerits
- Behavioral contracts
- Loss of privileges
- Sending the student to the office, other assigned area, or to in-school suspension
- Detention
- Assigned school duties other than class tasks
- Withdrawal of privileges, such as participation in extra-curricular activities and eligibility for seeking and holding honorary offices
- Withdrawing or restructuring bus privileges
- School assessed and school administered probation
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the school
- Other strategies and consequences as specified by the Student Code of Conduct

Parental questions or complaints regarding the disciplinary measures taken should be addressed to the teacher or campus administration.

SECTION II GENERAL MISCONDUCT VIOLATION

Students are prohibited from:

- Cheating, plagiarism, or copying the work of another which includes failure to comply with test security procedures and use of cell phones, smart watches, and electronic devices during testing
- Throwing objects that can cause bodily injury or property damage
- Leaving school grounds or school-sponsored events without permission
- Cutting class or skipping school

- Directing profanity, vulgar language, or obscene gestures toward other students or school employees
- Scuffling
- Stealing from students, staff, or the school
- Damaging or vandalizing property owned by others
- Disobeying school rules about conduct on school buses
- Failing to comply with directions given by school personnel
- Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force
- Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code
- Name-calling, ethnic or racial slurs, or derogatory statements that school officials have reason to believe will substantially disrupt the school program or incite violence
- Engaging in inappropriate physical or sexual contact
- Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including request for sexual favors
- Possessing or using matches or other flammable materials
- Posting or distributing unauthorized materials on school grounds
- Failure to abide by rules and regulations at extracurricular activities or at co-curricular activities such as field trips
- Loitering in unauthorized areas
- Use or operation of electronic devices, including beepers, cell phones, electronic pagers, laptops, tablets, smart watches or any other type of electronic communication system with Wi-Fi or carrier-based internet connectivity on school campuses, or at functions during school hours, in a manner that disrupts the educational process. In addition to disciplinary action, the unauthorized use or operation of paging devices will result in confiscation. The principal or another administrator will notify the parent. A \$15 administrative fee payable to SER-Niños will be charged for the return of the device. Paging devices not claimed will be disposed of.
- Violation of the school's mandatory school-uniform policy
- Disruptive behavior on a bus
- Any other acts that interfere with the orderly educational process in the classroom or the school
- Accessing materials and sites on the Internet that are deemed to be inappropriate by SER-Niños Charter School
- Sending or forwarding inappropriate electronic communications, including email containing offensive language, untruthful statements, junk email, chain letters or jokes using SER-Niños Information Technology resources or the SER- Niños network and on personal device/accounts, if it is determined that the communications have a material and substantial interference with school activities or with the rights of students
- Possession of pepper spray or mace

- General misconduct will result in application of one or more discipline management techniques listed in the previous section as well as:
- Teaching and practicing the expected behavior
 - Have the students or the teacher collect data on the misbehavior and discuss if student awareness in the problem
 - Have the student set goals
 - Planned discussion
 - Restitution and amends-making to resolve conflict
 - Parental contact on phone, written or oral notification to parent or guardian
 - Required administrator/student/parent conference
 - Detention or placement in in-school suspension, which should include academic tutoring, classroom work provided by the teacher, and/or instruction on skill-building related to the student-behavior problem. Administrator should guard against students using in-school suspension as a way to avoid a particular class or task. This exclusionary consequence should be used only after behavior interventions and supports have been exhausted
 - Exclusion from extracurricular activities, such as field trips and award ceremonies

SECTION III

Removal of Students from The Regular Education Setting

General misconduct violations will not necessarily result in the formal removal of the student from class or another placement, but may result in a routine referral or the use of any other discipline management technique.

FORMAL REMOVAL (BY A TEACHER)

Formal removal will result if the student's behavior has been documented by the teacher as repeatedly being unruly, disruptive, or abusive and interferes with the teacher's ability to teach his or her class. Any removal of a student by a teacher requires that a Student Code of Conduct violation report be made by the teacher if the student's conduct is a violation of this Code. The Principal or appropriate administrator must send a copy of the report to the student's parents 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 from the student suspension list. If the violation results in formal removal, the Principal will schedule a conference within three school days with the student's parent, the teacher, and the student.

At the conference, the Principal or appropriate administrator will inform the student of the misconduct under review and give the student an opportunity to give his or her version of the incident. The Principal or

appropriate administrator will notify the student of the consequence of the Student Code of Conduct violation if warranted.

If a student is removed from the regular classroom and a conference is pending, the Principal may place a student in:

- Another appropriate classroom, or
- In-school suspension

Suspension/Optional Removal

State law allows a student to be suspended for up to three school days per offense, with no limit on the number of times a student may be suspended in a semester or school year. An in-school suspension may not exceed five consecutive days, and an out-of school suspension may not exceed three consecutive days for any act of misconduct, State law prohibits the suspension or expulsion of students prior to third grade unless required by law.

A student who is to be suspended will be given an informal conference by the Principal or appropriate administrator advising the student of the conduct with which he or she is charged. The student will be given the opportunity to explain his or 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.

A suspended student is restricted from participation in school-sponsored or school-related extracurricular and non-curricular activities for the duration of the suspension.

A teacher may remove a student from class for an offense for which a student may be suspended. A decision to suspend a student is final and may not be appealed. A student may be suspended or placed into in-school suspension. A student may be suspended or expelled if the student engages in any of the following conduct on school property or while attending a school-sponsored or school-related activity on or off school property:

- Repeated violations from the list of General Misconduct Violations
- A violation from the list of Serious Offenses

Serious Offenses

- Possessing, smoking, or using tobacco products
- Possessing or selling look-alike items attempted to be passed off as drugs or contraband
- Fighting
- Gambling
- Any verbal abuse or bullying of others, including but not limited to slurs, name-calling, or derogatory statements to another person because of that

- person's race, color, religion, national origin, disability, physical/personal appearance, or sexual orientation. Bullying is defined as any act or speech that subjects persons to indignity, humiliation, intimidation, physical abuse or threat of physical abuse, social or other isolation, shame or disgrace
- Cyberbullying 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 person. 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 forums and posting false statements as fact intended to humiliate the victim; disclosure of personal data such as the victim's real name, address, or school on websites or forums; posing as the victim 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 emails to the victim; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target, which is determined to have a material and substantial interference with school activities or with the rights of students and teachers
 - Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process
 - Indecent/unsolicited sexual proposal/sexual harassment
 - Harassment/dating violence, including threatening to cause harm or bodily injury to another student, engaging sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health
 - Engaging in assault not involving bodily injury, which is defined as intentionally or knowingly threatening another with imminent bodily injury
 - "Sexting" or using a cell phone or other personal communication device to send text or e-mail messages or possessing text or e-mail messages containing images reasonably interpreted as indecent or sexually suggestive while at school or at a school-related function. In addition to any disciplinary action, phones will be confiscated, and students should be aware that any images suspected to violate criminal law will be referred to law-enforcement authorities
 - Misdemeanor stealing/theft of property, including computers and related equipment
 - Interfering with school authorities
 - Failure to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel
 - Changing school records or documents or signing parent's name on school documents
 - Failure to adhere to terms of behavior contracts
 - Harassment, including threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage

- to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety
- Selling or soliciting for sale any merchandise on campus without permission from the Principal
 - Participation in activities by groups such as gangs and cults
 - Visual display of gang-related signs or symbols on the body, clothing, accessories, or personal property of the student (e.g., notebooks, book covers, journals). Gang-related associations may be referred to the Houston Police Department.
 - Use of the school computer network for soliciting or purchasing commercial materials and /or services of any kind
 - Altering the software configuration or imaging or disabling security features of a on school-provided computer or computing device.
 - Use of the school computer network to engage in participation in hate groups
 - Possession or use of fireworks, "poppers," smoke or stink bombs, or any other device that may be used to disrupt the educational process
 - Possession of laser pens or pointers
 - Possession of live ammunition or bullets
 - Behaving in any way that disrupts the school environment or educational process
 - Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process
 - Misdemeanor criminal mischief (i.e., vandalism) resulting in the destruction or defacing of any property, including computers and related equipment
 - Possession or use of any prescription or nonprescription drug, medicine, vitamins, or other chemicals in violation of the Guidelines for Dispensing Medications at School
 - Creating or participating in the creation of a "hit 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
 - Violating safety rules
 - Engaging in conduct that contains the elements of the offense of retaliation against any school employee, regardless of where or when the conduct occurs
 - Unauthorized use and/or intentional misuse of computers, computer software or computer systems.
 - Carrying a weapon(s)
 - Possessing a knife with a blade equal to or less than 5.5 inches
 - Repeatedly violating other campus or classroom standards of behavior
 - Any other acts of serious misconduct that disrupt the school environment in the classroom and/or school
 - Assisting (directly or indirectly) with the promotion of any behavior prohibited by this Code of Student Conduct

Within three school days of receiving the Student Code of Conduct violation report, the Principal will schedule a conference with the student's parent, teacher, and the student. At the conference, with the Principal or appropriate administrator

the student will be informed of the misconduct for which he or she is charged and be given an opportunity to give his or her version of the incident. Until a conference can be held the Principal may place a student in:

- Another appropriate classroom
- In-school suspension

Parental questions or complaints regarding disciplinary measures taken should be addressed to the teacher or campus administration.

State law does not permit students who are suspended to participate in any school-sponsored or school-related extracurricular and non-curricular activities.

The Principal or appropriate administrator will notify the student of the consequences from the Student Code of Conduct.

EMERGENCY SUSPENSION

In an emergency, the Principal or the Principal's designee may order the immediate placement of a student for the following reasons:

- Emergency placement when a student is so unruly, disruptive, or abusive that the student's presence seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

SECTION IV

Expulsion

A student may be expelled if the student engages in any of the following conduct on school property or while attending a school-sponsored or school related activity on or off school property.

- Repeated violations from the list of General Misconduct Violations
- A violation from the list of Serious Offenses

EXPULSION

Acts of misconduct include serious misbehavior and/ or illegal acts that threaten to impair the educational efficiency of the school and /or that most seriously disrupt the orderly educational process in the classroom and/or the school. Under state law, students may be expelled for any violation listed under this section.

- Serious or persistent misbehavior if a student continues to violate the school's Student Code of Conduct. The school defines "persistent" to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation
- Criminal mischief, if punishable as a felony whether committed on or off school property or at a school-related event

- Making a terrorist threat
- Committing an assault
- Selling, giving, delivering, possessing, using or being under the influence of marijuana, a controlled substance, or a dangerous drug if such is not punishable as a felony offense
- Possessing, using or being under the influence of an alcoholic beverage, if punishment is not punishable as a felony offense
- Behaving in a manner that contains the elements of an offense relating to abuse substances such as glue or aerosol paint or related to volatile chemicals
- Behaving in a manner that contains the elements of the offense of indecent exposure
- Possessing a knife that has a blade longer than 5.5 inches, razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut and that are reasonably determined under the circumstances to have been possessed by the student for use as a weapon
- Engaging in conduct that contains the elements of deadly conduct (Section 22.05, Penal Code)
- Engages in conduct punishable as a felony regardless of where or when the conduct occurs that injures a person as listed as Title 5 offense in the Texas Penal Code and the student offender:
 - receives deferred prosecution, or
 - is determined delinquent, or
 - whom the Principal has a reasonable belief committed the felony offense

The Board delegates to the Principal the authority to expel students. The Principal or other appropriate administrator will schedule a hearing within a reasonable time with the student's parent, the teacher, and the student. The student's parent or guardian will be invited in writing to attend the hearing.

Until a hearing can be held, the Principal may place the student in:

- Another appropriate classroom
- In-school suspension
- Out-of-school suspension

A student facing expulsion will be given appropriate due process as required by the federal constitution. The student is entitled to:

- The right to an adult representative who is not a district employee or legal counsel who can provide guidance to the student
- An opportunity to testify and to present evidence and witnesses in the student's defense
- An opportunity to question the school's witnesses

No later than the second business day after the hearing, the Board's designee will deliver to the juvenile court a copy of the order expelling the student and information required by section 52.04 of the Family Code.

MANDATORY EXPULSION

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

- A firearm violation, as defined by federal law
 - Firearm under federal law includes:
 1. Any weapon (including a starter gun), which will or is designed to or which may readily be converted to expel a projectile by the action of an explosive
 2. The frame or receiver of any such weapon
 3. Any firearm muffler or firearm weapon
 4. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade
- Use, exhibit, or possession of the following, under the Texas Penal Code:
 1. A firearm
 2. An illegal knife, such as a knife with a blade over 5 ½ inches: hand instruments, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear
 3. A club
 4. A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun
- Engages in conduct that contains the elements of the offense of:
 1. aggravated assault, which includes causing serious bodily injury to another during the commission of an assault or using or exhibiting a deadly weapon during the commission of an assault (Section 22.02 Penal Code) and which may include damage to a person's eye caused by pointing a laser pen or laser device at another
 2. sexual assault (Section 22.011, Penal Code)
 3. aggravated sexual assault, which includes causing or threatening to cause serious bodily injury to another during the commission of a sexual assault or using or exhibiting a deadly weapon during the commission of a sexual assault (Section 22.021, Penal Code)
 4. arson (Section 28.02, Penal Code)
 5. murder (Section 19.02, Penal Code)
 6. capital murder (Section 19.03, Penal Code) or criminal attempt to commit murder or capital murder (Section 15.01, Penal Code)
 7. indecency with a child (Section 21.11, Penal Code)
 8. aggravated kidnapping (Section 20.04, Penal Code)
 9. aggravated robbery (Section 29.03 Penal Code)
 10. manslaughter (Section 19.04, Penal Code)
 11. criminally negligent homicide (Section 19.04, Penal Code)

- Behavior related to an alcohol or drug offense that could be punishable as a felony
- Retaliation against a school employee combined with one of the above listed offenses on or off school property or at a school-related activity

TERM OF EXPLUSION

The duration of a student’s expulsion will be determined by the designee on a case-by-case basis. The range for the term of expulsion is as follows:

- For the school year if the offense occurs during the first semester
- For the remainder of the school year if the offense occurs in the second semester
- Until mid-term of the following school year if the offense occurs in the last grading period

FIREARM VIOLATION UNDER FEDERAL LAW

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

EMERGENCY EXPULSION

In an emergency, the Principal or the Principal’s designee may order the immediate expulsion of a student if the Principal or the Principal’s designee reasonably believes that action is necessary to protect persons or property from imminent harm.

EMERGENCY REMOVAL

A student who exhibits certain conditions or behaviors may be removed from the regular classroom or campus.

Such conditions may include:

- 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

Procedures for the Appeal of Expulsion

The student or parent or guardian may appeal the decision of the Principal to the Board of Directors by notifying the Board of Directors in writing of his or her intention to appeal. The notice must be filed within five school days of the receipt of the Principal’s decision. The appeal before the board will be limited to a 10-minute oral presentation by both the appropriate administrative representative and by the student, parent or guardian. The hearing will be in closed session, unless an open hearing is requested by the student or parent or guardian.

SER-Niños Charter School

Acknowledgements

Student Code of Conduct Receipt

Date_____ Print Student Name_____

Homeroom Teacher_____ Grade_____

“I have received, read, and understand the Student Code of Conduct for SER-Niños Charter School.”

Student Signature

Date

“I have received, read and understand the Student Code of Conduct for SER-Niños Charter School.”

Parent/ Guardian Signature

Date

Notice: Both parent and student must sign the acknowledgement and return it to the school as mandated by state law.