

WEST ISD CODE OF CONDUCT UPDATES

85TH TEXAS LEGISLATURE UPDATES & AN OVERVIEW OF DAVID'S LAW



**West Independent
School District**

CAMPUS BEHAVIOR COORDINATOR

- **WEST ISD ADDED A PROVISION IN THE NEW DISTRICT OF INNOVATION (DOI) PLAN TO ALLOW ALL PRINCIPALS, ASSISTANT PRINCIPALS, COUNSELORS, AND THE SUPERINTENDENT TO ASSIST WITH DISCIPLINE REFERRALS, INVESTIGATIONS, THE ASSIGNING OF CONSEQUENCES, AND COMMUNICATING WITH THE PARENTS/GUARDIANS (I.E., TEAM APPROACH OVER ONE PERSON).**

DISCIPLINE TECHNIQUES

- **THE STATE ADDED BEHAVIOR COACHING, ANGER MANAGEMENT CLASSES, MEDIATION (VICTIM-OFFENDER), CLASSROOM CIRCLES, AND FAMILY GROUP CONFERENCING TO THE LIST OF DISCIPLINE MANAGEMENT TECHNIQUES FOR SCHOOLS. CORPORAL PUNISHMENT WAS REMOVED FROM THE LOCAL LIST.**
- **THE PRINCIPAL OR PRINCIPAL'S DESIGNEE CAN NOW ORDER AN IMMEDIATE OR EMERGENCY DAEP PLACEMENT OF A STUDENT. THE APPROPRIATE HEARING CONFERENCE CAN WAIT UNTIL A LATER DATE.**

HOUSE BILL 674

- **HOUSE BILL (HB) 674 PROHIBITS OUT-OF-SCHOOL SUSPENSION FOR ANY STUDENTS BELOW GRADE 3 UNLESS THE STUDENT ENGAGES IN CONDUCT THAT IS ALCOHOL OR DRUG-RELATED OR THAT CONTAINS CERTAIN ELEMENTS FOUND IN TEXAS PENAL CODE. THE BILL ALSO REQUIRES A DISTRICT TO IMPLEMENT A POSITIVE BEHAVIOR PROGRAM CONTAINING CERTAIN ELEMENTS AS A DISCIPLINARY ALTERNATIVE FOR STUDENTS BELOW GRADE 3.**

HOUSE BILL 1935

- **AS REQUIRED BY HOUSE BILL (HB) 1935, ALL REFERENCES TO “ILLEGAL KNIFE” HAVE BEEN REVISED TO “LOCATION-RESTRICTED KNIFE” THROUGHOUT THE CODE. THESE KNIVES ARE DEFINED AS THOSE WITH A BLADE OVER FIVE AND ONE-HALF INCHES.**

NOTE: POSSESSION OF PROHIBITED ITEMS LIKE A “LOCATION-RESTRICTED KNIFE” IS NO LONGER A MANDATORY EXPULSION IN TEXAS.

SENATE BILL 1553

- **TO ADDRESS THE REQUIREMENTS OF SENATE BILL (SB 1553), PROVISIONS HAVE BEEN ADDED TO THE CODE REGARDING THE AUTHORITY OF A SCHOOL ADMINISTRATOR, SCHOOL RESOURCE OFFICER, OR SCHOOL DISTRICT POLICE OFFICER TO REFUSE TO ALLOW A PERSON ENTRY OR TO EJECT A PERSON FROM PROPERTY UNDER THE DISTRICT'S CONTROL IF THE PERSON (1). POSES A SUBSTANTIAL RISK TO ANY OTHER PERSON OR, (2). AFTER A VERBAL WARNING, IS BEHAVING IN A MANNER THAT IS INAPPROPRIATE IN A SCHOOL SETTING.**

HOUSE BILL 1808

- **HOUSE BILL (HB) 1808 ADDS “SEXUAL COERCION” TO THE LIST OF TITLE 5 OFFENSES IN THE GLOSSARY AND MODIFIES EXISTING PENAL CODE PROVISIONS REGARDING HUMAN TRAFFICKING AND SEXUAL OFFENSES. ALSO “IMPROPER RELATIONSHIP BETWEEN AN EDUCATOR AND STUDENT” IS NOW ON THE LIST.**

DISCIPLINE AUTHORITY

- **THE STATE ADDED “CYBERBULLYING,” AS PROVIDED BY EDUCATION CODE 37.0832, TO THE LIST OF AREAS THAT THE DISTRICT HAS DISCIPLINARY AUTHORITY OVER A STUDENT.**

VANDALISM

- **DAMAGE TO PROPERTY EQUAL TO OR IN EXCESS OF \$2,500 IS NOW FELONY CRIMINAL MISCHIEF. THIS IS UP FROM \$1,500.**

TEXAS PENAL CODE 33.02

- **BREACH OF COMPUTER SECURITY IS NOW A PERMISSIVE EXPULSION OFFENSE.
BULLYING AND CYBERBULLYING TOO!**

SENATE BILL 179

- **“DAVID’S LAW” – NAMED FOR A 16-YEAR-OLD SAN ANTONIO STUDENT WHO COMMITTED SUICIDE IN JANUARY, 2016 AFTER MONTHS OF BEING TORMENTED BY CYBERBULLYING.**
- **HIS PARENTS CREATED “DAVID’S LEGACY” TO HELP RAISE AWARENESS ABOUT THE CONNECTION BETWEEN CYBERBULLYING AND SUICIDE.**
- **THIS SENATE BILL CHANGED THE LEGAL DEFINITION OF BULLYING AND CYBERBULLYING, ADDED GENERAL DISCIPLINARY GUIDELINES AND ACTIONS, ADDED COUNSELING COMPONENTS, CRIMINALIZED THE ACTS, CHANGED THE REPORTING MECHANISMS, AND ADDED STAFF TRAINING.**

CHANGES TO BULLYING DEFINITION

- “A single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power”
- “Materially and substantially disrupts the educational process or the orderly operation of a **classroom** or **school**”
- “Infringes on the rights of the victim at school”

CHANGES TO CYBERBULLYING DEFINITION

- Done electronically (messaging, electronic mail, social media, different devices, through internet, etc.)
- Can occur on **school campus**
- Can occur on a public or privately owned **school bus or vehicle**
- Can occur **OFF** school property or **outside** of a sponsored/related activity
- Can be delivered to school property or the site of a sponsored/related activity – **whether it occurred on or OFF campus**


CLARIFICATIONS OF CYBERBULLYING

WHEN IT OCCURS OFF SCHOOL PROPERTY OR A SPONSORED/RELATED ACTIVITY, IT MUST:

- **INTERFERE WITH A STUDENT'S EDUCATIONAL OPPORTUNITIES OR**
- **SUBSTANTIALLY DISRUPT THE ORDERLY OPERATION OF A CLASSROOM, SCHOOL OR SPONSORED/RELATED ACTIVITY.**

DISTRICTS MUST PROVIDE A WAY FOR REPORTS OF HARASSMENT, BULLYING, AND CYBERBULLYING TO BE MADE ANONYMOUSLY.

SAFETY ALERT FORM



West ISD Students, **Safety Alert Form**

Please fill in the blanks and check the boxes that apply and give this form to any school official (Principal, Assistant Principal, Office Secretary, Counselor, Teacher, Coach, etc.).

Name (optional): _____ Date: _____

I am concerned about _____ who is in _____ grade.

- I think he/she is a victim of bullying and/or cyber-bullying.
- I think he/she is bullying others (includes cyber-bullying).
- He/she is threatening to hurt him/herself.
- He/she is threatening to hurt someone else.
- I think he/she has a weapon at school.
- I think he/she is in a gang.
- I think he/she is using or selling drugs or alcohol.
- I am being threatened or hurt by someone else at school or home.
- Other - Please explain: _____

Telling a falsehood on a Safety Alert form is a Class III offense in the West ISD Student Code of Conduct.

OTHER:

- **ANONYMOUS TEXT VIA SCHOOL MESSENGER**
- **CALL THE WEST ISD ADMINISTRATION OFFICE AT (254) 981-2000**
- **EMAIL BULLYREPORT@WESTISD.NET**

PARENT NOTIFICATION

- **PARENTS OF AN ALLEGED VICTIM MUST BE NOTIFIED WITHIN 3 BUSINESS/SCHOOL DAYS ONCE A REPORT OF AN ALLEGED BULLYING INCIDENT HAS BEEN SUBMITTED.**
- **PARENTS OF THE STUDENT “ALLEGED TO HAVE BULLIED” MUST BE NOTIFIED AS WELL.**
- **NOTIFICATION MUST INCLUDE: (1). STEPS THE STUDENT CAN TAKE TO SEEK HELP, (2). OPTION TO VISIT WITH THE SCHOOL COUNSELOR, (3). AN EXPLANATION OF THE INVESTIGATION PROCESS, (4). WAYS REPORTS CAN BE MADE, AND (5). DISCUSSION OF WHAT “RETALIATION” MEANS AND THE CONSEQUENCES OF THE BEHAVIOR.**

LEGAL OFFENSE

- **CYBERBULLYING IS NOW CRIMINALIZED – CHARGES CAN BE FILED.**
 - **CLASS C MISDEMEANOR FOR CYBERBULLYING**
 - **CLASS B MISDEMEANOR IF INTENT OF THE CYBERBULLYING IS FOR A CHILD TO:**
 - ✓ **COMMIT SUICIDE,**
 - ✓ **ENGAGE IN CAUSING SERIOUS BODILY INJURY TO THE CHILD, OR**
 - ✓ **THE OFFENDER VIOLATED A TEMPORARY RESTRAINING ORDER OR INJUNCTION.**

QUESTIONS

**PLEASE CONTACT, DAVID TRUITT, SUPERINTENDENT, AT (254) 981-2000 OR
DTRUITT@WESTISD.NET.**

GO TROJANS!