



## SFA Charter School Student Code of Conduct

Original Implementation: July 11, 2008

Updated: April 2023

### I. The Constructivist Approach to Discipline

Discipline is a “constructed” process by which children become self-managing, responsible, and autonomous in their relationships with others. Students at the Stephen F. Austin State University Charter School (SFA Charter School) are expected to behave in a manner that exemplifies the commitment to academic excellence, collaboration, openness, integrity, responsibility, diligence, and ethical behavior. These seven qualities will permeate the school culture. Students will be held accountable for behavior that conveys these principles.

As part of creating an orderly and safe school climate, the school will implement the following:

- A contract with families and students that spells out expected conduct
- A class meeting style of classroom problem solving
- A family style lunch program, where students set the tables, eat at tables with serving bowls, and clean up when finished
- A student advisory group that empowers students to maintain an honor code and school safety

Discipline in a constructivist classroom is integrated into the organization and management of the classroom and allows children to develop with self-respect and autonomy while learning to appreciate the viewpoints of others. Teachers will utilize strategies that offer choice, set limits, encourage the sharing of viewpoints, and develop democratic problem-solving within the classroom. Parent-teacher partnerships are an integral part of the discipline program. The SFA Charter School will implement this comprehensive code of conduct management system with defined consequences commensurate with the seriousness of the infraction. When serious events occur, steps will be taken to help students improve their behavior and relationships so that a sense of safety is reestablished.

### II. Code of Conduct Adoption and Distribution

Consistent with the obligations of the Texas Education Code, SFA Charter School Student Code of Conduct establishes standards of student conduct and identifies circumstances under which a student may be removed from a classroom, campus, or disciplinary alternative education program, transferred to a disciplinary alternative education program, suspended or expelled.

This Student Code of Conduct has been adopted by the SFA Charter Board. A copy of the Code is provided to all students annually, with a parent acknowledgement required. A copy is also available for review in the principal/CEO’s office and campus website. Please note that the Student Code of Conduct is not a contract and can be amended by the school at any time. However, any change or amendment to the Code will be approved by the SFA Charter Board.

Finally, teachers and administrators may impose campus or classroom rules in addition to those found in the Student Code of Conduct and that students are responsible for compliance with these rules.

### III. Jurisdiction

The SFA Charter School will discipline students for misbehavior committed during the following times and locations:

- During the regular school day and while the student is going to and from school sponsored activities on school transportation
  - During lunch periods
  - While the student is in attendance at school activities, regardless of time or location
  - When the student commits any school related misconduct or misconduct away from school that has a direct impact on the school setting.

#### IV. Searches

Students' clothing, personal property, or school property used by students (such as cubbies) may be searched when there is reasonable cause to believe the search will reveal articles or materials prohibited by the SFACS. Students may be disciplined for possession of prohibited items discovered during a search.

#### V. Prohibited Behaviors

Students will be subject to disciplinary consequences if they engage in any of the following prohibited conduct while subject to the school's jurisdiction:

##### A. Authority

1. Failing to comply with directives given by school personnel (insubordination).
2. Refusing to accept discipline management techniques assigned by a teacher, principal, or administrator.
3. Leaving classrooms, school grounds or school-sponsored events without permission.
4. Disobeying rules for conduct on school buses or other forms of school transportation.
5. Failing to comply with campus or SFA policies.
6. Repeatedly violating previously communicated campus or classroom standards of behavior.

##### B. Safety

1. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
2. Engaging in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
3. Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
4. Behaving in a way that disrupts the school environment or educational process.
5. Throwing objects that can cause bodily injury or property damage.
6. Discharging a fire extinguisher without valid cause.
7. Making false accusations or perpetrating hoaxes regarding school safety.
8. Making a false alarm or report of bombing, fire, or other emergency involving a public school, which includes the following offenses:
  - a. Pulling a fire alarm or discharging a fire extinguisher in a building owned or operated by SFA, when there is no smoke, fire, or danger that requires evacuation;
  - b. Calling 911 when no emergency exists.
9. Making a terroristic threat involving a public school.
10. Making hit lists.
11. Violating safety rules.

##### D. Respect for Property

1. Damaging or destroying or vandalizing property owned by others or the SFACS
2. Stealing from others including SFACS staff or facility representative, etc.
3. Committing or assisting in a robbery, theft or burglary.
4. Engaging in conduct that would be aggravated robbery.
5. Engaging in conduct that would be arson.

##### E. Respect for Others

1. Using profanity, lewd or vulgar language or making obscene gestures.
2. Threatening to use or exhibit a firearm.
3. Fighting or scuffling or other physical conduct that does not meet the definition of simple assault.
4. Threatening another student or employee on or off school property.
5. Causing an individual to act through the use or threat of force (coercion).
6. Committing extortion or blackmail (obtaining money or an object of value from an unwilling person).

7. Using or exhibiting school supplies (i.e., pencils, pens, scissors, etc.), or any other item in a manner that threatens to inflict or actually inflicts bodily harm to another person.
8. Retaliating against any school employee or volunteer.
9. Causing another student or an employee to be in contact with the blood, bodily fluids, saliva, urine, or feces of any person or animal.
10. Inappropriate exposure of a student's undergarments or private body part, including exposure of any portions of the body that are ordinarily covered by clothing or required to be covered by dress code.
11. Committing an assault of any kind

**F. Bullying**

Bullying, harassment, and intimidation will not be tolerated, and anyone who suspects that bullying has taken place must report it to the principal at that point the incident will be investigated by the principal or designee. Parents, students and school staff will be informed of any discipline or interventions required.

1. Name-calling, ethnic or racial slurs, or derogatory statements that school staff reasonably believe could substantially disrupt the school environment or incite violence
2. Adding any substance, whether harmful or not, without permission to any food or beverages belonging to, in the possession of, or meant to be consumed by another student, an SFACS employee, or facility representative
3. Engaging in harassment toward another student, a SFACS employee or facility representative, including harassment motivated by race, color, religion, national origin, disability, sex, sexual orientation or age.  
Engaging in sexual harassment or sexual abuse
4. Inappropriate verbal (oral or written), physical, or sexual contact toward another student, an SFACS employee, or facility representative, regardless of whether it is consensual
5. Touching one's own private body parts in a sexual manner.
6. Consensual hugging, touching, or other displays of affection that interfere with, detract from, or disrupt the school environment
7. Engaging in physical, sexual, verbal, or emotional abuse as a means to harm, threaten, intimidate, or control another person
8. Engaging in oral or written threats to cause harm or bodily injury to another student, an SFACS employee, or facility representative, or school property, including threats made using the Internet or other technology resources at school. Students may be disciplined for threats made outside of school, including on the Internet or social media, if the threat causes a material or substantial disruption at school. Wrongfully obtaining and using another person's identifying information or personal data without permission in order to mislead, defraud, or deceive.
9. Hazing or engaging in any act, occurring on or off campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization. Consent to or acquiescence in the hazing activity does not excuse the student or the responsibility for the misconduct.

**G. Technology**

1. Sending, possessing, or posting electronic messages, videos, audio recordings, or images that are abusive, obscene, sexually oriented, harassing, threatening, intimidating, illegal, or that cause a material or substantial disruption at school, including cyberbullying
2. Making, participating in the making of, transmitting to another via an electronic device, or posting to the Internet a digital, video, or audio recording or image of an actual or simulated act that involves a crime or conduct prohibited by the SCC
3. Using any device or technology that permits recording the voice or image of another in any way that disrupts the educational environment, invades the privacy of others, or to record the voice or image of another without the prior consent of the individual being recorded
4. Using any device or technology that permits recording the voice or image of another to take, disseminate, transfer, circulate, exhibit, present, or share audio, images, video, or photos that reveal private parts of the body that are normally covered by clothing
5. Using the name, persona, or image of a student, an SFACS employee, or facility representative to create a web page or post one or more messages on a website or social media without the other person's

- consent for purposes of harassing, intimidating, embarrassing, or threatening another
6. Using email, websites, electronic devices, technology, or social media that permits recording to engage in or encourage illegal conduct, violations of the SCC, or to threaten school safety
  7. Attempting to or successfully altering, destroying, interrupting, or disabling the SFACS technology equipment, SFACS data, the data of other users of SFACS computer system, or other networks connected to SFACS system, including uploading or creating computer viruses, worms, or other harmful material
  8. Engaging in any of the above forms of technological misconduct outside of school when such conduct causes a material or substantial disruption at school as determined by school officials

#### **H. Illegal and Prescription Drugs**

1. Having or taking prescription drugs or over-the-counter drugs at school other than as provided by policy.
2. Abusing the 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 on school property or at a school-related event.
3. Possessing, using, giving, or selling paraphernalia related to any prohibited substance.
4. Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
5. Possessing or selling pieces of marijuana in less than a usable amount.
6. Selling, giving, or delivering to another person or possessing, using or being under the influence of marijuana or a controlled substance or a dangerous drug.
7. 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.

#### **H. Prohibited Items**

1. Possessing, exhibiting or using:
  - a. Toys (i.e., Pokémon Card, Bey Blades, Fidget Spinners, Dragon Ball Z) that does not include incentive items provided by school.
  - b. A laser pointer for other than an approved use; or
  - c. Any articles not generally considered to be weapons, including school supplies, when the principal/CEO or designee determines that a danger exists;
  - d. Pornographic material;
  - e. Mace or pepper spray;
  - f. Tobacco products and electronic e-cigarettes;
  - g. Matches or a lighter;
  - h. Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - i. A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - j. A "look-alike" weapon;
  - k. A pocketknife;
  - l. A knife with a blade of 5 ½ inches or less.
  - m. An illegal knife;
  - n. Ammunition;
  - o. An air gun or BB gun;
  - p. A stun gun;
  - q. A pellet gun, air powered rifle, toy gun, or any other instrument that may be perceived by a third party as a firearm;
  - r. A firearm;
  - s. A club;
  - t. Martial arts objects (such as shurikan [throwing stars], nunchakus ["nun-chucks"], tonfa [wooden weapon], staff, baton [short stick], bolo [long cord with weights at end];

#### **H. Failure to Follow Rules**

1. Violating dress and grooming standards as addressed in the Junior Jacks Guidelines.

2. Cheating or copying the work of another or unauthorized collaboration in preparing work.
3. Falsifying records, passes, or other school-related documents.
4. Leaving class, the campus, or school events without permission.
5. Lying about the conduct of other students or making false accusations about employees.
6. Engaging in action or demonstrations that substantially disrupt or materially interfere with school activities.
7. Repeatedly violating other communicated campus or classroom standards of conduct.
8. Being insubordinate or otherwise failing to comply with lawful directives given by school personnel
9. Truancy, i.e., skipping school or cutting class without the parent's or school's knowledge or permission.
10. Assisting, encouraging, promoting, or attempting to assist in the commission of a serious offense.
11. Failing to report the commission of a serious offense by another student to a school official.
12. Excessive absences, not otherwise excused.

## V. Student/Parent Notification

Reported misconduct is reviewed by the campus principal/CEO. Students are told of the alleged infraction and provided an opportunity to respond. Once a Code of Conduct violation has been substantiated, the appropriate teacher and/or campus principal/CEO applies the Student Code of Conduct to determine the resulting consequence, if any. The parents will be notified by telephone or in writing within a reasonable time. Campus teachers and administrators are not required to notify parents of incidents by telephone on the day of the incident.

## VI. Discipline Management Techniques

Using professional judgement, administrators and teachers will consider a variety of factors when administering disciplinary consequences and determining the duration of the consequence, including but not limited to

- The seriousness of the offense and risk of danger
- The effect of the misconduct
- The student's age
- The student's attitude
- Legal requirements
- The potential effect of the misconduct on the school environment
- The frequency of the misconduct
- Whether the student was defending himself or herself
- The student's intent or lack of intent at the time the student engaged in the conduct
- The student's disciplinary history
- A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, but only as required by federal law and regulations related to discipline of students with disabilities
- Any other pertinent factor

The following discipline management techniques may be used – alone or in combination, as appropriate, for all minor infractions of the Student Code of Conduct:

- Verbal (oral or written) correction
- Calming down time
- Seating changes
- Temporary confiscation of items that disrupt the educational process
- Rewards
- Positive behavioral intervention
- Counseling by teachers, counselors, or administrative personnel
- Parent/Guardian conferences
- Removal from the classroom
- Sending student to the office or other area
- Transfer to different classroom or campus

- Loss or restriction of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations
- Removal or restriction of user account or loss of use of school technology
- Counseling or mediation
- Contracts to modify student behavior
- Referral to outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the principal/CEO
- Additional methods used by SFACS as needed.

For repeated minor offenses, or more serious or egregious single offenses, including but not limited to, weapons, firearms, drugs, alcohol and threats to the school environment, the following disciplinary measures may be used, alone or in combination, for misbehavior that violates the Student Code of Conduct or campus or classroom rules:

- Physical Restraint
- In-school suspension
- Suspension from school, not to exceed three school days at one time
- Removal to home campus

Each will be discussed below.

### **Physical Restraint**

In some circumstances, it may be necessary for trained employees to use force, but not deadly force, to physically restrain a student in order to 1) protect the student or any other person from physical injury; 2) obtain possession of a weapon or other dangerous object; 3) protect property from serious damage; 4) remove a student who is refusing to comply with a legitimate directive from a school employee from a specific location in order to restore order or to impose disciplinary measures; or 5) restrain an irrational student.

### **In-School Suspension**

For minor infractions of the Student Code of Conduct or campus or classroom rules, teachers or administrators may assign a student to one or more days of in-school suspension where, under the supervision of a staff member, students will complete assignments given them by their regular teachers.

### **Out-of-School Suspension**

The campus principal/CEO may suspend a student for a maximum of three school days at a time if the student violates the Code of Conduct by engaging in any prohibited behavior. Both the length of the suspension and restrictions on participation in school-sponsored or school-related extracurricular activities during the suspension are left to the discretion of the principal/CEO. There is no limit on the number of times a student may be suspended during a semester or school year.

### **Removal to Home Campus**

A determination to remove a student from the SFA Charter School to his or her home campus will be determined based upon a variety of factors, including student's age, the frequency of misbehavior, the severity of the infraction(s), the timing of the offense as correlated with the academic calendar. A student removed will not be eligible for re-enrollment.

If a student commits an offense that, if in a public-school setting, would warrant a disciplinary alternative education placement or expulsion, an appropriate order will be issued for use and consideration by the home campus.

Parents will be provided the opportunity for a meeting with the Administrative Review Committee, composed of the principal/CEO, Academic Coordinator, and Campus Coordinator, within 3 days for any offense that will result in an immediate removal to the home campus. Pending the due process opportunity for a meeting, the student may be

automatically placed on a 3-day suspension from school within the discretion of the principal/CEO. Any appeals process thereafter may transpire after removal from the SFA Charter School and return to the home campus.

## VII. Safety Infractions

If a student carries out an act that threatens student or school safety, results in injury to oneself or others, damages the environment, or is potentially physically or emotionally dangerous, the staff will take the following immediate responsive measures:

1. The injured person will receive sustained attention of a staff member if needed, and first aid will be administered.
2. Emergency medical personnel and/ or parents will be called if necessary.
3. Another staff member will remove or redirect the uninvolved students.
4. The student who carries out a serious safety infraction will be isolated from the group and supervised. Parents of this student will be notified, and possibly called to school immediately to remove the offending student.

For offenses involving weapons, firearms, drugs, alcohol, or threats to the school environment or faculty, a threat assessment committee will be immediately formed. The purpose of the committee will be to determine whether, with intervention, the threat can be removed and the student returned to the classroom. If so, the group will discuss the event and the results, problem solve more appropriate behavior, and develop a written plan to help the student form cooperative behaviors and effective communication. A copy of the plan will be given to the student's parent and the principal/CEO. The student will meet with the teacher to discuss the written plan to improve behavior and communication, before the student reenters the classroom. If the environment was damaged, the student and parents may need to repair the damage.

If the threat assessment committee determines that the threat cannot be removed despite intervention, the committee will recommend the student be removed from the SFA Charter School to his or her home campus. Further, nothing in this section shall prohibit the principal/CEO from removing a student on a single offense.

## VIII. Complaint Procedure

Parental questions or concerns regarding discipline should be addressed to the teacher or campus principal/CEO, as appropriate. Formal complaints or appeals of discipline should be made in accordance with the Student/Parent Complaint Guidelines. A copy of these guidelines may be obtained from the principal/CEO's office or through Guidelines on Line at the following address: <https://www.sfasu.edu/charterschool>.

Discipline will not be deferred pending the outcome of a complaint.

**Responsible for Implementation: Principal/CEO**

**Contact for Revision: Principal/CEO**

**Forms: SFA CHARTER SCHOOL OFFICE**