



**Bryson Elementary  
Chisholm Ridge Elementary  
Comanche Springs Elementary  
Eagle Mountain Elementary  
Elkins Elementary  
Gililand Elementary  
Greenfield Elementary  
Weldon Hafley Development Center  
High Country Elementary  
Lake Pointe Elementary  
Northbrook Elementary  
Parkview Elementary  
Remington Point Elementary  
Saginaw Elementary**

**2008-2009  
Elementary  
Handbook  
And  
Student Code of  
Conduct**

**Eagle Mountain-Saginaw  
Independent School District**

**Office of Instruction  
Revised July 2008**



# EAGLE MOUNTAIN-SAGINAW ISD 2008-2009 CALENDAR

1200 Old Decatur Road • Fort Worth, TX • www.emsisd.com

JULY 2008						
S	M	T	W	T	F	S
		1	2	3	●	5
6	7	8	9	10	11	12
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AUGUST 2008						
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JUNE 2009						
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### Legend

- Holiday
- Student Holiday/In-service
- Student Holiday/Staff Work-off Day
- ◇ Bad Weather Make-Up Day
- [ Start 6 weeks
- ] End 6 weeks
- \* First Day of School
- ! Last day of School
- ⬡ Early Release All
- ▲ Elem. Early Release

**Watson Graduation: June 4**

**Saginaw HS Graduation: June 5**

**Boswell HS Graduation: June 8**

# Eagle Mountain-Saginaw ISD

## Board of Education

### **Ed Wilkie**

Place 1  
Board Member  
817-236-7176

### **Sarah Hollenstein**

Place 2  
Board President  
817-237-4593

### **Rob Franklin**

Place 3  
Board Member  
817-236-3626

### **Dick Elkins**

Place 4  
Board Secretary  
817-236-8697

### **Steven G. Newcom**

Place 5  
Board Member  
817-236-8430

### **Tim Dennis**

Place 6  
Board Vice President  
817-236-4655

### **Donna K. Webb**

Place 7  
Board Member  
817-306-1492

## Administration

### **Dr. Cole Pugh**

*Superintendent of Schools*

### **Barbara Downing**

*Assistant Superintendent for Educational Support Services*

### **Susan Sutherland**

*Assistant Superintendent for Systems Support Services*

### **Dr. Jim Vaszauskas**

*Assistant Superintendent for School Leadership*

### **Jim Schiele**

*Assistant Superintendent for Business and Auxiliary Support Services*

### **Steve Williams**

*Assistant Superintendent for Human Resources/Student Services*

# **Eagle Mountain-Saginaw Independent School District**

## ***Elementary Schools***

### **Bryson Elementary**

Sheryl Sutherland, Principal  
8601 Old Decatur Road  
Fort Worth, Texas 76179  
**817-237-8306**

### **Comanche Springs Elementary**

Melanie Caldwell, Principal  
8100 Comanche Springs Dr.  
Fort Worth, Texas 76131  
**817-847-8700**

### **Elkins Elementary**

Dawn Battle, Principal  
5787 W.J. Boaz Road  
Fort Worth, Texas 76179  
**817-237-0805**

### **Greenfield Elementary**

Cathe Bragg, Principal  
6020 Ten Mile Bridge Road  
Fort Worth, Texas 76135  
**817-237-0357**

### **High Country Elementary**

Karen Sutton, Principal  
1301 High Country Trail  
Fort Worth, Texas 76131  
**817-306-8007**

### **Northbrook Elementary**

Angie Kraus, Principal  
2500 Cantrell Sansom Road  
Fort Worth, Texas 76131  
**817-232-0086**

### **Remington Point Elementary**

Betsy Brooks, Principal  
6000 Old Decatur Road  
Fort Worth, Texas 76179  
**817-232-1342**

### **Chisholm Ridge Elementary**

Sherry Grant, Principal  
8301 Running River  
Fort Worth, Texas 76131  
**817-232-0715**

### **Eagle Mountain Elementary**

Paul Jennings, Principal  
9700 Boat Club Road  
Fort Worth, Texas 76179  
**817-236-7191**

### **Gililand Elementary**

Belia Thompson, Principal  
701 Waggoman Road  
Fort Worth, Texas 76179  
**817-232-0331**

### **Hafley Development Center**

Carol Renfro, Principal  
616 W. McLeroy Blvd.  
Saginaw, Texas 76179  
**817-232-2071**

### **Lake Pointe Elementary**

Sheri Larson, Principal  
5501 Park Drive  
Fort Worth, Texas 76179  
**817-236-8801**

### **Parkview Elementary**

Shelly Butler, Principal  
6225 Crystal Lake Drive  
Fort Worth, Texas 76179  
**817-237-5121**

### **Saginaw Elementary**

Jack Hamilton, Principal  
301 McLeroy Boulevard  
Fort Worth, Texas 76179  
**817-232-0631**

Visit the District's Website [www.emsisd.com](http://www.emsisd.com)

This handbook has been prepared to be informative to the patrons of the community concerning the philosophy and operational procedures of our schools. We strongly encourage you to familiarize yourself with the information contained in this booklet. It is hoped that this information will serve to aid in the continuance of the excellent cooperation that has existed between the home and the school.

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## **ELIGIBILITY OF STUDENTS**

### **ADMITTANCE**

A child entering kindergarten must have reached his or her fifth birthday on or before September 1. A child entering first grade must have reached his or her sixth birthday on or before September 1 or have completed an approved kindergarten program. A birth certificate and proof of all required immunizations must be presented prior to being enrolled for all children entering school for the first time.

All students must be current with immunizations required by the Texas Department of Health. See page 35 for complete listing of immunization requirements.

A new student wishing to register should be accompanied to school by a parent or guardian who has proof of residence, a driver's license, and the child's social security card. Upon arrival in the school office, students are required to present a transfer form, a report card, and a current immunization record.

### **ATTENDANCE REGULATIONS**

Every pupil who is enrolled in school is expected to attend school regularly. Absences are excused for personal sickness, sickness or death in the family, quarantine, or weather or road conditions making travel dangerous.

An absence for any unusual cause other than the above may be excused on an individual basis by the principal as provided in Section 21.035 of the Texas Education Code. Prior to the absence, a parent must submit a written request to the principal for an excused absence stating the exact dates the student will miss school and the special circumstances.

Family trips or vacation may be excused on an individual basis using the following guidelines:

1. The absence may not exceed a total of three (3) school days.
2. The absence may not include any school days in which six weeks tests or semester exams are scheduled.
3. The student must be accompanied by his/her parent or legal guardian.
4. The request must be made in writing to the principal at least seven (7) days in advance of the absence.
5. All school assignments must be made up in advance or by a deadline set by the teacher in each class. Make up work is the responsibility of the student.
6. Students must have a satisfactory academic, attendance, and discipline record.

A student absent from school shall provide a note that describes the reason for absence. The note shall be signed by the student's parent or guardian. This notification should be provided as soon as possible.

If absences due to illness exceed five times during a semester, a doctor's excuse may be required for excusing future absences due to illness.

Guidelines from the Texas Legislature require students to be in attendance for at least 90% of a semester in order to receive credit for a class.

Requests for credit from students with excessive absences must be made to a committee. The committee may award credit to students if extenuating circumstances exist that meet guidelines determined by the district. Contact the campus principal for details.

Students are counted tardy after the official beginning of the school day.

The compulsory attendance law applies to partial day absences (tardies, early release, etc.).

### **VISITORS**

We encourage parents and guardians to be active in their child's education. School visits are encouraged as long as they do not disrupt the learning atmosphere. Any adult wishing to visit the school during the school day must first report to the office. A photo ID will be required. School-aged children from outside of the school will not be permitted to visit classes at any time.

## **POSTPONEMENT OR CANCELLATION OF SCHOOL**

Radio station WBAP (AM 820), all major TV networks and www.emsisd.com make all official announcements concerning the postponement or cancellation of school.

## **NOTIFICATION OF RIGHTS UNDER FERPA**

### **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) requires that school districts must notify parents annually of their rights under FERPA. These rights are listed below.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 10 years of age (“eligible students”) certain rights with respect to education records. These rights are:

#### **1. The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.**

A student’s records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.

Parents or eligible students should submit to the school principal, or the district Public Information Officer, a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is a minor or dependent for tax purposes, as do students who are 18 years of age or older. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

The principal is custodian of all records for currently enrolled students at the assigned school. Records may be reviewed during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The phone numbers and addresses of the Superintendent and principals are listed in the front of this handbook.

Parents of a minor or of a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student’s records. School officials include any employees, agents, or Trustees of the District, cooperatives, or contractual placement facilities, as well as their attorneys and consultants, who are:

1. Working with the student;
2. Considering disciplinary or academic actions, the student’s case, or handicapped student’s IEP;
3. Compiling Statistical data; or
4. Investigating or evaluating programs.

Certain other officials from various governmental agencies may have limited access to the records. The District forwards a student’s records without prior consent on request to a school in which a student seeks or intends to enroll. Parental consent is required to release the records to anyone else. When the student reaches 18 years of age, only the student has the right to consent to release of records.

Copies of student records are available at a cost of fifteen cents per page, payable in advance. Parents may be denied copies of a student’s record (1) after the student reaches age 18 and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; or (3) if the parent fails to follow proper procedures and pay the copying charges. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record will be provided at no charge.

The parent’s or student’s right of access to, and copies of, student records does not extend to all records. Materials that are not considered educational records, such as teacher’s personal notes on a student that are shared only with a substitute teacher and records on ex-students, do not have to be made available to the parents or student.

**2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.**

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate. The parent of a student whose records are covered by this policy may ask the District to amend the student’s record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student’s right of privacy or other rights. If the District decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student’s education records.

If the District decides to amend the records as a result of the hearing, it shall inform the parent or student in writing. If, as a result of the hearing, the District decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of the District. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

**3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill her or her professional responsibility.

**4. The right to file a complaint with the US Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA.**

The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

**STUDENT CLASSROOM ASSIGNMENT**

The Eagle Mountain-Saginaw Independent School District accepts students and assigns them to classes using nondiscriminatory placement procedures in compliance with the Title VI, Civil Rights Act of 1984 and the modified Court Order, Civil Action 5281, Federal District Court, Eastern District of Texas.

The principal of the school will determine student placement based on nondiscriminatory assignment, state law, school board policy, and educational criteria. The educational criteria will include physical and emotional considerations.

As part of the non-discriminatory efforts, it is the practice of this school district to provide equivalence among schools and classrooms in teachers and in the provision of curriculum materials and instructional supplies.

**MEALS**

Cafeteria service is available to students and to parents who are visiting the school. The District is required to comply with the Foods of Minimal Nutrition Act. Therefore, we are required to limit the types of foods that are brought into our schools. Parents or guardian may only bring food for their child.

All the cafeteria serving lines are automated so that each student has his or her own "Bank-a-Meal" account; it is much like a debit banking account at a bank. It is not a charge account.

Parents can put any amount of money into their child's account for purchasing meals. As the child eats a meal, the cost of that meal is deducted from the account. It will also keep track of the free and reduced-price students to allow them meals at free or reduced prices.

The cafeteria is operated on a cash basis, but with automation, a student that loses money or forgets money may be allowed to charge. The student will be expected to bring money the next school day to pay the charge. In the event the charge is not paid, an alternate meal will be served. The alternate meal will consist of a tray lunch minus the main entrée. When the amount in the child's account is low, the cashier will give the child a "Bank-a-Meal" deposit envelope to take home for the next deposit. Cash for meals is always accepted.

Parents can pay for student lunches at LunchBucks.com, which is a link off of our district website (www.emsisd.com).

### **TUTORIALS**

Tutorial service is available to students. Any student whose grade in a subject is below 70 should attend tutorials.

### **COUNSELOR**

This district has elementary counselors available to students or to situations involving students.

### **SPECIAL PROGRAMS**

A Student Services Team is available on each campus to make recommendations for assistance to students who are experiencing learning difficulties, including a referral to special education if needed. A parent may request a Student Services Team meeting.

### **SECTION 504**

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a nondiscrimination statute enacted by the United States Congress. The purpose of the act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student is a student who (a) has, (b) has a record of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning. A substantial limitation on learning must be demonstrated by an educational need, i.e., a serious academic deficit and/or serious behavior problems resulting from the student's disability and not from other causes.

This law differs from the Federal law which provides services and programs for special education students. Section 504 students are placed in and receive services through regular education programs on the same basis as non disabled students.

School districts do not receive additional funding for Section 504 eligible students. For additional information, contact the District Coordinator for Section 504 at 817-847-7793, or call your child's campus and ask for the Section 504 designee.

### **GIFTED/TALENTED PROGRAMS**

The Eagle Mountain-Saginaw ISD provides a gifted and talented program, PACE (Plan of Action for Curriculum Enrichment) for qualified students. The program serves elementary students in kindergarten through sixth grade.

### **PRE-KINDERGARTEN PROGRAM**

The Eagle Mountain-Saginaw ISD offers a pre-kindergarten program for qualifying four-year-olds. A child may enroll in the program if the student is four years old as of September 1 of the current school year and can meet one of the following requirements:

1. Family income level will meet eligibility standards for the National Free and Reduced-Price Lunch Program; or
2. Student does not speak or understand the English language.
3. Children of active duty members of the armed forces, including the child of a member who was hurt or killed on active duty.

Children can be registered for this program at Weldon Hafley Development Center, 616 W. McLeroy Blvd., phone 817-847-1620 or Gililand Elementary School, 701 Waggoman Road, Blue Mound, TX., 76131, phone 817-232-8822.

### **PROGRAMA DE PRE-KINDERGARTEN**

El Eagle Mountain-Saginaw ISD ofrece un programa de pre-kindergarten para alumnos de cuatro años de edad que califican. Un niño puede matricular en el programa si cumple cuatro años de edad para el 1o de Septiembre del año escolar actual y puede cumplir con uno de los siguientes requisitos :

1. El nivel de ingreso de familia cumple con las normas de elegibilidad para el Programa Nacional de Comidas Gratis y Reducidos en Precio: o
2. El estudiante no habla o comprende el Inglés.
3. Es niño de miembro(s) de servicio militar en las fuerzas armadas, incluyendo niño de un miembro que fue lastimado o matado en el servicio militar.

Pueden registrar a los niños para este programa en el Weldon Hafley Development Center, 616 W. McLeroy Blvd., teléfono 817-847-1620 & Gililand Elementary School, 701 Waggon Road, Blue Mound, TX., 76131, teléfono 817-232-8822.

### **EARLY CHILDHOOD PROGRAM**

The Early Childhood Program is for selected three, four, and five year olds who have physical, mental, emotional, language, and/or learning difficulties.

### **HOMEBOUND PROGRAM**

The Homebound Program is offered to students who are confined to their homes or in a hospital because of illness or physical handicaps. This program provides the opportunity for the child to continue his/her education while disabled.

### **CHANGE OF ADDRESS AND TELEPHONE NUMBER**

Parents are encouraged to keep the school office informed of any change of address or telephone number. Changes that occur in day-care arrangements such as caregiver and phone number, as well as changes in work phone numbers, should be reported to the school office. It is imperative that we maintain up-to-date records on each student in case of injury or sudden illness. (Change of Information form in back of handbook)

### **HOMEWORK**

Homework provides the opportunity to extend knowledge and to develop the needed skills and study habits. When an extended absence is anticipated, teachers will assist parents with planning to provide continued progress for the child. Request for assistance should be made during the teacher's conference period.

### **REPORT CARDS**

Report cards will be sent home on Thursday following the end of each six weeks period. Report cards must be signed and returned the next day. (Exceptions may be made for holidays.)

### **PROGRESS REPORTS**

Reports will be sent home after three weeks for any student whose grade in a subject is below 70.

### **HONOR ROLLS**

An A honor roll and B honor roll are prepared each grade reporting period. The A honor roll recognizes the students who maintain straight "A's" in all subject areas. The B honor roll recognizes "A's" and "B's" in all subject areas.

### **TEXTBOOKS**

Students have full responsibility for textbooks issued to them. Textbooks which are lost or damaged must be paid for before any school records can be released. Students are required to keep textbooks covered at all times.

### **TESTING**

Standardized achievement tests are given to elementary students each year. At the present time, the district is using the Texas Assessment of Knowledge and Skills (TAKS).

### **STUDENT WITHDRAWAL**

When withdrawing your child from school, PLEASE GIVE AT LEAST A ONE DAY NOTICE. A parent or guardian must authorize the withdrawal of their child.

## **EARLY DISMISSAL**

Please follow these procedures:

1. If for any reason your child needs to be taken out of school during the day, please send a signed note to the child's teacher in the morning stating the reason and the time of departure.
2. Come by the office and sign your child out.

## **PARENT/TEACHER CONFERENCES**

Each teacher has a scheduled conference period during each school day. If there is a need for a conference, please send a note by your child to his teacher or call the school office and schedule a conference time. Report cards provide a place to check if a conference is desired.

## **MESSAGES TO STUDENTS**

Only messages of an emergency nature can be relayed to students. If transportation needs to be changed for your child that will affect the end of the day departure, call the school before 2 PM.

## **USE OF SCHOOL TELEPHONE**

The school telephone may be used by students only in cases of emergency.

## **STUDENT INSURANCE AND MEDICAL COSTS**

Accident insurance covering students is available the first few weeks of school. Forms will be sent home to explain the program. Parents/guardians shall have full responsibility for medical insurance/medical costs for any injury to their student that occurs at school or school sponsored activities.

## **INDIVIDUAL AND GROUP PICTURES**

Individual student pictures are taken during the fall semester and group pictures are taken in the spring. Picture dates will be announced by each school.

## **SELLING ON CAMPUS**

Students are prohibited from selling any items on the school campus without approval of the administration.

## **LOST AND FOUND**

Students are encouraged to label coats, lunch bags, etc. to prevent loss. All articles that have been found should be turned in to the office. If your child loses an item, please have him check at the school office. Unclaimed items will be donated to charity.

## **SCHOOL PARTIES**

In cooperation with the Parent-Teacher Association, the elementary schools sponsor three (3) room parties each year. Class parties will be held the last hour of the designated school day. Each child is asked to bring a small donation to help pay for the parties.

No other room parties shall be held during school hours. No off campus party shall be sponsored by the school for any grade in the elementary school.

## **GRADUATION EXERCISES**

The district provides one graduation ceremony at the end of the senior year for students who have completed all requirements for graduation. Any graduation ceremony other than the one stipulated by district policy is prohibited.

## **PHYSICAL EDUCATION REQUIREMENTS**

Students are expected to take an active part in physical education classes. If a child is sick or physically unable to participate, a written excuse shall be brought from the parent. If physical education activities are restricted for an extended period of time, the parent should consult with the principal. Elementary students engage in at least 30 minutes per day or 135 minutes per week of physical activity. Students should wear proper foot attire for PE.

## **BASAL AND SUPPLEMENTARY READERS**

A basal reader provides a complete organization of reading experiences. The series leaves no gaps in presenting and relating the different types of reading. The basal reader provides continuity of growth in reading habits, skills, and attitudes through a carefully controlled series of reading materials. Vocabulary load, sentence length, concepts, and

objectives are designed to facilitate an easy, gradual growth in reading. The basal reader is kept for classroom use only. The supplementary reader may be carried home for practice.

### **PERSONAL EQUIPMENT**

Students are prohibited from bringing sports cards and equipment, toys, radios, tape recorders, electronic games, skates, skateboards, shoes with wheels, scooters, and other personal items to school unless permission is granted by an administrator. (These items may be confiscated. Parents need to schedule a time to pick-up confiscated items.) Skating or skateboarding is not allowed on campus at any time.

Students shall be able to possess electronic communication devices (i.e. cell phones, pagers) in school subject to the following rules and regulations: Students shall be permitted to possess electronic communication devices. The electronic communication devices must be turned off and kept out of sight during instructional time. Students shall ensure that electron devices are turned off and out of sight during unauthorized times. Students who violate this policy for the first time shall receive a written warning from an administrator.

All subsequent violations shall result in the phone being confiscated and the disposal plan followed. Parents shall be notified within two school days after the cellular telephone or paging device is confiscated. Confiscated cellular telephones and paging devices shall be held by the District for a period of 30 days after notification has been made. Parents may obtain the release of the cellular telephone or paging device for a fee of \$15. After the 30-day period has expired, the District shall dispose of the cellular phone or paging device.

Any student who violates the above rules is subject to disciplinary action.

### **FIELD TRIPS**

Field trips are a part of the instructional program. No child is permitted to go on a field trip without written permission from the child's parent or legal guardian.

### **ANIMALS**

Animals shall not be brought on campus without prior administrative approval.

### **DRESS AND PERSONAL STANDARDS**

Students shall dress in accordance with the following standards of good grooming:

Student's hair shall be neatly cut and/or combed so as to be kept out of the eyes. Hair shall be kept clean.

Shirts of underwear type, trousers cut or worn below the hip lines, see through clothing, tank tops, mini skirts, biker shorts or any other form-fitting clothing are not allowed. Dress or clothing which exposes bare midriffs, chests, undergarments or backs will not be worn. No chains, spikes or bandanas will be allowed. Any clothing which is identified by the administration as gang-related will not be permitted. Shorts may be worn in grades Prekindergarten-5. Clothing with inappropriate lettering or numbering is not permitted.

**Any clothing or personal appearance which, in the opinion of the principal, distracts from the educational environment shall not be permitted.**

Students will not be permitted to go barefooted, to wear any hat or head covering in any building or to use excessive make-up. Students will not be allowed to wear visible body piercing jewelry except earrings. Earrings, if worn, must be worn in the ear. Tongue ornaments will be considered visible.

### **PROTECTION OF STUDENT RIGHTS**

Parents have the right to inspect all instructional materials, including teacher's manuals, films, tapes, or other supplementary material, that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U. S. Department of Education. Please contact your child's principal if you desire an appointment to review such materials.

If your student is under the age of 18, he/she will not be required to participate in a survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education that reveals information concerning the following topics without your prior written consent.

1. Political affiliations.
2. Mental and psychological problems potentially embarrassing to the student or his or her family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Income (other than that required to determine a child's eligibility for participation in a program or for receiving financial assistance under such a program).

If your children are 18 or older or are emancipated minors, they will have the opportunity to give or withhold consent to participate in the survey, analysis, or evaluation.

### **SEXUAL HARASSMENT**

Every student has the right to attend District schools and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. The District encourages parental and student support in its efforts to address and prevent sexual harassment and sexual abuse in the public schools.

Sexual harassment of a **student by an employee** includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written), physical, or visual conduct of a sexual nature. Sexual harassment of a **student by another student** includes unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors.

#### *Reporting sexual harassment*

A student or parent who has a complaint alleging sexual harassment by other student(s) or sexual harassment or sexual abuse by an employee may request a conference with the principal, the principal's designee or the Assistant Superintendent for Human Resources.

### **PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

By law a student shall, once each school day, recite the pledge to the U.S. and Texas flags unless exempt by written request of the parent. There will be an "observance of one minute of silence" following the pledges in which students may choose to "reflect, pray, meditate, or engage in other silent activity that is not likely to interfere or disturb another student.

### **CONSENT/OPT-OUT**

The District is required by federal law to notify you and obtain your consent or denial (opt-out) for your child to participate in surveys that involve areas known as "protected information". These areas are: political affiliations or beliefs of the student or student's parent; mental or psychological problems of the student or student's family, sex behavior or attitudes; illegal, antisocial, or demeaning behavior; legally recognized privileged relationships, such as with lawyers, doctors, or ministers; religious practices, affiliations, or beliefs of the student or parents; income, other than as required by law to determine program eligibility. This requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys:), and certain physical exams and screenings.

### **STUDENT SUCCESS INITIATIVE**

Students enrolled in third grade must meet grade advancement requirements of Texas state law. Students must meet the standard of the reading section of the Texas Assessment of Knowledge and Skills (TAKS) during their third grade school year in order to be promoted to the fourth grade. Students will have three opportunities to meet the standard on the test. Students receive accelerated instruction after each test opportunity they do not meet the standard. These grade advancement requirements will also apply to the reading and mathematics tests in Grade 5, beginning in the 2004-2005 school year, and in Grade 8, beginning in the 2007-2008 school year.

## **THE SCHOOL BUS**

School buses are operated by Petermann Southwest ([www.petermannbus.com](http://www.petermannbus.com)). The office number is 817-439-8282. Surveillance cameras are used on selected Petermann Southwest buses to ensure student and driver safety.

THE BUS DRIVER HAS THE SAME AUTHORITY OVER THE CHILD AS A CLASSROOM TEACHER. The bus driver is charged with the responsibility of maintaining discipline. He shall report violations to the school principal. Parents should encourage their children to behave and sit down at all times while riding the bus.

## **GENERAL BUS RULES**

1. Obey the instructions of the bus driver. At no time will a student act toward, or address comments to the bus driver in a disrespectful manner, or refuse to cooperate with the driver.
2. Board and leave the bus at designated stops only.
3. Only students who are eligible to ride may be transported. Students must ride their assigned bus.
4. Do not ask to ride home on another bus with a friend without a note from home.
5. It is the responsibility of the parents to provide transportation to school if a child misses the bus.
6. If you do not ride for three days, you must call the transportation office (817-847-6537) or the bus may not come by again until contacted.

## **PROCEDURES FOR WAITING FOR THE BUS**

1. Be at your bus stop five minutes before scheduled pickup time. The driver will not wait or honk.
2. Stand on the sidewalk or back from the roadway while waiting for the bus.
3. When the bus approaches, form a line and be prepared to load immediately.
4. Stand clear of the bus until it comes to a complete stop, and until red loading lights come on.
5. Parents should instruct their children on what procedures to follow if the bus is missed.
6. Students will abide by the individual school's rules and regulations concerning bus students, including conduct and dress code.

## **LOADING THE BUS**

1. Do not push or shove.
2. Use the handrail and steps. Carry large bags and objects in front of you.
3. Go to your assigned seat. The bus will not move until all students are seated.
4. Students will sit in their assigned seats at all times.

## **CONDUCT ON THE BUS**

1. Remain seated while the bus is moving. Each student will be expected to remain seated for the duration of the trip, and remain seated until the bus door opens.
2. Do not change seats. The driver is required to assign seats.
3. A student shall not refuse to sit in an assigned seat or deny another a place to sit.

4. Normal conversation is permitted; any loud noises may distract the driver and create an unsafe condition.
5. Scuffling, fighting, and the use of obscene, or vulgar or profane language and gestures are forbidden.
6. Do not throw objects inside or out of the bus. Vandalism costs will be paid by the person who is responsible.
8. The emergency door and exit controls should be used by pupils only during supervised drills or actual emergencies.
9. Students will never attempt to sit in the driver's seat or operate the passenger door or other driver controls except in cases of extreme emergency.
10. Students shall face forward for the duration of the trip, and shall keep their feet on the floor in front of them and out of the bus aisle. Keep all body parts inside the bus and to yourself.

### **GETTING OFF THE BUS**

1. Stay seated until the bus is completely stopped.
2. Use the handrail and take one step at a time when leaving the bus.
3. Wait for your turn to leave the bus; pushing and crowding will only slow exiting and may cause an accident.
4. You must use your assigned stop at all times (A.M. and P.M. routes).
5. Stay clear of the bus when unloading. Do not chase or hang on to the bus at any time.
6. If any article drops or rolls near or under the bus, do not go after it. Go to the door of the bus and ask the driver for help.

### **CROSSING THE HIGHWAY OR STREET**

1. All students living on the left side of the roadway shall exit the bus and move to a point 10 to 15 feet in front of the right bumper and wait for the driver to signal you that it is safe to cross.
2. Check in both directions and walk directly across the road.
3. Never cross behind the bus.
4. CAUTION! Be alert for the vehicles that do not stop when the bus is loading or unloading students.
5. Cross all streets at intersections. Obey all traffic signals and signs on your way home.

### **ACCIDENTS OR EMERGENCIES**

1. Follow the driver's instructions.
2. If you must leave the bus, stay in a group.
  - A. The student nearest the door will open the door and hold it open.
  - B. Leave the bus in a single file line as quietly as possible.
  - C. Evacuation will start with the seat closest to the door.
  - D. Once outside the bus, follow the driver's instructions completely.

### **EXTRACURRICULAR TRIPS**

1. Bus rider rules apply to all school-sponsored events.

2. Discipline will be the responsibility of the building principal and the trip sponsor.
3. The bus must return clean when returning from the trip.

### **PROHIBITED ITEMS**

1. Tobacco, alcohol, and glass containers. The eating of food and candy is prohibited on the bus. (The chewing of gum is also prohibited.)
2. Live animals or insects.
3. Weapons, explosive devices, matches or cigarette lighters, harmful drugs or chemicals.
4. Any object (musical instrument, shop project) too large to be carried by the student. All other items must be kept on the student's lap at all times.
5. Radios and tape players, skateboards and beepers.

### **DISCIPLINE**

The school bus is an extension of the classroom, and discipline will be administered by the principal with assistance from the bus driver. All school board policies that apply to student conduct and other school related activities apply also to the school bus.

**First Offense** - The driver will make a written referral to the principal and contact the parent. The principal will determine if other consequences are warranted.

**Second Offense** - The student may be suspended from riding the bus for 3 days and other alternative discipline may be used at the discretion of the principal.

**Third Offense** - The student may be suspended from riding the bus for 5 days and other alternative discipline may be used at the discretion of the principal.

**Fourth Offense** - The student may be suspended from riding the bus for the remainder of the semester and other alternative discipline may be used at the discretion of the principal. If the offense occurs during the last six weeks of a semester, it may be extended to the end of the following semester.

The principal has the authority to skip steps for serious violation, or repeat them if necessary.

### **REVIEW OF CURRICULUM MATERIALS**

All curriculum materials used by the district are available for public inspection. Areas of instruction dealing with human sexuality are addressed in terms of personal health and safety. Parents will be given prior notification when any instruction contains information concerning human sexuality. Parents do have the right to remove the student from specific areas of instruction when they feel the instruction is inappropriate for their student.

### **CREDIT BY EXAMINATION FOR ACCELERATION**

A qualifying student may use examinations in lieu of course work for acceleration to advance one grade level. Questions regarding these examinations and procedures should be discussed with the campus principal. Testing will be scheduled each summer. Information about these exams will be posted on the district web site [www.emsisd.com](http://www.emsisd.com).

### **COMPUTER ACCESS - ACCEPTABLE USE AND CODE OF CONDUCT**

Students are allowed to use computers under the supervision of designated District employees.

Students are expected to observe network etiquette by being polite and using appropriate language. Students are prohibited from pretending to be someone else; viewing or downloading obscene text or pictures; revealing personal addresses or telephone numbers - either their own or another person's - or using the network in a way that would disrupt use by others.

Students are expected to follow copyright laws and may not make unauthorized copies of software from school computers, nor give, lend, or sell software to others without written permission from copyright owner.

Computer resources are provided for academic use. Students may not use computers for non-academic activities such as games. Students may not waste nor take supplies provided by the District for academic use. Students may not load nor download software on District computers without written permission from the instructor.

**RESOLUTION OF CONCERNS**

The Eagle Mountain-Saginaw School District has adopted procedures consistent with the requirements of Federal and State laws that are designed to secure the prompt equitable resolution of problems at the first possible level. Concerns involving a classroom or campus should first be directed to the campus teacher or principal. Further assistance on resolving concerns can be obtained by calling campus or district administrators.

**SMOKE FREE CAMPUSES**

The Eagle Mountain-Saginaw I.S.D. prohibits smoking and use of tobacco products within all district buildings and on all district owned property.

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This school periodically applies pesticides.  
Information concerning these applications may be obtained from  
Jim Knight at 817-232-0123.

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# Discipline Management Plan

The Eagle Mountain-Saginaw School District has implemented a discipline management plan which describes the procedures for resolving discipline problems. We hope that the following information will be helpful as school staff and parents work with elementary students to help them anticipate consequences and understand what is and is not acceptable behavior. The complete legal Student Code of Conduct that applies to students of all ages is included as an Appendix at the end of this handbook.

## **RIGHTS AND RESPONSIBILITIES OF STUDENTS**

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. District schools shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and District staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of the District's educational mission. The District's rules of conduct and discipline are established to achieve and maintain order in the school. Students who violate the rights of others or who violate District or school rules shall be subject to disciplinary measures designed to correct the misconduct and to promote adherence by all students to the responsibilities of citizens in the school community.

Student responsibilities for achieving a positive learning environment at school or school-related activities shall include:

1. Attending all classes, regularly and on time.
2. Being prepared for each class with appropriate materials and assignments.
3. Being appropriately dressed and groomed.
4. Showing respect toward others.
5. Behaving in a responsible manner.
6. Paying required fees and fines, unless these are waived.
7. Refraining from violations of the code of student conduct.
8. Obeying all school rules, including safety rules.
9. Seeking changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
10. Cooperating with staff in investigation of disciplinary cases and volunteering information within the student's knowledge relating to a serious offense.

## **RIGHTS AND RESPONSIBILITIES OF PARENTS**

Throughout this plan, "parents" includes single parent, legal guardian, or person who has agreed to assume responsibility for the student.

Parents have the responsibility to:

1. Provide for the physical needs of the student.
2. Teach the student to listen to teachers and other school personnel and obey school rules.
3. Be sure the student attends school regularly and on time; promptly report and explain absences and tardies to the school.
4. Encourage and lead the student to develop proper study habits at home.
5. Participate in meaningful parent-teacher conferences to discuss the student's school progress and welfare.
6. Attend parent training workshops for home reinforcement of study skills and specific curriculum objectives.
7. Keep informed about school policies and the academic requirements of school programs.
8. Participate in school-related organizations.
9. Be sure the student is appropriately dressed and groomed at school and school-related activities.
10. Discuss report cards and school assignments with the student.
11. Bring to the attention of school authorities any learning problem or condition that may relate to the student's education.
12. Maintain up-to-date home, work, and emergency telephone numbers and other pertinent information at the school.

13. Cooperate with school staff.
14. Be sure the student attends school tutorials when required or as the need arises.
15. Submit a signed statement that they understand and consent to the responsibilities outlined in this plan.
16. Exercise appropriate parental control. Under Family Code 33.01, a student's parent is legally liable for property damage proximately caused by a) the negligent conduct of the student if the conduct is reasonably attributable to the negligent failure of the parent to exercise their duty to control and reasonably discipline their child, or b) the willful or malicious conduct of a student who is at least 12 but under 18 years of age.

### **RIGHTS AND RESPONSIBILITIES OF ADMINISTRATORS**

Administrators have the responsibility to:

1. Respond to discipline problems referred to them by teachers.
2. Promote effective training and discipline of all students.
3. Encourage parent communication with the school, including participation in required parent-teacher conferences.
4. Provide appropriate assistance to students in learning self-discipline.
5. Assume responsibility and instructional leadership for discipline and for evaluation of the discipline management plan.
6. Serve as appropriate role models for the students on their campus in accordance with the standards of the profession.

### **RIGHTS AND RESPONSIBILITIES OF TEACHERS**

Teachers have the responsibility to:

1. Use discipline management techniques developed in the District's discipline management plan.
2. Ensure good student discipline by being in regular attendance and on time.
3. Be prepared to perform their teaching duties with appropriate preparation, assignments, and resource materials.
4. Comply with District and school policies, rules, regulations, and directives.
5. Maintain an orderly classroom atmosphere conducive to learning.
6. Meet the standards of teaching performance established by the District.
7. Establish rapport and an effective working relationship with parents, students, and other staff members.
8. Teach students to develop and practice self-discipline.
9. Encourage good work habits that will lead to success in meeting personal goals.
10. Serve as appropriate role models for students, in accordance with the standards of the teaching profession.

### **JURISDICTION**

The District has jurisdiction over its students during the regular school day and while going to and from school on District transportation. The District's jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity, regardless of time or location, and any school-related misconduct, regardless of time or location.

### **DRESS CODE**

The District's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Students should be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others.

The District prohibits any clothing or grooming that, in the principal's judgment, may reasonably be expected to cause disruption of or interference with normal school operations. The District prohibits pictures, emblems, or writings that are lewd, offensive, vulgar, or obscene or that advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under policy FNCF(L). The student and parent may determine the student's personal dress and grooming standards, provided they comply with these general guidelines and the District's dress code for students in the student handbook.

## **VANDALISM AND DAMAGE TO SCHOOL PROPERTY**

Students shall not vandalize or otherwise damage or deface any property, including furniture and other equipment, belonging to or used by the District or District schools. Parents or guardians of students guilty of damaging school property shall be liable for damages in accordance with law. Students may be subject to criminal penalties if damage exceeds \$750. Students shall be responsible for the care and return of state-owned textbooks and may be charged for replacement of lost textbooks.

## **HAZING**

No student shall engage in any form of hazing, nor shall any student encourage or assist any other person in hazing. Hazing means any intentional, knowing, or reckless act directed against a student, by one person alone or acting with others, that endangers the mental or physical health or the safety of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students.

## **TOBACCO USE**

Students shall not possess or use tobacco products, including but not limited to cigarettes, cigars, pipes, snuff, or chewing tobacco, while under the school's jurisdiction.

## **DRUG/ALCOHOL USE**

The use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful. No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related activity, function, or event:

1. Any controlled substance or dangerous drug as defined by state and federal law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs, including caffeine pills, and other over-the-counter stimulants and sedatives.

“Use” means a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech.

“Under the influence” means a student's faculties are noticeably impaired, but the student need not be legally intoxicated.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this rule.

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule. A student who violates this provision shall be subject to disciplinary action, which may include suspension or expulsion and referral for prosecution, and may be required to complete an appropriate rehabilitation program.

## **WEAPONS**

A student shall not go onto the school premises with a firearm, explosive weapon, or illegal knife, unless pursuant to written regulations or written authorization of the District. The student shall not interfere with normal activities, occupancy, or use of any building or portion of the campus by exhibiting, using, or threatening to exhibit or use the firearm, explosive weapon, or illegal knife.

The possession or use of articles not generally considered weapons control that is intended for distribution to students shall be submitted for prior review.

## **ASSAULTS**

Students are prohibited from assaulting anyone on school property or at any school-related event.

## **DISRUPTION OF CLASSES**

For purposes of this rule, "school property" includes the public school campuses or school grounds upon which any public school is located, and any grounds or buildings used by District schools for assemblies or other school-related activities, and "public property" includes any street, highway, alley, public park, or sidewalk.

No student shall be permitted, on school property or on public property within 500 feet of school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities.

## **DISRUPTION OF LAWFUL ASSEMBLY**

No student or group of students acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any school in the District.

## **PUBLICATIONS**

### *School-Sponsored Publications*

The District's professional employees shall exercise editorial control over style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate instructional concerns.

### *Non-School Publications*

The District's classrooms during the school day are provided for the limited purpose of delivering instruction to students in the courses and subjects in which they are enrolled. Classrooms shall not be used for distribution of any materials over which the school does not exercise control. Hallways in school buildings are provided for the limited purpose of facilitating the movement of students between classes and allowing access to assigned lockers. Hallways shall not be used for the distribution of any materials over which the school does not exercise control.

### *Prior Review of Non-School Materials*

All written material over which the school does not exercise editorial control that is intended for distribution to students shall be submitted for prior review.

## **SECRET SOCIETIES AND GANG ACTIVITIES**

A person commits an offense if the person:

1. is a member of, pledges to become a member of, joins, or solicits another person to join or pledge to become a member of a public school fraternity, sorority, secret society, or gang; or
2. is not enrolled in a public school and solicits another person to attend a meeting of a public school fraternity, sorority, secret society, or gang or a meeting at which membership in one of those groups is encouraged.

"A public school fraternity, sorority, secret society, or gang" means an organization composed wholly or in part of students of public primary or secondary schools that seeks to perpetuate itself by taking in additional members from the students enrolled in school on the basis of the decision of its membership rather than on the free choice of a student in the school who is qualified by the rules of the school to fill the special aims of the organization.

A school district board of trustees or an educator shall recommend placing in an alternative education program any student who violates this section.

An offense under this section is a Class C misdemeanor.

## **EMERGENCY REMOVALS**

The principal or designee may order the immediate placement of a student in an alternative program if the principal or designee reasonably believes the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity.

The principal or designee may order the immediate expulsion of a student if the principal or designee reasonably believes that action is necessary to protect person or persons from imminent harm.

At the time of the emergency placement or expulsion, the student shall be given oral notice of the reason for the action. Within a reasonable amount of time after the emergency placement or expulsion, the student shall be accorded the appropriate due process.

A principal or designee is not liable in civil damages for an emergency placement.

### **REMOVAL FOR CERTAIN CONDUCT**

A student shall be removed from class and placed in an alternative education program if the student engages in conduct punishable as a felony, or commits the following on school property or while attending a school-sponsored activity on or off school property:

1. assault or terroristic threat
2. sells, gives, or delivers to another person or possesses or uses or is under the influence of:
  - a. marijuana or a controlled substance;
  - b. a dangerous drug
  - c. alcoholic beverage
  - d. abusable glue or aerosol paint
3. engages in public lewdness or indecent exposure
4. retaliation against any school employee

The terms of placement prohibit the student from attending or participating in a school-sponsored or school-related activity.

### **EXPULSION**

A student shall be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off school property:

1. uses, exhibits, or possesses a firearm, illegal knife, club, or weapon
2. engages in conduct that contains the elements of the offense of:
  - a. aggravated assault, sexual assault, or aggravated sexual assault
  - b. arson
  - c. murder, capital murder, or criminal attempt
  - d. indecency with a child
  - e. aggravated kidnapping
  - f. sells, gives, or delivers drugs or alcohol, punishable as a felony
  - g. retaliation against a school employee
  - h. criminal mischief, punishable as a felony
3. A student may be expelled if the student after being placed in an alternative education program for disciplinary reasons, continues to engage in serious or persistent misbehavior that violates the district's code of conduct.

### **PROHIBITED ACTIVITIES**

Students at school or school-related activities are prohibited from:

1. Cheating or copying work of another student.
2. Throwing objects, outside supervised school activities, that can cause bodily injury or damage property.
3. Leaving school grounds or events without permission.
4. Directing profanity, vulgar language, or obscene gestures toward other students.
5. Insubordination, including failure to comply with lawful directives from school personnel or with school policies, rules, and regulations.
6. Exhibiting disrespect or directing profanity, vulgar language, or obscene gestures toward teachers or other school employees.
7. Committing arson.
8. Committing robbery or theft.
9. Damaging or vandalizing property owned by other students or District employees.
10. Engaging in misconduct, as defined by District policies and regulations, on school buses.
11. Fighting, physical abuse, or threat of physical abuse.
12. Committing extortion, coercion, or blackmail, i.e., obtaining money or other object of value from an unwilling person, or forcing an individual to act through the use of force or threat of force.
13. Engaging in verbal abuse, i.e., name-calling, ethnic or racial slurs, or derogatory statements addressed publicly to others, that may precipitate substantial disruption of the school program or incite violence.

14. Engage in inappropriate physical or sexual contact disruptive to other students or the school environment.
15. Engaging in offensive conduct of a sexual nature, whether verbal or physical, that may include requests for sexual favors or other intimidating sexual conduct directed toward another person.
16. Possessing a paging device, except when the student is serving in the capacity of an active member of a volunteer firefighting organization or an emergency medical service organization.
17. Engaging in any other conduct that disrupts the school environment or educational process.

#### **GENERAL GUIDELINES FOR ASSESSING DISCIPLINE PENALTIES**

When imposing discipline, District personnel shall adhere to the following general guidelines.

1. Discipline shall be administered when necessary to protect students, school employees, or property and maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
  - a. Seriousness of the offense.
  - b. Student's age.
  - c. Frequency of misconduct.
  - d. Student's attitude.
  - e. Potential effect of the misconduct on the school environment.
3. Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher may be imposed.

#### **UNEXCUSED ABSENCES**

Students with excessive tardies and students with more than five unexcused absences in a semester or ten unexcused absences in a school year shall be subject to appropriate disciplinary action, including referral to the District's truancy officer. However, these students may not be suspended or expelled.

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

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students.

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 evaluation is needed, the parent will be notified and asked to provide informed written consent for the evaluation. The district must complete the evaluation and the report within 60 calendar days of the date the district receives the written consent. The district must give a copy of the report to the parent.

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

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education is the principal on each campus. Please refer to page 3 of this document for a listing of the schools and their principals.

## **Opciones y requisitos para proporcionar ayuda a los estudiantes que tienen dificultades en el aprendizaje o que necesitan o pueden necesitar educación especial**

Si un niño está experimentando dificultades en el aprendizaje, el padre puede comunicarse con la persona mencionada más abajo para enterarse sobre el sistema de estudios de diagnóstico y de recomendación de la educación general del distrito para los servicios de apoyo. Este sistema conecta a los estudiantes con una variedad de opciones de apoyo, incluyendo la recomendación para una evaluación para educación especial. Los estudiantes que tienen dificultades en el aula normal deberán ser considerados para tutoría, servicios compensatorios y otros servicios de apoyo, académicos o de comportamiento, disponibles para todos los estudiantes.

En cualquier momento, un padre tiene derecho a solicitar una evaluación para los servicios de educación especial. Dentro de un periodo de tiempo razonable, el distrito debe decidir si la evaluación es necesaria. Si la evaluación es necesaria, el padre será notificado y se le pedirá que dé consentimiento informado por escrito para la evaluación. El distrito debe completar la evaluación y el informe dentro de los 60 días de calendario desde la fecha en que el distrito reciba el consentimiento por escrito. El distrito debe darle una copia del informe al padre.

Si el distrito determina que la evaluación no es necesaria, el distrito proporcionará al padre una notificación por escrito que explica el motivo por el cual el niño no será evaluado. Esta notificación por escrito incluirá información que le explica al padre los derechos que tiene si no está de acuerdo con el distrito. Además, la notificación debe informarle al padre la manera de obtener una copia de la *Notificación de las Salvaguardas del Procedimiento – Derecho de los Padres de Estudiantes con Discapacidades*.

La persona designada con quien puede comunicarse en relación a las opciones que tiene un niño que experimenta dificultades en el aprendizaje o para una recomendación para la evaluación para educación especial es:

## Request for Administration of Prescription Medication At School

Medication should be given outside of school hours, if at all possible. If it is necessary for the student to have medication at school, parent/guardian and physician **MUST** complete this form. **MEDICATION MUST BE BROUGHT IN THE ORIGINAL CONTAINER WITH THE PROPER LABELING INSTRUCTIONS. Recommended dosage or frequency of administration will not be exceeded without verification from physician.** Medications will be kept in the nurse's office. Students may **NOT** carry or self administer medications at school unless determined to be a medical necessity by the physician and a written statement from the doctor is on file in the Health Service' office.

**At the end of the school year, unused medication will be discarded unless picked up by the parent/guardian.**

NAME OF STUDENT: \_\_\_\_\_ DATE: \_\_\_\_\_

TEACHER: \_\_\_\_\_ GRADE: \_\_\_\_\_

MEDICATION	STRENGTH	DOSAGE	TIME(S)

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_

PHYSICIAN'S NAME \_\_\_\_\_ PHONE # \_\_\_\_\_

PHYSICIAN'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

I hereby request that the medication listed above be administered to my child during school hours. I hereby release the school from liability due to allergic reactions.

\_\_\_\_\_  
 PARENT/GUARDIAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

\*\*\*\*\*

IF MY CHILD FORGETS A MORNING DOSE AT HOME, YOU HAVE MY PERMISSION TO ADMINISTER THAT DOSE AT SCHOOL AFTER CALLING ME TO VERIFY THE MISSED DOSE.

\_\_\_\_\_  
 PARENT/GUARDIAN SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**Request for Administration of  
Non-Prescription Medication at School**

Medication should be given outside of school hours, if at all possible. If it is necessary for your child to have non-prescription medication during school, this form **MUST** be completed and returned to the nurse. **MEDICATION MUST BE SENT IN THE ORIGINAL CONTAINER/PACKAGE WITH PROPER LABEL OF CONTENTS AND APPROPRIATE DOSAGES. Recommended dosage or frequency of administration will not be exceeded without verification from physician.** Eagle Mountain-Saginaw ISD policy requires that a physician sign the request if the medication is to be given for more than 10 days during the school year. All medications will be kept locked in the nurse's office and require signed parental consent for administration, regardless of student age or grade level.

*MEDICATION WILL NOT BE GIVEN AFTER THE 10TH DAY WITHOUT THE PHYSICIAN'S SIGNATURE.*

Name of Student: \_\_\_\_\_ Date: \_\_\_\_\_

Teacher/Student ID#: \_\_\_\_\_ Grade: \_\_\_\_\_

Name of Medication: \_\_\_\_\_ Strength: \_\_\_\_\_

Dosage (amount to be given): # of puffs, # of teaspoons, # of tablets, or #capsules: \_\_\_\_\_

How often: (every \_\_\_\_\_ hours)      What time: \_\_\_\_\_

Form of Medication to be given (circle one):  
Tablet    Capsule    Liquid    Inhalation    Injection    Other (specify): \_\_\_\_\_

Reason For Administration: \_\_\_\_\_ Color: \_\_\_\_\_

***INITIAL BOX IF YOUR STUDENT IS ALLOWED TO CARRY MEDICATION HOME.***

I hereby request that the medication listed above be administered to my child during school hours. I hereby release the school from liability due to allergic reaction.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Physician's Printed Name

\_\_\_\_\_  
Physician's Phone #

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Physician's Address

*(Any non-prescription medication not used within thirty days will be sent home or discarded.)*

*This form may be obtained from the school.*



## HEALTH SERVICES

Basic first aid and health care is available at our school. **It is the parent or guardian's duty to arrange care for sick children promptly.** A student who needs to see the nurse/nurse aide must have a pass from his/her teacher, sign the register, and will be seen by an administrator, secretary, nurse/nurse aide. An up-to-date health record, which includes immunizations, screening results, and other pertinent medical data, is maintained on each student. Each parent should keep the school and the registered nurse informed yearly about any special medical information that would be important should the student have a medical emergency that needs attention. To keep information updated, a Student Health Card should be completed by the parent/guardian each year.

**It is the parent/guardian's responsibility to provide current telephone numbers where they or alternate adults can be reached.**

There are automated external defibrillators on each campus and in each secondary athletic department.

(Each registered nurse in health services is responsible for two schools and supervises the unlicensed assistive personnel (UAP) or nurse aide for each campus.)

### SCREENINGS

During the year, school Health Services screens all new students and students in Pre-K, K, 1st, 3rd, 5th, & 7<sup>th</sup> for hearing and vision. Students in other grades can be screened at the parent's request. Spinal screening for scoliosis is conducted in the 5th and 8th grades. Students are screened for scoliosis individually, while fully clothed. All 1<sup>st</sup>, 3rd, 5<sup>th</sup>, and 8th grade students are screened for Acanthosis Nigricans (AN) by observing the back of the neck for a light brown-black, velvety marking, which may indicate a hyperinsulin condition or precursor to Type 2 diabetes.

**IF YOU DO NOT WISH YOUR STUDENT TO BE SCREENED FOR SCOLIOSIS AT SCHOOL PLEASE SEND A NOTE TO THE SCHOOL BEFORE OCTOBER 1<sup>ST</sup>.**

### COMMUNICABLE DISEASES

A pupil who has symptoms of an infectious or contagious disease (including vomiting, temperature of 100 or greater, or rash of undetermined origin) shall be temporarily removed from school until the danger of transmitting the infection/disease has passed.

The student should be free of fever for 24 hours before returning to class. Students with rash will be readmitted with a written statement from the physician indicating treatment; freedom from communicable disease; or condition no longer exists.

The following table lists the most common communicable diseases, indicates the incubation period, and states the requirements set by the State Health Department for re-admission to school:

#### NAME OF DISEASE AND INCUBATION PERIOD REQUIREMENTS FOR READMISSION TO SCHOOL

<b>Chicken Pox</b> 2-3 weeks, commonly 13-17 days	Exclude until all blisters are crusted and dry and child is free of fever.
<b>Diphtheria</b> 2-5 days, maybe longer	Exclude case and/or close contacts until released by the physician.
<b>Infectious Hepatitis</b> 15-20 days, commonly 25 days	Exclude until one week after onset of illness.
<b>Impetigo</b> 4-10 days	Exclude unless under treatment by a physician.

<b>Lice</b> Eggs hatch in 7-10 days	Exclude until student receives medicated treatment for lice and ALL visible lice have been removed from the infested person. Nits (eggs) should be removed DAILY. Research indicates that total removal of nits is essential, including removal from bedding, clothing and the home.
<b>Measles, Rubeola</b> 7-14 days	Exclude until released by physician or Health Dept. (proof of disease is required for vaccination exemption.)
<b>Measles, Rubella</b> 14-21 days	Exclude until released by physician or Health Dept.
<b>Meningitis</b> 2-10 days, commonly 3-4 days	Exclude until statement from physician that the person is noninfectious.
<b>Mononucleosis</b> 2-6 weeks	Exclude until released by physician.
<b>Mumps</b> 12-26 days, commonly	Exclude until released by physician.
<b>Pink Eye</b> 24-72 hours	Exclude until recovered, or physician's statement that the person is noninfectious and is under treatment.
<b>Ringworm</b> 4-14 days (skin or scalp)	May attend school provided person is under treatment of a physician.
<b>Scabies</b> Several days or weeks	Exclude until under treatment and no open lesions are observed.
<b>Streptococcal Infections</b> (strep throat, scarlet fever, scarletina) 1-3 days	Exclude until released by a physician, or until 24 hours after antibiotic treatment is begun and child is free from fever.
<b>Tuberculosis</b> From infection to primary lesion about 4-6 weeks	Exclude until released by the physician.
<b>Typhoid Fever</b> Range 1-3 weeks average 2 weeks	Exclude case, carrier, and/or household until released by physician.
<b>Whooping Cough</b> (Pertussis) commonly 7 days, usually within 10, not more than 21	Exclude until released by physician, and completion of 5 days of antibiotic therapy.

#### **EMERGENCIES AND ILLNESSES**

In the event of injury or illness of a pupil, the school official shall attempt to notify the legal guardian or other designated responsible party. If the school office is unable to contact a responsible party, the principal and/or school nurse shall assume responsibility for obtaining appropriate emergency care. It is the parent/guardian's responsibility to provide telephone numbers where they or alternate adults can be reached.

## **EMERGENCY TRANSPORT**

The following classifications will be used in dealing with serious injury or illness requiring further medical care:

urgent: requiring prompt medical intervention. Parent will be notified and will transport the student for appropriate medical care. Basic first-aid will be given on campus. Condition is serious but not life-threatening.  
emergency: existence of life-threatening situation requiring immediate medical assistance, transportation or advanced life-support measures. Basic first-aid will be given on campus and the 911 system will be activated, and parents will be notified.

Classification shall be determined by the school nurse, principal, person trained in first aid or as designated in the campus crisis management procedures. Since the most important step in managing true life-threatening emergencies is to transport the person to a facility where he can be treated as quickly as possible, time will not be spent repeatedly attempting to notify the physician or guardian. FIRST, 911 will be activated. SECOND, the parent or guardian will be notified. If deemed necessary by the paramedics, school nurse, principal or designee, the child shall be transported immediately without prior notification of the parent or guardian. The school office will continue to search for the parents or persons listed as the emergency contacts while the child is being transported. Our basic concern is the securing of immediate life-saving care for the student.

If a hospital preference is given, the child shall be transported there, if possible. If no hospital preference is given, the child shall be transported to Harris Hospital-Methodist or Cook Fort Worth Children's Medical Center. The school district assumes no financial responsibility for transportation or medical treatment of the child.

## **IMMUNIZATIONS**

Admission to school is not allowed until records are produced showing (1) that a student has been immunized in accordance with the rules of the Texas Department of State Health Services; (2) the student has an exemption from immunization requirements on file with the school in accordance with the rules of the Texas Department of State Health Services; or (3) that the child is entitled to provisional enrollment.

Provisional enrollment allows a student to be admitted to school on a temporary basis for up to 30 days. During the 30day period, the parent is responsible for ensuring that the student receives the necessary immunization(s) as fast as is medically feasible and/or providing a complete and current immunization record to the school. If, at the end of the 30day period, the student has not met the needed provisions the school shall exclude the student from attendance until the immunization record is complete and current.

Provisional enrollment allows a student to enroll in school under the following situations:

1. Transfer Students from one Texas public/private school to another
2. Homeless Students or military families
3. Students In- Progress who have received at least one dose of each specified vaccines as required by Texas Department of State Health Services and completes the required remaining doses as rapidly as is medically feasible

The following immunizations are required for admission to or continued attendance in school:

### **DTaP, DPT, Tdap, and/or Td**

18 mo.-4 yrs: 4 doses

5-6 yrs: 4 or more doses with at least 1 dose after the 4th birthday

7+ yrs: 3 or more doses with at least one dose after 4th birthday; booster doses of tetanus/diphtheria (Td) vaccine are required every 10 years after the dose obtained on or after the fourth birthday.

*\*NINTH GRADE At the beginning of the student's ninth grade year, verification of the required Td booster within the past six years shall be required.*

**Polio oral or injected (OPV/IPV)**

18 mo.-4 yrs: 3 doses

5- 17 yrs: 3 or more doses with at least 1 dose after the 4th birthday

**Measles (Rubeola)**

18 mo.-4 yrs: 1 dose after first birthday

5+ yrs: 2 doses – 1<sup>st</sup> dose on or after first birthday

**Mumps**

18 mo. and older: 1 dose after first birthday

5+ yrs: 1 dose after first birthday

**Rubella (German Measles)**

18 mo. and older: 1 dose after first birthday

5+ yrs: 1 dose after first birthday

**Hemophilus Influenza (HibCV)** type b conjugate vaccine

15 mo.-4 yrs: minimum 2 Hib with booster after 12 mo. or 1 Hib on or after 15 mo.

5 (+) yrs: not required after age 5

**Hepatitis A**

12 mo. – 4 yrs: 2 doses after 1<sup>st</sup> birthday

**Hepatitis B** - Three doses are required for **PK -12<sup>th</sup> grade.**

**Varicella (chickenpox)** – One dose on or after first birthday is required for children under 5 years who attend school or childcare facilities and for **K –12<sup>th</sup>** school year or written verification of having had chickenpox. Two doses are required if the student is 13 years old or older at the time of the 1<sup>st</sup> dose.

**Pneumococcal,PCV**

12 mo. – 4yrs: 1 dose after 1<sup>st</sup> birthday

**MEDICAL CONDITIONS**

Physician’s instructions should be specific and on record annually for students with serious or other medical conditions. Parents need to consult with the Registered Nurse about any student needing a specialized nursing procedure (i.e.: nebulizer treatments, glucose monitoring, etc.). Written instructions from student’s physician and parents are needed yearly.

Every student with asthma should have an “Asthma Action Plan” filled out by the student’s doctor in consultation with the student’s parent/guardian on file and updated annually.

For students who have diabetes and who will seek care for the diabetes at school, HB 984 requires that the student’s parents and doctor submit a diabetes management and treatment plan. The principal, the school nurse, and the student’s parents will develop an individualized health plan. School districts are also required to provide trained, unlicensed diabetes care assistants (UDCAs) to assist students with diabetes at school, in the event a school nurse is not available.

**MEDICATION**

**No medication may be given to a student without written parent permission.**

All medication should be given outside of school hours if at all possible. If it is necessary for the student to have medication in order to remain in school, the appropriate request form should be completed and returned to Health

Services. Sample forms have been placed at the back of this handbook. Original forms may be obtained from the school. **Medication, prescription or non-prescription, will not be given without written permission.**

All medication will be kept locked in the Health Services office. Maintenance of adequate amounts of continuing medication is the responsibility of the parent or legal guardian.

**Prescription medication requires that both the parent/guardian and the physician sign the request for administration of medication form.** Prescription medication, including inhaler, must have the student's name on the label and be a current prescription.

**Non-prescription medication must be in the original container or package with contents and correct dosage listed.** Only FDA approved non-prescription medications can be given. Medication will not be given after the 10<sup>th</sup> day without physician's signature on the request form or a doctor's order on file.

*A hand written request shall be accepted for one day only. It must include the date, child's name, name of medication, time, amount of dose, and parent's signature.* An official medication request form will be sent home with the student and must be returned in order for continued administration of the medication.

Students may NOT carry or self-administer medications at school unless determined to be a medical necessity by the physician and a written statement from the doctor is on file in the Health Services office. Students who need to carry an inhaler will also need to sign a **Contract to Carry** with the registered nurse on campus.

It is the parent/guardian's responsibility to take outdated/unused medication home. Written parent permission is required for a student to carry non-prescription medication home. After notification outdated/unused medication will be destroyed if not picked up. Parents are strongly encouraged to pick up all medication.

#### **MEDICATION FOR FIELD TRIPS**

Students may NOT carry or self-administer medications on field trips. Teachers/staff members will be responsible for carrying and administering medications (except if letter of medical necessity signed by the physician is on file in the Clinic).

#### **BACTERIAL MENINGITIS**

##### **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 causes 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%). It can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within 7 to 10 days after the vaccine is given and lasts for up to 5 years.

### **What you should do if you think you or a friend might have bacterial meningitis.**

Seek prompt medical attention.

### ***For 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 Texas Department of Health office to ask about meningococcal vaccine. Additional information may also be found at the web sites for the Centers for Disease Control and Prevention: [www.cdc.gov](http://www.cdc.gov) and the Texas Department of Health: [www.tdh.state.tx.us](http://www.tdh.state.tx.us).

## **Parents of Elementary Age Students,**

The Eagle Mountain-Saginaw Independent School District recognizes in its mission statement that the children in this community deserve the best possible education that planning, experience, and effort can devise. We also recognize that a good education leads students to learn behavior that allows each to function as a responsible member of a free and democratic society.

The "Student Code of Conduct" (included as an Appendix in this handbook) is consistent with Texas law and provides notice to parents and students of discipline procedures.

The school district is proud of the law abiding nature of the students in the district, and believes that most discipline procedures outlined in the "Student Code of Conduct" are only necessary for a small portion of the student population.

We hope that a review of these procedures will show you that the district staff makes it a top priority to maintain a safe, nonviolent school atmosphere for all students. The "Student Code of Conduct" provides a procedure for addressing conduct that inhibits the learning environment.

We appreciate the help that parents and community members are giving this school district with its commitment to maintain quality schools that are safe for all students. Questions concerning classroom procedures should be directed to the student's teacher, and questions about campus procedures should be directed to the principal.

# **STUDENT CODE OF CONDUCT**

# STUDENT CODE OF CONDUCT

## Purpose

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

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

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

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

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

## Contents

This Code is organized into the following sections:

1. School District Authority and Jurisdiction	page 39
2. Standards for Student Conduct	page 40
3. General Conduct Violations	page 41
4. Discipline Management Techniques	page 45
5. Removal from the Regular Educational Setting	page 48
6. Suspension	page 49
7. DAEP Placement	page 50
8. Placement and/or Expulsion for Certain Serious Offenses	page 58
9. Expulsion	page 60
10. Glossary	page 68

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

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

## **School District Authority and Jurisdiction**

A student whose behavior shows disrespect for others including interference with learning and a safe environment will be subject to disciplinary action.

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

The district has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school on district transportation;
2. While the student is in attendance at any school-related activity, regardless of time or location;
3. For any school-related misconduct, regardless of time or location;
4. When retaliation against a school employee or volunteer occurs or is threatened, regardless of time or location;
5. When criminal mischief is committed on or off school property or at a school-related event;
6. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
7. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
8. When the student commits a felony, as provided by Texas Education Code 37.006 or 37.0081; and
9. When the student is required to register as a sex offender.

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

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

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

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

## **Standards for Student Conduct**

Each student is expected to:

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

## General Conduct Violations

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

Students shall not:

### Disregard for Authority

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

### Mistreatment of Others

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, harassment, or making hit lists. (See glossary for all three terms)
- Engage in conduct that constitutes sexual harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person including a district student employee or volunteer.
- Engage in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship.
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).

- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

**Property Offenses**

- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion)
- Deface or damage school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (For felony robbery and theft see DAEP Placement and Expulsion)

**Possession of Prohibited Items**

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

**Possession of Telecommunications Devices**

- Display, turn on, or use a cellular telephone or other telecommunications device during instructional time.

**Illegal Drugs and Prescriptions**

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

**Misuse of Computers and the Internet**

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

**Safety  
Transgressions**

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

**Miscellaneous  
Offenses**

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Violate extracurricular standards of behavior.
- Engage in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or District employee.
- Any other acts which interfere with the orderly educational process in the classroom and/or the school.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

## Discipline Management Techniques

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Because of these factors, discipline for a particular offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

### Students with Disabilities

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

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

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

A student who violates campus or classroom rules that are not Student Code of Conduct violations may be disciplined by one or more of the discipline management techniques listed below. For these minor infractions or for repeated infractions, the teacher may choose to make a Student Code of Conduct violation report.

### Techniques

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

- Non-Student Code of Conduct Violations
- Verbal (correction, oral or written).
- Cooling-off time or “time-out.”
- Seating changes within the classroom.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.

- Counseling by teachers, counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions as permitted by District policy (District policy EIA states that grades will not be reduced except for late work or academic dishonesty.)
- Detention.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Withdrawal or restriction of bus privileges.
- School-assessed and school-administered probation.
- Corporal punishment.
- Restitution
- Out-of-school suspension, as specified in the Suspension section of this Code.
- Restoration
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Police citation may be issued by the appropriate policy authorities.
- Other strategies and consequences as determined by school officials.

**Notification**

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

## Appeals

Parental questions or complaints regarding disciplinary measures should be addressed to the teacher or campus administration, as appropriate, and in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office or the central administration office or through Policy on Line at the following address: [www.emsisd.com](http://www.emsisd.com)

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

Corporal punishment shall be limited to spanking or paddling the student, and shall be administered only in accordance with the following guidelines:

1. The student shall be told the reason corporal punishment is being administered.
2. Corporal punishment shall be administered only by the principal, assistant principal, or a teacher.
3. The instrument to be used in administering corporal punishment shall be approved by the principal or a designee.
4. Corporal punishment shall be administered in the presence of one other District professional employee and in a designated place out of view of other students.

The District shall honor a parent request that corporal punishment not be administered to his or her child; however, the District shall impose other disciplinary measures consistent with the offense.

## Removal from the Regular Educational Setting

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

### **Routine Referral**

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

### **Formal Removal**

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

- 1 The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or
- 2 The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

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

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

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

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

### **Returning Student to Classroom**

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder,

or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

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

## **Suspension**

### **Misconduct**

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

In deciding whether to order suspension, the district will take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

### **Process**

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

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

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

Any student suspended will not be allowed to participate in school-sponsored or school-related extracurricular and non-curricular activities.

Parents of students who have been suspended shall be advised that it is their responsibility to provide adequate supervision for the student during the period of suspension.

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

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

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

The Board has delegated to the Superintendent or Superintendent's designee the authority to remove a student to a Disciplinary Alternative Education Program.

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

The District will decide on a case-by case basis whether to place a student in a Disciplinary Alternative Education Program or to expel a student who sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs, alcohol, or a volatile chemical, if the conduct is not punishable as a felony.

In deciding whether to order placement in a DAEP, the district will take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.

A student may be placed in a DAEP for the following conduct violations:

1. fighting
2. hazing
3. cheating or copying the work of another
4. throwing objects that can cause bodily injury or property damage
5. failing to comply with directives given by school personnel
6. leaving school grounds or school-sponsored events without permission
7. disobeying rules for conduct on school buses
8. directing profanity, vulgar language, or obscene gestures toward other students or a District employee
9. stealing from students, staff, or the school
10. defacing or damaging school property including textbooks, lockers, furniture, and other equipment
11. possessing razors, box cutters, chains, or any other object used in a way that threatens or inflicts bodily injury to another person

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

12. possessing or selling “look-alike” weapons
13. possessing fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device
14. possessing air guns or BB guns
15. possessing a stun gun
16. possessing ammunition
17. possessing mace or pepper spray
18. engaging in inappropriate verbal, physical, or sexual contact directed toward another student or District employee
19. Inappropriate or indecent exposure of a student’s private body parts
20. sending or posting messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal
21. making false accusations or hoaxes regarding school safety
22. engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property, using e-mail or websites at school to encourage illegal behavior, or threatening school safety
23. engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or a District employee
24. refusing to accept discipline management techniques assigned by a teacher or principal
25. possessing published or electronic material that is designed to promote or encourage illegal behavior or could threaten school safety
26. possessing or using matches or a lighter
27. possessing, smoking or using tobacco products
28. possessing or selling look-alike drugs or items attempted to be passes off as drugs or contraband
29. possessing or selling seeds or pieces of marijuana in less that a usable amount
30. possessing, using, giving, or selling paraphernalia related to any prohibited substance
31. abusing the student’s own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person’s prescription drug on school property or at a school related event

32. Violating the District's policy on taking prescription drugs and over-the-counter drugs at school
33. repeatedly violating other communicated campus or classroom standards of behavior
34. discharging a fire extinguisher
35. possessing or using a laser pointer for other than an approved use
36. violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent
37. possessing material that is pornographic
38. violating dress and grooming standards as communicated in the student handbook
39. bullying, including intimidation by name-calling, using ethnic or racial slurs, or making derogatory statements that could disrupt the school program or incite violence.

**Misconduct  
Identified in State  
Law**

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

- Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society or gang. (See glossary)
- Involvement in criminal street gang activity. (See glossary)
- Criminal mischief, not punishable as a felony.

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

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

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

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence")
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure.
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as a felony listed under Title 5 (see glossary) of the Texas Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see glossary),
  2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or

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

**Sexual Assault and Campus Assignments**

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

**Emergencies**

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

**Process**

Removals to a DAEP will be made by the Superintendent or Superintendent's designee.

**Conference**

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

At the conference, the appropriate administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal. Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

**Placement Order**

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

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

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

**Length of Placement**

The duration of a student's placement in a DAEP will be determined by the Superintendent or Superintendent's designee.

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

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

**Exceeds One Year**

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

1. The student is a threat to the safety of other students or to district employees, or
2. Extended placement is in the best interest of the student.

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

**Exceeds School Year**

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

For placement in a DAEP to extend beyond the end of the school year, the principal 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 glossary) that violates the district's Code.

**Exceeds 60 Days**

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

**Appeals**

Questions or complaints from parents regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On Line at the following address: [www.emsisd.com](http://www.emsisd.com)

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

**Restrictions during Placement**

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

The district will provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, with satisfactory completion of all requirements of the DAEP program the last day of placement in the program will be the last instructional day, and the student will be allowed to participate in the

graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

**Placement Review**

A student placed in a DAEP will be provided a review of his or her status, including academic status, by the campus principal and DAEP administrator at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan will also be reviewed. At the review, the student or the student's parent will be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

**Additional Misconduct**

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

**Notice of Criminal Proceedings**

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

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or
2. The court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

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

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

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

superintendent or designee. The board will make a record of the proceedings.

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

**Withdrawal  
during Process**

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

**Newly Enrolled  
Students**

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

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

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

**Emergency  
Placement**

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

## Placement and/or Expulsion for Certain Serious Offenses

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

### Registered Sex Offenders

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

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

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

1. Threatens the safety of other students or teachers.
2. Will be detrimental to the educational process, or
3. Is not in the best interests of the district's students.

### Review Committee

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

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

### Newly Enrolled Student

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

### Appeal

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

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in

accordance with Education Code 37.0081, a student *may* be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain finding and the following circumstances exist in relation to a felony offense under Title 5 (see glossary) of the Texas Penal Code. The student must:

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

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

1. The date on which the student’s conduct occurred,
2. The location at which the conduct occurred.
3. Whether the conduct occurred while the student was enrolled in the district, or
4. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

**Hearing and  
Required Findings**

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

1. Threatens the safety of other students or teachers,
2. Will be detrimental to the educational process, or
3. Is not in the best interest of the district’s students.

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

**Length of  
Placement**

The student is subject to the placement until:

1. The student graduates from high school,
2. The charges are dismissed or reduced to a misdemeanor offense, or
3. The student completes the term of the placement or is assigned to another program.

**Newly Enrolled Students**

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

## **Expulsion**

In deciding whether to order expulsion, the district will take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
  - o The student’s disciplinary history.

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

A student may be expelled for:

- Engaging in the following no matter where it takes place:
  - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
  - Criminal mischief, if punishable as a felony.

**Any Location**

- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.

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

- Committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
  - Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
  - Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
  - Engaging in deadly conduct. (See glossary)
- Within 300 Feet of School**
- Engaging in the following conduct while within 300 feet of school property, as measured from any point on the school’s real property boundary line:
    - Aggravated assault, sexual assault, or aggravated sexual assault.
    - Arson.
    - Murder, capital murder, or criminal attempt to commit murder or capital murder.
    - Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
    - Continuous sexual abuse of a young child or children.
    - Felony drug- or alcohol-related offense.
    - Use, exhibition, or possession of a firearm (as defined by state law), an illegal knife, a club, or prohibited weapon, or possession of a firearm (as defined by federal law).
- Property of Another District**
- Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.
- While in DAEP**
- Engaging in serious offenses or persistent misbehavior (see glossary) that violates the district’s Code, while placed in a DAEP.
  - The District defines “persistent” to be two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation. Serious offenses include, but are not limited to the following:
    - assault of a teacher or other individual
    - retaliation against a school employee
    - murder, capital murder, or criminal attempt to commit murder

- the use, gift, sale, delivery, possession, or being under the influence of alcohol, marijuana, other controlled substances, dangerous drugs, or abusable glue or volatile chemicals
- engaging in conduct that constitutes criminal mischief
- vandalism
- robbery or theft
- extortion, coercion, or blackmail
- disruptive action or group demonstration that substantially disrupts or materially interferes with school activities
- hazing
- insubordination
- profanity, vulgar language, or obscene gestures directed toward teachers or other school employees
- fighting, committing physical abuse, or threatening physical abuse
- sexual harassment of a student or District employee
- possession of or conspiring to possess any explosive or explosive device
- falsification of records, passes, or other school-related documents
- possession or distribution of pornographic materials
- leaving school grounds without permission
- refusal to accept discipline management techniques proposed by the teacher or principal

**Mandatory Expulsion:  
Misconduct That  
Requires Expulsion**

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

**Federal Law**

- Bringing to school a firearm, as defined by federal law. “Firearm” under federal law includes:
  - Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.
  - The frame or receiver of any such weapon.
  - Any firearm muffler or firearm weapon.
  - Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.

**Texas Penal Code**

- Using, exhibiting, or possessing the following, as defined by the Texas Penal Code:

- A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
- An illegal knife, such as a knife with a blade over 5½ inches; hand instrument, designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.
- A club (see glossary) such as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
- A prohibited weapon, such as an explosive weapon, a machine gun, a short-barrel firearm, a firearm silencer, a switchblade knife, knuckles, armor-piercing ammunition, a chemical dispensing device, or a zip gun. (See glossary)
- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
  - Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.
  - Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion

offenses, with the exception of a federal firearm offense, on or off school property or at a school-related activity.

**Under Age Ten**

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

**Emergency**

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

**Process**

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

Until a hearing can be held, the principal may place the student in:

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

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

**Hearing**

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

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the district's witnesses.

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

The notice shall be in writing and shall advise of the nature of the evidence to be used against the student. The decision shall be based exclusively on evidence presented at the hearing. The final decision shall be communicated promptly to the student and parent.

If the Board's designee conducts the hearing, a tape recording or transcript of the proceeding shall be made for the Board's review on appeal, in the event the matter is appealed to the Board.

**Board Review  
of Expulsion**

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

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

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

The board of trustees delegates to the Superintendent or designee authority to conduct hearings and expel students.

**Expulsion Order**

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

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

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

**Length of  
Expulsion**

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

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

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

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.

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

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

**Withdrawal during Process**

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

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

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

**Additional Misconduct**

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

**Restrictions during Expulsion**

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

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

**Newly Enrolled Students**

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

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

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

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

1. The student is a threat to the safety of other students or district employees, or
2. Extended placement is in the best interest of the student.

**Emergency  
Expulsion  
Procedures**

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

**DAEP Placement  
of Expelled  
Students**

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

## Glossary

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

**Abuse** is improper or excessive use.

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

**Arson** is a crime that involves starting a fire or causing an explosion with intent to destroy or damage:

1. Any vegetation, fence, or structure on open-space land; or
2. Any building, habitation, or vehicle:
  - a. Knowing that it is within the limits of an incorporated city or town;
  - b. Knowing that it is insured against damage or destruction;
  - c. Knowing that it is subject to a mortgage or other security interest;
  - d. Knowing that it is located on property belonging to another;
  - e. Knowing that it has located within it property belonging to another; or
  - f. When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

**Assault** is defined in part by Texas Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another.

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

1. To have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. To be sufficiently severe, persistent, or pervasive to create an intimidating, threatening, or abusive educational environment for a student.

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

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

**Criminal street gang** is three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

**Dating violence** is the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship, as defined by Section 71.0021 of the Family Code.

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

**Deferred adjudication** is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

**Deferred prosecution** may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

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

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

**Explosive weapon** is any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

**False Alarm or Report** occurs when a person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he or she knows is false or baseless and that would ordinarily:

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.

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

**Harassment** is:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

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

**Hit list** is a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

**Knuckles** is any instrument consisting of finger rings or guards made of a hard substance and designed or adapted for inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

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

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

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

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

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

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

**Reasonable belief** is a determination made by the superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure.

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

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

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

- Refusal to accept discipline assigned by the teacher or principal.

**Short-barrel firearm** is a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

**Terroristic threat** is a threat of violence to any person or property with intent to:

1. Cause a reaction of any type 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, or 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).

**Title 5 offenses** are those that involve injury to a person and include murder; kidnapping; assault; sexual assault; unlawful restraint; coercing, soliciting, or inducing gang membership if it causes bodily injury to a child; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [See FOC(EXHIBIT)]

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

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

**Zip gun** is a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

# ACKNOWLEDGMENT

## Student Code of Conduct Acknowledgment

Dear Student and Parent:

As required by state law, the board of trustees has officially adopted the Student Code of Conduct in order to promote a safe and orderly learning environment for every student.

We urge you to read this publication thoroughly and to discuss it with your family. If you have any questions about the required conduct and consequences for misconduct, we encourage you to ask for an explanation from the student's teacher or campus administrator.

The student and parent should each sign this page in the space provided below, and then return the page to the student's school.

Thank you.

Steve Williams

Assistant Superintendent for Human Resources/Student Services

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We acknowledge that the Eagle Mountain-Saginaw ISD Student Code of Conduct for the 2008–2009 school year is available on the District's website and that we may request a paper copy from our child's campus principal. We understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code. **Failure to complete this form does not excuse the student or parent from presumed awareness of the items contained herein.**

Print name of student: \_\_\_\_\_

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

Print name of parent: \_\_\_\_\_

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

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

School: \_\_\_\_\_

Grade level: \_\_\_\_\_

Please sign this page, remove it, and return it to the student's school. Thank you.



## **Policy of Non-Discrimination**

The Eagle Mountain-Saginaw School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs, including career and technology education programs, in accordance with the Title VI of the Civil Rights Act of 1964, as amended, Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended; and the Title II of the Americans with Disabilities Act.

### **The following staff members have been designated to coordinate compliance with these legal requirements:**

The Americans with Disabilities Act – Director of Special Programs

Section 504 of the Rehabilitation Act of 1973 – Director of Special Programs

Title VI of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972 – Steve Williams



**Over 14,000 students will live, work, learn and grow in the Eagle Mountain-Saginaw Independent School District this year.** EM-S ISD is fully accredited by both the Texas Education Agency and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS/CASI). In fact, EM-S ISD is one of only two school districts in the state of Texas and one of only 100 districts in the nation to hold a district accreditation from SACS/CASI.

**The Eagle Mountain-Saginaw Independent School District encompasses 73 square miles in the Northwest corner of Tarrant County.** The district serves Saginaw, Blue Mound, portions of the City of Fort Worth, and unincorporated Tarrant County. Students are enrolled, enriched, and educated in 13 elementary schools, four middle schools, two high schools, an alternative learning center, and an early childhood center.

**EM-S ISD is among one of the fastest growing school districts in the area.** According to demographic projections provided by Tempiton Demographics, the district is growing at a rate of 8 - 9% a year.

**General Information**  
 Grades Served: Pre-K - 12  
 District Enrollment: 14,165

**Demographic Information**  
 African-American - 9.5% Economically Disadvantaged - 28.6%  
 Hispanic - 30.9% White - 54.8%  
 Native American - 0.4% Asian/Pacific Islander - 4.5%

**High Schools**  
 A. Boswell High \* 5805 Bailey-Boswell Road \* 817.237.3314  
 B. Saginaw High \* 800 N. Blue Mound Road \* 817.306.0914

**Middle Schools**  
 C. Creekview Middle \* 6716 Bob Hanger Street \* 817.237.4261  
 D. Highland Middle \* 1001 East Bailey-Boswell Road \* 817.847.5143  
 E. Prairie Vista Middle \* 8000 Comanche Springs Dr. \* 817.847.9210  
 F. Wayside Middle \* 1300 Old Decatur Road \* 817.232.0541

**Elementary Schools**  
 G. Bryson Elementary \* 8601 Old Decatur Road \* 817.237.8306  
 H. Chisholm Ridge Elementary \* 8301 Running River Drive \* 817.232.0715  
 I. Comanche Springs Elementary \* 8100 Comanche Springs Dr \* 817.847.8700  
 J. Eagle Mountain Elementary \* 9700 Morris Dicko Newark Road \* 817.236.7191  
 K. Elkins Elementary \* 7250 Elkins School Road \* 817.237.0805  
 L. Gilliland Elementary \* 701 Waggonman Road \* 817.232.0331  
 M. Greenfield Elementary \* 6020 Ten Mile Bridge Road \* 817.237.0357  
 N. High Country Elementary \* 1301 High Country Trail \* 817.306.8007  
 O. Lake Pointe Elementary \* 5501 Park Drive \* 817.236.8801  
 P. Northbrook Elementary \* 2500 Central Sansom Road \* 817.232.0086  
 Q. Parkview Elementary \* 6225 Crystal Lake Drive \* 817.237.5121  
 R. Remington Point Elementary \* 6000 Old Decatur Road \* 817.232.1342  
 S. Saginaw Elementary \* 301 W. McLeroy Blvd. \* 817.232.0631

**Other Facilities**  
 T. Administrative Services \* 1200 Old Decatur Road \* 817.232.0880  
 U. Weidman Hafley Development Center \* 616 W. McLeroy Blvd. \* 817.232.2071  
 V. Elmer C. Watson Learning Center/ADC \* 5901 Hereford Drive \* 817.238.7925

Eagle Mountain-Saginaw Independent School District  
 1200 Old Decatur Road | Fort Worth, Texas | 76179 | 817.232.0880  
[www.emsisd.com](http://www.emsisd.com)

**Legend**

- MIDDLE SCHOOL ZONES
- HIGH SCHOOL ZONES
- BRYSON EL
- CHISOLM EL
- COMANCHE SPRINGS EL
- EAGLE MOUNTAIN EL
- ELKINS EL
- GILLILAND EL
- GREENFIELD EL
- HIGH COUNTRY EL
- LAKE POINT EL
- NORTHBROOK EL
- PARKVIEW EL
- REMINGTON POINT EL
- SAGINAW EL

**MAP GRID**

- ROADS
- FACILITY LOCATIONS
- HIGH SCHOOL
- MIDDLE SCHOOL
- ELEMENTARY SCHOOL
- OTHER

