**1. Does Chapter 37 have specific guidelines for student placement in ISS (In-School Suspension)?**  
 Under [Section 37.002](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.002), of the TEC in-school suspension (ISS) is a placement option when a teacher removes a student from class under that section. If a student is removed from the regular program and placed in ISS, the district is required under [Section 37.021](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.021) to offer the student the opportunity to complete before the beginning of the next school year each course in which the student was enrolled at the time of removal. Sections 37.002 and 37.021 are the only provisions in Chapter 37 that reference in-school suspension. (Revised 7/2010)

2. **Can corporal punishment be applied without notification to the parents?**  
 The answer is determined at the local level. State law does not provide guidelines for corporal punishment policies. [Section 37.001](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm#37.001), of the TEC, requires that a district’s student code of conduct provide options for disciplining students. Each school district decides independently whether to allow corporal punishment as an option and the conditions under which corporal punishment may be used. (Revised 7/2010)

3. **Can a teacher let students grade each other's papers?** In general, grading practices are determined under local policy. However, local policies must be consistent with the following state laws from the Education Code: [Section 28.021](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.28.htm#28.021) Student Advancement, [Section 28.0214](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.28.htm#28.0214) Finality of Grade, and [Section 28.0216](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.28.htm#28.0216), District Grading Policy.

In *Owasso Independent School District No. I-011 v. Falvo*, decided February 9, 2002, the United States Supreme Court held that having students grade each other's papers and call out the grades does not violate FERPA, the federal confidentiality statute. The court did not address whether a grade on an individual assignment is a protected "education record" after it is recorded in the teacher's grade book. (Revised 7/2010)

4. **What are the guidelines for mandatory drug testing of students? What is the TEA policy on random drug searches?**  
 [Section 33.091](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.33.htm#33.091), Education Code, governs the random testing of student athletes for illegal steroid use, which the University Interscholastic League is required to conduct. Otherwise, there are no state guidelines or policies regarding drug testing or drug searches. School districts are authorized to enact policies for safety and security under Chapters 37 and 38 of the Texas Education Code. School district policies and practices in this area need to be designed to be consistent with judicial decisions analyzing issues in this area with regard to the constitutional limitations on search and seizure.

**5. Is there a law stating that students cannot possess a cell phone at school?**  
 No. Prior to 1995, school districts were required to adopt a policy prohibiting any "paging device". In 1995, that was amended to allow, but not require, school districts to adopt such a policy. More information can be found in Section 37.082, Texas Education Code. (3/2001)

**6. What authority do school districts have to enact a dress code?**  
 School districts have the authority to adopt dress codes which may apply differently on a gender basis. For example, in the 1980s, the Texas Supreme Court ruled on a males-only earring policy in the Barber case, finding that the provision did not violate the Texas Equal Rights Amendment. A dress code may not be too vague to give fair notice of what is prohibited and may not infringe on religious expression. Texas courts have allowed some Native American students to wear long hair as a religious expression, as well as religious head coverings by Jewish and Muslim students.