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**Red Lick  
Independent  
School District**



**Student Handbook  
and  
Student Code of Conduct  
2009-2010**

***Striving to make the best  
even better!!!***

## Acknowledgment Form

My child and I have received a copy of the Red Lick ISD Student Handbook and the ***Student Code of Conduct*** for 2009–2010. I understand that the handbook contains information that my child and I may need during the school year and that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the ***Student Code of Conduct***.

Printed name of student: \_\_\_\_\_

Signature of student: \_\_\_\_\_

Signature of parent: \_\_\_\_\_

Date: \_\_\_\_\_

***Please sign and date this page, remove it from the handbook, and return it to the student's school.***

### Note to Parents:

It is important to read this handbook in its entirety. Specifically, we ask that you take additional time to discuss with your child the following topics in Section II of the Student Handbook portion:

- Attendance p. 11-12
- Electronic Devices p. 14
- Unattended Students p. 15
- Dress Code p. 19
- Homework p. 22
- Make-up Work p. 24
- Tardiness p. 31
- Visitors on Campus p. 33

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# PREFACE

To Students and Parents:

Welcome to school year 2009–2010! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Red Lick ISD Student Handbook is designed to provide a resource for some of the basic information that you and your child will need during the school year. In an effort to make it easier to use, the handbook is divided into two sections:

**Section I**—REQUIRED NOTICES AND INFORMATION FOR PARENTS—with notices that the district must provide to all parents, as well as other information to assist you in responding to school-related issues. We encourage you to take some time to closely review this section of the handbook; and

**Section II**—INFORMATION FOR STUDENTS AND PARENTS—organized alphabetically by topic for quick access when searching for information on a specific issue.

Please be aware that the term “the student’s parent” is used to refer to the parent, legal guardian, or any other person who has agreed to assume school-related responsibility for a student.

Both students and parents should become familiar with the Red Lick ISD *Student Code of Conduct*, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found as an attachment to this handbook and is available in the principal’s office.

The Student Handbook is designed to be in harmony with board policy and the *Student Code of Conduct*. Please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year. Changes in policy or other rules that affect Student Handbook provisions will be made available to students and parents through newsletters or other communications.

In case of conflict between board policy or the *Student Code of Conduct* and any provisions of the Student Handbook, the current provisions of board policy or the *Student Code of Conduct* are to be followed.

After reading through the entire handbook with your child, keep it as a reference during this school year. If you or your child has questions about any of the material in this handbook, please contact the principal.

Also, please complete and return to your child’s campus the following required forms provided in the forms packet accompanying this handbook:

1. Parental Acknowledgment Form; and
2. Student Enrollment Packet.

Please note that references to policy codes are included so that parents can refer to current board policy. A copy of the district’s policy manual is available for review in the school office.

# SECTION I: REQUIRED NOTICES AND INFORMATION FOR PARENTS

This section of the Red Lick ISD Student Handbook includes several notices that the district is required to provide to you, as well as other information on topics of particular interest to parents.

## ***STATEMENT OF NONDISCRIMINATION***

In its efforts to promote nondiscrimination, Red Lick ISD does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

The Superintendent is designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender:
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability:
- All other concerns regarding discrimination.

## ***PARENTAL INVOLVEMENT***

### **Working Together**

Both experience and research tell us that a child's education succeeds best when there is good communication and a strong partnership between home and school. Your involvement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.
- Monitoring your child's academic progress and contacting teachers as needed. [See **Academic Counseling** and **Academic Programs**.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences**.]
- Becoming a school volunteer. [For information, see policies at GKG and contact the principal].
- Participating in campus parent organizations. Parent organizations include the PTCO.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. For further information, see policies at BQA and BQB, and contact the principal.

- Serving on the School Health Advisory Council, assisting the district in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council**.]
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

## ***PARENTAL RIGHTS***

### **Obtaining Information and Protecting Student Rights**

Your child will not be required to participate without parental consent in any survey, analysis, or evaluation—funded in whole or in part by the U.S. Department of Education—that concerns:

- Political affiliations or beliefs of the student or the student’s parent.
- Mental or psychological problems of the student or the student’s family.
- Sexual behavior or attitudes.
- Illegal, antisocial, self-incriminating, or demeaning behavior.
- Critical appraisals of individuals with whom the student has a close family relationship.
- Relationships privileged under law, such as relationships with lawyers, physicians, and ministers.
- Religious practices, affiliations, or beliefs of the student or parents.
- Income, except when the information is required by law and will be used to determine the student’s eligibility to participate in a special program or to receive financial assistance under such a program.

You will be able to inspect the survey or other instrument and any instructional materials used in connection with such a survey, analysis, or evaluation. [For information, see policy EF(LEGAL).]

### **“Opting Out” of Surveys and Activities**

As a parent, you have a right to receive notice of or deny permission for your child’s participation in:

- Any survey concerning the private information listed above, regardless of funding.
- School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing or selling that information.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law. [See policies EF and FFAA.]

### **Inspecting Surveys**

As a parent, you may inspect a survey created by a third party before the survey is administered or distributed to your child.

### **Requesting Professional Qualifications of Teachers and Staff**

You may request information regarding the professional qualifications of your child’s teachers, including whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; whether the teacher has an emergency

permit or other provisional status for which state requirements have been waived; and undergraduate and graduate degree majors, graduate certifications, and the field of study of the certification or degree. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your child.

### **Reviewing Instructional Materials**

As a parent, you have a right to review teaching materials, textbooks, and other teaching aids and instructional materials used in the curriculum, and to examine tests that have been administered to your child.

### **Displaying a Student's Artwork and Projects**

The district will seek parental consent before displaying students' artwork, special projects, photographs taken by students, and the like on the district's Web site, in printed material, by video, or by any other method of mass communication.

### **Accessing Student Records**

You may review your child's student records. These records include:

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,
- Teacher and counselor evaluations,
- Reports of behavioral patterns, and
- State assessment instruments administered to your child. [See **Student Records**.]

### **Granting Permission to Video or Audio Record a Student**

As a parent, you may grant or deny any written request from the district to make a video or voice recording of your child. State law, however, permits the school to make a video or voice recording without parental permission for the following circumstances:

- When it is to be used for school safety;
- When it relates to classroom instruction or a cocurricular or extracurricular activity; or
- When it relates to media coverage of the school.

### **Removing a Student Temporarily from the Classroom**

You may remove your child temporarily from the classroom if an instructional activity in which your child is scheduled to participate conflicts with your religious or moral beliefs. The removal cannot be for the purpose of avoiding a test and may not extend for an entire semester. Further, your

child must satisfy grade-level and graduation requirements as determined by the school and by the Texas Education Agency.

### **Excusing a Student from Reciting the Pledges to the U.S. and Texas Flags**

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** and policy EC(LEGAL).]

### **Excusing a Student from Reciting a Portion of the Declaration of Independence**

You may request that your child be excused from recitation of a portion of the Declaration of Independence. State law requires students in social studies classes in grades 3–12 to recite a portion of the text of the Declaration of Independence during Celebrate Freedom Week unless (1) you provide a written statement requesting that your child be excused, (2) the district determines that your child has a conscientious objection to the recitation, or (3) you are a representative of a foreign government to whom the United States government extends diplomatic immunity. [See policy EHBK(LEGAL).]

### **Requesting Notices of Certain Student Misconduct**

A noncustodial parent may request in writing that he or she be provided, for the remainder of the school year, a copy of any written notice usually provided to a parent related to his or her child's misconduct that may involve placement in a disciplinary alternative education program (DAEP) or expulsion. [See policy FO(LEGAL) and the *Student Code of Conduct*.]

### **Requesting Transfers for Your Child**

As a parent, you have a right:

- To request the transfer of your child to another classroom or campus if your child has been determined by the superintendent to have been a victim of bullying as the term is defined by Education Code 25.0341. Transportation is not provided for a transfer to another campus. See the principal for information. [See policy FDB, and also see **Bullying**, and policy FFI(LOCAL).]
- To request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDD(LOCAL).]
- To request the transfer of your child to a neighboring district if your child has been the victim of a sexual assault by another student assigned to the same campus, whether that assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. [See policies FDD(LEGAL) and (LOCAL).]

## ***OTHER IMPORTANT INFORMATION FOR PARENTS***

### **Parents of Students with Disabilities**

Parents of students with learning difficulties or who may need special education services may request an evaluation for special education at any time. For more information, see **Special Programs**.

## **Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education**

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students including a process based on Response to Intervention. The implementation of Response to Intervention has the potential to have a positive impact on the ability of school districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within a reasonable amount of time, the district must decide if the evaluation is needed. If the evaluation is needed, parents will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. The district must give a copy of the report to the parent.

If the district determines that the evaluation is not needed, the district will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of his or her rights if the parent disagrees with the district. Additionally, the notice must inform the parent how to obtain a copy of the ***Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities***.

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is the principal.

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. [See policy FDB(LOCAL).]

## **Services for Title I Participants**

The Parent Involvement Coordinator, who works with parents of students participating in Title I programs is the school counselor.

## **Student Records**

Both federal and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy. Before disclosing any personally identifiable information from a student's records, the district must verify the identity of the person, including a parent or the student, requesting the information. For purposes of student records, an "eligible" student is 18 or older OR who is attending an institution of postsecondary education.

Virtually all information pertaining to student performance, including grades, test results, and disciplinary records, is considered confidential educational records. Release is restricted to:

- The parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the right to access a student's education records.

Federal law requires that, as soon as a student becomes 18, is emancipated by a court, or enrolls in a post-secondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax

purposes and under limited circumstances when there is a threat to the health and safety of the student or other individuals.

- District school officials who have what federal law refers to as a “legitimate educational interest” in a student’s records. School officials would include trustees and employees, such as the superintendent, administrators, and principals; teachers, counselors, diagnosticians, and support staff; a person or company with whom the district has contracted or allowed to provide a particular service or function (such as an attorney, consultant, auditor, medical consultant, therapist, or volunteer); a parent or student serving on a school committee; or a parent or student assisting a school official in the performance of his or her duties. “Legitimate educational interest” in a student’s records includes working with the student; considering disciplinary or academic actions, the student’s case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official’s professional responsibility; or investigating or evaluating programs.
- Various governmental agencies.
- Individuals granted access in response to a subpoena or court order.
- A school or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.

Release to any other person or agency—such as a prospective employer or for a scholarship application—will occur only with parental or student permission as appropriate.

The principal is custodian of all records for currently enrolled students at the assigned school. The superintendent is the custodian of records for students who have withdrawn or graduated.

Records may be inspected by a parent or eligible student during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent or eligible student who provides a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review these records. The address of the superintendent’s (and principal’s office) is 3511 N FM 2148, Texarkana, TX 75503.

A parent (or eligible student) may inspect the student’s records and request a correction if the records are considered inaccurate, misleading, or otherwise in violation of the student’s privacy rights. A request to correct a student’s record should be submitted to the principal. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student’s record. Although improperly recorded grades may be challenged, contesting a student’s grade in a course is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district’s grading policy. [See FINALITY OF GRADES at FNG(LEGAL), **Report Cards/Progress Reports and Conferences**, and **Student or Parent Complaints and Concerns** for an overview of the process.]

The district’s policy regarding student records found at FL(LEGAL) and (LOCAL) is available from the superintendent’s office.

The parent's or eligible student's right of access to and copies of student records do not extend to all records. Materials that are not considered educational records—such as a teacher's personal notes about a student that are shared only with a substitute teacher—do not have to be made available to the parents or student.

**Please note:**

Parents or eligible students have the right to file a complaint with the U.S. Department of Education if they believe the district is not in compliance with federal law regarding student records. The complaint may be mailed to:

Family Policy Compliance Office  
U. S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

## **Directory Information**

The law permits the district to designate certain personal information about students as “directory information.” This “directory information” will be released to anyone who follows procedures for requesting it.

However, release of a student's directory information may be prevented by the parent or an eligible student. This objection must be made in writing to the principal within ten school days of your child's first day of instruction for this school year. [See the “Release of Student Information on the back of the Student Enrollment Form.]

## **Directory Information for School-Sponsored Purposes**

The district often needs to use student information for the following school-sponsored purposes: honor roll, yearbook, recognition activities, news releases, and extra-curricular activities.

For these specific school-sponsored purposes, the district would like to use your child's name. This information will not be used for other purposes without the consent of the parent or eligible student, except as described above at Directory Information.

Unless you object to the use of your child's information for these limited purposes, the school will not need to ask your permission each time the district wishes to use this information for the school-sponsored purposes listed above.

## **Release of Student Information to Military Recruiters and Institutions of Higher Education**

The district is required by federal law to comply with a request by a military recruiter or an institution of higher education for students' names, addresses, and telephone listings, unless parents have advised the district not to release their child's information without prior written consent. A form has been attached for you to complete if you do not want the district to provide this information to military recruiters or institutions of higher education.

## **Bacterial Meningitis**

State law specifically requires the district to provide the following information:

- What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious.

Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

- What are the symptoms?

Someone with meningitis will become very ill. The illness may develop over one or two days, but it can also rapidly progress in a matter of hours. Not everyone with meningitis will have the same symptoms.

Children (over 1 year old) and adults with meningitis may have a severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. In both children and adults, there may be a rash of tiny, red-purple spots. These can occur anywhere on the body.

Diagnosis of bacterial meningitis is based on a combination of symptoms and laboratory results.

- How serious is bacterial meningitis?

If it is diagnosed early and treated promptly, the majority of people make a complete recovery. In some cases it can be fatal or a person may be left with a permanent disability.

- How is bacterial meningitis spread?

Fortunately, none of the bacteria that cause meningitis are as contagious as diseases like the common cold or the flu, and they are not spread by casual contact or by simply breathing the air where a person with meningitis has been. The germs live naturally in the back of our noses and throats, but they do not live for long outside the body. They are spread when people exchange saliva (such as by kissing, sharing drinking containers, utensils, or cigarettes).

The germ does not cause meningitis in most people. Instead, most people become carriers of the germ for days, weeks, or even months. The bacteria rarely overcome the body's immune system and cause meningitis or another serious illness.

- How can bacterial meningitis be prevented?

Do not share food, drinks, utensils, toothbrushes, etc. Limit the number of persons you kiss.

While there are vaccines for some other strains of bacterial meningitis, they are used only in special circumstances. These include when there is a disease outbreak in a community or for people traveling to a country where there is a high risk of getting the disease. Also, a vaccine is recommended by some groups for college students, particularly freshmen living in dorms or residence halls. The vaccine is safe and effective (85–90 percent). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

- What should you do if you think you or a friend might have bacterial meningitis?

You should seek prompt medical attention.

- Where can you get more information?

Your school nurse, family doctor, and the staff at your local or regional health department office are excellent sources for information on all communicable diseases. You may also call your local health department or Regional Department of State Health Services office to ask about a meningococcal vaccine. Additional information may also be found at the Web sites for the Centers for Disease Control and Prevention, <http://www.cdc.gov>, and the Department of State Health Services, <http://www.dshs.state.tx.us/>.

## **SECTION II: INFORMATION FOR STUDENTS AND PARENTS**

Topics in this section of the handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is conveniently organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. If you are unable to find the information on a particular topic, please contact the principal.

### ***ABSENCES/ATTENDANCE***

Regular school attendance is essential for a student to make the most of his or her education—to benefit from teacher-led and school activities, to build each day’s learning on the previous day’s, and to grow as an individual. Absences from class may result in serious disruption of a student’s mastery of the instructional materials; therefore, the student and parent should make every effort to avoid unnecessary absences. Two state laws—one dealing with compulsory attendance, the other with attendance for course credit—are of special interest to students and parents. They are discussed below.

#### **Compulsory Attendance**

State law requires that a student between the ages of six and 18 attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

A student who voluntarily attends or enrolls after his or her 18<sup>th</sup> birthday is required to attend each school day until the end of the school year and is subject to compulsory attendance laws, if the student is under 21 years old. In addition, if a student 18 or older has more than five unexcused absences in a semester the district may revoke the student’s enrollment. The student’s presence on school property thereafter would be unauthorized and may be considered trespassing. [See FEA]

Students enrolled in kindergarten are required to attend school.

State law requires attendance in an accelerated reading instruction program when kindergarten, first grade, or second grade students are assigned to such a program. Parents will be notified in writing if their child is assigned to an accelerated reading instruction program as a result of a diagnostic reading instrument.

School employees must investigate and report violations of the state compulsory attendance law. A student absent without permission from school; from any class; from required special programs, such as additional special instruction (termed “accelerated instruction” by the state) assigned by a grade placement committee and basic skills for ninth graders; or from required tutorials will be considered in violation of the compulsory attendance law and subject to disciplinary action.

A court of law may also impose penalties against both the student and his or her parents if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student:

- Is absent from school on ten or more days or parts of days within a six-month period in the same school year, or
- Is absent on three or more days or parts of days within a four-week period.

If the student is over age 18, the student’s parents shall not be subject to penalties as a result of their child’s violation of state compulsory attendance law. [See FEA(LLEGAL)]

## **Attendance for Credit**

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit for the class if he or she completes a plan, approved by the principal, that allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit for the class.

If a student attends less than 75 percent of the days a class is offered or has not completed a plan approved by the principal, then the student will be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit, if appropriate. [See policies at FEC]

In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- All absences will be considered in determining whether a student has attended the required percentage of days. If makeup work is completed, absences for religious holy days and documented health-care appointments will be considered days of attendance for this purpose. [See policies at FEB.]
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district. For a student transferring into the district after school begins, including a migrant student, only those absences after enrollment will be considered.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit.

The student or parent may appeal the committee's decision to the board of trustees by filing a written request with the superintendent in accordance with policy FNG(LOCAL).

The actual number of days a student must be in attendance in order to receive credit will depend on whether the class is for a full semester or for a full year.

## **Parent's Note After an Absence**

When a student must be absent from school, the student—upon returning to school—must bring a note, signed by the parent that describes the reason for the absence. A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older.

## **Doctor's Note After an Absence for Illness**

Upon return to school, a student absent for more than 5 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student's extended absence from school. [See FEC(LOCAL).]

## ***ACADEMIC PROGRAMS***

The school counselor provides students and parents information regarding academic programs to prepare for higher education and career choices. [See **Academic Counseling** and policies at EIF.]

## ***AWARDS AND HONORS***

Students are eligible for the following awards:

- Perfect Attendance
- Physical Fitness Award
- Accelerated Reader
- Academic Awards (Gr. 3-8)
- Band (Gr. 6-8)
- Various Homeroom Awards

## ***BULLYING***

Bullying occurs when a student or group of students directs written or verbal expressions or physical conduct against another student and the behavior results in harm to the student or the student's property, places a student in fear of harm to himself or his property, or is so severe, persistent, or pervasive that it creates an intimidating, threatening or abusive educational environment.

The board has established policies and procedures to prohibit bullying and to respond to reports of bullying. [See FFI(LOCAL).]

## ***CLASS SCHEDULES***

Band students will not be allowed to change their schedule after the sixth week of school.

## ***COMPLAINTS AND CONCERNS***

Usually student or parent complaints or concerns can be addressed by a phone call or a conference with the teacher or principal. For those complaints and concerns that cannot be handled so easily, the district has adopted a standard complaint policy at FNG(LOCAL) in the district's policy manual. A copy of this policy may be obtained in the superintendent's office.

In general, the student or parent should submit a written complaint and request a conference with the campus principal. If the concern is not resolved, a request for a conference should be sent to the superintendent. If still unresolved, the district provides for the complaint to be presented to the board of trustees.

## ***COMPUTER RESOURCES***

To prepare students for an increasingly technological society, the district has made an investment in computer technology for instructional purposes. Use of these computer resources is restricted to students working under a teacher's supervision and for approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these resources; violations of this agreement may result in withdrawal of privileges and other disciplinary action.

Students and their parents should be aware that e-mail using district computers is not private and will be monitored by district staff. [For additional information, see policies at CO.]

## ***CONDUCT***

### **Applicability of School Rules**

As required by law, the board has adopted a ***Student Code of Conduct*** that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus—and consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the ***Student Code of Conduct***. Students and parents should be familiar with the standards set out in the ***Student Code of Conduct***, as well as campus and classroom rules.

### **Corporal Punishment**

Corporal punishment—spanking or paddling the student—may be used as a discipline management technique in accordance with the ***Student Code of Conduct*** and policy FO(LOCAL) in the district's policy manual.

### **Disruptions**

As identified by law, disruptions include the following:

- Interference with the movement of people at an exit, entrance, or hallway of a district building without authorization from an administrator.
- Interference with an authorized activity by seizing control of all or part of a building.
- Use of force, violence, or threats in attempt to prevent participation in an authorized assembly.
- Use of force, violence, or threats to cause disruption during an assembly.
- Interference with the movement of people at an exit or an entrance to district property.
- Use of force, violence, or threats in an attempt to prevent people from entering or leaving district property without authorization from an administrator.
- Disruption of classes or other school activities while on district property or on public property that is within 500 feet of district property. Class disruption includes making loud noises; trying to entice a student away from, or to prevent a student from attending, a required class or activity; and entering a classroom without authorization and disrupting the activity with loud or profane language or any misconduct.
- Interference with the transportation of students in vehicles owned or operated by the district.

### **Radios, CD Players, Other Electronic Devices and Games, and Cell Phones**

Students are not permitted to possess such items as cell phones, pagers, radios, CD players, tape recorders, camcorders, DVD players, cameras, electronic devices or games at school, unless prior permission has been obtained from the principal. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will contact parents to pick up items.

Any disciplinary action will be in accordance with the ***Student Code of Conduct*** and may include confiscation of the device. The school may charge the owner for the release of certain telecommunications devices [See policy FNCE.]

### **Social Events**

School rules apply to all school social events. Guests attending these events are expected to observe the same rules as students, and a student inviting a guest will share responsibility for the conduct of his or her guest.

A student attending a social event will be asked to sign out when leaving before the end of the event; anyone leaving before the official end of the event will not be readmitted.

### **Unattended Students at School Events**

To ensure student safety, it is recommended that students attend after school events, such as athletic events, with a parent or other responsible adult. Any unsupervised students attending an event where problems arise will be asked to leave and will not be allowed to attend any other events for the remainder of the year without a parent or guardian.

### ***CONTAGIOUS DISEASES / CONDITIONS***

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. If a parent suspects that his or her child has a contagious disease, the parent should contact the school nurse or principal so that other students who might have been exposed to the disease can be alerted.

The school nurse or the principal's office can provide information from the Department of State Health Services regarding these diseases.

### ***COUNSELING***

#### **Academic Counseling**

Students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures. Each spring, students in grade 8 will be provided information on anticipated course offerings for the next school year and other information that will help them make the most of academic and vocational opportunities.

#### **Personal Counseling**

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. The counselor may also make available information about community resources to address these concerns. A student who wishes to meet with the counselor should come by the school office.

#### **Psychological Exams, Tests, or Treatment**

The school will not conduct a psychological examination, test, or treatment without first obtaining the parent's written consent. Parental consent is not necessary when a psychological examination, test, or treatment is required by state or federal law for special education purposes or by the Texas Education Agency for child abuse investigations and reports. [See FFE(LEGAL) and FFG(EXHIBIT).]

#### ***CREDIT BY EXAM—If a Student Has Taken the Course***

A student who has previously taken a course or subject—but did not receive credit for it—may, in circumstances determined by the teacher, counselor, principal, or attendance committee, be permitted to earn credit by passing an exam on the essential knowledge and skills defined for that course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course or excessive absences, homeschooling, correspondence courses, or independent study supervised by a teacher.

The principal would determine if the student could take an exam for this purpose. If approval is granted, the student must score at least 70 on the exam to receive credit for the course or subject.

The attendance review committee may also offer a student with excessive absences an opportunity to earn credit for a course by passing an exam.

A student may not use this exam, however, to regain eligibility to participate in extracurricular activities. [For further information, see the counselor and policies EEJA.]

### ***CREDIT BY EXAM—If a Student Has Not Taken the Course***

A student will be permitted to take an exam to earn credit for an academic course for which the student has had no prior instruction. The dates on which exams are scheduled during the 2009–2010 school year are the first Fridays in December and May.

A student will earn credit with a passing score of at least 90 on the exam.

If a student plans to take an exam, the student (or parent) must register with the principal no later than 30 days prior to the scheduled testing date. The district will honor a request by a parent to administer a test on a date other than the published dates. If the district agrees to administer a test other than the one chosen by the district, the parent must purchase a test from a university approved by the State Board of Education. [See policy EEJB(LOCAL).]

### ***DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION***

The district believes that all students learn best in an environment free from dating violence, discrimination, harassment, and retaliation and that their welfare is best served when they are free from this prohibited conduct while attending school. Students are expected to treat other students and district employees with courtesy and respect; to avoid behaviors known to be offensive; and to stop those behaviors when asked or told to stop. District employees are expected to treat students with courtesy and respect.

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. [See policy FFH]

#### **Dating Violence**

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. This type of conduct is considered harassment if the conduct is so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance.

Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

#### **Discrimination**

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or other basis prohibited by law, that negatively affects a student.

## **Harassment**

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance. A copy of the district's policy is available in the superintendent's office.

Examples of harassment may include, but are not limited to, offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

## **Sexual Harassment**

Sexual harassment of a student by an employee, volunteer, or another student is prohibited.

Sexual harassment of a student by an employee or volunteer does not include necessary or permissible physical contact not reasonably construed as sexual in nature. However, romantic and other inappropriate social relationships, as well as all sexual relationships, between students and district employees are prohibited, even if consensual.

Examples of prohibited sexual harassment may include, but not be limited to, touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

## **Retaliation**

Retaliation against a person who makes a good faith report of discrimination or harassment, including dating violence, is prohibited. Retaliation against a person who is participating in an investigation of alleged discrimination or harassment is also prohibited. A person who makes a false claim or offers false statements or refuses to cooperate with a district investigation, however, may be subject to appropriate discipline.

Retaliation against a student might occur when a student receives threats from another student or employee or when an employee imposes unjustified punishment or unwarranted grade reduction. Retaliation doesn't include petty slights and annoyances from other students or negative comments from a teacher that are justified by a student's poor academic performance in the classroom.

## **Reporting Procedures**

Any student who believes that he or she has experienced dating violence, discrimination, harassment, or retaliation should immediately report the problem to a teacher, counselor, principal, or other district employee. The report may be made by the student's parent. See policy FFH(LOCAL) for the appropriate districts officials to whom to make a report.

## **Investigation of Report**

To the extent possible, the district will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated. The district will notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the district.

In the event prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy. If the district's investigation indicates that prohibited conduct occurred, appropriate disciplinary or corrective action will be taken to address the conduct. The district may take disciplinary action even if the conduct that is the subject of the complaint was not unlawful. A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with policy FNG(LOCAL).

## ***DISTRIBUTION OF PUBLISHED MATERIALS OR DOCUMENTS***

### **School Materials**

Publications prepared by and for the school may be posted or distributed, with the prior approval of the principal, sponsor, or teacher. Such items may include school posters, brochures, flyers, etc.

The school's yearbook is available to students, and is under the supervision of the teacher and principal. [See **Directory Information for School-Sponsored Purposes.**]

### **Nonschool Materials...from students**

Students must obtain prior approval from the principal before posting, circulating, or distributing written materials, handbills, photographs, pictures, petitions, films, tapes, posters, or other visual or auditory materials that were not developed under the oversight of the school. To be considered, any nonschool material must include the name of the sponsoring person or organization. The decision regarding approval will be made within two school days.

The principal has designated the cafeteria as the location for approved nonschool materials to be placed for voluntary viewing by students. [See policies at FNAA.]

A student may appeal a principal's decision in accordance with policy FNG(LOCAL). Any student who posts nonschool material without prior approval will be subject to disciplinary action in accordance with the ***Student Code of Conduct***. Materials displayed without the principal's approval will be removed.

### **Nonschool Materials...from others**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA. To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the superintendent or designee for prior review. The superintendent or designee will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at DGBA, FNG, or GF.]

Prior review will not be required for:

- Distribution of materials by an attendee to other attendees of a school-sponsored meeting intended for adults and held after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in accordance with policy GKD(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL).

- Distribution for electioneering purposes during the time a school facility is being used as a polling place, in accordance with state law.

All nonschool materials distributed under these circumstances must be removed from district property immediately following the event at which the materials are distributed.

## ***DRESS AND GROOMING***

The district's dress code is established to teach grooming and hygiene, prevent disruption, and minimize safety hazards. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

- All students must be clean and neatly dressed.
- Hair must be neat and well groomed.
  - Boy's hair should not be below the eyebrows or below the base of the neck.
  - Girl's hair should be kept out of the eyes.
  - No hair color (permanent or temporary) should be applied that is not a 'natural' hair color.
  - Hair styles that can be distracting (such as a Mohawk) are not permitted.
- No hats or caps may be worn to school.
- Boys are not permitted to wear earrings, and no student may wear other facial jewelry.
- Shoes must be worn at all times. No cleats or shoes with wheel inserts are permitted.
- Students are not permitted to have body art (permanent or temporary) that is visible.
- No student may wear articles of clothing which display pictures, emblems, or writings that are lewd, offensive, vulgar, or obscene, or that advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under Policy FNDF or which have cuts or tears above the bottom of the knee.
- The District prohibits any clothing or grooming that in the administrator's judgment may reasonably be expected to cause disruption of or interference with normal school operations. All dress and grooming guidelines shall also apply to extracurricular activities.

### Kindergarten – 3<sup>rd</sup> Grades:

- Skirt, pants, shorts, etc. must be of sufficient length.
- Tank tops may be worn (must have shoulder straps).

### 4<sup>th</sup> – 8<sup>th</sup> Grades:

- Jeans, slacks, shorts, and dresses are acceptable school wear so long as they conform to other provisions pertaining to safety, provocative effect, and distracting influences. Garments must be of sufficient length so they cover the leg to at least 4" from the bend of the knee, even when tights are worn underneath. Pants and shorts should fit no lower than the waist line.
- No tank tops, muscle shirts, midriffs, halters, nude look, see-through styles or other revealing fashions may be worn. Sleeveless shirts should cover the top of the shoulders (2-3" wide).

## ***EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS***

Participation in school-sponsored activities is an excellent way for a student to develop talents, receive individual recognition, and build strong friendships with other students; participation, however, is a privilege, not a right.

Eligibility for participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. The following requirements apply to all extracurricular activities:

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an advanced placement or international baccalaureate course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or a foreign language—may not participate in extracurricular activities for at least three school weeks.
- A student with disabilities who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse.
- A student is allowed in a school year up to ten absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

**Please note:** Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. If a violation is also a violation of school rules, the consequences specified by the ***Student Code of Conduct*** or by local policy will apply in addition to any consequences specified by the organization's standards of behavior.

[For further information, see policies at FM and FO.]

## ***FEES***

Materials that are part of the basic educational program are provided with state and local funds at no charge to a student. A student, however, is expected to provide his or her own pencils, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, including:

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Musical instrument rental.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Fees for lost, damaged, or overdue library books.

- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles.**]
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the principal. [For further information, see policies at FP.]

## ***GRADING GUIDELINES***

In grades First-Eighth, achievement is reported to parents as:

90 – 100	=	A	70 – 74	=	D
80 – 89	=	B	69 or below	=	The actual number grade
75 – 79	=	C			(Below 70 will not be considered passing)

Physical Education, Fine Arts / Spanish (not Spanish I), and Health grades may be reported using the following indicators:

E = Excellent	N = Needs Improvement
S = Satisfactory	U = Unsatisfactory

Kindergarten progress will be evaluated using the S, N, and U indicators as listed above and will include a checklist of skills mastered. Kindergarten progress reports will also be sent at the end of each 6 weeks.

In grades 3-8, any conduct grade below 'S' will automatically remove the student from the honor roll.

In grades 5-8, a student's final grade will be calculated by counting each six weeks grade twice and the semester exam grade once, which when divided by fourteen, will yield a yearly average.

**Criteria for Enrollment in Algebra 1.** The following criteria will be considered for enrollment into 8<sup>th</sup> grade Algebra 1: cumulative average of 90 or above for 7<sup>th</sup> grade math, 7<sup>th</sup> grade TAKS math score of 85% accuracy, and teacher recommendation. Students who meet two of the three criteria listed may be considered for a probationary placement.

## ***HEALTH-RELATED MATTERS***

### **Physical Activity for Students in Elementary and Middle School**

In accordance with policies at EHAB, EHAC, and FFA, the district will ensure that students in kindergarten through grade 5 engage in moderate or vigorous physical activity for at least 30 minutes per day or 135 minutes per week.

Students in middle or junior high school shall engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters OR at least 225 minutes of moderate or vigorous physical activity within a two-week period for at least four semesters.

For additional information on the district's requirements and programs regarding elementary, middle, and junior high school student physical activity requirements, please see the principal.

## **School Health Advisory Council**

During the preceding school year, the district's School Health Advisory Council held one meeting. Additional information regarding the district's School Health Advisory Council is available from the school office. [See also policies at BDF and EHAA.]

## **Physical Fitness Assessment**

Annually, the district will conduct a physical fitness assessment of students in all grades. At the end of the school year, a parent will receive the results of his or her child's physical fitness assessment.

## **Other Health-Related Matters**

### **Tobacco Prohibited**

The district and its staff strictly enforce prohibitions against the use of tobacco products by students and others on school property and at school-sponsored and school-related activities. [See the *Student Code of Conduct* and policies at FNCD and GKA.]

### **Asbestos Management Plan**

The district's Asbestos Management Plan, designed to be in compliance with state and federal regulations, is available in the superintendent's office. If you have any questions, please contact the school office.

### **Pest Management Plan**

The district applies only pest control products that comply with state and federal guidelines. Except in an emergency, signs will be posted 48 hours before application. Parents who want to be notified prior to pesticide application inside their child's school assignment area may contact the school office.

## ***HOMELESS STUDENTS***

For more information on services for homeless students, contact the school counselor, who serves as the district's Liaison for Homeless Children and Youths.

## ***HOMEWORK***

Homework is a very important part of a child's overall academic achievement. Therefore, failure to complete assignments will result in a loss of recess time for students in grades K to 3<sup>rd</sup>, or detention for grades 4<sup>th</sup> to 8<sup>th</sup>, so that the assignment can be completed. There will also be a reduction in the assignment grade for work turned in after the due date. Parents will be contacted by a note sent home, mail, e-mail, or phone when a child fails to turn in their work.

## ***IMMUNIZATION***

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the district. This form may be obtained by writing the DSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347; or online at <https://webds.dshs.state.tx.us/immco/affidavit.shtm>. The form must be notarized and submitted to

the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are: diphtheria, rubeola (measles), rubella (German measles), mumps, tetanus, pertussis, poliomyelitis (polio), hepatitis A, hepatitis B, and varicella (chicken pox). The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by the Department of State Health Services. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. licensed physician stating that, in the doctor's opinion, the immunization required poses a significant risk to the health and well-being of the student or member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long condition. [For further information, see policy FFAB(LEGAL) and the Department of State Health Services Web site:

<http://www.dshs.state.tx.us/immunize/school/default.shtm>.]

## ***LAW ENFORCEMENT AGENCIES***

### **Questioning of Students**

When law enforcement officers or other lawful authorities wish to question or interview a student at school, the principal will cooperate fully regarding the conditions of the interview, if the questioning or interview is part of a child abuse investigation. In other circumstances:

- The principal will verify and record the identity of the officer or other authority and ask for an explanation of the need to question or interview the student at school.
- The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
- The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.

### **Students Taken Into Custody**

State law requires the district to permit a student to be taken into legal custody:

- To comply with an order of the juvenile court.
- To comply with the laws of arrest.
- By a law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
- By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
- By an authorized representative of Child Protective Services, Texas Department of Family and Protective Services, law enforcement officer, or juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to a student's physical health or safety.
- To comply with a properly issued directive to take a student into custody.

Before a student is released to a law enforcement officer or other legally authorized person, the principal will verify the officer's identity and, to the best of his or her ability, will verify the official's authority to take custody of the student.

The principal will immediately notify the superintendent and will ordinarily attempt to notify the parent unless the officer or other authorized person raises what the principal considers to be a valid objection to notifying parents. Because the principal does not have authority to prevent or delay a student's release to a law enforcement officer, any notification will most likely be after the fact.

## **Notification of Law Violations**

The district is required by state law to notify:

- All instructional and support personnel who have responsibility for supervising a student who has been arrested or referred to the juvenile court for any felony offense or for certain misdemeanors.
- All instructional and support personnel who have regular contact with a student who is required to register as a sex offender or who has been convicted, received deferred prosecution, received deferred adjudication, or was adjudicated for delinquent conduct for any felony offense or certain misdemeanors.

[For further information, see policies FL(LEGAL) and GRA(LEGAL).]

## ***MAKEUP WORK***

### **Routine and In-depth Makeup Work Assignments**

For any class missed, the teacher may assign the student makeup work based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.

A student will be responsible for obtaining and completing the makeup work in a satisfactory manner and within the time specified by the teacher. [For further information, see policy EIAB(LOCAL).]

A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

A student will be permitted to make up tests and to turn in projects due in any class missed because of absence. Teachers may assign a late penalty to any long-term project in accordance with time lines approved by the principal and previously communicated to students.

### **DAEP Makeup Work**

A student removed to a disciplinary alternative education program (DAEP) during the school year will have an opportunity to complete, before the beginning of the next school year, a foundation curriculum course in which the student was enrolled at the time of removal. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, distance learning, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FOCA(LEGAL).]

### **In-school Suspension Makeup Work**

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. The district will not charge the student for any method of completion provided by the district. [See policy FO(LEGAL).]

## ***MEDICINE AT SCHOOL***

District employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, with the following exceptions:

- Only authorized employees, in accordance with policies at FFAC, may administer:
  - Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.
  - Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.
  - Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.
  - Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.
- In certain emergency situations, the district will maintain and administer to a student nonprescription medication, but only:
  - In accordance with the guidelines developed with the district's medical advisor; and
  - When the parent has previously provided written consent to emergency treatment on the district's form.

A student with asthma or severe allergic reaction (anaphylaxis) may be permitted to possess and use prescribed asthma or anaphylaxis medication at school or school-related events only if he or she has written authorization from his or her parent and a physician or other licensed health-care provider. The student must also demonstrate to his or her physician or health-care provider and to a school designee the ability to use the prescribed medication, including any device required to administer the medication.

If the student has been prescribed asthma or anaphylaxis medication for use during the school day, the student and parents should discuss this with the school nurse or principal.

In accordance with a student's individual health plan for management of diabetes, a student with diabetes will be permitted to possess and use monitoring and treatment supplies and equipment while at school or at a school-related activity. See the principal for information. [See policy FFAF(LEGAL).]

### **Psychotropic Drugs**

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

Teachers and other district employees may discuss a student's academic progress or behavior with the student's parents or another employee as appropriate; however, they are not permitted to recommend use of psychotropic drugs. A district employee who is a registered nurse, an advanced nurse practitioner, a physician, or a certified or credentialed mental health professional can recommend that a student be evaluated by an appropriate medical practitioner, if appropriate. [For further information, see policies at FFAC.]

## ***PARTIES***

All parties and entertainments, including students which are held in the name of the school, must be scheduled by the sponsors through the principal's office.

Class parties include the following:

Christmas parties	K – 8 <sup>th</sup> Grades
Valentine parties	K – 3 <sup>rd</sup> Grades

Birthday parties may not be observed during the school hours. Any exception must be cleared through the principal. Invitations to parties may only be passed out if all students in the class are included.

## ***PHYSICAL EXAMINATIONS / HEALTH SCREENINGS***

Based on UIL regulations, all 7<sup>th</sup> and 8<sup>th</sup> grade students who participate in our competitive athletics program must provide documentation of a recent physical examination.

## ***PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE***

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Excusing a Student from Reciting the Pledges to the U.S. and Texas Flags.**]

One minute of silence will follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. [See policy EC(LEGAL) for more information.]

## ***PRAYER***

Each student has a right to individually, voluntarily, and silently pray or meditate in school in a manner that does not disrupt instructional or other activities of the school. The school will not encourage, require, or coerce a student to engage in or to refrain from such prayer or meditation during any school activity.

## ***PROMOTION AND RETENTION***

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level. To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

In grades 1 through 8, students must have a yearly average of 70 in Math, Reading, English, and either Science or Social Studies as well as having an overall average of 70 in all five core academic areas in order to be promoted to the next grade.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the Texas Assessment of Knowledge and Skills (TAKS), if the student is enrolled in a public Texas school on any day between January 1 and April 15 and is a Texas resident during the week that the TAKS is administered the first time.

- In order to be promoted to grade 4, students must perform satisfactorily on the reading section of the grade 3 assessment in English or Spanish.
- In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.

- In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the mathematics and reading sections of the grade 8 assessment in English.

Parents of a student in grade 3, 5, or 8 who does not perform satisfactorily on his or her exams will be notified that their child will participate in special instructional programs designed to improve performance. Such students will have two additional opportunities to take the test. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policies at EIE.]

Certain students—some with disabilities and some with limited English proficiency—may be eligible for exemptions, accommodations, or deferred testing. For more information, see the principal, counselor, or special education director.

A Personal Graduation Plan (PGP) will be prepared for any student in a middle school or beyond who did not perform satisfactorily on a state-mandated assessment or is determined by the district as not likely to earn a high school diploma before the fifth school year following enrollment in grade 9. The PGP will be designed and implemented by a guidance counselor, teacher, or other staff member designated by the principal. The plan will, among other items, identify the student's educational goals, address the parent's educational expectations for the student, and outline an intensive instruction program for the student. [For additional information, see the principal and policy EIF(LEGAL).]

### ***RELEASE OF STUDENTS FROM SCHOOL***

Because class time is important, doctor's appointments should be scheduled, if possible, at times when the student will not miss instructional time.

A student who will need to leave school during the day must bring a note from his or her parent that morning and follow the campus sign-out procedures before leaving the campus. Otherwise, a student will not be released from school at times other than at the end of the school day. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the instructional day.

If a student becomes ill during the school day, the student should receive permission from the teacher before reporting to the school nurse. The nurse will decide whether or not the student should be sent home and will notify the student's parent.

### ***REPORT CARDS / PROGRESS REPORTS AND CONFERENCES***

Report cards with each student's grades or performance and absences in each class or subject are issued to parents at least once every six weeks.

At the end of the first three weeks of a grading period, parents will be given a written progress report if their child's performance in any course is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the superintendent and are designed to reflect each student's academic achievement for the grading period, semester, or

course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL).]

Questions about grade calculation should first be discussed with the teacher; if the question is not resolved, the student or parent may request a conference with the principal in accordance with FNG(LOCAL).

The report card or unsatisfactory progress report will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

Report cards and unsatisfactory progress reports must be signed by the parent and should be returned to the school within five days, unless otherwise instructed by the teacher.

## ***SAFETY***

Student safety on campus and at school-related events is a high priority of the district. Although the district has implemented safety procedures, the cooperation of students is essential to ensuring school safety. A student should:

- Avoid conduct that is likely to put the student or other students at risk.
- Follow the behavioral standards in this handbook and the ***Student Code of Conduct***, as well as any additional rules for behavior and safety set by the principal, teachers, or bus drivers.
- Remain alert to and promptly report to a teacher or the principal any safety hazards, such as intruders on campus or threats made by any person toward a student or staff member.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other district employees who are overseeing the welfare of students.

## **Drills: Fire, Tornado, and Other Emergencies**

From time to time, students, teachers, and other district employees will participate in drills of emergency procedures. When the alarm is sounded, students should follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

### **Fire Drill Bells**

- 3 bells     leave the building
- 1 bell     halt; stand at attention
- 2 bells     return to the classroom

### **Tornado Drill Bells**

- 1 continuous bell     move quietly but quickly to the designated locations
- 2 bells     return to the classroom

## **Emergency Medical Treatment and Information**

If a student has a medical emergency at school or a school-related activity when the parent cannot be reached, the school would need to have written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, parents are asked each year to complete an emergency care consent form. Parents should keep

emergency care information up-to-date (name of doctor, emergency phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

## **Emergency School-Closing Information**

When conditions of inclement weather, icy roads, or lack of adequate heat exist, the superintendent or designated school official will make the official decision as to the closing of a campus, either for a full day or part of a day. Announcements regarding closing of school or early dismissal, because of one of these conditions, will be made as near 6:30 a.m. as possible on local radio stations KKYR-102.5, KOOL 95.1, and local television stations.

## ***SCHOOL FACILITIES***

### **Use By Students Before and After School**

Certain areas of the school will be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place.

The following areas are open to students before school, beginning at 7:30 a.m.

- Grades K – 1 students will report to the primary building or the primary playground.
- Grades 2 – 3 students will report to the gym or the playground behind the elementary cafeteria.
- Grades 4 – 5 students will report to the middle school gym.
- Grades 6 – 8 students will report to the middle school cafeteria.
- Breakfast will be served beginning at 7:30 a.m.

Unless the teacher or sponsor overseeing the activity gives permission, a student will not be permitted to go to another area of the building or campus.

After dismissal of school in the afternoon, and unless involved in an activity under the supervision of a teacher, students must leave campus immediately.

### **Conduct Before and After School**

Teachers and administrators have full authority over student conduct at before- or after-school activities on district premises and at school-sponsored events off district premises, such as play rehearsals, club meetings, athletic practices, and special study groups or tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the ***Student Code of Conduct*** or any stricter standards of behavior established by the sponsor for extracurricular participants.

### **Use of Hallways During Class Time**

Loitering or standing in the halls during class is not permitted. During class time, a student must have a hall pass to be outside the classroom for any purpose. Failure to obtain a pass will result in disciplinary action in accordance with the ***Student Code of Conduct***.

### **Cafeteria Services**

The district participates in the National School Lunch Program and offers students nutritionally balanced lunches daily. Free and reduced-price lunches are available based on financial need.

Information about a student's participation is confidential. See the school secretary to apply, or contact Beth Carson, Food Services Director, at 903-792-2231.

The district follows the federal and state guidelines regarding foods of minimal nutritional value being served or sold on school premises during the school day. [See policy CO(LEGAL).]

## **Library**

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure.

## **Meetings of Noncurriculum-Related Groups**

Student-organized, student-led noncurriculum-related groups are permitted to meet during the hours designated by the principal before and after school. These groups must comply with the requirements of policy FNAB(LOCAL).

A list of these groups is available in the principal's office.

## ***SEARCHES***

In the interest of promoting student safety and attempting to ensure that schools are safe and drug free, district officials may from time to time conduct searches. Such searches are conducted without a warrant and as permitted by law.

## **Students' Desks and Lockers**

Students' desks and lockers are school property and remain under the control and jurisdiction of the school even when assigned to an individual student.

Students are fully responsible for the security and contents of their assigned desks and lockers. Students must be certain that their lockers are locked, and that the combinations are not available to others.

Searches of desks or lockers may be conducted at any time there is reasonable cause to believe that they contain articles or materials prohibited by policy, whether or not a student is present. The parent will be notified if any prohibited items are found in the student's desk or locker.

## **Vehicles on Campus**

Vehicles parked on school property are under the jurisdiction of the school. School officials may search any vehicle any time there is reasonable cause to do so, with or without the permission of the student. A student has full responsibility for the security and content of his or her vehicle and must make certain that it is locked and that the keys are not given to others. [See also the ***Student Code of Conduct.***]

## **Trained Dogs**

The district will use trained dogs to alert school officials to the presence of prohibited or illegal items, including drugs and alcohol. At any time, trained dogs may be used around lockers and the areas around vehicles parked on school property. Searches of classrooms, common areas, or student belongings may also be conducted by trained dogs when students are not present. An item in a classroom, a locker, or a vehicle to which a trained dog alerts may be searched by school officials.

## ***SPECIAL PROGRAMS***

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency, dyslexic students, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the principal.

## ***STEROIDS***

State law prohibits students from possessing, dispensing, delivering, or administering an anabolic steroid. Anabolic steroids are for medical use only, and only a physician can prescribe use.

Body building, muscle enhancement, or the increase of muscle bulk or strength through the use of an anabolic steroid or human growth hormone by a healthy student is not a valid medical use and is a criminal offense.

Students participating in UIL athletic competition may be subject to random steroid testing. More information on the UIL testing program may be found on the UIL Web site at [http://www.uil.utexas.edu/athletics/health/steroid\\_information.html](http://www.uil.utexas.edu/athletics/health/steroid_information.html).

## ***STUDENT SPEAKERS***

The district provides students the opportunity to introduce the following school events: National Junior Honor Society and 8<sup>th</sup> Grade Graduation. Students are eligible to introduce these events if they meet the eligibility criteria as stated in local Board policy.

As determined by the principal, students who have been selected for special honors, such as captain of an athletic team, may also address school audiences at designated events. [See FNA(LOCAL).]

## ***TAKS (TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS)***

In addition to routine tests and other measures of achievement, students at certain grade levels will take state-mandated assessments (such as TAKS: the Texas Assessment of Knowledge and Skills) in the following subjects:

- Mathematics, annually in grades 3–11
- Reading, annually in grades 3–9
- Writing, including spelling and grammar, in grades 4 and 7
- English language arts in grades 10 and 11
- Social studies in grades 8, 10, and 11
- Science in grades 5, 8, 10, and 11
- Any other subject and grade required by federal law [See policy EKB(LEGAL).]

## ***TARDINESS***

Classes start promptly at 8am, and arriving to school on time is extremely important for the learning process. A student who arrives late to school (with the exception of a doctor's appointment) will be assigned to detention hall (grades 4-8) or lose recess time (grades K-3) beginning with their 3<sup>rd</sup> late arrival each semester. Students who are tardy between classes will be immediately referred to detention. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the ***Student Code of Conduct***.

## ***TEXTBOOKS***

State-approved textbooks are provided to students free of charge for each subject or class. Books must be covered by the student, as directed by the teacher, and treated with care. A student who is issued a damaged book should report the damage to the teacher. Any student failing to return a book issued by the school loses the right to free textbooks until the book is returned or paid for by the parent; however, the student will be provided textbooks for use at school during the school day.

## ***TRANSPORTATION***

### **School-Sponsored Trips**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. The principal, however, may make an exception if the parent makes a written request that the student be released to the parent or to another adult designated by the parent.

### **Buses and Other School Vehicles**

The district makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students. Bus routes and any subsequent changes are posted at the school.

A parent may also designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact the school office.

See the ***Student Code of Conduct*** for provisions regarding transportation to the disciplinary alternative education program (DAEP).

Students are expected to assist district staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in district vehicles, students are held to behavioral standards established in this handbook and the ***Student Code of Conduct***. Students must:

- Follow the driver's directions at all times.
- Enter and leave the bus or van in an orderly manner at the designated stop.
- Keep feet, books, instrument cases, and other objects out of the aisle.
- Not deface the bus, van, or its equipment.
- Not put head, hands, arms, or legs out of the window, hold any object out of the window, or throw objects within or out of the bus or van.
- Not possess or use any form of tobacco on school buses.
- Observe all usual classroom rules.
- Be seated while the vehicle is moving.
- Wait for the driver's signal upon leaving the bus or van and before crossing in front of the vehicle.

Misconduct will be punished in accordance with the ***Student Code of Conduct***; bus-riding privileges may be suspended.

## ***VANDALISM***

The taxpayers of the community have made a sustained financial commitment for the construction and upkeep of school facilities. To ensure that school facilities can serve those for whom they are intended—both this year and for years to come—littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the ***Student Code of Conduct***.

## ***VIDEO CAMERAS***

For safety purposes, video/audio equipment may be used to monitor student behavior, including on buses and in common areas on campus. Students are not told when the equipment is being used.

The principal will review the video/audio recordings routinely and document student misconduct. Discipline will be in accordance with the ***Student Code of Conduct***.

## ***VISITORS TO THE SCHOOL***

### **General Visitors**

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the principal's office and must comply with all applicable district policies and procedures.

Visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment.

Guests joining students for lunch are asked that their visit be limited to the cafeteria.

All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

## ***WITHDRAWING FROM SCHOOL***

A student under 18 may be withdrawn from school only by a parent. The school requests notice from the parent at least three days in advance so that records and documents may be prepared. The parent may obtain a withdrawal form from the principal's office.

On the student's last day, the withdrawal form must be presented to each teacher for current grade averages and book clearance; to the librarian to ensure a clear library record; to the clinic for health records; to the counselor for the last report card and course clearance; and finally, to the principal. A copy of the withdrawal form will be given to the student, and a copy will be placed in the student's permanent record.

A student who is 18 or older, who is married, or who has been declared by a court to be an emancipated minor, may withdraw without parental signature.

## GLOSSARY

**Accelerated instruction** is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level.

**ACT** refers to one of the two most frequently used college or university admissions exams: the American College Test. The test may be a requirement for admission to certain colleges or universities.

**ARD** is the admission, review, and dismissal committee convened for each student who is identified as needing a full and individual evaluation for special education services. The eligible student's parents are part of the committee.

**Attendance Review Committee** is sometimes responsible for reviewing a student's absences when the student's attendance drops below 90 percent of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit lost because of absences.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the *Student Code of Conduct*. Students in the DAEP will be separated from students not assigned to the program. The DAEP will focus instruction on English language arts, mathematics, science, history, and self-discipline, and provide for students' educational and behavior needs, as well as supervision and counseling.

**FERPA** refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

**IEP** is the written record of the Individualized Education Program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed; accommodations for state or districtwide tests, etc.

**ISS** refers to in-school suspension, a disciplinary technique for misconduct found in the *Student Code of Conduct*. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

**LAT** stands for Linguistically Accommodated Testing, which is an assessment process for recent immigrant English language learners who are required to be assessed in certain grades and subjects under the NCLB Act.

**NCLB Act** is the federal No Child Left Behind Act of 2001.

**Personal Graduation Plan (PGP)** is recommended for all students entering grade 9 and is required by state law for any student in middle school or higher who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**SAT** refers to one of the two most frequently used college or university admissions exams: the Scholastic Aptitude Test. The test may be a requirement for admissions to certain colleges or universities.

**Section 504** is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Successful performance sometimes is a condition of promotion, and passing the grade 11 exit-level test is a condition of graduation. Students have multiple opportunities to take the tests if necessary for promotion or graduation.

**Student Code of Conduct** is developed with the advice of the district-level committee and adopted by the board; identifies the circumstances, consistent with law, when a student may be removed from the classroom or campus. It also sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP. It outlines conditions for out-of-school suspension and for expulsion, and states whether self-defense is a consideration in suspension, DAEP placement, or expulsion. The ***Student Code of Conduct*** also addresses notice to the parent regarding a student's violation of one of its provisions.

**TAKS** is the Texas Assessment of Knowledge and Skills, the state's standardized achievement test currently given to students in certain subjects in grades 3–11.

**TAKS-Accommodated** is a state mandated assessment based on the same grade-level academic achievement standards of TAKS available to certain students who receive special education services who need specific accommodations, as determined by the student and his or her ARD committee.

**TAKS-Alternate** is an alternate state mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student and his or her ARD committee.

**TAKS-Modified** is an alternate state mandated assessment based on modified achievement standards and is administered to eligible students receiving special education services, as determined by the student and his or her ARD committee.

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses the progress that English language learners make in learning the English language, and is administered for those who meet the participation requirements in kindergarten–grade 12.

**UIL** refers to the University Interscholastic League, the statewide voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

# STUDENT CODE OF CONDUCT

## *Purpose*

The Student Code of Conduct is the district's response to the requirements of Chapter 37 of the Texas Education Code.

The Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the Red Lick ISD Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Code will be posted at each school campus or will be available for review at the office of the campus principal. Additionally, the Code will be posted on the district's Web site. Parents will be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled.

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code will prevail.

## **School District Authority and Jurisdiction**

School rules and the authority of the district to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

During the regular school day and while the student is going to and from school on district transportation;

During lunch periods in which a student is allowed to leave campus;

While the student is in attendance at any school-related activity, regardless of time or location;

For any school-related misconduct, regardless of time or location;

When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;

When criminal mischief is committed on or off school property or at a school-related event;

For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;

For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;

When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and

When the student is required to register as a sex offender.

The district has the right to search a vehicle driven to school by a student and parked on school property whenever there is reasonable cause to believe it contains articles or materials prohibited by the district.

The district has the right to search a student's locker or desk when there is reasonable cause to believe it contains articles or materials prohibited by the district.

### ***Reporting Crimes***

School administrators will report crimes as required by law and will call local law enforcement when an administrator suspects that a crime has been committed on campus.

### ***Revoking Transfers***

The district has the right to revoke the transfer of a nonresident student for violating the district's Code.

## **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

## General Conduct Violations

The categories of conduct below are prohibited at school and all school-related activities, but the list does not include the most serious offenses. In the subsequent sections on Out-of-School Suspension, DAEP Placement, Placement and/or Expulsion for Certain Serious Offenses, and Expulsion, severe offenses that require or permit specific consequences are listed. Any offense, however, may be serious enough to result in Removal from the Regular Educational Setting.

Students shall not:

### ***Disregard for Authority***

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on school buses.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

### ***Mistreatment of Others***

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, harassment, or making hit lists. (See glossary for all three terms.)
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, or volunteer.
- Engage in conduct that constitutes dating violence, including the 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.
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

### ***Property Offenses***

- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
- Deface or damage school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.

- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion.)

### ***Possession of Prohibited Items***

- Possess or use:
  - fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
  - a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
  - a “look-alike” weapon;
  - an air gun or BB gun;
  - ammunition;
  - a stun gun;
  - a pocketknife or any other small knife;
  - mace or pepper spray;
  - pornographic material;
  - tobacco products;
  - matches or a lighter;
  - a laser pointer for other than an approved use; or
  - any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists. (For weapons and firearms see DAEP Placement and Expulsion.)

### ***Possession of Telecommunications or Other Electronic Devices***

- Possess a telecommunications device, including a cellular telephone, or other electronic device at school during the school day.

### ***Illegal, Prescription, and Over-the-Counter Drugs***

- Possess or sell seeds or pieces of marijuana in less than a usable amount. (For illegal drugs, alcohol, and inhalants see DAEP Placement and Expulsion.)
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See glossary for “abuse.”)
- Abuse over-the-counter drugs. (See glossary for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See glossary for “under the influence.”)

- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

### ***Misuse of Computers and the Internet***

- Violate computer use policies, rules, or agreements signed by the student or parent.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district computer equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the Internet or other electronic communications to threaten district students, employees, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.
- Send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use e-mail or Web sites at school to encourage illegal behavior or threaten school safety.

### ***Safety Transgressions***

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

### ***Miscellaneous Offenses***

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

## Discipline Management Techniques

Discipline will be 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 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 and responses.

### *Students with Disabilities*

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail.

In accordance with the Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists (see glossary) until an ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district will take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

### *Techniques*

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

- Verbal correction, oral or written.
- Cooling-off time or "time-out."
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges.

- School-assessed and school-administered probation.
- Corporal punishment.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

### ***Notification***

The principal or appropriate administrator will notify a student's parent by phone or in writing of any violation that may result in an out-of-school suspension, placement in a DAEP, or expulsion. Notification will be made within three school days after the administrator becomes aware of the violation.

### ***Appeals***

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office.

Consequences will not be deferred pending the outcome of a grievance.

## Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

### *Routine Referral*

A routine referral occurs when a teacher sends a student to the principal's office as a discipline management technique. The principal may then employ additional techniques.

### *Formal Removal*

A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom. A teacher **may** also initiate a formal removal from class if:

The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or

The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion will be followed. Otherwise, within three school days of the formal removal, the appropriate administrator will schedule a conference with the student's parent; the student; the teacher, in the case of removal by a teacher; and any other administrator.

At the conference, the appropriate administrator will inform the student of the misconduct for which he or she is charged and the consequences. The administrator will give the student an opportunity to give his or her version of the incident.

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

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

### *Returning Student to Classroom*

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

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

### ***Misconduct***

Students may be suspended for any behavior listed in the Code as a general conduct violation, DAEP offense, or expellable offense.

In deciding whether to order out-of-school suspension, the district will take into consideration:

Self-defense (see glossary),

Intent or lack of intent at the time the student engaged in the conduct, and

The student's disciplinary history.

### ***Process***

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student will have an informal conference with the appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student will be given the opportunity to explain his or her version of the incident before the administrator's decision is made.

The number of days of a student's suspension will be determined by the appropriate administrator, but will not exceed three school days.

The appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

## **Disciplinary Alternative Education Program (DAEP) Placement**

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary student.

For purposes of DAEP, elementary classification shall be grades K-5 and secondary grades 6–12.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the district will take into consideration:

Self-defense (see glossary),

Intent or lack of intent at the time the student engaged in the conduct, and

The student's disciplinary history.

### ***Discretionary Placement: Misconduct That May Result in DAEP Placement***

A student **may** be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

#### **Misconduct Identified in State Law**

In accordance with state law, a student **may** be placed in a DAEP for any of the following offenses:

- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Any criminal mischief, including a felony.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 (see glossary) of the Texas Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The appropriate administrator **may**, but is not required to, place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

### ***Mandatory Placement: Misconduct That Requires DAEP Placement***

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

## Disciplinary Alternative Education Program (DAEP) Placement

- Engages in conduct punishable as a felony.
- Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
- Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for “under the influence.”)
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:

The student receives deferred prosecution (see glossary),

A court or jury finds that the student has engaged in delinquent conduct (see glossary), or

The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

### ***Sexual Assault and Campus Assignments***

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student will be transferred to a DAEP.

### ***Emergencies***

In an emergency, the principal or the principal's designee may order the immediate placement of a student in a DAEP for any reason for which placement in a DAEP may be made on a nonemergency basis.

### ***Process***

Removals to a DAEP will be made by the principal or superintendent.

## **Conference**

When a student is removed from class for a DAEP offense, the appropriate administrator will schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.

At the conference, the appropriate administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or parents attend the conference.

## **Placement Order**

After the conference, if the student is placed in the DAEP, the appropriate administrator will write a placement order. A copy of the DAEP placement order will be sent to the student and parent.

Not later than the second business day after the conference, the board's designee will deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order will give notice of the inconsistency.

## ***Length of Placement***

The duration of a student's placement in DAEP will be determined by principal or superintendent.

The duration of a student's placement will be determined on a case-by-case basis. DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year except as provided below.

## **Exceeds One Year**

Placement in a DAEP may exceed one year when a review by the district determines that:

The student is a threat to the safety of other students or to district employees, or

Extended placement is in the best interest of the student.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

## **Exceeds School Year**

Students who commit offenses requiring placement in a DAEP at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the principal or superintendent must determine that:

The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or

## Disciplinary Alternative Education Program (DAEP) Placement

The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

### **Exceeds 60 Days**

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

### ***Appeals***

Questions from parents regarding disciplinary measures should be addressed to the campus administration. Appeals regarding the decision to place a student in a DAEP should be addressed to the superintendent in accordance with policy FOC(LEGAL). All other appeals regarding a placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office.

Disciplinary consequences will not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

### ***Restrictions during Placement***

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities.

The district will provide transportation to students in a DAEP.

### ***Placement Review***

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the board or designee at intervals not to exceed 120 days. At the review, the student or the student's parent will be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

### ***Additional Misconduct***

If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator may enter an additional disciplinary order as a result of those proceedings.

### ***Notice of Criminal Proceedings***

The office of the prosecuting attorney will notify the district if a student was placed in a DAEP for certain offenses including any felony, unlawful restraint, indecent exposure, assault, deadly conduct, terroristic threats, organized crime, certain drug offenses, or possession of a weapon, and:

Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or

The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

## Disciplinary Alternative Education Program (DAEP) Placement

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee will review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board will make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

### ***Withdrawal during Process***

When a student violates the district's Code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the district may complete the proceedings and issue a placement order. If the student then reenrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the appropriate administrator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

### ***Newly Enrolled Students***

The district will continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district.

A newly enrolled student with a DAEP placement from a district in another state will be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, will reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

### ***Emergency Placement Procedure***

When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for assignment to a DAEP.

## **Placement and/or Expulsion for Certain Serious Offenses**

This section includes two categories of serious offenses for which the Education Code provides unique procedures and specific consequences.

### ***Registered Sex Offenders***

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement will be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:

Threatens the safety of other students or teachers,

Will be detrimental to the educational process, or

Is not in the best interests of the district's students.

### **Review Committee**

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

### **Newly Enrolled Student**

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

### **Appeal**

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

### ***Certain Felonies***

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

## Placement and/or Expulsion for Certain Serious Offenses

- Have received deferred prosecution for conduct defined as a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as a Title 5 felony offense;
- Have been charged with engaging in conduct defined as a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as a Title 5 felony offense; or
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of a Title 5 felony offense.

The district may expel the student and order placement under these circumstances regardless of:

The date on which the student's conduct occurred,

The location at which the conduct occurred,

Whether the conduct occurred while the student was enrolled in the district, or

Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

### **Hearing and Required Findings**

The student must first have a hearing before the board or its designee, who must determine that in addition to the circumstances above that allow for the expulsion, the student's presence in the regular classroom:

Threatens the safety of other students or teachers,

Will be detrimental to the educational process, or

Is not in the best interest of the district's students.

Any decision of the board or the board's designee under this section is final and may not be appealed.

### **Length of Placement**

The student is subject to the placement until:

The student graduates from high school,

The charges are dismissed or reduced to a misdemeanor offense, or

The student completes the term of the placement or is assigned to another program.

### **Newly Enrolled Students**

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

## Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the district will take into consideration:

Self-defense (see glossary),

Intent or lack of intent at the time the student engaged in the conduct, and

The student's disciplinary history.

### ***Discretionary Expulsion: Misconduct That May Result in Expulsion***

#### **Any Location**

A student **may** be expelled for:

- Engaging in the following, no matter where it takes place:
  - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.

#### **At School, Within 300 Feet, or at a School Event**

- Committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
  - Engaging in deadly conduct. (See glossary.)

#### **Within 300 Feet of School**

- Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.

- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).

### **Property of Another District**

- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

### **While in DAEP**

- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district's Code, while placed in a DAEP.

### ***Mandatory Expulsion: Misconduct That Requires Expulsion***

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

### **Federal Law**

- Bringing to school a firearm, as defined by federal law. "Firearm" under federal law includes:
  - 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.
  - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

### **Texas Penal Code**

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:
  - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.
  - An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, 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.
  - A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.

- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary.)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

### ***Under Age Ten***

When a student under the age of ten engages in behavior that is expellable behavior, the student will not be expelled, but will be placed in a DAEP. A student under age six will not be placed in a DAEP unless the student commits a federal firearm offense.

### ***Emergency***

In an emergency, the principal or the principal's designee **may** order the immediate expulsion of a student for any reason for which expulsion may be made on a nonemergency basis.

### ***Process***

If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time. The student's parent 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.
- DAEP.

## Hearing

A student facing expulsion will be given a hearing with appropriate due process. The student is entitled to:

Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,

An opportunity to testify and to present evidence and witnesses in the student's defense, and

An opportunity to question the district's witnesses.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The hearing will be conducted by the board of trustees and the decision to expel will be made by the board.

## Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board will review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board will hear statements made by the parties at the review and will base its decision on evidence reflected in the record and any statements made by the parties at the review. The board will make and communicate its decision orally at the conclusion of the presentation. Consequences will not be deferred pending the outcome of the hearing.

## Expulsion Order

After the due process hearing, if the student is expelled, the board or its designee will deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the board's designee will deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code.

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order will give notice of the inconsistency.

## *Length of Expulsion*

The length of an expulsion will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion will be determined on a case-by-case basis. The maximum period of expulsion is one calendar year except as provided below.

An expulsion may not exceed one year unless, after review, the district determines that:

The student is a threat to the safety of other students or to district employees, or

Extended expulsion is in the best interest of the student.

State and federal law 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 superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

### ***Withdrawal during Process***

When a student has violated the district's Code in a way that requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then reenrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

If the appropriate administrator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

### ***Additional Misconduct***

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator or the board may issue an additional disciplinary order as a result of those proceedings.

### ***Restrictions during Expulsion***

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit will be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

### ***Newly Enrolled Students***

The district will continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

The out-of-state district provides the district with a copy of the expulsion order, and

The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

The student is a threat to the safety of other students or district employees, or

Extended placement is in the best interest of the student.

***Emergency Expulsion Procedures***

When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.

***DAEP Placement of Expelled Students***

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

## Glossary

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

**Abuse** is improper or excessive use.

**Armor-piercing ammunition** is handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is:

A crime that involves starting a fire or causing 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 has located within it 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;

A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or

A crime that involves intentionally starting a fire or causing 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** is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.

**Bullying** is written or oral expression or physical conduct that a school district's board of trustees or the board's designee determines:

To 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; or

To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

**Chemical dispensing device** is a device designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

**Club** is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

**Criminal street gang** is 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** is 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 Section 71.0021 of the Family Code.

**Deadly conduct** occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Deferred adjudication** is 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** is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

**Discretionary** means that something is left to or regulated by a local decision maker.

**Explosive weapon** is any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism 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.

**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.

**Firearm silencer** means any device designed, made, or adapted to muffle the report of a firearm.

**Graffiti** are markings with paint, an indelible pen or marker, or an etching or engraving device on tangible property without the effective consent of the owner. The markings may include inscriptions, slogans, drawings, or paintings.

**Harassment** is:

Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or

Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, 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.

**Hazing** is an intentional or reckless act, on or off campus, by one person alone or acting with others, that endangers the mental or physical health or safety of a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization.

**Hit list** is 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.

**Knuckles** are 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.

**Machine gun** is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

**Mandatory** means that something is obligatory or required because of an authority.

**Paraphernalia** are devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body.

**Persistent misbehavior** is two or more violations of the Code in general or repeated occurrences of the same violation.

**Possession** means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; or any other school property used by the student, including but not limited to a locker or desk.

**Public school fraternity, sorority, secret society, or gang** means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are excepted from this definition.

**Reasonable belief** is 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.

**Self-defense** is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself.

**Serious offenses** include but are not limited to:

- Murder.
- Vandalism.
- Robbery or theft.
- Extortion, coercion, or blackmail.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Hazing.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Fighting, committing physical abuse, or threatening physical abuse.
- Possession or distribution of pornographic materials.
- Leaving school grounds without permission.
- Sexual harassment of a student or district employee.

- Possession of or conspiracy to possess any explosive or explosive device.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

**Short-barrel firearm** is 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** is 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 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** is 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 (including the district).

**Title 5 offenses** are those that involve injury to a person and include murder; kidnapping; assault; 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; and tampering with a consumer product. [See FOC(EXHIBIT)]

**Under the influence** means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

**Use** means voluntarily introducing into one's body, by any means, a prohibited substance.

**Zip gun** is 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.