

LIBERTY HILL ELEMENTARY  
T.E.A. EXEMPLARY CAMPUS

TEAMWORK



“CREATING CHAMPIONS”  
2009-2010

PARENT-STUDENT  
HANDBOOK

Liberty Hill Independent School District  
**Information 2009–2010**

**Board of Trustees**

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Place II: Clay Cole  
Place III: David Nix  
Place IV: Leslye Pogue, Secretary  
Place V: Alfie Perrin  
Place VI: Shawn Roberts  
Place VII: Tony Stephens, President

**Administration Building**

14001 W. Hwy. 29  
Liberty Hill, Texas 78642  
Phone: 512.260.5580  
Fax: 512.260.5581  
Office Hours: 7:30 am to 4:30 pm  
Superintendent: Rob Hart  
Asst. Superintendent: Robert Parks  
Curriculum Director: Claudeane Braun  
Special Programs Coord.: Sherry Hall  
Business Director: Frank Watson  
Technology Director: Paul Urban  
Special Education Dir.: Marsha Scott  
Food Services Dir.: Anna Martin

**District Web Site**

[www.libertyhill.txed.net](http://www.libertyhill.txed.net)

**Liberty Hill High School**

13125 W. Hwy. 29  
Liberty Hill, Texas 78642  
Phone: 512.260.5500  
Fax: 512.260.5510  
Office Hours: 7:30 am to 4:30 pm  
Class Time: 8:10 am to 3:45 pm  
Principal: Bobby Mabry  
Asst. Principal: D'Onda Kristan  
Asst. Principal: Robert Stoss  
Counselor: Kathy Gay  
Counselor: Michael McIlwain

**Liberty Hill Junior High School**

101 Loop 332  
Liberty Hill, Texas 78642  
Phone: 512.515.5636  
Fax: 512.778.5937  
Office Hours: 7:30 am to 4:30 pm Class Time:  
7:50 to 3:35  
Principal: Chad Pirtle  
Asst. Principal: Annette Coe  
Counselor: Jennifer Haines

**Liberty Hill Intermediate School**

301 Forrest Street  
Liberty Hill, Texas 78642  
Phone: 512.515.6516  
Fax: 512.778.6419  
Office Hours: 7:30 am to 4:30 pm  
Class Time: 7:50 am to 3:30 pm  
Principal: Kathy Major  
Asst. Principal: Scott Copeland  
Counselor: Kay McCarthy

**Bill Burden Elementary School**

315 Stonewall Blvd.  
Liberty Hill, Texas 78642  
Phone: 512.260.4400  
Fax: 512.260.4410  
Office Hours: 7:30 am to 4:30 pm  
Class Time: 7:50 am to 3:15 pm  
Principal: Terrie Chambers  
Asst. Principal: Mike Benson  
Counselor: Emily Shine

**Liberty Hill Elementary School**

1400 Loop 332  
Liberty Hill, Texas 78642  
Phone: 512.515.5571  
Fax: 512.778.5942  
Office Hours: 7:30 am to 4:30 pm  
Class Time: 7:55 am to 3:00 pm  
Principal: Jan Tredemeyer  
Asst. Principal: Shellie Brewer  
Counselor: Kim Williamson

**Maintenance and Transportation**

Maintenance Director: Andy Pogue  
Phone: 512.515.5241  
Fax: 512.778.5785  
Transportation Director: Mickey Krone  
Phone: 512.515.5301

**Cafeteria Prices**

Breakfast  
Elementary \$1.25  
Secondary and Adult \$1.50  
Lunch  
Elementary \$2.25  
Secondary \$2.50  
Adult \$3.00

## **NOTICES TO PARENTS**

### **Statement of Nondiscrimination**

In its efforts to promote nondiscrimination, Liberty Hill 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 following district staff members have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender: Dr. Rob Hart, Superintendent, 14001 W. Hwy. 29, Liberty Hill, Tx. 78642, (512) 260-5580.
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Dr. Rob Hart, Superintendent, 14001 W. Hwy. 29, Liberty Hill, Tx. 78642, (512) 260-5580.
- All other concerns regarding discrimination: See the superintendent.

[See FB(LOCAL) and FFH(LOCAL)]

### **Asbestos Management Plan**

The district's Asbestos Management Plan, designed to be in compliance with state and federal regulations addressing asbestos, is available at Central Office. If you have any questions, please contact Robert Parks, Assistant Superintendent.

### **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 campus principal.

### **Additional Notices**

Other important notices in the Student Handbook cover the following topics:

- Student participation in a survey, analysis, or evaluation;
- Opting out of surveys and data collection activities;
- Requesting the professional qualifications of teachers and staff;
- Requesting a transfer of your child to a safe public school;
- Assistance to students who have learning difficulties;
- Student records;
- Bacterial meningitis;
- Career and technology programs;
- Homeless students; and
- School lunch programs.

Please take some time to review these notices and other important information contained in the Student Handbook.

## **SCHOOL-PARENT COMPACT**

### **The Staff pledge to:**

- Provide a safe and supportive environment for children to learn
- Provide high quality curriculum tied to the State's student performance standards
- Provide qualified faculty and staff to ensure high-quality instruction and support
- Strive to identify and address students' unique needs
- Communicate regularly with parents on their student's progress and needs (in their native language)
- Involve parents in decisions relating to the education of their children

### **Parents/Guardians pledge to:**

- Provide a safe and supportive environment for children to grow and develop
- Send students to school on time and prepared to learn (Examples: breakfast, rest, materials, etc.)
- Encourage student learning by monitoring student's homework and providing a study area and necessary materials
- Visit school often and participate in school activities – including open house, parent-teacher conferences, parent education programs, and other related activities
- Collaborate with the classroom teacher(s) to ensure the success of their students
- Adhere to school rules and encourage students to follow rules
- Take a stand against alcohol, drug abuse and violence

### **Students pledge to:**

- Be active participants in their own learning (participate in class)
- Be responsible learners (bring your supplies and work to class)
- Complete all class work and home work (do your work in class and your homework at home)
- Follow school rules (follow the rules at school)
- Attend school regularly (come to school if you are not sick)
- Promote school safety (be safe at school and on the playground)

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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 Liberty Hill 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 *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 posted on the campus website or 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 a teacher, the counselor, or the principal.

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

1. Acknowledgment of Electronic Distribution of Student Handbook Form;
2. Use of Student Work in District Publications Form;
3. Public Directory Information Form;
4. School-Sponsored Directory Information Form;
5. Consent/Opt-Out Form;
6. Release of Information to Military Recruiters and Institutions of Higher Learning Form;

7. Student Technology Acceptable Use Policy Form; and
8. School-Parent Compact Form

## **SECTION I: REQUIRED NOTICES AND INFORMATION FOR PARENTS**

This section of the 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 you as a parent.

### ***STATEMENT OF NONDISCRIMINATION***

In its efforts to promote nondiscrimination, Liberty Hill 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 following district staff members have been designated to coordinate compliance with these legal requirements:

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender: Dr. Rob Hart, Superintendent, 14001 W. Hwy. 29, Liberty Hill, Tx. 78642, (512) 260-5580.
- Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Dr. Rob Hart, Superintendent, 14001 W. Hwy. 29, Liberty Hill, Tx. 78642, (512) 260-5580.
- All other concerns regarding discrimination: See the superintendent.

### ***PARENTAL INVOLVEMENT***

#### **Statement of Purpose**

A successful public education system is directly related to a strong, dedicated and supportive family, and parental involvement in the school is essential for the maximum educational achievement of a child. (Excerpt from the 74<sup>th</sup> Texas Legislature Mission of Public Education) Goal 1 of the Liberty Hill District and Campus Improvement Plans states: Educators will be full partners with parents and the community in the education of their children.

Research studies consistently reveal that high student achievement and self-esteem are closely related to positive parental participation in education. Parents and school need to work together as knowledgeable partners so all children can succeed in school.

Although parents are diverse in culture, language, and needs, they share the school's commitment to the educational success of their children. This school, in collaboration with parents, has established programs and practices that enhance parent involvement and reflect the specific needs of students and their families.

## **Parent Involvement in Developing District Policy**

An Advisory Committee consisting of parents, members of the community, teachers, and principals will meet to develop our school district's Parental Involvement Policy. Our Advisory Committee will be chosen from volunteers in each school and in our district after appropriate publicity about the need for volunteers. Special attention will be given to recruiting parents of children in Title I ( and those in the Pre-K /Headstart Program) on the committee.

## **School-Parent Compact**

The Staff pledge to:

- Provide a safe and supportive environment for children to learn
- Provide high quality curriculum tied to the State's student performance standards
- Provide qualified faculty and staff to ensure high-quality instruction and support
- Strive to identify and address students' unique needs
- Communicate regularly with parents on their student's progress and needs (in their native language)
- Involve parents in decisions relating to the education of their children

Parents/Guardians pledge to:

- Provide a safe and supportive environment for children to grow and develop
- Send students to school on time and prepared to learn (Examples: breakfast, rest, materials, etc.)
- Encourage student learning by monitoring student's homework and providing a study area and necessary materials
- Visit school often and participate in school activities – including open house, parent-teacher conferences, parent education programs, and other related activities
- Collaborate with the classroom teacher(s) to ensure the success of their students
- Adhere to school rules and encourage students to follow rules
- Take a stand against alcohol, drug abuse and violence

Students pledge to:

- Be active participants in their own learning (participate in class)
- Be responsible learners (bring your supplies and work to class)
- Complete all classwork and homework (do your work in class and your homework at home)
- Follow school rules (follow the rules at school)
- Attend school regularly (come to school if you are not sick)
- Promote school safety (be safe at school and on the playground)

### **Matching Programs to the Needs of the Community**

Each year, the school district will assess the needs of parents and children in this community, through a variety of measures – including questionnaires sent home to parents – so that the Title I program will be tailored to meeting those needs. Workshops and other programs will be available (some for parents, some for parents and children) to match the expressed needs. Parents will be notified about these opportunities. Parents may call the district office or the school office at any time to express an interest in a particular sort of workshop or to make suggestions.

### **Staff/Parent Communications**

Information will be sent home with children. Phone calls, conferences, and home visits will be made as needed. Parents are encouraged to take the initiative in calling their child's teacher when they are concerned about a problem. They may also call the school office and ask for a translator for conferences. Notices are provided in English and Spanish. Staff is trained on how to improve home-school communication; some parents may be asked to attend these training sessions.

### **Annual Meeting for Title I Parents**

Parents will be given information about Title I guidelines at the annual fall meeting. They will be given copies of the district's current Parental Involvement Policy, and will provide input in revising and updating the Policy as needed. Parents may volunteer to serve on the District Education Improvement Council (DEIC), the Campus Improvement Committee, and/or the Title I Parental Involvement Advisory Committee.

The meeting will be conducted at a time convenient for parents and a translator will be available. Meetings will be publicized so that as many parents as possible will attend.

### **Evaluation**

A district-wide Title Advisory Committee will be involved in the process of school review and improvement. Parents of children in the Title I program will be part of this group. The goal of a district-wide Title I Advisory Committee is to increase involvement in the process of Title I evaluation.

Parents will be asked for their input in the annual evaluation of the content and effectiveness of the Title I parental involvement program. The evaluation will include an assessment of how much parental involvement is increasing and what barriers to parental participation still need to be overcome. The school district will revise its Parental Involvement Policy on the basis of this annual review.

The commitment to family involvement has been approved by the LHISD board of trustees. The policy will be coordinated by the Title I parent involvement coordinators and administrators.

## ***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 further information, see policy EF(LEGAL).]

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

As a parent, you have a right to receive notice of and 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 that have been 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 co-curricular 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 board or its designee 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 superintendent or designee for information. [See policy FDB.]  
[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 another campus or 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).]

### **Requesting Classroom Assignment for Multiple Birth Siblings**

As a parent, if your children are multiple birth siblings (e.g., twins, triplets, etc.) assigned to the same grade and campus, you may request that they be placed either in the same classroom or in separate classrooms. Your written request must be submitted no later than the 14<sup>th</sup> day after the enrollment of your children. [See FDB(LEGAL).]

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

### **Accommodations for Children of Military Families**

Children of military families will be provided flexibility regarding certain district requirements, including:

- Immunization requirements
- Grade level, course, or educational program placement
- Eligibility requirements for participation in extracurricular activities
- Graduation requirements

In addition, absences related to a student visiting with his or her parent related to leave or deployment activities may be excused by the district.

### **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** and contact the Special Education Office at (512) 260-5590.

## **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, the parent 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 Special Education Office at (512) 260-5590.

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 Emily Adney and may be contacted at Burden Elementary, (512) 260-4400.

### **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 one who 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 all 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 office is 14001 W. Hwy. 29, Liberty Hill, Tx. 78642.

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 or superintendent. 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 principal's or superintendent's office or online at [www.libertyhill.txed.net](http://www.libertyhill.txed.net).

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. It includes your child's name, address, and telephone number.

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 “Notice Regarding Public Directory Information and Parent’s Response Regarding Release of Student Information” included in the forms packet.]

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

The district often needs to use student information for District publications and announcements.

For these specific school-sponsored purposes, the district would like to use your child’s name, address, telephone listing, photograph, date of birth, honors and awards received, dates of attendance, grade level, most recent school previously attended, participation in officially recognized activities and sports, weight and height if member of athletic team, and enrollment status. 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. [See the “Notice Regarding School-Sponsored Directory Information and Parent’s Response Regarding Release of Student Information” included in the forms packet.]

### **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.

The 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, or cigarettes. 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. Should you be unable to find the information on a particular topic, please contact the school a teacher, the counselor, or 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 prekindergarten or 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(LEGAL)]

### **Exemptions to Compulsory Attendance**

State law allows exemptions to the compulsory attendance requirements for several types of absences. These include the following activities and events:

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Service as an election clerk; and
- Documented health-care appointments, including absences for recognized services for students diagnosed with autism spectrum disorders.

### **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 the reasons listed above at **Exemptions to Compulsory Attendance** 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 course or 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 three 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).]

### **Early Checkout**

Leaving school early can be as detrimental to a child's education as being tardy. Please limit your early checkout to necessary appointments such as doctor or dental visits. When students are checked out early for reasons other than necessity, three early checkouts will be considered the same way as tardies for determining the filing for

nonattendance. **Do not check out your child early after special activities or programs.** Our regular school day will continue and your child will miss important learning opportunities. Your child will not be eligible for perfect attendance awards if he/she checks out early for reasons other than medical more than 3 times.

## ***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 policy EIF.]

## ***AWARDS AND HONORS***

Awards assemblies will be held at the end of the year and student achievements will be recognized. Special recognition will be given for perfect attendance, citizenship, Character Counts, Panther Reading, P. E. and others.

## ***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).]

## ***CHARACTER EDUCATION***

Texas law requires school districts to implement character education programs for students. Character education programs offered under Texas Education Code 29.903 must meet the following criteria: (1) stress positive character traits as outlined in the bill; (2) use integrated teaching strategies, (3) be age appropriate, and (4) approved by a district committee of parents, students, educators, and members of the community. The bill does not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

## ***CHILD SEXUAL ABUSE***

As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a

legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior. Emotional warning signs to be aware of include withdrawal, depression, sleeping and eating disorders, and problems in school.

A child who has experienced sexual abuse should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of physical abuse, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you.

As a parent, if your child is a victim of sexual abuse, the campus counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. For prevention and early intervention services in Williamson county call STARRY Inc. 512-388-8290.

The following Web sites might help you become more aware of child sexual abuse:

<http://www.tea.state.tx.us/index.aspx?id=2820>

<http://sapn.nonprofitoffice.com/>

<http://www.taasa.org/member/materials2.php>

[http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse1.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml)

[http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse2.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse2.shtml)

Reports may be made to:

The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1 800-252-5400 or on the Web at <http://www.txabusehotline.org>).

## **CLASS SCHEDULES**

7:50 AM	Morning Assembly
7:55 AM	Children report to homerooms
8:00 AM	Tardy Bell
9:30 AM	Attendance Bell
3:00 PM	Car/Bus Dismissal Bell

An instructional aide will open the gym at 7:30 a.m. for students to wait until school starts. The building is closed to students until 7:30 a.m. because there is no supervision prior to 7:30 a.m.

## **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 principal's or superintendent's office or online at [www.libertyhill.txed.net](http://www.libertyhill.txed.net).

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 CQ.]

## **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.

The school administrator will consider the following factors when considering a removal of a student to ISS, DAEP, or JJAEP:

- self-defense
- intent, or lack of intent
- the student's disciplinary history
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct.

### **Corporal Punishment**

The use of corporal punishment is prohibited. Student shall not be spanked, paddled, or otherwise physically disciplined for violations of the Student Code of Conduct. [See FO(LOCAL).]

## Discipline

Premise for Rules: These rules apply to all students in all areas.

1. Follow directions.
2. Listen carefully.
3. Work the entire period and do not disturb others.
4. Treat others and their things like you want yourself and your things treated.
5. Play safe and use good manners.

**1. Follow directions:** The student is responsible for following the directions of the teacher or adult responsible for them.

**2. Listen carefully:** The child is responsible for listening to directions, instruction, and discussions.

**3. Work the entire period and do not disturb others:** Each teacher is responsible for teaching acceptable definitions and providing alternatives for the students. The teacher may choose to list possible activities and send copies to parents.

**4. Treat others and their things like you want you and your things treated:** The teacher will process appropriate behavior scenarios with his/her students concerning property and self. This rule incorporates courtesy, safety, health, and classroom management.

**5. Play safe and use good manners:** This rule includes but is not limited to areas outside the immediate classroom. Playground and cafeteria safety is the primary focus, with hallway, library, and bathroom behavior included.

**These rules are designed to define general expectations. Specific discipline issues are addressed in relationship to a specific rule. The rules are consistent and apply to all areas of the school.**

The discipline policy/procedure occurs in three stages. Discipline issues are addressed at each level. Depending on the behavior, frequency, and seriousness of the infraction, the classroom teacher addresses issues within the appropriate stage.

We use a color card system where the children begin each day on “GREEN”. Subsequent colors are yellow, blue, orange, and red. A child will be required to pull a card to expose the next color.

Green – “Good work”, everyone begins the day on “Green”

Yellow – “Warning”, Verbal warning from teacher

Blue – Student is moved away from his/her desk group, teacher will check with student to see if s/he is ready to participate

Orange –Teacher calls parent(s) on phone and student will have to speak to parent about the reason for the phone call

Red – “Office”, student is referred to office and teacher or office will call parents

***Severe misbehavior will result in immediate referral to the office.***

**Purple – Purple is a special color reserved for those days when a student has a “Super Star” day, and is a rare recognition for an especially great day!!!!**

**Positive Reinforcements:**

Teachers will always give students positive verbal feedback throughout the day for working hard, and making an effort to make good choices. In addition teachers may use small tokens or prizes for continued good behavior. The purple award is given for especially good behavior and work ethic.

***Disciplinary Interventions***

**Stage One: Classroom Informal**

Initial discipline behaviors are addressed in the classroom by the teacher. The teacher uses a variety of intervention techniques to correct problem behavior. Appropriate techniques are chosen by the teacher, as they relate to the specific situation.

**Stage Two: Classroom Formal**

Consistent inappropriate student behavior moves a student to level two. The teacher and parent may develop a specific behavior plan to improve the student’s school behavior. The counselor may help with the development of a basic behavior plan.

Consequences for a broken plan are implemented immediately upon infraction. The parent is notified that the consequences have been applied and of the new or continuing plan design.

**Stage Three: Strategy Conference:**

Stage three occurs when behavior plans and resulting consequences prove ineffective. When a teacher, parent, or principal exhibits evidence that stage two strategies are not producing the desired student behavior, a strategy conference takes place. The conference includes but is not limited to parents, the involved teachers, and principal. Any other involved staff may participate. During the strategy conference, the following issues are addressed:

1. Nature of the offenses
2. Steps taken to resolve problem
3. Alternatives to consider
4. New course of action

**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 an 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 district vehicles.

### **Gum Chewing**

Gum is to be a pleasure saved for home. This helps protect our carpets, materials, and books.

### **Gang Free Zones**

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a school bus and a location in, on, or within 1000 feet of any district-owned or leased property or campus playground.

### **Money and Toys**

Toys and trading cards are not to be brought to school, including for "Show and Tell." This includes play equipment. Recess equipment will be provided by the school. We strongly recommend that extra money not needed at school be left at home.

### **Telecommunications Devices, Including Mobile Telephones**

For safety purposes, the district permits students to possess telecommunications devices, including mobile telephones; however, these devices must remain turned off during the instructional day, including during all testing. The use of mobile telephones in locker rooms or restroom areas at any time while at school or at a school-related or school-sponsored event is strictly prohibited.

A student who uses a telecommunications device during the school day shall have the device confiscated. The parent may pick up the confiscated telecommunications device from the principal's office.

Confiscated telecommunications devices that are not retrieved by the student or student's parents will be disposed of after the notice required by law. [See policy FNCE.]

**Any disciplinary action will be in accordance with the *Student Code of Conduct*. The district will not be responsible for damaged, lost, or stolen telecommunications devices.**

### **Other Electronic Devices**

Students are not permitted to possess such items as radios, CD players, MP3 players, video or audio recorders, DVD players, cameras, games, or other electronic devices 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 determine whether to return items to students at the end of the day or to contact parents to pick up the items.

Any disciplinary action will be in accordance with the *Student Code of Conduct*. The district will not be responsible for any damaged, lost, or stolen electronic device.

### **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.

### **Parties**

Parties will be held twice during the year: Christmas and Valentine's Day. The last hour of the day will be devoted to the party in the student's homeroom. Since school parties come so close to lunch, please limit refreshments to a drink plus no more than two or three different goodies.

There will be no birthday parties, however you may send a special treat for snack.

Please do not send balloons or flowers to your child to be transported on the school bus. Please do not send birthday party invitations to be handed out at school unless every child in the class is to receive one.

## ***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 and promotion requirements.

### **Personal Counseling**

The school counselor is available to assist students and parents 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. The counselor offers individual counseling, classroom presentations, parent consultation, small group sessions for students, evening parenting classes in the winter, coordinates 504 interventions, assists with special education referrals, coordinates standardized testing program, creates behavior intervention plans, and other activities to help children have a successful school experience. Feel free to call our counselor, Kim Williamson, at 515-6514.

### **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.

[For more information, refer to 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 counselor or 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 include:

Dates Scheduled:

August 10, 11, and 12, 2009

January 6, 7, and 8, 2010

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 may deny 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. [For further information, see EEJB(LOCAL).]

## ***DISCRIMINATION, HARASSMENT, AND RETALIATION***

The district believes that all students learn best in an environment free from 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]

### **Discrimination**

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law, that negatively affects the 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 principal's office and in the superintendent's office or online at [www.libertyhill.txed.net](http://www.libertyhill.txed.net).

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 an employee or when an employee imposes an unjustified punishment or unwarranted grade reduction. Retaliation does not 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 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).

## ***DISCRIMINATION***

[See **Dating Violence, Discrimination, Harassment, and Retaliation.**]

## ***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 yearbook which is published by the PTO will be available to students to purchase.

All school publications are under the supervision of a teacher, sponsor, and the 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 a 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 GKD. 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 principal for prior review. The principal 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:

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference with normal school operations.

Clothing, hairstyles, and accessories should not be disruptive, immodest, or unsafe.

1. Apparel and/or accessories that contain references to race, alcohol products, tobacco products, drugs, sex, vulgarity, death, suicide, the occult, or violence – either explicitly or by innuendo – are prohibited.
2. Apparel and/or accessories that denote gang-related association are prohibited (i.e., rags, bandannas, shirts draped over the shoulder, shaved/notched eyebrows, or other physical alterations as identified by local law enforcement).
3. Excessively worn, frayed, or altered clothing is prohibited. Rips in clothing above the knee are prohibited.
4. Extreme hairstyles are prohibited (i.e., Mohawks, unusually or unnaturally colored hair, excessively spiked hair, etc.) and students' eyes must be visible.
5. Males' hair must be above the collar in back and midpoint of the ear in front. Facial hair is prohibited and students must be clean-shaven. Sideburns shall not extend beyond the bottom of the earlobe.
6. Piercings are prohibited for males. Females may have piercings only in the ear. Piercing retainers (clear studs) and covering piercing jewelry with tape or bandage are prohibited.
7. Caps, hats, head coverings, and/or dark glasses are prohibited inside the building.

8. Exposure of cleavage, the back, and/or the midriff is prohibited. Tank tops and tank-style dresses are prohibited. Sleeveless tops must cover the entire shoulder and not expose undergarments.
9. Trench coats are prohibited at school and school functions.
10. Pants must be size-appropriate and worn at the natural waistline. No sagging pants. Clothing must not reveal underwear. Sleepwear, such as lounge pants or pajamas, and bike shorts are prohibited.
11. Pants, shorts, skirts, and/or dresses must be longer than the students' fingertips when arms are fully extended down the sides of the body. Shorts, skirts, and/or dresses worn with leggings must meet dress code length.
12. Shoes must be worn at all times. House shoes and shoes with wheels are prohibited.
13. Dog collars, choker chains, spiked metal items (i.e., necklaces, wrist bands, etc.), safety pins, wallet chains, and/or chains on garments are prohibited.
14. Tattoos must be covered at all times. Students shall not mark or draw on body parts or garments.
15. The administration has the right to appraise any current fashion or fad and determine whether or not it is appropriate for school.

**If an administrator determines that a student's dress and/or grooming violates school standards, the student will be given an opportunity to correct the problem at school, immediately.** A parent will be notified if the student is not able or willing to correct the problem, and the student will be assigned to In-School Suspension until the problem has been corrected. Repeat offenses may result in additional disciplinary action.

An administrator, in cooperation with the sponsor of an extracurricular activity, may regulate the dress and grooming standards of students who participate in the activity. Students who violate these standards are subject to disciplinary action and/or may be removed or excluded from the activity for a period deemed appropriate by the administrator or sponsor.

## ***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.
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

[For further information, see policies at FM and FO. For student-organized, student-led groups, see **Meetings of Noncurriculum-Related Groups.**]

## ***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.
- Voluntarily purchased pictures, etc.
- Voluntarily purchased student accident insurance.
- Fees for lost, damaged, or overdue library books.

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.]

## ***FUND-RAISING***

Student groups or classes and/or parent groups may be permitted to conduct fund-raising drives for approved school purposes. An application for permission must be made to the school principal in advance. [For further information, see policies at FJ and GE.]

## ***GRADING GUIDELINES***

In grades Kindergarten and 1st, achievement is reported to parents as:

Grades will be recorded to indicate mastery of skills. Because skills vary in complexity and take varying amounts of instruction, some six weeks will include more grades than others. It is unnecessary to give assignments simply to get a grade for the grade book. We will be using more practice time when papers will be discussed by the class and not graded. Grades will be taken at the end of the skill lesson to check the student's understanding of the skill. Approximately 6-9 grades will be recorded in reading, math, spelling and language each six weeks period.

The following marking system will be used:

- E - Excellent
- S - Satisfactory
- N - Needs to improve
- U - Unsatisfactory

"+" and "-" will sometimes be used

Kindergarten – Grades shall be reported with E,S,N, or U in letter name recognition, letter sound recognition, sight word recognition, math, music, PE, Art, and behavior and a benchmark check list of skills taught and mastered each 6 weeks.

1st Grade - Grades shall be reported as E, S, S+, S-, or U for language arts, math, spelling, science, social studies, music, handwriting, art, physical education, and social skills. Language arts and math will be reported with benchmark checklists. E will indicate mastery level of 90-100%; S+ will indicate grade level mastery of 86-89%; S will indicate satisfactory level of 75-85%; and S- will indicate marginal mastery of 70-74%.

1<sup>st</sup> Grade - Instructional reading level will be noted after the 1<sup>st</sup> Six Weeks. The reading grade will be weighted as follows beginning the second Six Weeks: 60% Reading Level and 40% skills and comprehension.

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

When your child makes below an S on his report card, parents will be contacted. We encourage you to call and talk with the teacher or come for a conference.

We have benchmarks in math and language arts in grades K – 1 every 6 weeks. These are standards that will be met and mastered at each grade level. You will receive a copy of the benchmarks from your child's teacher so that you will be aware of what we are working on with your child at each grade level. Your child must complete satisfactorily at least 85% of the benchmarks in math and language arts to be evaluated as on grade level. Any benchmark not mastered will result in Tier I intervention.

Report cards will be issued on the Thursday following the close of the six weeks period. Conferences are always welcomed and encouraged. See the Teacher Conference Schedule for your child's teacher's conference time. Our teachers would like to schedule a conference with parents at the beginning of the second semester.

Teachers follow grading guidelines approved by the principal that have been 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 the teacher did not follow the District's grading policy. The Board's decision is not subject to appeal. See policies at EIA.

### ***HARASSMENT***

[See **Discrimination, Harassment, and Retaliation.**]

## **HEALTH-RELATED MATTERS**

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

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

Girls must wear shorts under their skirts or dresses. Sandals are unsatisfactory footwear for P.E. classes. Tennis shoes or active wear shoes are much safer and more comfortable for the child. A child will be expected to participate in P.E. unless the child has a note from his/her guardian requesting that the child be excused for the day. The note will be dated and held by the P.E. teacher. A doctor's note will be required on the 4th consecutive day that your child cannot participate in P.E. classes. If your child misses P.E. activity he/she will also miss recess activity. If there are extenuating circumstances, please contact your child's P.E. teacher.

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 two meetings. Additional information regarding the district's School Health Advisory Council is available from the district's Central Office. [See also policies at BDF and EHAA.]

### **Vending Machines**

The district has adopted policies and implemented procedures to comply with state and federal food service guidelines for restricting student access to vending machines. For more information regarding these policies and guidelines call the district's Central Office or online at [www.libertyhill.txed.net](http://www.libertyhill.txed.net).

### **Other Health-Related Matters**

Please call the school (515-6514) whenever your child is absent due to illness more than 2 days. Please send a brief note explaining your child's absence when he/she returns to school. We will try to contact you any time your child is absent from school for more than three days and we have not heard from you.

As so much of the success of each child's program depends on regular consistent attendance at school, the staff at Liberty Hill ISD wants to work with you in doing all we can to keep your child healthy.

\*\*\*If a child's symptoms appear such that the nurse feels he is able to continue in class, he/she will be returned to class. If these minor complaints continue, the nurse will notify you for a conference.

**Illness:** A child should not be sent to school if he/she is ill. A sick child needs rest and care in order to recover as quickly as possible. It is very important not to expose

other children to any more illness than we can possibly avoid. If your child does not have any of the symptoms listed below, but is not able to function in his/her classroom due to illness, we will notify you.

Fever - A temperature of 100 degrees F or above orally, is considered fever, and may indicate that your child has an infection. If a child's temperature goes up to 100 degrees or higher while he/she is at school, he/she will need to go home, and we will notify you as soon as possible. In case that we are not able to notify you, an alternate person should be listed on your child's emergency care card.

If your child has fever at home, we ask that you keep him at home until his temperature has been normal for one full day (24 hours).

Vomiting - If your child is vomiting, he/she may have a viral infection and needs to be kept home **24 hours** after the vomiting has stopped. If your child begins vomiting while at school, he/she needs to go home and we will notify you as soon as possible.

Diarrhea - Diarrhea is defined as frequent, loose bowel movements. If your child has diarrhea, please keep him/her at home. If your child should begin to have diarrhea at school, he/she needs to go home and we will notify you as soon as possible. Because diarrhea is often contagious, we require that the child remain at home for at least **24 hours** after the diarrhea has stopped.

\*\*\*If your child has fever, vomiting, or diarrhea, he/she may become quickly dehydrated and seriously ill. By notifying your child's physician or clinic about any illness or unusual physical problem, they will be better informed and will be able to more quickly start whatever treatment may be needed to help your child regain his usual state of health.

Other Illness - If we have reason to believe that your child may have a communicable disease, for example, inflamed eyes, spreading sores around the lips, nonspecific rash, etc., we will call you to pick the child up from school. Please bring a physician's statement that the child is not contagious and may return to school, or keep the child at home until the symptoms subside.

## **Lice**

Each class in the elementary school will be checked periodically to detect the presence of head lice. If a parent finds lice in the child's hair, please inform the school nurse, and she will check the entire class at that time also. Re-checks will be done on an individual basis continuing with the confidentiality of the condition.

When a child has been identified as having lice, the following procedure will be followed:

1. The child goes to the nurse's or principal's office with work to do.
2. The parent is called to pick up the child.

3. If the parent can not pick up the child the school will attempt to deliver the child home. If this is not possible the child will remain in the office and go home on the bus.
4. When the child returns to school he/she will be re-checked. If free of lice, the child will go to class. Otherwise the parent will be asked to return home with the child and present verification that lice control shampoo was used.
5. The teacher will provide work for the child while he/she is out of the classroom.

The child will be re-admitted to school when he provides evidence that a lice control shampoo was obtained, and the child's head is clear of nits. A maximum of one school day will be allowed as an excused absence to shampoo and remove ALL nits. Parents will be contacted immediately giving them the rest of that day plus the next day to take care of the problem. Any additional days absent will be unexcused. Chronic lice problems will be referred to the Williamson County Health Department. The parent must send either an itemized sales receipt from a prescription shampoo (such as is used for tax or insurance purposes) or a box bottom from an over-the-counter lice control shampoo such as Rid or A-200 Pyrinate. This should be sent in an envelope marked to the school nurse. Pesticide liquids or sprays and dog shampoos must not be used on children. This is dangerous. Remember that a second treatment must be given 7 – 10 days after the first treatment in order for it to be effective.

Having lice is problem enough. Having lice at your home is a real pain. Having lice at school is a nightmare. We realize that having to pick out nits is no fun and that it takes a lot of time. However, if this "pain-in-the-neck" pest should be found in your child's hair, please try to remain somewhat calm remembering first that your child is going to feel badly enough because he/she has gotten lice. Please remember, too, that NO ONE willingly gets lice. Just as no one would deliberately try to catch the flu, no one deliberately seeks lice. Though I know it is difficult to do, please try to remain calm and don't blame your child for getting them. If you are stuck with the problem, try to make it a family affair as you all pitch in to clean, vacuum, scrub, and shampoo to rid your family and your home of this little, but persistent pest.

We know you do not want this problem and neither do we. The only way we can control it at school is with your help from home. Therefore, please understand the strict rule is for everyone's protection. Thank you for your help and support in this matter.

### **Health Screenings**

The school nurse conducts annual hearing and vision screenings for PPCD, PreKindergarten, Kindergarten, First Grade students, and all new students or by request. She also does periodic screenings for lice.

### **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 district's Central Office. If you have any questions, please contact Robert Parks, Assistant Superintendent.

### **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 principal.

## ***HOMELESS STUDENTS***

For more information on services for homeless students, contact the district's Liaison for Homeless Children and Youths, Emily Shine, at Burden Elementary, (512) 260-4400.

## ***HOMEWORK***

Elementary students are asked to do a limited amount of homework. Sometimes this will be a project the student is asked to do with the family, short math worksheets, and reading each day with parents.

## ***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, a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in the Family Code relating to the 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 the parents. Because the principal does not have the 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. Students are granted one day for each day of absence to make up work that was missed. [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.

The grade for make-up work after an unexcused absence shall be not higher than 70.

No grade penalty will be imposed for make-up work after an absence because of suspension.

### **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(LLEGAL).]

## **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 the school nurse 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 school nurse or 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.]

## **NONTRADITIONAL ACADEMIC PROGRAMS**

[See **Requirements for a Diploma.**]

## **PHYSICAL EXAMINATIONS / HEALTH SCREENINGS**

### **TUBERCULOSIS SCREENING**

All students entering District schools for the first time in any grade shall provide evidence of having received tuberculosis screening in accordance with regional and county health department guidelines.

### **ADDITIONAL SCREENING**

The District may provide additional screening as District and community resources permit.

### **REFERRALS**

Parents of students identified through any screening programs as needing treatment or further examination shall be advised of the need and referred to appropriate health agencies.

## **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 “S” based on course-level or grade-level standards.

In kindergarten and grade 1, promotion is based on a grade average of “Satisfactory” or above in the core areas of mathematics, language arts, science, and social studies.

Promotion to the next grade must be based on a variety of criteria, such as:

- Teacher considerations
- Student performance on state assessments
- The student’s grade in the course
- Any other necessary academic information as determined by the district.

When a student’s grade in one or more of the core areas is marginal or is below “Satisfactory” at the beginning of the last month of the school year, a committee of professionals knowledgeable about the student and/or test interpretation and evaluation shall review the student’s academic progress. The committee shall include the student’s teachers, the principal, and other professional staff familiar with the student’s academic performance.

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.

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 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 grades 3–8 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. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year.

A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. 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 [counselor or principal] and policy EIF(LEGAL).]

#### ASSIGNMENT OF RETAINED STUDENTS

In the event a student is not promoted to the next grade level, the Grade Placement committee will meet to determine the most appropriate placement for the upcoming school year.

[See policy EIE(LOCAL).]

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.

#### ***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 or during the fourth week of a nine-week grading period, parents will be given a written progress report if their child's performance 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 principal 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 S 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 3 days.

## **RETALIATION**

[See **Dating Violence, Discrimination, Harassment, and Retaliation.**]

## **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.

## **Accident Insurance**

Soon after the school year begins, parents will have the opportunity to purchase low-cost accident insurance that would help meet medical expenses in the event of injury to their child.

## **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**

In case of severe weather, the official announcement for school closings may be heard over the local TV and radio stations. The school district will notify radio stations KVET/KASE, KLBJ, and KHFI radio stations to announce the closing of school. Television stations KTBC (Channel 7), KVUE (Channel 24), and KEYE (Channel 42) will also dispense district information. Under some circumstances such as flooding, ice, etc., it is impossible for the buses to deliver all students to their homes. In such instances, students will be returned to the junior high school until the students can be safely delivered home or parents can be contacted.

## **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.

- Gym
- Cafeteria

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. To apply, contact the district's Food Service Director, Anna Martin, at the district's Central Office (512) 260-5593.

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. [For more information, see policy CO(LEGAL).]

Please feel free to join us any time. We would appreciate knowing that you will be joining us for lunch. Just have your child tell his/her teacher the morning of the day you plan to come. You may pay as you go through the line.

Meal Prices:	Adult Breakfast	\$1.50
	Adult Lunch	3.00
	Student, K-2, Breakfast	1.25
	Student Breakfast, reduced	.30
	Student Lunch	2.25
	Student Lunch, reduced	.40

Milk:	Milk	.50
	Chocolate milk	.50

We use a point-of-sale computerized accounting system. When you send money for lunches the money is deposited into the child's (or children's) account and the account is debited when a lunch is purchased. Breakfast and lunch tickets may be bought any day of the week before the school day begins in the cafeteria. We encourage you to send one check for all your students.

**CHARGES ARE DISCOURAGED!** Our policy does not allow charges. Milk alone may not be charged. To help avoid charges, a note will be sent home in your child's folder when he/she has an account balance of \$5.00 or less. The district participates in the National School Lunch Program and offers free or reduced price meals based on a student's financial need. Information on free or reduced lunch can be obtained in the school office.

If you have money in your account at the end of the year, this balance will carry over to the next year or will be refunded if you wish.

Each student is expected to practice the general rules of good manners in the cafeteria. Courteous behavior and good dining room standards are required at the table. Tables and the surrounding area should be left clean and orderly. Litter should be placed in the proper containers. Students will not leave the cafeteria while eating or carrying food or drink. Please do not send carbonated drinks in your child's lunch.

#### *Special Dietary Needs*

If your child is unable to consume a food item because of medical or other special dietary needs, we need to know this. Our cafeteria may be able to make a substitution to fulfill his/her dietary needs. Please contact the school nurse about this.

## **Library**

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. The library is open for independent student use during the following times with a teacher permit:

- 2:45-3:00

The library is an important part of each student's learning experience. Students are given many opportunities to use library resources, both on campus and at home, with the goal of developing joy in reading and recognizing the positive value reading plays in their lives. Students borrow materials from the library with the understanding that they are responsible for these materials.

Fines: Fines will be assessed for damaged or lost materials. The fee for damaged or lost books/materials is the replacement cost. If a book is lost or damaged, library privileges will be suspended until the book is paid for or returned. One month will be the amount of

time given to return a book or pay for it. If a student pays for a lost item and finds it at a later date, a refund will be made if the material is returned undamaged.

## **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.

### **Drug-Testing**

No drug testing is in place at the Elementary.

## **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 Sherry Hall at the district's Central Office (512) 260-5580.

## **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).

## **SUMMER SCHOOL**

We may offer summer school to students who have not reached the achievement level desired at the end of the school term. Students are invited to participate in regular education summer school which is offered to grades K-1. Enrollment in Summer school is limited and only as recommended by the principal. We offer an English as a Second Language (ESL) summer school program for students who qualify as limited English proficient (LEP) for students entering kindergarten or first grade. We also have extended year services (EYS) for special education students who qualify. This is usually for PPCD or SPH students.

## **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**

A student who is tardy to class by more than ten minutes will be counted absent. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the *Student Code of Conduct*.

All tardy students must report to the principal's office. Tardies are strongly discouraged and when habitual tardies occur, the parents will be contacted. Students will be considered tardy at 8:00.

We believe that it is very important that our time at school be used wisely for teaching the children.

3rd tardy - teacher contacts parents

5th tardy - office contacts parents

7<sup>th</sup> tardy – warning letter

In determining filing for nonattendance, each 3 tardies or early outs will be equivalent to 1 absence.

If the school bus is tardy, the children will not be penalized.

If a child has three or more tardies or early outs within the Six Weeks grading period he/she will **not** receive perfect attendance awards or recognition for that reporting period or for the year.

## ***TEXTBOOKS, ELECTRONIC TEXTBOOKS, AND TECHNOLOGICAL EQUIPMENT***

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. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives. A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or paid for by the parent; however, the student will be provided textbooks and equipment for use at school during the school day. Report cards can be held until all books and equipment are returned or replaced.

## ***TRANSPORTATION***

### **Afternoon Ride Changes**

We will send your child home as indicated on the transportation form unless you write a note or call the office by **2:00**. **For your child's safety, we are very strict about enforcing this so please send your child with a note or call us during the day if plans are different for your child in the afternoon. Indicate the physical address in your note or phone call.**

### **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 within district boundaries. 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 district's Transportation Department (512) 515-5301.

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.
- Fasten their seat belts, if available.
- 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 will not be 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.

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

No child visitors are permitted in the classrooms without a responsible adult and special permission. Pre-school age children are not permitted on class field trips. We do not have health information and emergency release forms in case of accident. It is helpful when such visits are arranged so that they occur at a convenient time for all concerned. All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

No pets with visitors in the building, please.

### **Opening Days of School**

The beginning of school is a difficult time for separation of the young children and their parent. For the comfort of the parent during the first week of school, we allow parents to walk beside their child as the class goes to their room. Please leave the child at the classroom door. During this week, the parent needs to start separating from the child at the gym where the students normally wait before going to class. **By the second week all children are to be left at the gym.**

A reminder that we ask you not to visit the Pre-Kindergarten or Kindergarten classes for the first three weeks of school so that the child may get settled in school. Parents are invited and encouraged to visit the school at any other time to observe classes or confer with the principal and teacher about the child's progress in school.

### **Visitors Participating in Special Programs for Students**

When coming to classroom parties, events, and activities during the school day, a sign-in sheet will be provided for visitors. Please sign in and put on a visitor tag. It is important for the safety of all children to know who is visiting our school and by having on a visible visitor's tag our staff will know you have properly signed in. We also use the sign-in sheet as documentation of parent involvement at school.

### **Volunteers**

We welcome and encourage your support and participation in any and all activities in which your child is involved. We hope you will feel free to serve as a homeroom parent for all your children when needed. Please contact the PTO Volunteer Coordinator or your child's teacher to find out how you can help.

### ***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.

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  
2009-2010**

**LIBERTY HILL  
ELEMENTARY**



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# 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, suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school.

This Student Code of Conduct has been adopted by the 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. 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.

**Please Note:** The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

## **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 when 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 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 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 as detailed in that section.

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

Students shall not:

- 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***

Students shall not:

- 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***

Students shall not:

- 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***

Students shall not:

- 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 Devices***

Students shall not:

- Display, turn on, or use a cellular telephone or other telecommunications device on school property during the school day.

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

Students shall not:

- 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***

Students shall not:

- Violate computer use policies, rules, or agreements signed by the student or the student’s 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***

Students shall not:

- 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***

Students shall not:

- 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 materially 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, 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..
- Out-of-school suspension, as specified in the 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 a 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 or the central administration 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.

# **Suspension**

## ***Misconduct***

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

The school administrator will consider the following factors when considering a removal of a student to ISS, DAEP, or JJAEP:

- self-defense
- intent, or lack of intent
- the student's disciplinary history
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct.

## ***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**

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

The school administrator will consider the following factors when considering a removal of a student to ISS, DAEP, or JJAEP:

- self-defense
- intent, or lack of intent
- the student's disciplinary history
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct.

### ***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 one 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)
- Criminal mischief, not punishable as 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:
  - 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 campus principal.

### ***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 the student's 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 the student's 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 a DAEP will be determined by the campus principal.

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 Superintendent of Schools 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
- 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 or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration 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***

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or cocurricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

The district will provide transportation to students in a DAEP.

For seniors assigned to a DAEP who are eligible to graduate, the placement in the program will continue through graduation, and the student will not be allowed to participate in the graduation ceremony and related graduation activities.

### ***Placement Review***

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the DAEP teacher and campus administrator at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan will also be reviewed. 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.

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 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:

- 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**

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.

The school administrator will consider the following factors when considering a removal of a student to ISS, DAEP, or JJAEP:

- self-defense
- intent, or lack of intent
- the student's disciplinary history
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the conduct.

### ***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.
  - Criminal mischief, if punishable as a felony.
- 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.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

### **At School, Within 300 Feet, or at 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:
  - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.
  - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
  - Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
  - 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.
  - 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).
  - 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 Board of Trustees delegates to the Superintendent of Schools or his designee the authority to conduct hearings and expel students.

### **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 Superintendent of Schools or his 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.

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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.

**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.

**Graffiti** are markings with aerosol paint or an indelible pen or marker 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** is 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.

**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; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; 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.

