

Midland Independent School District

Parent and Student Handbook

2011-2012

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PREFACE

To Students and Parents:

Welcome to school year 2011–2012! 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 Midland Independent School District 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—PARENTAL RIGHTS AND RESPONSIBILITIES—with 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.

Section II—OTHER IMPORTANT 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 Midland ISD Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found electronically on the Midland ISD website and in hard copy from 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 (including the Student Code of Conduct) and any provisions of the Student Handbook, the current provisions of board policy and the Student Code of Conduct are to be followed.

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

Also, please complete and return to your child’s campus the required forms from the packet that was sent home with your child, including:

1. Parental Acknowledgment Form;
2. Student Directory Information and Release of Student Information Form;
3. Release of Information to Military Recruiters and Institutions of Higher Education Form;
and
4. Consent/Opt-Out Form.

[See **Obtaining Information and Protecting Student Rights** on page 4 and **Directory Information** on page 12 for more information.]

Please note that references to policy codes are included so that parents can refer to current board policy. A copy of the district's policy manual is available for review in the school office or online at www.midlandisd.net.

SECTION I: PARENTAL RIGHTS AND RESPONSIBILITIES

This section of the Midland ISD Student Handbook includes information on topics of particular interest to you as a parent.

PARENTAL INVOLVEMENT

Working Together

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

Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.

Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.

Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the district.

Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.

Reviewing the requirements of the graduation programs with your child once your child begins enrolling in courses that earn high school credit.

Monitoring your child's academic progress and contacting teachers as needed. [See **Academic Counseling** on page 21 and **Academic Programs** on page 16.]

Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 45.]

Becoming a school volunteer. [For further information, see policies at GKG and contact Dolores Cano, Parent Engagement Coordinator, or Jami Owen, VIPS at 689-1000.]

Participating in campus parent organizations. Parent organizations include PTA and Volunteers in Public Schools.

Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. For further information, see policies at BQA and BQB, and contact the campus principal.

Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council** on page 37.]

Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

Parent Engagement Coordinator

The Parent Engagement Coordinator, who works with parents of students participating in Title I programs, is Dolores Cano and she may be contacted at 689-1000.

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.

Each year, students in grades 5 through 12 are asked to participate in a survey of at-risk behaviors. This is an anonymous survey that asks students questions about behaviors such as drug and alcohol use, sexual conduct, violence, and other at-risk behaviors. The survey also asks questions of a demographic nature, concerning family make-up, the relationship between parents and children, and use of alcohol and drugs at home. Each campus will determine the dates for the survey. Prior to participation, parents will receive written information about the survey and a consent form.

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.

[Also see **Removing a Student from Human Sexuality Instruction** on page 6 for additional information.]

Displaying a Student's Artwork and Projects

Teachers may display students' work in classrooms or elsewhere on campus as recognition of student achievement. However, 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** on page 10.]

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.

Granting Permission to Receive Parenting and Paternity Awareness Instruction

As a parent, if your child is under the age of 14, you must grant permission for your child to receive instruction in the district's parenting and paternity awareness program or your child will not be allowed to participate in the instruction. This program, developed by the Office of the Texas Attorney General and the State Board of Education (SBOE), is incorporated into the district's health education classes. Contact the campus principal, or Nancy Surber Baur, Director of Athletics, Physical Education, and Health at 689-1042 for more information.

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.

Removing a Student from Human Sexuality Instruction

As a part of the district's curriculum, students receive instruction related to human sexuality. The School Health Advisory Council (SHAC) is involved with the selection of course materials for such instruction.

State law requires that any instruction related to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome must:

- Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;
- Devote more attention to abstinence from sexual activity than to any other behavior;
- Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, and the emotional trauma associated with adolescent sexual activity;

- Direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases; and
- If included in the content of the curriculum, teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates.

In accordance with state law, below is a summary of the district's curriculum regarding human sexuality instruction:

"It's Your Game, Keep It Real" is the evidence based human sexuality curriculum adopted by MISD for implementation in 7th grade in the spring of 2012. The curriculum is classroom and computer based and consists of twelve 50 minute lessons beginning in 7th grade and continuing in the 8th grade. Objectives include: life skills, puberty, healthy relationships, HIV, STI'S, and teen pregnancy/prevention.

For students in other grades, Midland ISD allows representatives from The Life Center and Midland/Odessa Area AIDS Support, Inc. to make presentations. Please note that parent permission will be obtained prior to student participation in these presentations.

As a parent, you are entitled to review the curriculum materials. In addition, you may remove your child from any part of this instruction with no academic, disciplinary, or other penalties. You may also choose to become more involved with the development of curriculum used for this purpose by becoming a member of the district's SHAC. Please see the campus principal for additional information.

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** on page 43 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 Limited or No Contact with a Student through Electronic Media

Teachers and other approved employees are permitted by the district to communicate with students through the use of electronic media within the scope of the individual's professional responsibilities. For example, a teacher may set up a social networking page for his or her class that has information related to class work, homework, and tests. As a parent, you are welcome to join or become a member of such a page.

An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests.

If you prefer that your child not receive any one-to-one electronic communications from a district employee, please submit a written request to the campus principal stating this preference.

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.]

Prohibiting the Use of Corporal Punishment

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

If you do not want corporal punishment to be administered to your child as a method of student discipline, submit a written statement to the campus principal stating this decision. A signed statement must be provided each year.

You may choose to revoke this request at any time during the year by providing a signed statement to the campus principal. However, district personnel may choose to use discipline methods other than corporal punishment even if the parent requests that this method be used on the student.

School Safety Transfers

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 District 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 campus principal or contact Dr. William Maurer at 689-1049 for information. [See policy FDB.]

[See **Bullying** on page 17, 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 FDE(LOCAL).]

To request the transfer of your child to another campus if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. [See policy FDE.]

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 14th day after the enrollment of your children. [See policy FDB(LEGAL).]

Parents of Students with Disabilities

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).]

Request for the Use of a Service Animal

A parent of a student who uses a service animal because of the student's disability must submit a request in writing to the principal at least ten district business days before bringing the service animal on campus.

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

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 (RtI). The implementation of RtI 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 prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights, if they disagree with the district. The district is required to give parents the ***Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities***. Additional information regarding the Individuals with Disabilities Education Act (IDEA) is available from the school district in a companion document, ***A Guide to the Admission, Review, and Dismissal Process***.

The following Web sites provide information to those who are seeking information and resources specific to students with disabilities and their families:

Texas Project First, at <http://www.texasprojectfirst.org/>

Partners Resource Network, at <http://www.partnerstx.org/howPRNhelps.html>

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is Nancy Isaacs, Executive Director of Special Services, at 689-1000.

Parents of Students Who Speak a Primary Language Other than English

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

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. The district will consider this on a case-by-case basis. Additional information may be found at <http://www.tea.state.tx.us/index2.aspx?id=7995>.

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 postsecondary 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, including juvenile service providers.

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 or his designee 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 615 W. Missouri Avenue, 79701.

The address(es) of the principals' offices can be obtained on the MISD Website or by calling 689-1000.

A parent (or eligible student) may inspect the student's records and request a correction if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights. A request to correct a student's record should be submitted to the principal. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, contesting a student's grade in a course is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading policy. [See **FINALITY OF GRADES** at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 45, and **Student or Parent Complaints and Concerns** on page 20 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 on the district's Web site at www.midlandisd.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.

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 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 the following school-sponsored purposes including, but not limited to:

- yearbooks
- school newspapers
- athletic programs
- honor rolls
- recognition activities
- news releases

For these specific school-sponsored purposes, the district would like to use your child’s directory information which includes:

- student name
- address
- telephone listing
- photograph
- gender
- date and place of birth
- honors and awards received in school

- dates of attendance
- grade level and campus
- enrollment status
- most recent school attended
- participation in officially recognized activities and sports
- weight and height of members of athletic teams

This information will not be used for other purposes without the consent of the parent or eligible student, except as described above at **Directory Information**.

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

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

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

SECTION II: OTHER IMPORTANT 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 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 your child's campus.

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 18th 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 policy 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.

A student in grades 3–8 will be required to attend any assigned accelerated instruction program, which may occur before or after school or during the summer, if the student does not meet the passing standards on the state assessment for his or her grade level and applicable subject area.

Exemptions to Compulsory Attendance

State law allows exemptions to the compulsory attendance requirements for several types of absences if the student makes up all work. 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. A note from the health-care provider must be submitted upon the student's return to campus.

In addition, a junior or senior student's absence of up to two days related to visiting a college or university will be considered an exemption, provided the student receives approval from the campus principal, follows the campus procedures to verify such a visit, and makes up any work missed.

Failure to Comply with Compulsory Attendance

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; 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.

For a student younger than 12 years of age, the student's parent could be charged with a criminal offense based on the student's failure to attend school.

If a student between the ages of 12 and 18 violates the compulsory attendance law, both the parent and student could be charged with a criminal offense.

If the student is age 18 or older, the student, but not the student's parents, would be subject to penalties as a result of the student's violation of state compulsory attendance law.

[See policy FEA(LEGAL).]

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, which 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.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- 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 parent must call in or the student must bring a note signed by the parent, or provide the school with a note from a doctor that describes the reason for the absence within three days after the student has returned to school. 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

Should the student develop a questionable pattern of absences, the principal or attendance committee may require a statement from a doctor or health clinic verifying the illness or condition that caused the student's absence from school.

[See policy FEC(LOCAL).]

Driver License Attendance Verification

For a student between the ages of 16 and 18 to obtain a driver license, written parental permission must be provided for the Texas Department of Public Safety (DPS) to access the student's attendance records and, in certain circumstances, for a school administrator to provide the student's attendance information to DPS.

ACADEMIC PROGRAMS

The school counselor provides information to students and parents regarding academic programs to prepare for higher education and career choices. [For more information, see **Academic Counseling** on page 21 of this handbook and policies at EIF.]

AWARDS AND HONORS

Academic Awards Requirements: Grades 7 and 8

Seventh and eighth grade students must achieve a 90 or above average for two previous consecutive semesters in junior high school in the core subjects of English, Math, Science and Social Studies, and any high school credit earning class. Requirements for participation in the National Junior Honor Society differ from those listed in this section. Please contact the campus counselor for more information on requirements for National Junior Honor Society.

Academic Awards Requirements: Grades 9-12

Students must achieve a 4.5 overall grade point average during two consecutive semesters in secondary school. For determining awards in the 9th grade, students must achieve a 90 or above overall average in the spring semester of their 8th grade year in the core subjects of English, Math, Science, and Social Studies, and any high school credit earning class, and a 4.5 overall grade point average the fall semester of their 9th grade year. For consideration for an academic award, students new to MISD must present verifiable documentation that they have met all requirements.

BULLYING

Bullying occurs when a student or group of students engages in written or verbal expression 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 physical harm or of damage to the student's property, or
- is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment.

Bullying is prohibited by the district and could include hazing, threats, taunting, teasing, assault, demands for money, confinement, destruction of property, theft of valued possessions, name-calling, rumor-spreading, and ostracism. In some cases, bullying can occur through electronic methods, called "cyberbullying."

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, counselor, principal, or another district employee as soon as possible. The administration will investigate any allegations of bullying and will take appropriate disciplinary action if an investigation indicates that bullying has occurred. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

[Also see **School Safety Transfers** on page 53, Hazing on page 35, and policy FFI(LOCAL).]

CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS

The district offers career and technical education programs at most junior highs, freshmen schools and senior high schools. Career and Technical Education courses are also offered at the Advanced Technology Center. Admission to these programs is based on meeting some prerequisites. Please see the campus counselor for more information.

The District will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and CTE programs. [Also see **Nondiscrimination Statement** on page 42 for additional information regarding the district's efforts regarding participation in these programs.]

CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN

The district has established a plan for addressing child sexual abuse and other maltreatment of children. 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 or any other type of abuse or neglect 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 neglect, 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 or other maltreatment, 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. To find out what services may be available in your county, see

http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp.

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

<http://www.childwelfare.gov/pubs/factsheets/signs.cfm>

<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/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 RANK / HIGHEST RANKING STUDENT

Honor Graduates

Students having a cumulative average of 4.5 in all applicable subjects for the period beginning with the first high school credit course through the fall semester of the year of graduation shall be recognized as honor graduates. Applicable courses shall be all courses earning high school credit, other than band, orchestra, choir, athletics, physical education, newspaper, yearbook, driver education, student aide, cheerleading, drill team, and any course taken for pass/fail credit. Any art or theater arts courses will not receive grade points.

Valedictorian and Salutatorian

The students with the highest and second highest cumulative grade point averages at the end of the fall semester of the senior year shall be recognized as the valedictorian and salutatorian, respectively. Students choosing to graduate in fewer than four years shall not be eligible for recognition as valedictorian or salutatorian. Beginning with students who entered grade 9 in the 2009–10 school year, to be eligible for recognition as valedictorian or salutatorian, a student shall have been continuously enrolled for the two school years preceding graduation in the District high school from which he or she is graduating. [For further information, see policies at EIC.]

CLASS SCHEDULES

All students are expected to attend school for the entire school day and maintain a class/course schedule to fulfill each period of the day. Exceptions may be made occasionally by the campus principal for students in grades 9–12 who meet specific criteria and receive parental consent to enroll in less than a full-day's schedule.

COLLEGE AND UNIVERSITY ADMISSIONS

For two school years following his or her graduation, a district student who graduates in the top ten percent and, in some cases, the top 25 percent, of his or her class is eligible for automatic admission into four-year public universities and colleges in Texas if the student:

- Completes the Recommended or Advanced/Distinguished Achievement Program; or
- Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.

In addition, the student must submit a completed application for admission in accordance with the deadline established by the college or university.

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University's enrollment capacity for incoming resident freshmen. For students who are eligible to enroll in the University of Texas at Austin during the summer or fall 2012 term, the University will be admitting the top nine percent of the high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through an independent review process.

Should a college or university adopt an admissions policy that automatically accepts the top 25 percent of a graduating class, the provisions above will also apply to a student ranked in the top 25 percent of his or her class.

Students and parents should contact the counselor for further information about automatic admissions, the application process, and deadlines.

[See also **Class Rank/Highest Ranking Student** on page 19 for information specifically related to how the district calculates a student's rank in class].

COLLEGE CREDIT COURSES

Students in grades 9–12 have opportunities to earn college credit through the following methods:

Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), or International Baccalaureate (IB);

Enrollment in an AP or dual credit course through the Texas Virtual School Network;

Enrollment in courses taught in conjunction and in partnership with Midland College;

Certain CTE courses.

All of these methods have eligibility requirements and must be approved prior to enrollment in the course. Please see the counselor for more information.

It is important to keep in mind that not all colleges and universities accept credit earned in all dual credit or AP courses taken in high school for college credit. Students and parents should check with the prospective college or university to determine if a particular course will count toward the student's desired degree plan.

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 by contacting Dr. William Maurer at 615 W. Missouri Avenue, or by calling his office at 689-1049.

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's designee, Dr. Maurer. If still unresolved, the district provides for the complaint to be presented to the board of trustees.

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.

Disruptions of School Operations

Disruptions of school operations are not tolerated and may constitute a misdemeanor offense. 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 vehicles owned or operated by the district.

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.

CONTAGIOUS DISEASES / CONDITIONS

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

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

COUNSELING

Academic Counseling

Students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures. Each spring, students in grades 6-12 will be provided information on anticipated course offerings for the next school year and other information that will help them make the most of academic and CTE opportunities.

To plan for the future, each student should work closely with the counselor in order to enroll in the high school courses that best prepare him or her for attendance at a college, university, or training school, or for pursuit of some other type of advanced education. The counselor can also provide information about entrance exams and application deadlines, as well as information about automatic admission to state colleges and universities, financial aid, housing, and scholarships.

Personal Counseling

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

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 policies EHBAA(LEGAL), FFE(LEGAL), and FFG(EXHIBIT).]

COURSE CREDIT

A student in grades 9–12 will earn credit for a course only if the final grade is 70 or above. For a two-semester (1 credit) course, the student's grades from both semesters will be averaged and credit will be awarded if the combined average is 70 or above. Should the student's combined average be less than 70, the student will be required to retake the semester in which he or she failed.

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 superintendent's designee 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, or coursework by a student transferring from a non-accredited school.

The Superintendent's designee 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.

[For further information, see the counselor and policy EHDB(LOCAL).]

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 or to accelerate to the next grade level. For the dates on which exams are scheduled, please contact the campus counselors or Ron Moss, Director of Student Development, at 689-1031.

A student will earn course credit with a passing score of at least 90 on the exam. A student in elementary school will be eligible to accelerate to the next grade level if the student scores at least 90 on each exam in the subject areas of language arts, mathematics, science, and social studies.

If a student plans to take an exam, the student (or parent) must register with the principal no later than 30 days prior to the scheduled testing date. The district will honor a request by a parent to administer a test on a date other than the published dates. If the district agrees to administer a test other than the one chosen by the district, the student's parent will be responsible for the cost of the exam. [For further information, see policy EHDC(LOCAL).]

DATING VIOLENCE, DISCRIMINATION, HARASSMENT, AND RETALIATION

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

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

Dating Violence

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

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

Discrimination

Discrimination is defined as any conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or 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 on the district's Web site.

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 someone 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 dating violence, discrimination, harassment, or retaliation should immediately report the problem to a teacher, counselor,

principal, or other district employee. The report may be made by the student's parent. See policy FFH(LOCAL) for the appropriate district 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** on page 23.]

DISTANCE LEARNING

Distance learning and correspondence courses include courses that encompass the state-required essential knowledge and skills but are taught through multiple technologies and alternative methodologies such as mail, satellite, Internet, video-conferencing, and instructional television.

The Texas Virtual School Network (TxVSN) has been established as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation. In limited circumstances, a student in grade 8 may also be eligible to enroll in a course through the TxVSN.

Depending on the TxVSN course in which a student enrolls, the course may be subject to the "no pass, no play" rules. [Also see **Extracurricular Activities, Clubs, and Organizations** on page 29.]

If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the counselor.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the TxVSN in order to earn credit in a course or subject, the student must receive permission from the principal prior to enrolling in the course or subject. If the student does not receive prior approval, the district will not recognize and apply the course or subject toward graduation requirements or subject mastery.

DISTRIBUTION OF PUBLISHED MATERIALS OR DOCUMENTS

School Materials

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

The school newspaper and the yearbook are available to students.

All school publications are under the supervision of a teacher, sponsor, and the principal.

[See **Directory Information for School-Sponsored Purposes** on page 12.]

Nonschool Materials...from students

Students must obtain prior approval from the principal before posting, circulating, or distributing more than 25 copies of 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 will designate the location for approved nonschool materials to be placed for voluntary viewing by students. [See policies at FNAA.]

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

Nonschool Materials...from others

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA. To be considered for distribution, any nonschool material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to the Executive Director for Elementary Schools or the Executive Director for Secondary Schools for prior review. The appropriate executive director 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:

1. Wear shoes at all times; specifically prohibited footwear includes cleats, skate shoes or any shoes with wheels, or footwear not intended for outdoor wear.
2. Not wear hats, caps, sweat bands, visors, head coverings or bandannas in the building (neither males nor females).
3. Campus administrators may allow hair color that extends beyond natural tones as long as the hair color does not cause a disruption or interfere with normal school operations. The campus administrator will make this determination.
4. Not wear sunshades in the building or classrooms.
5. Not wear any clothing and/or jewelry that advertises or depicts tobacco products, alcoholic beverages, drugs, or lewd, offensive, vulgar, obscene or violent writing or images.
6. Pierced/clipped jewelry is restricted to the ears only. Other piercings are allowed only with clear plastic "spacers" or inserts.
7. Not wear any see-through styles or revealing fashions including bare midriffs, bare shoulders, backless fashions, spandex, tight fitting clothing, sleep wear, muscle shirts, tank tops, halter tops, miniskirts, or underwear garments that are worn as outerwear.
8. Not wear any dress, skirt, slit skirt or dress, slacks, jeans, pants, shorts or un-hemmed attire when measured with the student standing is more than three inches from the top of the kneecap. The top of the slit in a skirt, dress, or shorts, as well as any tears or rips in slacks, pants, jeans, or overalls must be no higher than three inches from the top of the kneecap when the student is standing.
9. Not wear pants lower than they were intended to be worn. "Sagging" is not allowed.
10. Not wear baggy or oversized pants (one size larger than actual measurements is allowed for growth). Examples include the pant leg bottom or hem being larger than the shoe, the crotch of pant sagging significantly below normal wear, pants having 12" or deeper rear pockets, and pants where the size is beyond the "one size larger" provision around the waist.
11. Apparel, accessories, hair color or hair styles that denote gang-related association is prohibited.

If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school. If not corrected, the student will be assigned to in-school suspension for the remainder of the day, until the problem is corrected, or until a parent or designee brings an acceptable change of clothing to the school. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES

Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones

For safety purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off during the instructional day, including during all testing, and during passing periods unless they are being used for approved instructional purposes. A student must have approval to possess other telecommunications devices such as netbooks, laptops, tablets, or other portable computers.

The use of mobile telephones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at school or at a school-related or school-sponsored event.

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. On the first and second offense, these devices will be returned in accordance with campus procedures. On the third and subsequent offenses, and in addition to disciplinary consequences as set forth in the Student Code of Conduct, the item may be held for up to five school days, and the item will only be returned to the parent in accordance with campus procedures. A fine of up to \$15.00 may be assessed on the second and subsequent offenses. Confiscated telecommunications devices that are not retrieved by the student or the student's parents will be disposed of after the notice required by law. [See policy FNCE.]

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 48 and policy FNF.]

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.

Possession and Use of Other Personal Electronic Devices

Except as described below, students are not permitted to possess or use personal electronic devices such as MP3 players, video or audio recorders, DVD players, cameras, games, e-readers, or other electronic devices at school, unless prior permission has been obtained. 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.

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 48 and policy FNF.]

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.

Instructional Use of Personal Telecommunications and Other Electronic Devices

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Students must also sign a user agreement that contains applicable rules for use (separate from this handbook). When students are not using the devices for approved instructional purposes, all devices must be turned off during the

instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Acceptable Use of District Technology Resources

To prepare students for an increasingly technological society, the district has made an investment in the use of district-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the district's network systems and use of district equipment, is restricted to approved purposes only. Students and parents will be asked to sign a user agreement (separate from this handbook) regarding use of these district resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment. Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct and may, in certain circumstances, be reported to law enforcement.

In addition, any student who engages in conduct that results in a breach of the district's computer security will be disciplined in accordance with the Student Code of Conduct, and, in some cases, the consequence may rise to the level of expulsion.

END-OF-COURSE (EOC) ASSESSMENTS

See **Course Credit** on page 22, **Grading Guidelines** on page 32, **Graduation** on page 32, and **Standardized Testing** on page 49.

EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

Participation in school and school-related 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.

A student who is not in attendance for at least 50% of the student's regular school day will not be allowed to participate in any extracurricular activities that day unless approved by the appropriate campus administrator. Individual activities may have stricter requirements. Eligibility for participation in many of these activities is governed by local policy, state law, and the rules of the University Interscholastic League (UIL)—a statewide association overseeing inter-district competition, governs eligibility for participation in many of these activities. The following requirements apply to all extracurricular activities:

- A student who receives, at the end of any grade evaluation period, an average grade below 70 in any class may not participate in extracurricular activities for at least three weeks, unless an

exemption has been granted. A student may practice or rehearse while suspended. The student regains eligibility when the principal and teachers determine that he or she has:

- Earned a passing grade (70 or above) in all classes; and
- Completed three weeks of suspension.
- A student is allowed up to 15 absences from a class during the school year for extracurricular activities or public performances.
- All extracurricular activities and public performances, whether UIL or other activities approved by the district, are subject to these restrictions.
- A student with disabilities who fails to meet the standards in the Individual Educational Plan (IEP) may not participate for at least three school weeks.
- A student who misses class because of participation in an activity that has not been approved will receive an unexcused absence.

All students are encouraged to participate in extracurricular activities. The district will work with any student, to the extent possible, to ensure that financial barriers do not preclude participation. Please note: Sponsors of student clubs and performing groups such as the band, choir, and drill and athletic teams may establish standards of behavior—including consequences for misbehavior—that are stricter than those for students in general. These standards will be included in the Uniform Training Rules for that activity. While each sponsor or coach must follow district guidelines for minimum expectations within Uniform Training Rules, there may be stricter rules for behavior for some activities at the discretion of the sponsor or coach. If a violation is also a violation of school rules, the consequences specified by the Student Code of Conduct or by local policy will apply in addition to any consequences specified by the organization. [For further information, see policies FM and FO.]

Parents interested in specific guidelines on student activities, including cheerleading, may request a copy of those guidelines from the campus administration.

[For further information, see policies at FM and FO. For student-organized, student-led groups, see **Meetings of Noncurriculum-Related Groups** on page 47.]

Offices and Elections

Certain clubs, organizations, and performing groups will hold elections for student officers. Please contact campus sponsors for this information.

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.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.

- Voluntarily purchased student accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- Fees for Saturday School
- Fees for electronic device possession
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

Any required fee, including fees for Saturday School or fees assessed for possession of an electronic device, 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 policy 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 Executive Director of Student Services prior to the event.

Except as approved by the principal or superintendent, fund raising for non-school organizations is not permitted on school property. [For further information, see policies at FJ and GE.]

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 1,000 feet of any district-owned or leased property or campus playground.

GRADE CLASSIFICATION

After the ninth grade, students are classified according to the number of credits earned toward graduation.

Credits Earned	Classification
6	Grade 10 (Sophomore)
12	Grade 11 (Junior)
18	Grade 12 (Senior)

UIL eligibility will be based upon 5 credits, 10 credits, or 15 credits.

GRADING GUIDELINES

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines establish the minimum number of assignments, projects, and examinations required for each grading period. In addition, these guidelines establish how the student's mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.). Grading guidelines also outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally made a failing grade.

State law requires a student's score on an end-of-course (EOC) assessment to count as 15 percent of the student's final grade for the course.

Also see **Report Cards/Progress Reports and Conferences** on page 45 for additional information on grading guidelines. See **Graduation** below, **Course Credit** on page 22, and **Standardized Testing** on page 49 for additional information regarding EOC assessments.

GRADUATION

Requirements for a Diploma

To receive a high school diploma from the district, a student must successfully:

Complete the required number of credits;

Complete any locally required courses in addition to the courses mandated by the state; and

Depending on the year in which the student is scheduled to graduate, pass a statewide exit-level exam or achieve the required cumulative scores on end-of-course (EOC) assessments.

The exit-level test, currently required for students in grade 11, covers English language arts, mathematics, science, and social studies and requires knowledge of Algebra I and Geometry; Biology and Integrated Chemistry and Physics; English III; and early American and United States History, World History, and World Geography. Students in grades 10 and 11 during the 2011–2012 school year must pass the exit-level test to graduate. A student in grade 12 who has not passed the exit-level test will have opportunities to retake it.

Also see **Standardized Testing** on page 49 for more information.

Beginning with students who enter grade 9 in the 2011–2012 school year, EOC assessments will be administered for the following courses and will replace the exit-level test as mentioned above: English I, English II, English III, Algebra I, Geometry, Algebra II, Biology, Chemistry, Physics, World Geography, World History, and United States History. Students graduating under the Minimum Program must take EOC assessments only for courses in which they are enrolled and for which there is an EOC assessment. Each student will be required to achieve certain scores on the applicable EOC assessments to graduate, depending on the graduation program in which the student is enrolled. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments.

If a student fails to perform satisfactorily on an EOC assessment, the district will provide remediation to the student in the content area for which the performance standard was not met.

Also see **Grading Guidelines** on page 32 and **Standardized Testing** on page 49 for more information.

Graduation Programs

The district offers the graduation programs listed below. All students entering grade 9 are required to enroll in the Recommended Program or Advanced/Distinguished Achievement Program. Permission to enroll in the Minimum Program will be granted only if a written agreement is reached among the student, the student's parent or person standing in parental relation, and the counselor or appropriate administrator. In order for a student to take courses under the Minimum Program, the student must be at least 16 years of age; have completed at least two credits each in English language arts, math, science, and social studies courses that are required for graduation; or have failed grade 9 one or more times. [See policy EIF(LEGAL).]

Effective with ninth graders in the 2011–2012 school year, in addition to the credit and course requirements for each program, performance on EOC assessments will be linked to a student's eligible graduation program. To graduate, a student must meet a minimum cumulative score set by the Texas Education Agency (TEA) for each content area: English, mathematics, science, and social studies. To determine whether the student meets the cumulative score, the student's EOC assessment scores in each content area will be added together. If the student's total score on the assessments within the content area is not equal to or greater than the cumulative score set by TEA, the student may retake any of the assessments in that content area until the student achieves the cumulative score. A student who does not make the minimum required score on any individual assessment will be required to retake that assessment.

To graduate on the Recommended Program, a student must perform satisfactorily on the Algebra II and English III EOC assessments, in addition to meeting the cumulative score requirements described above. To graduate on the Advanced/Distinguished Achievement Program, a student must demonstrate advanced academic performance on the Algebra II and English III EOC assessments, commonly referred to as college and career readiness standards, in addition to successfully meeting performance standards on the other EOC assessments. If this standard is not met, the student will graduate under the Recommended Program, regardless of whether the student has met all other requirements for graduation under the Advanced/Distinguished Achievement Program.

Certificates of Coursework Completion

A certificate of coursework completion will be issued to a student who has successfully completed state and local credit requirements for graduation but has not yet demonstrated satisfactory performance on the state-mandated tests required for graduation. Students receiving a certificate of coursework completion may not participate in commencement.

Students with Disabilities

Upon the recommendation of the admission, review, and dismissal (ARD) committee, a student with disabilities who receives special education services may be permitted to graduate under the provisions of his or her IEP.

A student who receives special education services and has completed four years of high school, but has not met the requirements of his or her IEP, may participate in graduation ceremonies and receive a certificate of attendance. Even if the student participates in graduation ceremonies to receive the certificate of attendance, he or she may remain enrolled to complete the IEP and earn his or her high school diploma; however, the student will only be allowed to participate in one graduation ceremony.

[See policy FMH(LEGAL).]

Please also be aware that if an ARD committee places a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum Program, in accordance with state rules.

If a student receiving special education services is scheduled to graduate under the Minimum Program or in accordance with the provisions of his or her IEP, the student's ARD committee will determine whether the general EOC assessment is an accurate measure of the student's achievement and progress or whether an alternative assessment is more appropriate. STAAR Modified and STAAR Alternate are the alternative assessments currently allowed by the state. [See **Standardized Testing** for additional information.] If a student takes the STAAR Modified or STAAR Alternate assessment, the student's ARD committee will determine whether the score on an EOC assessment will count as 15 percent of a student's final grade, as well as whether successful performance and a cumulative score on the EOC assessments will be required for graduation.

Graduation Speakers

Graduating students will be given an opportunity to provide opening and closing remarks during the graduation ceremony. Only those students who are student council officers and officers of the graduating class will be eligible to give these remarks; however, if the student was assigned to disciplinary placement at any time during the spring semester, he or she will not be eligible to speak at graduation.

Students eligible to give the opening and closing remarks will be notified by the principal and given an opportunity to volunteer. In the event there are more eligible students volunteering than there are speaking roles at the graduation ceremony, the names of all eligible students who volunteered will be randomly drawn. The student whose name is drawn first will give the opening remarks and the student whose name is drawn second will give the closing remarks.

In addition to the opening and closing remarks, the valedictorian and salutatorian may also have speaking roles at the graduation ceremony.

[For student speakers at other school events, see **Student Speakers** on page 51.]

[See FNA(LOCAL).]

Graduation Expenses

Because students and parents will incur expenses in order to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both the student and parent should monitor progress toward completion of all requirements for graduation. The expenses often are incurred in the junior year or first semester of the senior year. [See **Student Fees** on page 30.]

Scholarships and Grants

Students who have a financial need according to federal criteria and who complete the Recommended Program or Advanced/Distinguished Achievement Program may be eligible under the T.E.X.A.S. Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.

Contact the counselor for information about other scholarships and grants available to students.

HARASSMENT

See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 23.

HAZING

Hazing is defined as any intentional, knowing, or reckless act occurring on or off campus directed against a student that endangers the mental or physical health or the safety of a student for the purpose of pledging, being initiated to, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students.

Hazing will not be tolerated by the district. If an incident of hazing occurs, disciplinary consequences will be handled in accordance with the Student Code of Conduct. It is a criminal offense if a person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another in hazing; or has firsthand knowledge of an incident of hazing being planned or having occurred and fails to report this to the principal or superintendent.

[Also see **Bullying** on page 17 and policies FFI and FNCC.]

HEALTH-RELATED MATTERS

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>.

Food Allergies

The district requests to be notified when a student has been diagnosed with a food allergy, especially those allergies that could result in dangerous or possibly life-threatening reactions either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic, as well as the nature of the allergic reaction. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy.

Physical Activity for Students in Elementary and Middle School

In accordance with policies at EHAB, EHAC, EHBG, [and FFA], 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.

Students in middle or junior high school will engage in 30 minutes of moderate or vigorous physical activity per day for at least four semesters.

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

School Health Advisory Council (SHAC)

During the preceding school year, the district's School Health Advisory Council held 12 meetings. Additional information regarding the district's School Health Advisory Council is available from the CATCH/SHAC page on the Midland ISD Website. [See also policies at BDF and EHAA.]

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing school health services, counseling services, a safe and healthy school environment, recess recommendations, and employee wellness. See policies at BDF and EHAA.

[See **Removing a Student from Human Sexuality Instruction** on page 6 for additional information.]

Other Health-Related Matters

Physical Fitness Assessment

Annually, the district will conduct a physical fitness assessment of students in grades 3–12 who are enrolled in a physical education course or a course for which physical education credit is awarded. At the end of the school year, a parent may submit a written request to the physical education teacher to obtain the results of his or her child's physical fitness assessment conducted during the school year.

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 see the Director of Child Nutrition Services.[See policies at CO and FFA.]

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 works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact School Plan Services, at 689-1000.

Pest Management Plan

The district is required to follow integrated pest management (IPM) procedures to control pests on school grounds. Although the district strives to use the safest and most effective methods to manage pests, including a variety of non-chemical control measures, pesticide use is sometimes necessary to maintain adequate pest control and ensure a safe, pest-free school environment.

All pesticides used are registered for their intended use by the United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact School Plant Services, at 689-1000.

HOMELESS STUDENTS

For more information on services for homeless students, contact the district's Liaison for Homeless Children and Youths, Dr. William Maurer, at 689-1049.

HOMEWORK

Students in all grades and courses are expected to demonstrate their ability to apply what they have learned in the classroom. This lets the teacher know that the student is progressing successfully and mastering the content. To this end, homework may be assigned on a periodic or daily basis depending on various factors (i.e., age of child, content, materials needed, etc.). Please check with the campus principal if you have any questions regarding homework.

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, varicella (chicken pox), and meningococcal. 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 a 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>.]

LATE WORK

Teachers will notify students of due dates for all assignments and any changes to due dates. Students who do not turn in assignments by the designated date(s) may be subject to grade penalties in accordance with campus or classroom procedures.

The following maximum penalties may be applied to secondary students:

- One school day late – A maximum grade of 90
- Two school days late – A maximum grade of 80 (Parents should be contacted regarding work that is two or more days late)
- Three to five days late – A maximum grade of 70

After five school days, work does not have to be accepted and a grade of 0 may be assigned.

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).]

LIMITED ENGLISH PROFICIENT STUDENTS

A student with limited English proficiency (LEP) is entitled to receive specialized services from the district. To determine whether the student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be formed, which will consist of both district personnel and at least one parent representative. The student's parent must consent to any services recommended by the LPAC for a LEP student.

In order to determine a student's level of proficiency in English, the LPAC will use information from a variety of assessments. If the student qualifies for services and once a level of proficiency has been established, the LPAC will then designate instructional accommodations or additional special programs the student will require to eventually become proficient at grade level work in English. Ongoing assessments will be conducted to determine a student's continued eligibility for the program.

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR-L, as mentioned at **Standardized Testing** on page 49, may be administered to a LEP student. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to LEP students who qualify for services.

If a student is considered LEP and receives special education services because of a qualifying disability, the student's ARD committee will make these decisions.

MAKEUP WORK

Makeup Work Because of Absence

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 for any class missed .

A student will be responsible for obtaining and completing the makeup work in a satisfactory manner and within the time specified by the teacher. A student who does not make up assigned work within the time allotted by the teacher will receive a grade of zero for the assignment.

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

DAEP Makeup Work

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

MEDICINE AT SCHOOL

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

Only authorized employees, in accordance with policies at FFAC, may administer:

- Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.
- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.
- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

In certain emergency situations, the district will maintain and administer to a student nonprescription medication, but only:

- In accordance with the guidelines developed with the district's medical advisor; and
- When the parent has previously provided written consent to emergency treatment on the district's form.

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

to 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.

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 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.]

NONDISCRIMINATION STATEMENT

In its efforts to promote nondiscrimination, Midland ISD does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including CTE programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Title II of the Americans with Disabilities Act of 1990 (ADA), as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

The following district representatives have been designated to coordinate compliance with these legal requirements:

Title IX Coordinator, for concerns regarding discrimination on the basis of gender: Teresa A. Moore, 3200 W. Cuthbert, Midland TX 79701, 681-6340.

ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Nancy Isaacs, 615 W. Missouri Avenue, Midland TX 79701, 689-1000.

All other concerns regarding discrimination: See the superintendent's designee, Dr. William Maurer, 615 W. Missouri Avenue, Midland TX 79701, 689-1049. [See policies FB(LOCAL) and FFH(LOCAL).]

PASS/FAIL COURSE INFORMATION

Pass-fail grading is recommended as an incentive for students to take courses which interest them but which they avoid for various reasons. A student taking a course on a pass-fail basis is relieved from concerns related to the effect a grade might have on his/her overall records since he/she will receive a “P” for a passing grade and since their grade point average would not be affected. Of course, this option is not appropriate and will not be granted for a major field of study where grades are important for higher education nor for courses necessary for college entrance since occasionally a college will not accept credit from a course successfully completed under the pass-fail option. More information on pass/fail courses can be found in the MISD Course Description Guide (Course Register).

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** on page 7.]

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, the recommendation of the student’s teacher, the score received on any criterion-referenced or state-mandated assessment, and any other necessary academic information as determined by the district. To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

In grades 2–8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for English/language arts, mathematics, science, and social studies. Grade-level advancement for students in grades 9–12 shall be earned by course credits applied toward graduation. In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.*

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.

* Because the 2011–2012 school year is the first year of implementation of the STAAR, students will not be required by state law to perform satisfactorily on the grade 5 or 8 STAARs for this one year only in order to be promoted to the next grade level.

If a student in grade 5 or 8 is enrolled in a course that earns high school credit and for which an end-of-course (EOC) assessment will be administered or in a course intended for students above the student's current grade level in which the student will be administered a state mandated assessment, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. However, the student's score on the EOC assessment will be used in determining whether the student meets the minimum cumulative score required for graduation.

If a student is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state mandated assessment, the student will only be required to take an applicable state mandated assessment for the course in which he or she is enrolled.

[See **Standardized Testing** on page 49.]

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.

With the exception of the 2011–2012 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 and the student must complete additional special instruction before beginning the next grade level. 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).] For a student receiving

special education services, the student's IEP may serve as the student's PGP and would therefore be developed by the student's ARD committee.

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 6 weeks.

At the end of the first three weeks of a grading period, parents will be given a written progress report if their child's performance in English language arts, mathematics, science, or social studies] 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** on page 3 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the superintendent or designee pursuant to the board-adopted policy and are designed to reflect each student's relative mastery of each assignment 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) and **Grading Guidelines** on page 32.]

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

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

RETALIATION

See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 23.

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 others 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 may have to rely on 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

Each year, parents are asked to complete an emergency release form to provide contact information in the event that school is dismissed early because of severe weather or another emergency.

SAT, ACT, AND OTHER STANDARDIZED TESTS

See **Standardized Testing** on page 49.

SCHOOL FACILITIES

Use by Students Before and After School

Certain areas of MISD schools may 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. To see if areas of your child's school are available for use by students before or after school, contact the campus principal.

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 School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily. Free and reduced-price meals are available based on financial need. Information about a student's participation is confidential. Contact Child Nutrition Services at 689-1525 to apply.

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).]

Library

The library is a learning laboratory with books, computers, magazines, and other materials available for classroom assignments, projects, and reading or listening pleasure. Libraries is open for independent student use with the times published at each campus.

Meetings of Non-curriculum-Related Groups

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

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

SEARCHES

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

Students' Desks and Lockers

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

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

Searches of desks or lockers may be conducted at any time there is reasonable cause to believe that they contain articles or materials prohibited by policy, whether or not a student is present.

The parent will be notified if any prohibited items are found in the student's desk or locker.

Electronic Devices

Use of district-owned equipment and its network systems is not private and will be monitored by the district. [See policy CQ for more information.]

Any searches of personal telecommunications or other personal electronic devices will be conducted in accordance with law, and the device may be confiscated in order to perform a lawful search. A confiscated device may be turned over to law enforcement to determine whether a crime has been committed.

[See policy FNF(LEGAL) for more information.]

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.

Metal Detectors

When the administration has reasonable suspicion that unidentified students possess weapons, when there has been a pattern of weapons found at school, or when violence involving weapons has occurred at the school, the administration shall be authorized to use stationary or portable metal detectors, in accordance with procedures approved by the Board. Any search of a student's

person as a result of the activation of the detector shall be conducted in accordance with the provisions for personal searches outlined in this policy.
[For further information, see policy FNF(LOCAL).]

Drug-Testing

For further information, see policy FNF(LOCAL). Also see **Steroids** on page 51.

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 Midland ISD at 689-1000.

STANDARDIZED TESTING

SAT/ACT (Scholastic Aptitude Test and American College Test)

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year.

The ACT or SAT may be available at no cost to students. In addition, students in grades 8 and 10 may have the opportunity to take the corresponding preparation assessments at no charge. Please check with the counselor for details.

STAAR (State of Texas Assessments of Academic Readiness)

Grades 3–8

In addition to routine tests and other measures of achievement, students at certain grade levels will take state-mandated assessments, such as the STAAR, in the following subjects:

Mathematics, annually in grades 3–8

Reading, annually in grades 3–8

Writing, including spelling and grammar, in grades 4 and 7

Science in grades 5 and 8

Social Studies in grade 8

Successful performance on the reading and math assessments in grades 5 and 8 is required by law in order for the student to be promoted to the next grade level. For the 2011–2012 school year only, this requirement will be waived. See **Promotion and Retention** on page 43 for additional information.

STAAR Modified and STAAR Alternate, for students receiving special education services, will be available for eligible students, as determined by the student's ARD committee.

STAAR-L is a linguistically accommodated assessment that is available for certain limited English proficient (LEP) students, as determined by the student's Language Proficiency Assessment Committee (LPAC).

End-of-Course (EOC) Assessments for Students in Grades 9–12

Beginning with ninth graders in the 2011–2012 school year, end-of-course (EOC) assessments will be administered for the following courses:

Algebra I, Geometry, and Algebra II

English I, English II, and English III

Biology, Chemistry, and Physics

World Geography, World History, and United States History

Satisfactory performance on the applicable assessments will be required for graduation and will also affect the plan under which the student may graduate.

Normally, there will be three testing windows during the year in which a student may take an EOC assessment, which will occur during the fall, spring, and summer months. For the 2011–2012 school year, however, there will be only the spring and summer administrations of the EOC assessments.

In each content area (English language arts, mathematics, science, and social studies), a student must achieve a cumulative score. To determine whether the student meets the cumulative score, the student's EOC assessment scores in each content area will be added together. If the student's total score on the assessments within the content area is not equal to or greater than the cumulative score set by TEA, the student may retake any of the assessments in that content area until the student achieves the cumulative score. A student who does not achieve the minimum required score on any individual assessment will be required to retake that assessment.

A student may choose to retake an EOC assessment in situations other than those listed above as well.

STAAR Modified and STAAR Alternate, for students receiving special education services, will be available for eligible students, as determined by the student's ARD committee. These particular EOC assessments may have different testing windows than the general assessments, and the ARD committee will determine whether successful performance on the assessments will be required for graduation.

STAAR-L, which is a linguistically accommodated assessment, will be available for students who have been determined to be limited English proficient (LEP) and who require this type of testing accommodation.

Additional information will be provided to students and parents prior to the spring 2012 administrations.

Also see **Course Credit** on page 22, **Grading Guidelines** on page 32, and **Graduation** on page 32 for additional information.

TAKS (Texas Assessment of Knowledge and Skills)

TAKS is a state-mandated assessment currently being transitioned to the STAAR program. However, depending on the grade level of the student, TAKS may still be administered to a student.

For a student in grade 10 or 11 during the 2011–2012 school year, the student will be assessed with TAKS in the subject areas of mathematics, English/language arts, social studies, and science. The test at grade 11 is called “exit-level” TAKS, and satisfactory performance on this test is required for graduation.

Also see **Graduation** on page 32 for more information.

THEA (Texas Higher Education Assessment)

Prior to enrollment in a Texas public college or university, most students must take a standardized test, such as the Texas Higher Education Assessment [THEA]. The purpose of the THEA is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This test may be required before a student enrolls in a dual-credit course offered through the district as well.

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 texas.org/health/steroid-information>.

STUDENTS IN PROTECTIVE CUSTODY OF THE STATE

The district strives to assist any student who has been placed in either temporary or permanent conservatorship (custody) of the state of Texas with the enrollment and registration process, as well as other educational services throughout the student’s enrollment in the district.

Please contact Dr. William Maurer (689-1049), who has been designated as the district’s liaison for children in the conservatorship of the state, with any questions.

STUDENT SPEAKERS

The district provides students the opportunity to introduce the following school events: dramatic/artistic productions, awards ceremonies, and extracurricular banquets. The Superintendent, in consultation with campus principals, may identify additional school events during the school year at which students shall publicly speak. Students are eligible to introduce events if they:

1. Volunteer to speak;
2. Are not in a disciplinary placement (DAEP or suspension) or suspended from extracurricular activities at the time of the speaking event; and
3. In the case of elementary school students, are in the highest two grade levels of the school

A student who is eligible and wishes to introduce one of the school events listed above should submit his or her name to the campus principal during the first full week of instruction each semester.

As determined by the principal, students who have been selected for special honors, such as captain of an athletic team, student council officers, leaders of school-sponsored organizations, homecoming king or queen, or prom king or queen may also address school audiences at designated events.

[See policy FNA(LOCAL).]

SUICIDE AWARENESS

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access the following Web sites or contact the school counselor for more information related to suicide prevention and to find mental health services available in your area:

www.texasuicideprevention.org

<http://www.dshs.state.tx.us/mhservices-search/>

SUMMER SCHOOL

Summer School may be available for some students. Summer School may be required for some students. Please check with your principal or counselor for more information.

TAKS (TEXAS ASSESSMENT OF KNOWLEDGE AND SKILLS)

See **Standardized Testing** on page 49.

TARDINESS

Students who are tardy to class are subject to disciplinary and compulsory attendance action.

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.

TRANSFERS

Students who have a change in residence after completing the ninth grade at a freshman campus (and earning the credits necessary to be classified as a sophomore) may be granted a transfer to attend that high school until graduation. These transfers will only be granted IF the application is submitted no later than 15 calendar days after the change of residence. Also, students with a change of residence to another high school attendance area while enrolled in a senior high school may be granted a transfer to remain at that high school until graduation IF the transfer application is submitted no later than 15 calendar days after a change of residence. Transfer applications may be obtained from the campus administration.

Other guidelines and procedures for transfers within the district may be found in Board policy FDB. Contact the campus for more information.

Parents may request a transfer of their child to another classroom or campus if their child has been verified by the district to have been the victim of bullying (see glossary), or 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).]

Parents may also request a transfer of their child to attend a safe public school in the district if their child attends a school identified by the Texas Education Agency as persistently dangerous or if the child is the victim of a violent criminal offense while in school or on school grounds. Transportation is not provided for a transfer to another campus.

[See **School Safety Transfers**, above, and **Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education Services**, on page 9, for other transfer options.]

TRANSPORTATION

School-Sponsored Trips

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

Buses and Other School Vehicles

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

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 Midland ISD Transportation at 689-1761.

See the Student Code of Conduct for provisions regarding transportation to the 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.
- Refrain from using cell phones or other electronic devices on regular routes to and from school.

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.

Visitors Participating in Special Programs for Students

Midland ISD hosts College Forum which will be held October 5, 2011 at the Chap Center from 7:00 – 8:30 pm. The district invites representatives from colleges and universities and other higher education institutions,, and military recruiters to present information to interested students.

WITHDRAWING FROM SCHOOL

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

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

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

Glossary

Accelerated instruction is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a state-mandated assessment.

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 and his or her parents are members 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.

EOC assessments are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments will be required for graduation beginning with students in grade 9 during the 2011–2012 school year. These exams will be given in English I, English II, English III, Algebra I, Geometry, Algebra II, Biology, Chemistry, Physics, World Geography, World History, and United States History.

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; whether successful completion of state-mandated assessments is required for graduation, 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.

PGP stands for Personal Graduation Plan , which 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.

SHAC stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to assist the district in ensuring that local community values and health issues are reflected in the district's health education instruction.

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.

STAAR is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments, effective beginning with certain students for the 2011–2012 school year.

STAAR Alternate is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

STAAR Modified is an alternative state-mandated assessment based on modified achievement standards that is administered to eligible students receiving special education services, as determined by the student's ARD committee.

STAAR Linguistically Accommodated (STAAR L) is an alternative state-mandated assessment with linguistic accommodations designed for certain recent immigrant English language learners.

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 or end-of-course assessments, when applicable, 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 and 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. 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 10 and 11 and required for graduation for students at these grade levels.

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.

TxVSN is the Texas Virtual School Network, which provides online courses for Texas students to supplement the instructional programs of public school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

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

MIDLAND INDEPENDENT
SCHOOL DISTRICT

Student Code of Conduct

2011-2012

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GENERAL OVERVIEW

PURPOSE

The Board of Trustees adopted this Student Code of Conduct (SCC) to promote a safe, secure, and optimal learning environment for all students. Inside you will find information regarding:

- The process the District will follow when administering disciplinary consequences.
- The disciplinary options, methods, and consequences for preventing and addressing student misconduct, and
- A description of prohibited conduct,
- The District-wide discipline management plan,

If there is a conflict between the SCC and the Student Handbook, the terms of the SCC will control. If there is a conflict between the SCC and District policy, the more recently adopted provision will control.

ADDITIONAL RULES

Students may be subject to campus, classroom, extracurricular, and/or organization rules in addition to those found in the SCC. Students may face consequences under these additional rules as well as possible disciplinary action under the SCC. Further, to the extent a student engages in misconduct that is not specifically addressed in the SCC, the student may still be disciplined if the misconduct disrupts or interferes with the educational process, learning environment, or school safety.

NOTICE OF DISCIPLINARY ACTION

Teachers and administrators strive to notify parents/guardians of student conduct concerns as they occur. The campus administrator will contact the parent/guardian by phone or in writing within three school days of becoming aware of misconduct that may result in out-of-school suspension, DAEP placement, or expulsion from school. Failure to send any notice within this time period or as noted elsewhere in the SCC does not preclude imposing a discipline consequence.

DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS

Students eligible for services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are subject to discipline in accordance with those laws. For more information about those specific procedures, please contact Nancy Isacs, Executive Director of Special Education and 504 Services. A student enrolled in a special education program may not be disciplined for bullying, harassment, or making hit lists until an ARD meeting is conducted.

ANTI-DISCRIMINATION

The District does not discriminate against students on the basis of race, sex, national origin, disability, religion, color, or ethnicity when enforcing the provisions of the SCC.

DISCIPLINE APPEALS

Appeals of disciplinary measures should be directed to the student's teacher or campus administrator, as described in local District policy FNG. Depending on the disciplinary consequence assigned, different complaint procedures may apply.

Timelines for filing appeals stated in the policy will be enforced. Disciplinary consequences will not be delayed or deferred pending the outcome of an appeal.

EFFECT OF STUDENT WITHDRAWAL

Withdrawal from school after a student has been accused of a violation of the SCC will not prevent the District from investigating the alleged violation and, if it is determined that a violation did occur, assessing the appropriate disciplinary consequence and enforcing that consequence should the student re-enroll in the District.

SCOPE OF THE DISTRICT'S DISCIPLINARY AUTHORITY

GENERAL AUTHORITY

In addition to the disciplinary authority established for certain types of offenses as described within the SCC, the District has general disciplinary authority over a student at the following times:

- At any time during the school day
- While traveling to and from school or school activities on District transportation
- While attending any school-sponsored or school-related activity, regardless of time or location
- As provided in extracurricular or organization handbooks, by-laws, or constitutions
- During lunch periods, including those in which a student leaves the campus
- For any school-related misconduct, regardless of time or location
- While on school property
- Other off campus conduct as permitted by Chapter 37 of the Texas Education Code
- For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line

SEARCHES

A student's clothing, personal property, method of transportation, or school property used by the student (such as lockers or desks) may be searched when there is reasonable cause to believe the search will reveal articles or materials prohibited by the District. Students are responsible for ensuring that any personal property, method of transportation, or school property used by the student does not contain prohibited items. Students may be disciplined for possession of prohibited items discovered during a search. For more information about searches, please review the District's Student Handbook and local policy FNF.

STUDENT TRANSFERS

The District may terminate the transfer of a student for violating the SCC.

CRIMINAL CONDUCT

School administrators will report crimes as required by law and may contact local law enforcement regarding suspected criminal activity. Certain acts of misconduct may constitute criminal offenses in addition to violations of the SCC. Because school discipline is independent of criminal proceedings, disciplinary consequences may not be postponed pending the outcome of any criminal proceeding or affected by the outcome of any criminal proceeding.

DISCIPLINE CONSIDERATIONS & TECHNIQUES

DISCIPLINE CONSIDERATIONS

Using their professional judgment, District employees will consider a variety of factors when administering disciplinary consequences and determining the duration of the consequence, including but not limited to:

- the degree of severity and the effect of the misconduct
- the age and grade level of the student
- the student's demeanor
- the student's disciplinary history
- the student's intent at the time of the misconduct
- self-defense. Depending upon all of the relevant circumstances, a student who acts in self-defense may still be subjected to an appropriate disciplinary consequence.
- the frequency of the misconduct
- legal requirements

DISCIPLINE MANAGEMENT TECHNIQUES

Discipline is designed to correct student behavior and encourage students to comply with school rules. The District may use any one or a combination of the following strategies or techniques to manage student behavior, prevent or intervene in discipline problems, or address violations of the SCC or campus or classroom rules:

- Verbal correction
- Seating changes
- Parent conferences
- Removal from the classroom
- Detention
- Contracts to modify student behavior
- Sending the student to the office or other area
- Assignment of school-related tasks or duties
- Other methods and consequences as stated in the SCC
- Calming-down time
- Demerits or rewards
- Confiscation of items

- School probation
- Revocation of student transfer
- Transfer to a different classroom
- Corporal punishment
- Loss or restriction of privileges, including transportation privileges, participation or membership in co-curricular or extracurricular activities, and seeking or holding honorary positions
- Counseling
- In-school suspension
- Out-of-school suspension
- Disciplinary Alternative Education Program (DAEP)
- Expulsion
- Consequences identified in co-curricular or extracurricular codes of conduct, constitutions, or by-laws
- Referral to an outside agency and/or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district

GENERAL TYPES OF PROHIBITED CONDUCT

Misconduct identified in the list of prohibited behaviors below will result in the assignment of one or more “Discipline Management Techniques” if the behavior is committed at school, a school-sponsored or school-related activity, or when the District has “Disciplinary Authority” as described in the SCC. Additional offenses may be listed under DAEP and/or Expulsion.

MISCONDUCT INVOLVING OTHERS

- Fighting or scuffling that does not result in physical pain, illness, or any impairment of a physical condition
- Engaging in conduct that can cause bodily injury (see definitions) or property damage
- Stealing from others, including the District
- Damaging, destroying, or vandalizing property owned by others or the District
- Marking District property such as textbooks, lockers, furniture, or equipment with graffiti, tagging, or by other means
- Forcing an unwilling person to act or not act or obtaining money or another object of value from an unwilling person through duress, threats, force, extortion, coercion, or blackmail
- Subjecting a student or District employee, official, or volunteer to physical confinement or restraint
- Bullying (see definitions)
- Name-calling, ethnic or racial slurs, or derogatory statements that school employees reasonably believe could substantially disrupt the school environment or incite violence
- Making false accusations or providing false statements concerning wrongful, unlawful, inappropriate, or illegal conduct alleged to have

been committed by another student or District employee, official, or volunteer

- Adding any substance, whether harmful or not, without permission to any food or beverages belonging to, in the possession of, or meant to be consumed by another student or District employee, official, or volunteer
- Engaging in harassment (see definitions) toward another student or a District employee, official, or volunteer, including harassment motivated by race, color, religion, national origin, disability, sex, or age
- Engaging in sexual harassment (see definitions) or sexual abuse
- Inappropriate verbal (oral or written), physical, or sexual contact toward another student or a District employee, official, or volunteer regardless of whether it is consensual
- Engaging in oral or written threats to cause harm or bodily injury (see definitions) to another student, a District employee, official, or volunteer, or school property, including threats made using the Internet or other computer resources at school. Students may be disciplined for threats made outside of school if the threat causes a material or substantial disruption at school.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, harassing, illegal, or that cause a material or substantial disruption at school
- Hazing (see definitions)
- Engaging in physical, sexual, verbal, or emotional abuse as a means to harm, threaten, intimidate, or control another person in a dating relationship

POSSESSING, USING, GIVING, SELLING, OR BUYING PROHIBITED ITEMS

- Matches or a lighter
- Tobacco products
- Fireworks or any other pyrotechnic device
- Smoke or stink bombs
- Laser pointers (unauthorized use)
- Pepper spray or other small chemical dispenser sold commercially for personal protection
- “Look-alike” drugs or items attempted to be passed off as drugs, including non-prescription drugs, medications, mood altering substances, or herbal or dietary supplements except as permitted by District policy
- Razor blades, box cutters, or chains
- Knives with a blade 3” or less
- Fake or “look-alike” weapons
- BB gun, air gun, or stun gun
- Ammunition, shells, or bullets
- Material that is sexually-oriented, pornographic, or reveals a person’s private body parts

- Material, including published or electronic items, that promotes or encourages illegal behavior or could threaten school safety
- Articles not generally considered to be weapons when the administrator determines that a danger exists or when used in a way that threatens or inflicts bodily injury to another
- Cell phones, pagers, radios, CD players, tape recorders, camcorders, DVD players, cameras, MP3 players, or electronic devices or game during instructional time and passing periods without prior permission from campus administration. Please note: A fine of up to \$15.00 may be assessed on the second and subsequent possession offenses.
- Any type of recording device in any manner that interferes with or is disruptive of the educational process or invades the privacy of students, employees, volunteers, or visitors
- Having on or in operational mode any device that permits recording the voice or image of another person, unless all persons whose voices are being recorded are made aware of the recording prior to the actual recording of their voices or images

FAILURE TO FOLLOW RULES

- Violating dress and grooming criteria
- Being insubordinate or otherwise failing to comply with lawful directives given by school personnel, including refusing to accept disciplinary consequences
- Leaving the campus or school events without permission
- Attempting to or successfully evading, avoiding, or delaying questioning by a District employee
- Violating rules for conduct on school transportation
- Violating the District's medications policy regarding prescription and over-the-counter drugs
- Violating other campus or classroom rules for behavior or district policies

OTHER MISCONDUCT

- Academic dishonesty, including cheating, copying the work of another, plagiarism, or unauthorized collaboration with another person in preparing an assignment
- Skipping school or class without the District's or parent/guardian's permission
- Using profanity, vulgar language, or obscene gestures
- Falsifying, altering, forging, or destroying school records, passes, other school-related documents, or documents presented to District employees
- Attempting to violate or assisting, encouraging, promoting, or attempting to assist another student in violating the Code of Conduct
- Gambling

- Inappropriate exposure of a student's private body parts which are ordinarily covered by clothing, including through such acts as mooning, streaking, or flashing
- Committing or assisting in a robbery, theft, or burglary that is not punishable as a felony
- Attempting to start or starting a fire on or in any property owned, used, or controlled by a student, the District, or District employees, officials, or volunteers that does not rise to the level of arson or criminal mischief
- Discharging a fire extinguisher, pulling a fire alarm, calling 911, or causing the sprinkler system to activate when there is no smoke, fire, danger, or emergency
- Making or participating in false statements or hoaxes regarding school safety
- Engaging in misbehavior, actions, or demonstrations that substantially disrupt or materially interfere with school activities or that give school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence
- Attempting to or successfully accessing or circumventing passwords or other security-related information of the District, officials, volunteers, employees, or other students by any means
- Violating extracurricular standards of behavior
- Violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent or guardian.
- Attempting to or successfully altering, destroying, interrupting, or disabling District computer equipment, District data, the data of other users of the District's computer system, or other networks connected to the District's system, including uploading or creating computer viruses, worms, or other harmful material
- Engaging in online impersonation

REMOVAL FROM CLASSROOM BY TEACHER

ORDINARY REMOVAL

A teacher may send a student to the administrator's office to maintain discipline in the classroom or when the student engages in behavior that violates the SCC. The administrator may use one or more discipline management techniques to address the behavior.

FORMAL REMOVAL

A teacher may remove a student from class when:

- The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach or with learning of other students; or
- The behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach or with the learning of other students.

- A teacher must remove a student from class if the student engages in conduct that requires or permits DAEP placement or expulsion under the Texas Education Code.

PLACEMENT DURING REMOVAL

When a teacher utilizes a formal removal of the student from the classroom, the administrator may place the student in: (1) another appropriate classroom, (2) in-school suspension, (3) out-of-school suspension, or (4) DAEP.

PROCEDURES FOR REMOVAL

No later than three school days after a teacher has formally removed a student from class, an administrator will schedule a conference with the administrator, the student's parent/guardian, the student, and the teacher. At the conference, the student will be provided an explanation of the basis for removal and be given an opportunity to respond. After the conference, the administrator will render a discipline decision and inform the student and parent/guardian of the consequences.

RETURN TO THE CLASSROOM

If the teacher removed the student from class because the student engaged in assault resulting in bodily injury, aggravated assault, sexual assault, or aggravated sexual assault against the teacher, the student may not be returned to the teacher's class without the teacher's consent. In other cases where the teacher initiates a formal removal, the student may only 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.

IN-SCHOOL SUSPENSION (ISS)

REASONS FOR ISS

Students may be placed in ISS for any misconduct listed in any category of the SCC.

PROCEDURE FOR ISS

The student will be informed of the reason for placement in ISS and be given an opportunity to respond before the administrator's decision is final. While in ISS the student will complete assignments from his or her teacher. Students assigned to ISS may participate in school-sponsored or school-related activities unless the coach, director, or sponsor removes that privilege in accordance with the rules of that activity.

OUT-OF-SCHOOL SUSPENSION (OSS)

REASONS FOR OSS

Students may be suspended from school for any misconduct listed in any category of the SCC.

PROCEDURE FOR OSS

The student will be informed of the reason for out-of-school suspension and be given an opportunity to respond before the administrator's decision is final. While the student is

suspended, the administrator may place restrictions on the student's participation in school-sponsored or school-related activities. Students may be suspended for a maximum of three school days per behavior violation.

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP)

REASONS FOR MANDATORY DAEP PLACEMENT

School-Related

A student must be placed in DAEP for any of the following misconduct if committed while on school property, 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 definitions) resulting in bodily injury (see definitions) to another.
- Engages in an offense relating to abusable volatile chemicals (see definitions). Students will be expelled for the second infraction occurring in the same school year.
- Commits a serious act or offense while under the influence of an alcoholic beverage if the conduct is not punishable as a felony. Students will be expelled for the second infraction occurring in the same school year.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance (see definitions), a dangerous drug (see definitions), or an alcoholic beverage (see definitions) in any amount not punishable as a felony. Students will be expelled for the second infraction occurring in the same school year.
- Engages in public lewdness (see definitions).
- Engages in indecent exposure (see definitions).
- Possesses or uses a knife with a blade over 3" up to 5 ½".
- Engages in expellable conduct if the student is between six and nine years of age.
- Engages in a federal firearm offense if the student is six years of age or younger.

Off-Campus

A student must be placed in DAEP for the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

- The student receives deferred prosecution for aggravated robbery or a Title 5 felony offense. (see definitions)
- A court or jury finds the student engaged in delinquent conduct for aggravated robbery or a Title 5 felony offense. (see definitions)
- The administrator reasonably believes that the student engaged in aggravated robbery or a Title 5 felony offense. (see definitions)

Regardless of Location

A student must be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Issues a false alarm or report (see definitions) or a terroristic threat (see definitions) involving a public school. Students will be expelled for the second infraction occurring in the same school year.
- Retaliates (see definitions) against any school employee.
- Is involved with a public school fraternity, sorority, secret society, or gang (see definitions), including participating as a member or pledge, or soliciting another person to become a member or pledge.
- Engages in criminal mischief if the damage is less than \$1,500.
- Is a registered sex offender (see definitions) under court supervision, probation, community supervision, or parole.

REASONS FOR DISCRETIONARY DAEP PLACEMENT

School-Related

A student may be placed in DAEP for any of the following misconduct if committed while on school property, 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:

- Possessing, giving, buying, or selling less than a usable amount of stems, seeds, or other pieces of marijuana.
- Possessing, using, selling, buying, or giving paraphernalia (see definitions) related to any prohibited substance, including but not limited to marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage, or an abusable volatile chemical.
- Abusing the student's own prescription drug or using it in a way other than prescribed; giving, buying, or selling a prescription drug; possessing, using, or being under the influence of another person's prescription drug.
- Preparing a hit list (see definitions).
- Engaging in serious (see definitions) or persistent (see definitions) misbehavior that violates this SCC while the student is assigned to DAEP.
- Committing any offense included in the list of "General Types of Prohibited Misconduct" in this SCC.

Off-Campus

A student may be placed in DAEP for engaging in the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

- The administrator reasonably believes the student engaged in conduct punishable as a felony (other than a Title 5 felony), and the student's

continued presence in the regular classroom is a threat to the safety of others or is detrimental to the educational process.

- Off-campus conduct for which DAEP placement is required by state law when the administrator does not learn of the conduct until more than a year passes after the conduct occurred.

Regardless of Location

A student may be placed in DAEP if the student is a registered sex offender (see definitions) who is not under any form of court supervision. A registered sex offender who is not under any form of court supervision will be placed in regular classes if the student is not a threat to the safety of others, is not detrimental to the educational process, and such placement is not contrary to the best interests of the District's students.

EMERGENCY DAEP PLACEMENT

An administrator may order an emergency DAEP placement if the student has been so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, the learning of other students, or the operation of a school-related or a school-sponsored activity. The reason for emergency placement must also be a reason for which DAEP placement could be ordered on a non-emergency basis. At the time of the emergency placement, the student will be told the reason for the action.

No later than the third day after the date of emergency DAEP placement, the student will be given a conference as required for regular placement in DAEP; see below.

PROCEDURE FOR DAEP PLACEMENT

Conference

No later than three school days after the student is removed from class, the administrator will schedule a conference with the administrator, the student's parent/guardian, and the student. The District may conduct the conference and make a discipline decision regardless of whether the student or the student's parent/guardian attends if the District made reasonable attempts to have them attend.

At the conference, the administrator will explain the allegations against the student, inform the student of the basis for the proposed DAEP placement, and give the student an opportunity to explain his or her version of the incident.

If during the term of DAEP placement the student engages in additional misconduct, additional conferences may be conducted and additional discipline may be imposed.

Interim Placement

Until a placement conference can be held, the student may be placed in another appropriate classroom, in-school suspension, or out-of-school suspension. The student may not be returned to the regular classroom pending the placement conference.

DAEP Placement Order

If the outcome of the conference is to place the student in DAEP, the administrator will issue a DAEP placement order. If the length of placement differs from the guidelines included in the SCC, the DAEP placement order will give notice of the inconsistency.

A copy of the DAEP placement order will be sent to the student and the student's parent/guardian. For those students placed in DAEP for a reason identified in the Texas Education Code, the District will also send the juvenile court a copy of the DAEP placement order no later than the second business day after the placement conference. A copy of the DAEP placement order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the DAEP placement order.

LENGTH OF DAEP PLACEMENT

The length of a student's placement in DAEP will be determined on a case-by-case basis using the criteria identified in the "Discipline Considerations" section of this SCC. Unless otherwise stated, DAEP assignments are for a maximum of 30 school days. The length of DAEP placement may not exceed one year unless, after review, the District determines that (1) the student is a safety threat, or (2) extended placement is in the best interest of the student.

In order for a day to count toward the DAEP assignment, the student must be present for the entire day, arrive on time, complete all assignments, follow all rules, and engage in no additional violations of the SCC.

Students placed in DAEP at the end of one school year may be required to complete the assigned term at the beginning of the next school year. For DAEP placement to extend beyond the end of the school year, the administrator must determine that: (1) the student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or (2) the student has engaged in serious or persistent misbehavior (see definitions) that violates the SCC.

If the DAEP placement extends beyond 60 days or the end of the next grading period, whichever is sooner, the student or the student's parent/guardian may participate in a proceeding before the Board or Board's designee as provided in policy FNG (LOCAL). Any decision of the Board is final and may not be appealed.

PARTICULAR RULES FOR SEX OFFENDERS

The general SCC rules for DAEP placement apply to registered student sex offenders (see definitions) except as modified in this section.

Placement

Registered sex offenders who are under court supervision will be placed in DAEP. Registered sex offenders not under court supervision may be placed in DAEP.

Length of Placement

Registered sex offenders who are placed in DAEP must serve a minimum of 90 school days, which is the equivalent of one semester.

Transfers

Registered sex offenders (whether under court supervision or not) that transfer into the District will be required to complete the DAEP assignment assessed by the previous school district, but will receive credit for any time already spent in DAEP. In making a decision regarding the placement of a registered sex offender that transfers into the District, the District will consider the recommendation of the review committee as described in the “Periodic Review for Sex Offenders” section described below.

Periodic Review for Sex Offenders

After 90 school days in DAEP, a review committee will determine by majority vote and recommend to the Superintendent’s designee whether the student should remain in DAEP or be returned to the regular classroom. The Superintendent’s designee will follow the committee’s decision to return the student to the regular classroom unless the student’s presence in the regular classroom is a threat to the safety of others, is detrimental to the educational process, or is not in the best interests of the District’s students. Conversely, the Superintendent’s designee will follow the committee’s decision to continue the student’s placement in DAEP unless the student’s presence in the regular classroom is not a threat to the safety of others, is not detrimental to the educational process, or is not contrary to the best interests of the District’s students.

If the student remains in DAEP, the review committee will re-consider the student’s placement before the beginning of the next school year.

Appeals for Sex Offenders

DAEP placement may be appealed as described in District policy FNG or FOC. However, the appeal is limited to the factual question of whether the student is required to register as a sex offender under the law. A decision of the district’s Board of Trustees is final and may not be appealed.

OTHER DAEP ISSUES

No Participation in Activities While in DAEP

Students placed in DAEP for any mandatory or discretionary reasons are not allowed to attend or participate in school-sponsored or school-related extracurricular or co-curricular activities during the period of DAEP placement. This restriction applies until the student fulfills the DAEP assignment at this or another school district.

Impact on Graduation

For graduating seniors who are in DAEP during the last week of school, the DAEP placement will continue through the last instructional day. The student will be allowed to participate in commencement exercises and related graduation activities unless otherwise specified in the DAEP placement order.

First Offense – Drug and Alcohol

A student, who, on school property or at a school-related event on or off school property, including while truant from school, sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs, alcohol, or an inhalant, if the conduct is not punishable as a

felony, will be placed in a Disciplinary Alternative Education Program, for up of 15 school days on the first offense, if the student has had no other disciplinary infractions which resulted in a DAEP assignment and is not failing more than one subject at the time of the incident. Students with a first offense who have had at least one prior disciplinary infraction which resulted in a DAEP assignment or are failing two or more subjects at the time of the incident, will be recommended for expulsion. If a student sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs, alcohol, or an inhalant of any amount a second time in the same school year, the student will be recommended for expulsion.

At the time of DAEP placement for a first time offender under the terms of the previous paragraph, the student, parent and campus administrator will be required to review the consequences in the case of a second offense, and acknowledge the review in writing.

Transportation

The district may provide transportation to students assigned to DAEP.

Periodic Review

The District will review a student's DAEP placement and academic status every 120 calendar days. In the case of a high school student, the student's progress toward graduation will be reviewed and a graduation plan will be established. At the review, the student or the parent/guardian will have an opportunity to present reasons 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.

Effect of Student Withdrawal

When a student withdraws from school before a DAEP placement order is completed, the District may complete the proceedings and issue a DAEP placement order. If the student re-enrolls in the District during the same or subsequent school year, the District may enforce the DAEP placement order at that time, minus any portion of the placement that was served by the student during enrollment in another district.

If the administrator fails to issue a DAEP placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a DAEP placement order.

Student Transfers

Students assigned to DAEP in another Texas district, a Texas open-enrollment charter school, or an out-of-state school district at the time of enrollment into the District will be placed into the District's DAEP for a period not to exceed 30 school days unless otherwise specified. In order to continue an out-of-state DAEP placement, the basis for the DAEP placement must also be a reason for DAEP placement in the enrolling district.

Criminal Proceedings

The review and appeal process described below does not apply if the student was placed in DAEP as required by law for conduct occurring on or within 300 feet of school property, at a school-sponsored or school-related activity, or for a false alarm or report or terroristic threat involving a public school.

If the District receives notice that prosecution of a student's case was refused and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated or a court or jury found the student not guilty or did not engage in delinquent conduct or conduct indicating a need for supervision and dismissed the student's case with prejudice, the District will review the student's DAEP placement and will schedule a review with the student's parent/guardian no later than the third day after receiving notice. The student will not be returned to the regular classroom before the review. After reviewing the notice and receiving information from the student's parent/guardian, the administrator may only continue the student's DAEP placement if the administration has reason to believe the student's presence in the regular classroom threatens the safety of others.

The administrator's decision may be appealed to the Board. In the event of an appeal, at the next scheduled meeting the Board will: (1) review the notice, (2) hear statements from the student, the student's parent/guardian, and the administrator, and (3) confirm or reverse the decision of the administrator.

If the Board confirms the decision of the administrator, the student and the student's parent/guardian have the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom while the appeal is pending.

EXPULSION

REASONS FOR MANDATORY EXPULSION

School-Related

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:

- Brings to school a firearm, as defined by federal law (see definitions).
- Uses, exhibits, or possesses the following items, as defined by state law: (1) a firearm, (2) an illegal knife, (3) a club, or (4) a prohibited weapon (see definitions).
- Engages in the following misconduct as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault, (3) aggravated sexual assault, (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or children.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance (see definitions), a dangerous drug (see definitions), or an alcoholic beverage (see definitions) if the behavior is punishable as a felony.
- Commits a serious act or offense while under the influence of an alcoholic beverage if the behavior is punishable as a felony.

Three Hundred Feet

A student will also be expelled for any of the following offenses that occur on school property, within 300 feet of school property as measured from any point on the District's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Engages in misconduct that contains the elements of an offense relating to abusable volatile chemicals if it is the second infraction in the same school year.
- Commits a serious act while under the influence of an alcoholic beverage if it is the second infraction in the same school year and the conduct is not punishable as a felony.
- Sells, gives, delivers, possesses, uses, or is under the influence of any amount of marijuana, a controlled substance, dangerous drug, or alcoholic beverage, if it is the second infraction in the same school year and the conduct is not punishable as a felony.

Regardless of Location

A student must be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Retaliates against a school employee or volunteer by committing a state-mandated expellable offense.
- Issues a false alarm or report (see definitions) or a terroristic threat (see definitions) involving a public school for the 2nd time in the same school year.

REASONS FOR DISCRETIONARY EXPULSION

School-Related

A student may be expelled for any of the following offenses that occur on school property, within 300 feet of school property as measured from any point on the District's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Commits an assault (see definitions) resulting in bodily injury to a school employee or volunteer.
- Engages in deadly conduct (see definitions).
- Engages in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance (see definitions), a dangerous drug (see definitions), or an alcoholic beverage (see definitions) in any amount not punishable as a felony, on the first offense during the school year if the student has had at least one prior disciplinary infraction which resulted in a DAEP assignment or is failing two or more subjects at the time of the incident.

- Engages in serious (see definitions) or persistent (see definitions) misbehavior that violates this SCC while the student is placed in DAEP.

Three Hundred Feet

Additionally, a student may be expelled for any of the following offenses that occur within 300 feet of school property as measured from any point on the District's real property boundary line:

- Possesses a firearm, as defined by federal law (see definitions).
- Uses, exhibits, or possesses the following items, as defined by state law: (1) a firearm, (2) an illegal knife, (3) a club, or (4) a prohibited weapon (see definitions).
- Engages in the following misconduct as defined in the Texas Penal Code: (1) aggravated assault, (2) sexual assault, (3) aggravated sexual assault, (4) arson, (5) murder, (6) capital murder, (7) criminal attempt to commit murder or capital murder, (8) indecency with a child, (9) aggravated kidnapping, (10) aggravated robbery, (11) manslaughter, (12) criminally negligent homicide, or (13) continuous sexual abuse of a young child or children.

Regardless of Location

A student may be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off campus:

- Commits aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder or capital murder, or aggravated robbery against another student.
- Retaliates against a school employee or volunteer by committing an assault (see definitions) resulting in bodily injury.
- Engages in criminal mischief if the damage is \$1,500 or more.
- Commits a state-mandated expellable offense on the school property of another Texas school district or while attending a school-sponsored or school-related activity of another Texas school district.
- Engages in the elements of breach of computer security if the student accesses a district network or system and the student knowingly alters, damages, or deletes school district property or information or commits a breach of any other computer, computer network, or computer system.

Felonies Regardless of Location

In addition to the expellable conduct listed above, a student may also be expelled and placed in District DAEP if the student:

- is arrested for aggravated robbery or a Title 5 felony offense (see definitions),
- is charged with engaging in aggravated robbery or a Title 5 felony offense,

- received deferred adjudication or deferred prosecution for aggravated robbery or for a Title 5 felony offense,
- is on probation for aggravated robbery or for a Title 5 felony offense,
- was found by a court or jury to have engaged in delinquent conduct for aggravated robbery or for a Title 5 felony offense,
- has been referred to a juvenile court for delinquent conduct based on aggravated robbery or a Title 5 felony offense, or
- was convicted of aggravated robbery or a Title 5 felony offense;

and the administrator determines the student's presence in the regular classroom threatens the safety of other students or teachers, is detrimental to the educational process, or is not in the best interests of the District's students.

In this circumstance, expulsion to an alternative setting may be ordered regardless of: (1) the date on which the conduct occurred, (2) the location at which the conduct occurred, (3) whether the student was enrolled in the District at the time the conduct occurred, or (4) whether the student successfully completed any court disposition requirements regarding the conduct.

A student may be subject to an expulsion under this circumstance until: (1) the student graduates from high school, (2) the charges are dismissed or reduced to a misdemeanor, (3) the student completes the term of the placement, or (4) the District assigns the student to a another program. The student will be entitled to the same periodic review afforded to other students in alternate settings. An expulsion ordered in this case is final and may not be appealed beyond the Board of Trustees.

EMERGENCY EXPULSION

An administrator may order the immediate expulsion of a student if the administrator reasonably believes the emergency expulsion is necessary to protect persons or property from imminent harm. The reason for the emergency expulsion must also be a reason for which expulsion could be ordered on a non-emergency basis. At the time of the emergency expulsion, the student will be told the reason for the action. No later than the tenth day after the date of emergency expulsion, the student will be given a hearing as required for a regular expulsion; see below.

PROCEDURE FOR EXPULSION

Hearing

Students alleged to have committed an expellable offense will receive a hearing before the Superintendent's designee within a reasonable time following the alleged misconduct. The student's parent/guardian will be informed of the basis for the proposed expulsion and be invited in writing to attend the hearing. After making an effort to inform the student and parent/guardian of the hearing, the District may hold the hearing regardless of whether the student or the student's parent/guardian attends. At the hearing, the student is entitled to:

- Representation by an adult, including the student's parent/guardian, who can provide guidance to the student and who is not an employee of the District;

- An opportunity to question the District’s witnesses; and
- An opportunity to testify and to review and present evidence and witnesses in the student’s defense.

Additional proceedings may be conducted and additional discipline may be imposed if the student engages in additional misconduct while the student is already expelled.

Interim Placement

Until an expulsion hearing can be held, the student may be placed in another appropriate classroom, in-school suspension, or out-of-school suspension or DAEP.

Expulsion Order

If the outcome of the expulsion hearing is that the student will be expelled, the appropriate administrator will issue an expulsion order and provide a copy to the student and the student’s parent/guardian. If the duration of the expulsion differs from the guidelines in the SCC, the expulsion order will give notice of the inconsistency.

The District will send a copy of the expulsion order to the juvenile court no later than the second business day after the expulsion hearing. A copy of the expulsion order will be included with any records sent to a school where the student seeks to enroll. The enrolling school district has discretion to enforce the expulsion order.

LENGTH OF EXPULSION

The duration of the expulsion will be determined on a case-by-case basis using the criteria identified in the “Discipline Considerations” section of this SCC. Generally, both mandatory and discretionary expulsions will result in expulsion for up to 90 school days. Students who bring a firearm (as defined by federal law) to school will be expelled from the regular classroom for at least one calendar year except as modified by the superintendent or designee.

An expulsion or series of expulsions will not exceed one calendar year unless, after review, the District determines that: (1) the student is a threat to the safety of other students or to District employees; or (2) extended expulsion is in the best interest of the student.

Students expelled at the end of one school year may be required to complete the term of their expulsion at the beginning of the next school year.

OTHER EXPULSION ISSUES

Academic Impact

Students will not receive academic credit for work missed during the period of expulsion unless the student is enrolled in the District DAEP or as required by IDEA or Section 504.

Participation in Activities

Expelled students are prohibited from being on school grounds or attending or participating in school-sponsored or school-related activities while expelled.

Age Restrictions

Students under the age of ten that engage in expellable behavior will not be expelled, but will be placed in DAEP.

Effect of Student Withdrawal

If a student withdraws from the District before the expulsion hearing is conducted, the District may proceed with conducting the hearing after sending written notice to the parent/guardian and student. If the student re-enrolls during the same or subsequent school year the District may enforce the expulsion order at that time; students will be credited for any expulsion period that was served by the student while enrolled in another district.

If the administrator does not issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue an expulsion order.

Newly Enrolled Students

The District will place a newly enrolled student expelled from another district or an open-enrollment charter school directly into a DAEP until a due process hearing is conducted. The District will decide on a case by case basis whether or not to continue the expulsion order from another district or open-enrollment charter school.

EXPULSION APPEALS

Consequences will not be delayed pending the outcome of the appeal.

The expulsion appeal process is contained in District policy FOD and FNG. A copy of the policies is available at the campus or central administration office or online at <http://www.midlandisd.net>.

DEFINITIONS

ABUSABLE VOLATILE CHEMICALS: Those substances as defined in Texas Health and Safety Code § 485.001.

AGGRAVATED ROBBERY: When a person commits a robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon, or;
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older, or;
 - b. A disabled person.

ALCOHOLIC BEVERAGE: Those substances as defined in Texas Alcoholic Beverage Code § 1.04.

ARMOR-PIERCING AMMUNITION: Handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers.

ASSAULT: For student discipline purposes, intentionally, knowingly, or recklessly causing bodily injury to another.

BODILY INJURY: Physical pain, illness, or impairment of a physical condition.

BULLYING: Written or verbal expression or physical conduct that (1) has 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 (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

CHEMICAL DISPENSING DEVICE: A device other than a small chemical dispenser sold commercially for personal protection that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on an individual.

CLUB: 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.

CONTROLLED SUBSTANCE: Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq.

DANGEROUS DRUG: Substances as defined in Chapter 483 of the Texas Health and Safety Code.

DEADLY CONDUCT: Recklessly engaging in conduct that places another in imminent danger of serious bodily injury or by knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

EXPLOSIVE WEAPON: Any explosive or incendiary bomb, grenade, rocket, or mine 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. It includes a device designed, made or adapted for delivery or shooting an explosive weapon.

FALSE ALARM OR REPORT: Knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that is known to be false or baseless and that would ordinarily: (1) cause action by an official or volunteer agency organized to deal with emergencies; (2) place a person in fear of imminent serious bodily injury; or (3) prevent or interrupt the occupation of a building, room, or place of assembly.

FIREARM (Federal law): (1) 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; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm weapon; or (4) any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

FIREARM (State law): 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.

FIREARM SILENCER: Any device designed, made, or adapted to muffle the report of a firearm.

GANG: An organization, combination, or association of persons composed wholly or in part of students that: (1) seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, or (2) that engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the District will consult with law enforcement authorities.

GRAFFITI: Making marks of any kind on the tangible property of another without the effective consent of the owner.

HARASSMENT: Threatening to cause harm or bodily injury to another, engaging in sexually intimidating conduct, causing physical damage to the property of another, subjecting another to physical confinement or restraint, maliciously taking any action that substantially harms another's physical or emotional health or safety, or other conduct prohibited by District policy.

HAZING: Any act, occurring on or off the campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization. Consent to or acquiescence in the hazing activity does not excuse the student of responsibility for the misconduct.

HIT LIST: List of people targeted to be harmed using a firearm, knife, or any other object to be used with intent to cause bodily harm.

ILLEGAL KNIFE: A knife with a blade over 5 ½ 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.

INDECENT EXPOSURE: Those acts defined in Texas Penal Code section 21.08.

KNIFE: A bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

KNUCKLES: Any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

MACHINE GUN: Any firearm capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

PARAPHERNALIA: Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, or a dangerous drug into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes.

PERSISTENT: Three or more violations of the SCC or repeated occurrences of the same violation.

POSSESSION: To have in or on: (1) a student's person or in the student's personal property, such as the student's clothing, purse, or backpack; (2) in any vehicle used by the student for transportation to or from school or school-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) any other school property used by the student, such as a locker or desk; regardless of the student's knowledge or intent to possess the item.

PROHIBITED WEAPONS: A prohibited weapon includes the following items: armor-piercing ammunition, chemical dispensing device, explosive weapon, firearm silencer, knuckles, machine gun, short-barrel firearm, switchblade knife, zip gun, or tire deflation device.

PUBLIC LEWDNESS: Those acts defined in Texas Penal Code § 21.07.

REASONABLE BELIEF: A determination that misconduct occurred made by the administrator using all available factual and legal information, including information furnished under Article 15.27 of the Code of Criminal Procedure.

RETALIATION: Harming or threatening to harm another: (1) on account of their service as a District employee or volunteer, (2) to prevent or delay another's service to the District, or (3) because the person intends to report a crime.

SELF-DEFENSE: When the person who is not the aggressor in an encounter uses the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter will not be considered self-defense.

SERIOUS: Any misconduct identified as being punishable with placement in DAEP or expulsion.

SEX OFFENDER: A student required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure for an offense committed on or after September 1, 2007.

The term does not include a student who: (1) is no longer required to register as a sex offender under Chapter 62, (2) is exempt from registering as a sex offender under Chapter

62, or (3) receives an early termination of the obligation to register as a sex offender under Chapter 62.

SEXUAL HARASSMENT: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's performance or creates an intimidating, hostile, or offensive educational environment.

SHORT-BARREL FIREARM: 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 if, as altered, has an overall length of less than 26 inches.

SWITCHBLADE KNIFE: Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

TELECOMMUNICATIONS DEVICE: Any type of device that: (1) emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or (2) permits the recording, transmission, and/or receipt of messages, voices, images, or information in any format or media, electronic or otherwise. It does not include an amateur radio under control of someone with an amateur radio license.

TERRORISTIC THREAT: Threats to commit any offense involving violence to any person or property with intent to: (1) cause a reaction by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury; (3) prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public place; (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service; (5) place the public or a substantial group of the public in fear of serious bodily injury; or (6) 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).

TIRE DEFLATION DEVICE: A device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

TITLE 5 FELONY OFFENSES: Offenses against the person that, depending on the circumstances, may include murder; capital murder; manslaughter; criminally negligent homicide; unlawful restraint; kidnapping; aggravated kidnapping; trafficking of persons; unlawful transport; assault; aggravated assault; sexual assault; aggravated sexual assault; improper relationship between educator and student; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; improper photography or visual recording; coercing, soliciting, or inducing gang membership; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment by a person in a correctional facility; and tampering with a consumer product.

UNDER THE INFLUENCE: When, in the employee's professional judgment, the student does not have the normal use of mental or physical faculties likely attributable to the student's use of a prohibited substance. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behavior. The student need not be legally intoxicated.

USE: Voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body.

ZIP GUN: A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.