

Eagle Mountain-Saginaw  
Independent School District

2015-2016

Student Handbook & Code of Conduct



*Fostering a Culture of Excellence*



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## PREFACE

To Students and Parents:

Welcome to school year 2015 – 16! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

The Eagle Mountain-Saginaw ISD Student Handbook is designed to provide basic information that you and your child will need during the school year. The handbook is divided into two sections:

**Section I—PARENTAL RIGHTS**—with information to assist you in responding to school-related issues. We encourage you to take some time to closely review this section of the handbook.

**Section II—OTHER IMPORTANT INFORMATION FOR STUDENTS AND PARENTS**—organized alphabetically by topic, and, where possible, further divided by applicability to ages and/or grade levels, for quick access when searching for information on a specific issue.

Please be aware that the term “parent,” unless otherwise noted, is used to refer to the parent, legal guardian, any person granted some other type of lawful control of the student, or any other person who has agreed to assume school-related responsibility for a student.

Both students and parents should become familiar with the EMS ISD Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found on the district’s website at [www.emsisd.com](http://www.emsisd.com) under the “Parents” tab and is available in hard copy upon request.

The Student Handbook is a general reference guide only and is designed to be in harmony with board policy and the Student Code of Conduct. Please be aware that it is not a complete statement of all policies, procedures, or rules that may be applicable in a given circumstance.

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

Also, please be aware that the handbook is updated yearly, while policy adoption and revision may occur throughout the year. The district encourages parents to stay informed of proposed board policy changes by attending board meetings. Changes in policy or other rules that affect Student Handbook provisions will be made available to students and parents through newsletters or other communications. The District reserves the right to modify provisions of the Student Handbook at any time, whenever it is deemed necessary. Notice of any revision or modification will be given as is reasonably practical under the circumstances.

Although the Student Handbook may refer to rights established through law or district policy, the Student Handbook does not create any additional rights for students or parents. It does not, nor is it intended to, create contractual or legal rights between any student or parent and the district.

If you or your child has questions about any of the material in this handbook, please contact your school’s principal.

Also, please complete and return to your child's campus the following forms provided in the registration packet distributed at the beginning of the year or upon the student's enrollment:

1. Acknowledgment of Electronic Distribution of Student Handbook form;
2. Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information form;
3. Parent's Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education form, if you choose to restrict the release of information to these entities; and
4. Consent/Opt-Out Form.

[See **Objecting to the Release of Directory Information** on page 12 and **Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation** on page 13 for more information.]

Please note that references to policy codes are included so that parents can refer to current board policy. The district's official policy manual is available for review in the district administration office, and an unofficial electronic copy is available at [www.emsisd.com](http://www.emsisd.com).

## **SECTION I: PARENTAL RIGHTS**

This section of the EMS ISD Student Handbook includes information related to certain rights of parents as specified in state or federal law.

### **CONSENT, OPT-OUT, AND REFUSAL RIGHTS**

#### **Consent to Conduct a Psychological Evaluation**

A district employee will not conduct a psychological examination, test, or treatment without obtaining prior written parental consent unless the examination, test, or treatment is required under state or federal law requirements for special education or by the Texas Education Agency (TEA) for child abuse investigations and reports.

#### **Consent to Display a Student's Original Works and Personal Information**

Teachers may display students' work, which may include personally identifiable student information, in classrooms or elsewhere on campus as recognition of student achievement.

However, the District will seek parental consent before displaying students' artwork, special projects, photographs taken by students, original videos or voice recordings, and other original works on the district's website, a website affiliated or sponsored by the district, such as a campus or classroom website, and in district publications, which may include printed materials, videos, or other methods of mass communication.

#### **Consent to Video or Audio Record a Student When Not Otherwise Permitted by Law**

State law permits the school to make a video or voice recording without parental permission for the following circumstances:

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

The district will seek parental consent through a written request before making any video or voice recording of your child not otherwise allowed by law.

#### **Prohibiting the Use of Corporal Punishment**

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

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

You may choose to revoke this prohibition at any time during the year by providing a signed statement to the campus principal. However, district personnel may choose to use discipline

methods other than corporal punishment even if the parent requests that this method be used on the student.

Please note that if the district is made aware that a student is in temporary or permanent conservatorship (custody) of the state, through foster care, kinship care, or other arrangements, corporal punishment shall not be administered, even when a signed statement prohibiting its use has not been submitted by the student's caregiver or caseworker.

### **Limiting Electronic Communications with Students by District Employees**

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

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

However, instant or text messages sent to an individual student are only allowed if a district employee with responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity.

If you prefer that your child not receive any one-to-one electronic communications from a district employee or if you have questions related to the use of electronic media by district employees, please contact the campus principal.

### **Objecting to the Release of Directory Information**

The Family Educational Rights and Privacy Act, or FERPA, permits the district to disclose appropriately designated "directory information" from a child's education records without written consent. "Directory information" is information that is generally not considered harmful or an invasion of privacy if released. This "directory information" will be released to anyone who follows procedures for requesting it.

However, a parent or eligible student may object to the release of a student's directory information. This objection must be made in writing to the principal within ten school days of your child's first day of instruction for this school year. [See the "Notice Regarding Directory Information and Parent's Response Regarding Release of Student Information" included in the registration packet.]

The district has identified the following as directory information: student name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams.

If you object to the release of the student information included on the directory information response form, your decision will also apply to the use of that information for school-sponsored purposes, such as the honor roll, school newspaper, the yearbook, recognition activities, news releases, and athletic programs.

Also review the information at **Authorized Inspection and Use of Student Records** on page 16.

### **Objecting to the Release of Student Information to Military Recruiters and Institutions of Higher Education (Secondary Grade Levels Only)**

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

### **Participation in Third-Party Surveys**

#### ***Consent Required Before Student Participation in a Federally Funded Survey, Analysis, or Evaluation***

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

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

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

#### ***“Opting Out” of Participation in Other Types of Surveys or Screenings and the Disclosure of Personal Information and Activities***

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

- Any survey concerning the private information listed above, regardless of funding.

- School activities involving the collection, disclosure, or use of personal information gathered from your child for the purpose of marketing, selling, or otherwise disclosing that information. Note that this does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.
- Any nonemergency, invasive physical examination or screening required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student. Exceptions are hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law. [See policies EF and FFAA.]
- If your child is a junior or senior: while you will be given prior notice, your child's information may be utilized for programs that facilitate the graduation process. For specific information, contact your home campus for this automatic "opt in" process.

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

## **REMOVING A STUDENT FROM INSTRUCTION OR EXCUSING A STUDENT FROM A REQUIRED COMPONENT OF INSTRUCTION**

### **Human Sexuality Instruction**

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

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

- Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;
- Devote more attention to abstinence from sexual activity than to any other behavior;
- Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, and the emotional trauma associated with adolescent sexual activity;
- Direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases; and
- If included in the content of the curriculum, teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates.

Areas of instruction dealing with human sexuality are addressed in terms of personal health and safety. Parents will be given prior notification when 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 child.

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

### **Reciting a Portion of the Declaration of Independence in Grades 3–12**

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

### **Reciting the Pledges to the U.S. and Texas Flags**

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 84 and policy EC(LEGAL).]

### **Religious or Moral Beliefs**

You may remove your child temporarily from the classroom if an instructional activity in which your child is scheduled to participate conflicts with your religious or moral beliefs. The removal cannot be for the purpose of avoiding a test and may not extend for an entire semester. Further, your child must satisfy grade-level and graduation requirements as determined by the school and by state law.

### **Tutoring or Test Preparation**

Based on informal observations, evaluative data such as grades earned on assignments or tests, or results from diagnostic assessments, a teacher may determine that a student is in need of additional targeted assistance in order for the student to achieve mastery in state-developed essential knowledge and skills. The school will always attempt to provide tutoring and strategies for test-taking in ways that prevent removal from other instruction as much as possible. In accordance with state law and policy EC, the school will not remove a student from a regularly scheduled class for remedial tutoring or test preparation for more than ten percent of the school days on which the class is offered, unless the student's parent consents to this removal.

The school may also offer tutorial services, which students whose grades are below 70 will be required to attend.

[Also refer to policies EC and EHBC, and contact your student's teacher with questions about any tutoring programs provided by the school.]



## **RIGHT OF ACCESS TO STUDENT RECORDS, CURRICULUM MATERIALS, AND DISTRICT RECORDS**

### **Instructional Materials**

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

### **Notices of Certain Student Misconduct to Noncustodial Parent**

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

### **Student Records**

#### ***Accessing Student Records***

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

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,
- Teacher and school counselor evaluations,
- Reports of behavioral patterns,
- State assessment instruments that have been administered to your child, and
- Teaching materials and tests used in your child's classroom.

#### ***Authorized Inspection and Use of Student Records***

Parents are encouraged to keep the school office informed of any change of address, telephone number, or place of employment. It is imperative that we maintain up-to-date records on each student in case of injury or sudden illness.

A federal law, known as the Family Educational Rights and Privacy Act, or FERPA, affords parents and eligible students certain rights with respect to the student's education records. For

purposes of student records, an “eligible” student is one who is 18 or older or who is attending an institution of postsecondary education. These rights, as discussed in this section as well as at **Objecting to the Release of Directory Information** on page 12, are:

- The right to inspect and review student records within 45 days after the day the school receives a request for access.
- The right to request an amendment to a student record the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of FERPA.
- The right to provide written consent before the school discloses personally identifiable information from the student’s records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S. Department of Education concerning failures by the school to comply with FERPA requirements. The name and address of the office that administers FERPA are:

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

Both FERPA and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy. Before disclosing any personally identifiable information from a student’s records, the district must verify the identity of the person, including a parent or the student, requesting the information.

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

Inspection and release of student records is primarily restricted to an eligible student or a student’s parents—whether married, separated, or divorced—unless the school is given a copy of a court order terminating parental rights or the right to access a student’s education records.

Federal law requires that, as soon as a student becomes 18, is emancipated by a court, or enrolls in a post-secondary institution, control of the records goes to the student. The parents may continue to have access to the records, however, if the student is a dependent for tax purposes and under limited circumstances when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student’s education records, without written consent of the parent or eligible student, in the follow circumstances:

- When district school officials have what federal law refers to as a “legitimate educational interest” in a student’s records. School officials would include board members and employees, such as the superintendent, administrators, and principals; teachers, school counselors, diagnosticians, and support staff (including district health or district medical staff); a person or company with whom the district has contracted or allowed to provide a particular institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist,

school resource officer, or volunteer); a parent or student serving on a school committee; or a parent or student assisting a school official in the performance of his or her duties. “Legitimate educational interest” in a student’s records includes working with the student; considering disciplinary or academic actions, the student’s case, or an individualized education program for a student with disabilities; compiling statistical data; reviewing an educational record to fulfill the official’s professional responsibility to the school and the student; or investigating or evaluating programs.

- To authorized representatives of various governmental agencies including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, TEA, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or other child welfare representatives, in certain cases.
- To individuals or entities granted access in response to a subpoena or court order.
- To another school, school district/system, or institution of postsecondary education to which a student seeks or intends to enroll or in which he or she is already enrolled.
- In connection with financial aid for which a student has applied or which the student has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for; or on behalf of, the school, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses information it has designated as directory information [See **Objecting to the Release of Directory Information** on page 12 for opportunities to prohibit this disclosure.]

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

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

A parent or eligible student who wishes to inspect the student’s records should submit a written request to the records custodian identifying the records he or she wishes to inspect. Records may be inspected by a parent or eligible student during regular school hours. The records custodian or designee will respond to reasonable requests for explanation and interpretation of the records.

A parent or eligible student who provides a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review these records. The address of the superintendent’s office is 1200 Old Decatur Road, Fort Worth, TX 76179.

The addresses of the principals’ offices are located on the district website at [www.emsisd.com](http://www.emsisd.com).

A parent (or eligible student) may inspect the student's records and request a correction or amendment if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights. A request to correct a student's record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading policy. [See FINALITY OF GRADES at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 87, and **Complaints and Concerns** on page 39 for an overview of the process.]

The district's policy regarding student records found at policy FL is available from the principal's or superintendent's office or on the district's website at [www.emsisd.com](http://www.emsisd.com).

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

## **Teacher and Staff Professional Qualifications**

You may request information regarding the professional qualifications of your child's teachers, including whether a teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; whether the teacher has an emergency permit or other provisional status for which state requirements have been waived; and undergraduate and graduate degree majors, graduate certifications, and the field of study of the certification or degree. You also have the right to request information about the qualifications of any paraprofessional who may provide services to your child.

## **STUDENTS WITH EXCEPTIONALITIES OR SPECIAL CIRCUMSTANCES**

### **Children of Military Families**

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

- Immunization requirements: a 30 day grace period is granted to active military families who are transferring from one district to another and waiting for the transfer of immunization records.
- Grade level, course, or educational program placement.
- Eligibility requirements for participation in extracurricular activities.
- Graduation requirements.

In addition, absences related to a student visiting with his or her parent, including a stepparent or legal guardian, who has been called to active duty for, is on leave from, or is returning from a deployment of at least four months will be excused by the district. The district will permit no more than five excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60<sup>th</sup> day before deployment or no later than the 30<sup>th</sup> day after the parent's return from deployment.

Additional information may be found at <http://tea.texas.gov/index2.aspx?id=7995>.

## **Parental Role in Certain Classroom and School Assignments**

### ***Multiple Birth Siblings***

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

### ***Transfers/Assignments***

As a parent, you may:

- Request the transfer of your child to another classroom or campus if your child has been determined by the district to have been a victim of bullying as the term is defined by Education Code 37.0832. Transportation is not provided for a transfer to another campus. See the superintendent or principal for information.
- Consult with district administrators if your child has been determined by the district to have engaged in bullying and the board decides to transfer your child to another classroom or campus. Transportation is not provided for a transfer to another campus. [See **Bullying** on page 35, policy FDB, and policy FFI.]
- Request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE.]
- Request the transfer of your child to another district campus if your child has been the victim of a sexual assault by another student assigned to the same campus, whether that assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. If the victim does not wish to transfer, the district will transfer the assailant in accordance with policy FDE.

### **Service/Assistance Animal Use by Students**

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

## **Students in the Conservatorship of the State (Foster Care)**

A student who is currently in the conservatorship (custody) of the state and who is moved outside of the district's or school's attendance boundaries, or who is initially placed in the conservatorship of the state and who is moved outside the district's or school's boundaries, is entitled to continue in enrollment at the school he or she was attending prior to the placement or move until the student reaches the highest grade level at the particular school. In addition, if a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

[See also **Students in Foster Care** on page 21 for more information.]

## **Students Who Are Homeless**

If a student in grade 11 or 12 is homeless and transfers to another school district but does not meet the graduation requirements of the receiving district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

Federal law also allows a homeless student to remain enrolled in what is called the "school of origin" or to enroll in a new school in the attendance area where the student is currently residing.

[See also **Homeless Students** on page 21 for more information.]

## **Students Who Have Learning Difficulties or Who Need Special Education Services**

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

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

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

*the Admission, Review, and Dismissal Process*. Both documents may be found at <http://framework.esc18.net/display/Webforms/LandingPage.aspx>.

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

- Texas Project First, at <http://www.texasprojectfirst.org>
- Partners Resource Network, at <http://www.partnerstx.org>

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is the Director of Special Programs, Lesa Shocklee, at 817-232-0880.

### **Students Who Receive Special Education Services with Other School-Aged Children in the Home**

If a student is receiving special education services at a campus outside his or her attendance zone, the parent or guardian may request that any other student residing in the household be transferred to the same campus, if the appropriate grade level for the transferring student is offered on that campus. However, the district is not required to provide transportation to the other children in the household. The parent or guardian should speak with the principal of the school regarding transportation needs prior to requesting a transfer for any other children in the home. [See policy FDB(LOCAL).]

### **Students Who Speak a Primary Language Other than English**

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments. For questions regarding LPAC meetings contact Heath Dollar at 817-232-0880.

### **Students With Physical or Mental Impairments Protected under Section 504**

A child determined to have a physical or mental impairment that substantially limits a major life activity, as defined by law, and who does not otherwise qualify for special education services, may qualify for protections under Section 504 of the Rehabilitation Act. Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities. When an evaluation is requested, a committee will be formed to determine if the child is in need of services and supports under Section 504 to receive a free appropriate public education (FAPE), as this is defined in federal law.

The designated person to contact regarding a referral for evaluation applicable to Section 504 is Emily Youngberg at 817-232-0880.

[Also see policy FB.]

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

Topics in this section of the handbook contain important information on academics, school activities, and school operations and requirements. Take a moment with your child to become familiar with the various issues addressed in this section. It is organized in alphabetical order to serve as a quick-reference when you or your child has a question about a specific school-related issue. Where possible, the topics are also organized to alert you to the applicability of each topic based on a student's age or grade level. Should you be unable to find the information on a particular topic, please contact the school.

### **ABSENCES/ATTENDANCE**

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

#### **Compulsory Attendance**

##### ***Age 19 and Older***

A student who voluntarily attends or enrolls after his or her 19<sup>th</sup> birthday is required to attend each school day until the end of the school year. If a student age 19 or older has more than five unexcused absences in a semester, the district may revoke the student's enrollment. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. [See policy FFA.]

##### ***Between Ages 6 and 19***

State law requires that a student between the ages of 6 and 19 attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt.

Students enrolled in prekindergarten or kindergarten are required to attend school and are subject to the compulsory attendance requirements as long as they remain enrolled.

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

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



## ***Prekindergarten and Kindergarten***

Students enrolled in pre-kindergarten or kindergarten are required to attend school and are subject to the compulsory attendance requirements as long as they remain enrolled.

## **Exemptions to Compulsory Attendance**

### ***All Grade Levels***

State law allows exemptions to the compulsory attendance requirements for several types of absences if the student makes up all work. These include the following activities and events:

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Documented health-care appointments for the student or a child of the student, including absences for recognized services for students diagnosed with autism spectrum disorders, if the student comes to school on the same day as the appointment. A note from the health-care provider must be submitted upon the student's arrival or return to campus; and
- For students in the conservatorship (custody) of the state,
  - An activity required under a court-ordered service plan; or
  - Any other court-ordered activity, provided it is not practicable to schedule the student's participation in the activity outside of school hours.

As listed in Section I at **Children of Military Families**, absences of up to five days will be excused for a student to visit with a parent, stepparent, or legal guardian who has been called to duty for, is on leave from, or immediately returned from certain deployments. Please see page 19 for that section.

### ***Secondary Grade Levels***

In addition, a junior or senior student's absence of up to two days related to visiting a college or university will be considered an exemption, provided this has been authorized by the board under policy FEA(LOCAL), the student receives approval from the campus principal, follows the campus procedures to verify such a visit, and makes up any work missed.

Absences of up to two days in a school year will also be considered an exemption for:

- A student serving as an early voting clerk, provided the district's board has authorized this in policy FEA(LOCAL), the student notifies his or her teachers and the student receives approval from the principal prior to the absences, and
- A student serving as an election clerk, if the student makes up any work missed.

An absence of a student in grades 6–12 for the purpose of sounding "Taps" at a military honors funeral for a deceased veteran will also be excused by the district.

## **Failure to Comply with Compulsory Attendance**

### ***All Grade Levels***

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

### ***Age 19 and Older***

After a student age 19 or older incurs a third unexcused absence, the district will send the student a letter as required by law explaining that the district may revoke the student’s enrollment for the remainder of the school year if the student has more than five unexcused absences in a semester. As an alternative to revoking a student’s enrollment, the district may implement a behavior improvement plan.

### ***Between Ages 6 and 19***

When a student between ages 6 and 19 incurs unexcused absences for three or more days or parts of days within a four-week period, the school will send a notice to the student’s parent, as required by law, to remind the parent that it is the parent’s duty to monitor his or her child’s attendance and to require the student to come to school. The notice will also inform the parent that the district will initiate truancy prevention measures and request a conference between school administrators and the parent. These measures will include a behavior improvement plan, school-based community service, or referrals to either in-school or out-of-school counseling or other social services. Any other measures considered appropriate by the district will also be initiated.

The truancy prevention facilitator for the district is the Director of Student and Staff Services. If you have questions about your student and the effect of his or her absences from school, please contact the facilitator or any other campus administrator.

A court of law may also impose penalties against a student’s parents if a school-aged student is deliberately not attending school. A complaint against the parent may be filed in court if the student is absent without excuse from school on ten or more days or parts of days within a six-month period in the same school year.

If a student age 12 through age 18 incurs unexcused absences on ten or more days or parts of days within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court.

[See policy FEA(LEGAL).]

### **Attendance for Credit or Final Grade (Kindergarten Through Grade 12)**

To receive credit or a final grade in a class, a student in kindergarten-grade 12 must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit or a final grade for the class if he or she completes a plan approved by the principal that allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court

proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

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

All absences, whether excused or unexcused, must be considered in determining whether a student has attended the required percentage of days. In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- If makeup work is completed, absences for the reasons listed above at **Exemptions to Compulsory Attendance** will be considered extenuating circumstances for purposes of attendance for credit or the award of a final grade.
- A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
- In reaching a decision about a student's absences, the committee will attempt to ensure that it is in the best interest of the student.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the absences were for reasons over which the student or the student's parent could exercise any control.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.

The student or parent may appeal the committee's decision to the board by following policy FNG(LOCAL).

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

### **Official Attendance-Taking Time (All Grade Levels)**

The district must submit attendance of its students to TEA reflecting attendance at a specific time each day.

Official attendance is taken every day during the 10 o'clock hour.

A student absent for any portion of the day, including the official attendance-taking time, should follow the procedures below to provide documentation of the absence.

## **Documentation after an Absence (All Grade Levels)**

When a student is absent from school, the student – upon arrival or return to school – must bring a note signed by the parent/guardian that describes the reason for the absence. Failure to bring the required note will result in the absence being counted as truant. Before returning to class following an absence, middle and high school students must acquire an admit slip from the attendance office. A note signed by the student, even with the parent’s permission, will not be accepted unless the student is 18 or older or is an emancipated minor under state law. A phone call from the parent may be accepted, but the district reserves the right to require a written note.

The campus will document in its attendance records for the student whether the absence is considered by the district to be excused or unexcused. Please note that, unless the absence is for a statutorily allowed reason under compulsory attendance laws, the district is not required to excuse any absence, even if the parent provides a note explaining the absence.

## **Doctor’s Note after an Absence for Illness (All Grade Levels)**

Upon return to school, a student absent for more than 5 consecutive days because of a personal illness must bring a statement from a doctor or health clinic verifying the illness or condition that caused the student’s extended absence from school. Otherwise, the student’s absence may be considered unexcused and, if so, would be considered to be in violation of compulsory attendance laws.

Should the student develop a questionable pattern of absences, the principal or attendance committee may require a statement from a doctor or health clinic verifying the illness or condition that caused the student’s absence from school in order to determine whether the absence or absences will be excused or unexcused.

[See policy FEC(LOCAL).]

## **Excused / Unexcused Absences**

Absences are excused for illness, appointments with a health care professional (with a note or receipt from the health care professional), serious illness or death of a member of the student’s immediate family, or an emergency that prevents the student from being in school.

A school administrator may excuse an absence for reasons other than those above on an individual basis. In the case of prior knowledge of an absence, a parent should submit a written request to the principal for an excused absence stating the exact dates the student will be absent and the special circumstances.

Examples of unexcused absences include but are not limited to the following:

1. Personal business
2. Shopping
3. Car trouble
4. Non-medical appointments
5. Non-subpoena court appearances

6. Missed bus
7. Illness other than the immediate family
8. Work
9. Detained by train
10. Vacation

In addition to the guidelines for determining excused and unexcused absences, the following rules and procedures apply to absences:

1. Make-up work is the responsibility of the student who has an absence. The student must check with the teacher regarding make-up work on the day he/she returns to class. All work must be made up within two days after the student returns to class unless other arrangements are made with the teacher.
2. Zeroes will be given for any assignment or test not made up within the allotted time.
3. Missing class due to a school activity is not an absence nor is it treated as one. Arrangements for missed work should be made in advance of school related trips and activities and is due as designated by the teacher.
4. The maximum grade for make-up work submitted after a student is determined to be truant shall be a 75.
5. The school shall not impose a grade penalty for make-up work after an absence due to suspension unless it is not submitted by the designated due date.
6. Any student who is not in compliance with the attendance law is subject to loss of credit. Students who are out of attendance compliance may receive credit for classes passed by attending make-up sessions. Students should contact the appropriate assistant principal for more information about attendance make-up hours.

### **Partial Day Absences/Entering or Leaving the Campus During the Day**

1. Upon entering or leaving the campus during the school day a student must sign in/out at the attendance office.
2. A student may leave campus only if office staff have spoken with the parent/guardian in person or by phone, or the student brings a written request from the parent to the office which includes:
  - Specific reason for the request.
  - Exact time the student is to leave school.
  - Telephone number for verification.
  - Parent signature (both natural parents have the legal right to pick up their student unless the principal is given a copy of a legal document stating otherwise).

The student will be allowed to leave after the note is verified.

3. A student must present a note from a health care provider in order to receive partial day credit. Partial day absences due to health care visits are considered an absence for exemption purposes.

Forging notes or making telephone calls under false pretenses to verify absences will be considered serious disciplinary offenses.

Truancy will be treated as a major disciplinary offense. The maximum grade for make-up work after a student is determined to be truant is 75. A student is considered truant when he/she meets any one of the following:

- Does not attend school when the parent thinks otherwise.
- Leaves school during the day without permission.
- Misses a class or classes without permission from a teacher or administrator.
- Does not attend school and is not under the direct supervision of a parent or guardian.

### **Driver License Attendance Verification (Secondary Grade Levels Only)**

For a student between the ages of 16 and 18 to obtain a driver license, written parental permission must be provided for the Texas Department of Public Safety (DPS) to access the student's attendance records and, in certain circumstances, for a school administrator to provide the student's attendance information to DPS. A verification of enrollment (VOE) form may be obtained from the office, which the student will need to submit to DPS upon application for a driver license.

### **ACCOUNTABILITY UNDER STATE AND FEDERAL LAW (All Grade Levels)**

Eagle Mountain-Saginaw ISD and each of its campuses are held to certain standards of accountability under state and federal law. A key component of the accountability requirements is the dissemination and publication of certain reports and information, which include:

- The Texas Academic Performance Report (TAPR) for the district, compiled by TEA, the state agency that oversees public education, based on academic factors and ratings;
- A School Report Card (SRC) for each campus in the district compiled by REA based on academic factors and ratings;
- The district's financial management report, which will include the financial accountability rating assigned to the district by TEA;
- The performance ratings of the district's evaluation of community and student engagement using the indicators required by law; and
- Information compiled by TEA for the submission of a federal report card that is required by the No Child Left Behind Act.

Information about all of these can be found on the district's website at [www.emsisd.com](http://www.emsisd.com). Hard copies of any reports are available upon request to the district's administration office.

TEA also maintains additional accountability and accreditation information at <http://www.texaschoolaccountabilitydashboard.org> and <http://www.tea.texas.gov>.

## **AWARDS AND HONORS (HIGH SCHOOL)**

### ***Letter Jackets***

The following guidelines will be used in determining the eligibility for student awards:

- The U.I.L. rules will apply at all times. The maximum amount of the award shall be set by the U.I.L.
- Regardless of the area in which a student receives an award, he or she shall be allowed to receive only one major award from the high school. The award shall consist of a jacket.
- A student who participates in one of the extracurricular activities listed below and does not receive a major award for that activity shall receive a symbolic award.
- The teacher or sponsor directly responsible for an activity shall evaluate student participation and recommend to the principal those students eligible for awards.

### ***Band***

JUNIOR MEMBERS of the band will be eligible to receive an award provided they:

- Have been enrolled in the band two years previous to the junior year.
- Have satisfactorily met band requirements, such as appearance in formations, concerts, & public appearances.
- A student named to the All Region Band shall be eligible for a major award.

### ***Choir***

JUNIOR MEMBERS of the choir are eligible to receive an award provided they:

- Have been enrolled in the choir two years previous to the junior year.
- Have satisfactorily met choir requirements, such as appearance in formations, concerts, and public appearances.
- A student named to the All Region Choir shall be eligible for a major award.

### ***Drill Team***

Members of the drill team shall receive a major award when they have completed two years of service. For each successive year, they will receive a symbolic award.

### ***Varsity Athletics***

All varsity athletes who meet the criteria listed below shall be eligible to receive a major award (jacket):

- One year of successful participation in a varsity sport (circumstances preventing a senior or transfer student from qualifying shall be considered on an individual basis by the athletic director.)
- Participation in the preceding off-season (where applicable).
- Determination by the head coach of the varsity sport that the athlete had made a major contribution to the team.

- An athlete who letters in a sport and is not eligible for a major award (jacket) shall receive a symbolic award.
- An athlete, who is dismissed or quits the sport, in season or off-season, forfeits all rights to any award or honor not yet bestowed.

### ***Varsity Cheerleaders, Spirit Techs and Mascot***

Varsity cheerleaders and spirit techs will be eligible to receive a major award for the first year of service. For each successive year, they will receive a symbolic award. The Mascot, who must be a senior or junior, will be eligible for a major award. They must be active participants for the entire year.

### ***U.I.L. Literary and Academic Awards***

A student shall be presented an award if he or she advances to and participates in the regional meet of any U.I.L. sponsored event. One Act Play awards shall be limited to cast members and the three technical crew- members reported in the U.I.L. One-Act Play entry form.

### ***Career and Technology Education***

An award will be given only in TEA-approved and sponsored events.

Agriculture Science and Technology: A student who wins a District or area meet and satisfactorily represents the District in the next highest contest shall be eligible for an award.

Other Career and Technology organizations: A student must win at the area level and satisfactorily participate in the state contest.

### ***National Honor Society***

Membership in an EMS ISD chapter of NHS, sanctioned and sponsored by the National Association of Secondary School Principals, is open to junior and senior students whose standards of scholarship, character, leadership, and service are far above those of the average student. The first opportunity for induction comes after the second semester of the junior year. The final opportunity is after the first semester of the senior year.

Selection of members will be based on the following criteria:

- Each candidate for membership must be a junior or senior and must have attended the High School for the equivalent of one semester.
- Students shall have maintained a cumulative grade average of 93 or above for all academic courses undertaken. Grade averages are to be determined by the counseling department using the same procedures used for calculating grade point averages. Any attendance make-up days required to meet the 90% attendance law for credit must be completed prior to the selection process.
- Candidates must be on the Recommended, DAP, or Foundation Program with an Endorsement graduation plan. Juniors must have completed or be enrolled in their first year of a foreign language. Seniors must have completed or be enrolled in Algebra II and must have completed or be enrolled in their second year of foreign language.
- NHS candidates and members are expected to adhere to a code of conduct as determined and outlined in the district's Student Code of Conduct and to comply with specific



guidelines set forth in the Constitution of the National Honor Society. Assignment to In-School Suspension (ISS) or the alternative discipline center does not constitute exemplary conduct and excludes a student from consideration for NHS membership during that school year. Any student who earns two consecutive N's in the same class or any U's in conduct will not be eligible for consideration for membership in NHS.

- Candidates must have more S's than N's, no U's and no N's consecutively recurring with one class.
- Each candidate must complete and timely submit a student information form, which includes a list of school activities and service to the school and/or community.
- The Faculty Advisory Council will review each candidate's certification for the final selection of members to the chapter.
- An active member of an NHS chapter who transfers to any EMS ISD High School will be automatically accepted for membership into the Chapter and will be expected to follow NHS guidelines.
- Active members are expected to follow additional guidelines set forth in the NHS Constitution.

## **AWARDS AND HONORS (MIDDLE SCHOOL)**

### ***Cheerleaders***

Eight candidates representing the seventh grade and eight candidates representing the eighth grade will be selected. Academic eligibility to try out for cheerleader is based on grades earned during the current school year in the five (5) core classes. The core classes are English/Language Arts, Reading/Literature, Math, Science, and Social Studies.

The cumulative average in **each** core subject (average of the six weeks grades through the most recent 6-weeks reporting period) shall be 70 or above for each core class.

Citizenship eligibility shall be based on all classes taken. To be eligible to try out a student must have no more than one "N". In addition, any "U's" in citizenship will disqualify a student from participating in the selection.

No student who has more than one term of placement in SAC, suspension, or an alternative education program will be eligible to tryout. Any student who has been expelled from school for any portion of the school year will be unable to tryout.

The candidates will try out before a panel of judges. The judges' scores will count 100%. The scores will be tabulated under the supervision of an administrator and new squad members' names will be posted.

Parents and candidates are responsible for completing, signing, and returning all forms handed out at the mandatory tryout meeting. Students with incomplete paperwork will not be allowed to physically participate until all paperwork has been successfully completed. Parents need to read all information carefully and sign forms to give permission for their daughter/son to participate.

## ***Student Council***

Purpose:

- To develop attitudes of, and practice in good citizenship;
- To promote harmonious relations throughout the entire school;
- To improve student-teacher relationships;
- To improve school morale;
- To provide a forum for student expression;
- To promote the general welfare of the school.

Officers:

The officers of this organization shall be a president, vice-president, secretary, and treasurer. The officers of the Student Council shall be selected from the eighth grade.

Requirements for candidates:

1. Candidates must sign up to run for Student Council Office. The cumulative average in **each** core subject (average of the six weeks grades through the most recent 6-weeks reporting period) shall be 70 or above for each core class. The overall average of **all** six weeks grades (through the most recent 6-weeks reporting period) in **all** core classes shall be 75 or above. In addition, no more than two “N’s” in citizenship are allowed. A “U” in citizenship will disqualify a student from participating in the election.
2. Candidates for officer must be a member in good standing of the Student Council.
3. An application blank and parent approval sheet must be completed and turned in to the sponsor prior to the election. The Student Council sponsors will review the application and approval sheet.
4. No student who has more than one term of placement in In-School Suspension (ISS), suspension, or an alternative education program will be eligible to tryout. Any student who has been expelled from school for any portion of the school year will be unable to run.
5. During the spring preceding the year of service, the sponsor will supervise those students who desire to run for the office and who meet the qualifications.
6. There shall be two days of campaigning under the direction and supervision of the Student Council, after which the election shall take place. Campaigning is limited to hanging of posters and making a speech before the student body. Voting shall be by secret ballot.
7. The Student Council sponsor(s) and an assistant principal will tabulate the votes and announce the results. The candidates receiving the highest number of votes will be declared the winners.
8. The term of office for each officer shall be one year.

Representatives:

Students desiring to serve as a representative must meet the same academic and citizenship requirements for Student Council Officer and complete the application process.

## ***National Junior Honor Society***

Membership in the local Chapter of the National Junior Honor Society, sanctioned and sponsored by the National Association of Secondary School Principals, is open to students whose standards of scholarship, leadership, character, citizenship, and services are far above those of the average student.

Election of members shall be based on the following criteria:

1. Candidates must have attended the school at least one full semester.
2. Candidates for membership shall have maintained an overall average in the core areas of 93 or above (the core subjects averaged together for the current year should be 93 or above. Averages are not rounded up or down.). For calculation purposes only, 3 points will be added to the numeric grade in honors classes.
3. Students who have been in In-School Suspension (ISS) or have been suspended from school for any reason during the year in which they are being considered for membership are not eligible for admission to NJHS.
4. No more than two N's in citizenship are allowed. A "U" in citizenship will disqualify a student from selection.
5. Each candidate must complete a student information sheet that will include a list of school activities and service to the community and/or school. The final selection of members shall be by the approval of the Faculty Advisory Council based on the determination of character, leadership, and service.
6. An active member of the NJHS who transfers from another accredited school will be accepted for membership in this chapter.

## **ADMITTANCE**

A child entering kindergarten must have reached his or her fifth birthday on or before September 1st. A child entering first grade must have reached his or her sixth birthday on or before September 1st. The District has developed procedures for kindergarten acceleration. See EHDC (LOCAL).

A birth certificate and proof of all required (and current) 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 74 for a complete listing of immunization requirements.

## **ANIMALS**

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

## **BULLYING (All Grade Levels)**

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic methods, or physical conduct against another student on school property, at a school-sponsored or –related activity, or in a district operated vehicle, and the behavior:

- Results in harm to the student or the student’s property,
- Places a student in reasonable fear of physical harm or of damage to the student’s property, or
- Is so severe, persistent, and pervasive that it creates an intimidating, threatening, or abusive educational environment.

This conduct is considered bullying if it exploits an imbalance of power between the student perpetrator(s) and the student victim and if it interferes with a student’s education or substantially disrupts the operation of the school.

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

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, it is important for the student or parent to notify a teacher, school counselor, principal, or another district employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. The district will also contact parents of the victim and of the student who was found to have engaged in the bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

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

Upon the recommendation of the administration, the board may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student’s parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined by the district to be a victim of bullying may request that his or her child be transferred to another classroom or campus within the district. [Also see **Safety Transfers/Assignments** on page 20.]

A copy of the district’s policy is available on the district’s website, [www.emsisd.com](http://www.emsisd.com), and is included at the end of this handbook in the form of an appendix. Procedures related to reporting allegations of bullying may also be found on the district’s website.

A student or parent who is dissatisfied with the outcome of an investigation may appeal through policy FNG(LOCAL).

[Also see **Safety Transfers/Assignments** on page 20, **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44, **Hazing** on page 44, policy FFI, and the district improvement plan, a copy of which can be viewed in the campus office.]

## **CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS (Secondary Grade Levels Only)**

Eagle Mountain-Saginaw Independent School District offers career and technical education programs in the following areas:

- Agriculture, Food, and Natural Resources
- Architecture and Construction
- Arts, A/V Technology, and Communication
- Business Management and Administration
- Education and Training
- Finance
- Health Science
- Hospitality and Tourism
- Human Services
- Information Technology
- Law, Public Safety, Corrections, and Security
- Manufacturing
- Marketing
- Science, Technology, Engineering, and Mathematics (STEM)
- Transportation, Distribution, and Logistics

Admission to these programs is based on interest, age, grade level, pre-requisite requirements and available space.

These programs will be offered without regard to race, color, national origin, sex, or disability. Eagle Mountain-Saginaw Independent School District will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and CTE programs. [Also see **Nondiscrimination Statement** on page 81 for the name and contact information for the Title IX coordinator and Section 504 coordinator, who will address certain allegations of discrimination.]

## **CELEBRATIONS (All Grade Levels)**

Although a parent or grandparent is not prohibited from providing food for a school-designated function or for children in the child's or grandchild's classroom for his or her birthday, please be aware that children in the school may have severe allergies to certain food products. Therefore, it is imperative to discuss this with the child's teacher prior to bringing any food in this circumstance. Occasionally, the school or a class may host certain functions or celebrations tied to the curriculum that will involve food. The school or teacher will notify students and parents of any known food allergies when soliciting potential volunteers for bringing food products.

[See also **Food Allergies** on page 71.]

## **CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN (All Grade Levels)**

The district has established a plan for addressing child sexual abuse and other maltreatment of children, which may be accessed at [www.emsisd.com](http://www.emsisd.com). As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

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

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

As a parent, if your child is a victim of sexual abuse or other maltreatment, the school counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. To find out what services may be available in your county, see [http://www.dfps.state.tx.us/Prevention\\_and\\_Early\\_Intervention/Programs\\_Available\\_In\\_Your\\_County/default.asp](http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp).

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

- <https://www.childwelfare.gov/pubs/factsheets/whatiscan.pdf>
- [http://kidshealth.org/parent/positive/talk/child\\_abuse.html](http://kidshealth.org/parent/positive/talk/child_abuse.html)
- <http://taasa.org/resources-2/>
- [http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse1.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml)
- [http://www.oag.state.tx.us/AG\\_Publications/txts/childabuse2.shtml](http://www.oag.state.tx.us/AG_Publications/txts/childabuse2.shtml)

Reports of abuse or neglect may be made to:

The CPS division of the TDFPS (1-800-252-5400 or on the web at <http://www.txabusehotline.org>).

## **CLASS RANK / HIGHEST RANKING STUDENT (Secondary Grade Levels Only)**

The District shall include in the calculation of class rank grades earned in all high school credit courses regardless of when the credit was earned, unless excluded below.

The calculation of class rank shall exclude grades in or by a local credit course, physical education credits awarded by alternative sources, or courses taken as Pass/Fail.

The valedictorian and salutatorian shall be the eligible students with the highest and second highest ranking, respectively. To be eligible for such recognition, a student must:

1. Have been continuously enrolled in the same District high school for the four semesters immediately preceding graduation; and
2. Have completed the Recommended Program or the Advanced/Distinguished Achievement Program for graduation.

[For further information, see policy EIC.]

Beginning with students who entered grade 9 in the 2014–15 school year, a new graduation program is in effect. Therefore, class ranking procedures may be adjusted by the district based on the new graduation plan. As these decisions are made, the district will make the information available to the students affected by these changes.

## **CLASS SCHEDULES (Secondary Grade Levels Only)**

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

[See **Schedule Changes** on page 89 for information related to student requests to revise their course schedules.]

## **COLLEGE AND UNIVERSITY ADMISSIONS (Secondary Grade Levels Only)**

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

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

\*Beginning with ninth graders in the 2014–15 school year, to be eligible for automatic admission to at Texas four-year college or university, a student must be on track to graduate with the distinguished level of achievement under the foundation graduation program. This means that a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses.

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

ensuring that he or she meets the admission requirements of the university or college to which the student submits an application.

The University of Texas at Austin may limit the number of students automatically admitted to 75 percent of the University's enrollment capacity for incoming resident freshmen. For students who are eligible to enroll in the University of Texas at Austin during the summer or fall 2016 term, the University will be admitting the top eight percent of the high school's graduating class who meet the above requirements. Additional applicants will be considered by the University through a holistic review process.

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

Students and parents should contact the school counselor or college and career readiness specialist for further information about automatic admissions, the application process, and deadlines.

[See also **Class Rank/Highest Ranking Student** on page 38 for information specifically related to how the district calculates a student's rank in class and requirements for **Graduation** on page 57 for information associated with the foundation graduation program].

## **COLLEGE CREDIT COURSES (Secondary Grade Levels Only)**

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

- Certain courses taught at the high school campus, which may include courses termed dual credit, Advanced Placement (AP), International Baccalaureate (IB), or college preparatory;
- Enrollment in an AP or dual credit courses through the Texas Virtual School Network;
- Enrollment in courses taught in conjunction and in partnership with colleges and universities, which may be offered on or off campus;
- Enrollment in courses taught at other colleges and universities; and
- Certain CTE courses.

All of these methods have eligibility requirements and must be approved prior to enrollment in the course. Please see the school counselor for more information. Depending on the student's grade level and the course, a state mandated end-of-course assessment may be required for graduation.

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

## **COMPLAINTS AND CONCERNS (All Grade Levels)**

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.

Usually student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal. For those complaints and concerns that cannot be handled so easily, the board has adopted a standard complaint policy at FNG(LOCAL) in the district's policy manual. A copy of this policy may be obtained on the district's website at [www.emsisd.com](http://www.emsisd.com).

Should a parent or student feel a need to file a formal complaint, the parent or student should file a district complaint form within the timelines established in policy FNG(LOCAL). In general, the student or parent should submit the written complaint form to the director of student and staff services. If the concern is not resolved, a request for a conference should be sent to the superintendent. If still unresolved, the district provides for the complaint to be presented to the board of trustees.

## **CONDUCT (All Grade Levels)**

### **Applicability of School Rules**

As required by law, the board has adopted a Student Code of Conduct that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus as well as on district vehicles—and consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the Student Code of Conduct. Students and parents should be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules. During any periods of instruction during the summer months, the Student Handbook and Student Code of Conduct in place for the year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction.

### **Campus Behavior Coordinator**

By law, each campus has a campus behavior coordinator to apply discipline management techniques and administer consequences for certain student misconduct, as well as provide a point of contact for student misconduct.

### **Detention**

A teacher or administrator may assign any student who has excessive tardies, absences, or other discipline problems to detention. Students will be given prior notice. Students who cannot attend an assigned day of detention should make arrangements with the assigning teacher or administrator to reschedule.

Possible detention schedules might include:

- Morning Detention
- Lunch Detention
- Afternoon Detention
- Saturday Detention

Detentions are held in a designated location. Other sessions may be established for attendance make-up.

The following rules and regulations will be in effect:

1. Students must bring books and materials to work on or read during D-Hall (except lunch).
2. Students must sign in and write legibly to receive credit in D-Hall.
3. Students must not talk, play or sleep.
4. If any of the above are violated, the student will not receive credit for attendance.
5. A student who does not report to D-Hall on the assigned day and has not made prior arrangements with the teacher or an administrator to reschedule the day will be subject to further disciplinary action.
6. Failure to attend D-Hall will be considered a major disciplinary offense when assigned for discipline.

When detention is used, notice shall first be given to the student to inform them of the reason for the detention and permit arrangements for the necessary transportation of the student. The student's parent or guardian, if the student is a minor, may be required to provide transportation when the student has been assigned to detention.

### **Disruptions of School Operations**

Disruptions of school operations are not tolerated and may constitute a misdemeanor offense. As identified by law, disruptions include the following:

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

## **In-School Suspension (ISS)**

Assignment to ISS will be made at the discretion of the principal or assistant principal. For violations of school policy, days will be assigned to the ISS for the first offense. Deviation from these recommendations will be at the discretion of administrators depending on the circumstances of the offense.

## **Social Events**

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

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

Only currently enrolled students or registered approved guests of currently enrolled students are eligible to attend social activities. To purchase tickets and gain access to a social event, a student must present a current student identification card.

To obtain approval for a guest (only one), a student should fill out the appropriate form and submit the request to an assistant principal for approval. If approved, the student should bring the form to the social activity along with picture identification of the guest to gain admittance. Guests invited to school functions and activities shall conform to the same conduct, behavior, dress, and grooming code as all Eagle Mountain-Saginaw ISD students. Guests who do not adhere to this code shall be asked to leave the activity.

**NO MIDDLE SCHOOL STUDENTS WILL BE ADMITTED TO HIGH SCHOOL SOCIAL ACTIVITIES.**

Please contact the campus principal if you are interested in serving as a chaperone for any school social events.

## **COUNSELING**

### **Academic Counseling**

#### ***Elementary and Middle School Grade Levels***

The school counselor is available to students and parents to talk about the importance of postsecondary education and how best to plan for postsecondary education, including appropriate courses to consider and financial aid availability and requirements.

In either grade 7 or 8, each student will receive instruction related to how the student can best prepare for high school, college, and a career.

#### ***High School Grade Levels***

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

academic and CTE opportunities, as well as information on the importance of postsecondary education.

Course offerings and teaching assignments are planned on the basis of courses selected by students in pre-registration. Only schedule changes pertaining to graduation plans and/or computer errors will be addressed during the following school year. No courses will be dropped or added unless approved by the administration through the schedule change process.

The school counselor and college and career readiness specialist can also provide information about entrance exams and application deadlines, as well as information about automatic admission, financial aid, housing, and scholarships as those relate to state colleges and universities. The school counselor and college and career readiness specialist can also provide information about workforce opportunities after graduation or technical and trade school opportunities, including opportunities to earn industry-recognized certificates and licenses.

### **Personal Counseling (All Grade Levels)**

The school counselor and intervention counselor are available to assist students with a wide range of personal concerns, including such areas as social, family, emotional, or mental health issues, or substance abuse. A student who wishes to meet with the school counselor should contact the student's school and ask for the school counselor. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance. While school counselors can help students through a crisis and provide support on an as-needed basis, they do not provide long-term therapy.

[Also see **Substance Abuse Prevention and Intervention** on page 99 and **Suicide Awareness** on page 99.]

### **COURSE CREDIT (Secondary Grade Levels Only)**

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

### **CREDIT BY EXAM—If a Student Has Taken the Course/Subject (All Grade Levels)**

A student who has previously taken a course or subject—but did not receive credit or a final grade for it—may, in circumstances determined by the principal or attendance committee, be permitted to earn credit by passing an exam approved by the district's board of trustees on the essential knowledge and skills defined for that course or subject. Prior instruction may include, for example, incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a non-accredited school. The opportunity to take an examination to earn credit for a course or to be awarded a final grade in a subject after the student has had prior instruction is sometimes referred to as "credit recovery."

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

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

A student may not use this exam, however, to regain eligibility to participate in extracurricular activities.

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

### **CREDIT BY EXAM FOR ADVANCEMENT/ACCELERATION—If a Student Has Not Taken the Course/Subject**

A student will be permitted to take an exam to earn credit for an academic course or subject area for which the student has had no prior instruction, i.e., for advancement or to accelerate to the next grade level. The exams offered by the district are approved by the district's board of trustees, and state law requires the use of certain exams, such as College Board Advanced Placement (AP) and College Level Examination Program (CLEP) tests, when applicable. The dates on which exams are scheduled during the 2015-2016 school year will be published in appropriate district publications and on the district's website. The only exceptions to the published dates will be for any exams administered by another entity besides the district. In this case, a student and the district must comply with the testing schedule of the other entity. During each testing window provided by the district, a student may attempt a specific exam only once.

If a student plans to take an exam, the student (or parent) must register with the school counselor no later than 30 days prior to the scheduled testing date. [For further information, see policy EHDC.]

#### **Students in Grades Kindergarten–5**

A student in elementary school will be eligible to accelerate to the next grade level if the student scores at least 80 on each exam in the subject areas of language arts, mathematics, science, and social studies, a district administrator recommends that the student be accelerated, and the student's parent gives written approval of the grade advancement.

#### **Students in Grades 6–12**

A student in grade 6 or above will earn course credit with a passing score of at least 80 on the exam, a scaled score of 50 or higher on an exam administered through the CLEP, or a score of 3 or higher on an AP exam, as applicable. A student may take an exam to earn course credit no more than twice. If a student fails to achieve the designated score on the applicable exam before the beginning of the school year in which the student would need to enroll in the course according to the school's high school course sequence, the student must complete the course.

### **DATING VIOLENCE, DISCRIMINATION, HARASSMENT AND RETALIATION (All Grade Levels)**

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

The board has established policies and procedures to prohibit and promptly respond to inappropriate and offensive behaviors that are based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. A copy of the district's policy is available on the district's website at [www.emsisd.com](http://www.emsisd.com). [See policy FFH.]

## **Dating Violence**

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

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

## **Discrimination**

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

## **Harassment**

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

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

In addition to dating violence as described above, two other types of prohibited harassment are described below.

## **Sexual Harassment and Gender-Based Harassment**

Sexual harassment and gender-based harassment of a student by an employee, volunteer, or another student are prohibited.

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

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

Gender-based harassment includes harassment based on a student's gender, expression by the student of stereotypical characteristics associated with the student's gender, or the student's failure to conform to stereotypical behavior related to gender.

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include, but not be limited to, offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

### **Retaliation**

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

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

### **Reporting Procedures**

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

Upon receiving a report of prohibited conduct as defined by policy FFH, the district will determine whether the allegations, if proven, would constitute prohibited conduct as defined by that policy. If not, the district will refer to policy FFI to determine if the allegations, if proven, would constitute bullying, as defined by law and that policy. If the alleged prohibited conduct, if proven, would constitute prohibited conduct and would also be considered bullying as defined by law and policy FFI, and investigation of bullying will also be conducted.

The district will promptly notify the parents of any student alleged to have experienced prohibited conduct involving an adult associated with the district. In the event alleged prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy FFH.

## **Investigation of Report**

To the extent possible, the district will respect the privacy of the student; however, limited disclosures may be necessary to conduct a thorough investigation and to comply with law. Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated.

If law enforcement or another regulatory agency notifies the district that it is investigating the matter and requests that the district delay its investigation, the district will resume the investigation at the conclusion of the agency's investigation.

During the course of an investigation and when appropriate, the district will take interim action to address the alleged prohibited conduct.

If the district's investigation indicates that prohibited conduct occurred, appropriate disciplinary action, and, in some cases corrective action, will be taken to address the conduct. The district may take disciplinary and corrective action even if the conduct that is the subject of the complaint was not unlawful.

All involved parties will be notified of the outcome of the district investigation within the parameters and limits allowed under the Family Educational Rights and Privacy Act (FERPA).

A student or parent who is dissatisfied with the outcome of the investigation may appeal in accordance with policy FNG(LOCAL).

## **DISCRIMINATION**

[See **Dating Violence, Discrimination, Harassment and Retaliation** on page 44.]

## **DISTANCE LEARNING**

### **All Grade Levels**

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

The distance learning opportunities that the district makes available to district students are through the Texas Virtual School Network (TxVSN), Texas Tech University, and the University of Texas.

If a student wishes to enroll in a correspondence course or a distance learning course that is not provided through the Texas Virtual School Network (TxVSN), as described below, in order to earn credit in a course or subject, the student must receive permission from the principal prior to enrolling in the course or subject. If the student does not receive prior approval, the district may not recognize and apply the course or subject toward graduation requirements or subject mastery.

### **Texas Virtual School Network (TxVSN) (Secondary Grade Levels)**

The Texas Virtual School Network (TxVSN) has been established by the state as one method of distance learning. A student has the option, with certain limitations, to enroll in a course offered through the TxVSN to earn course credit for graduation.



Depending on the TxVSN course in which a student enrolls, the course may be subject to the “no pass, no play” rules. [Also see **Extracurricular Activities, Clubs, and Organizations** on page 53.] In addition, for a student who enrolls in a TxVSN course for which an end-of-course (EOC) assessment is required, the student must still take the corresponding EOC assessment.

If you have questions or wish to make a request that your child be enrolled in a TxVSN course, please contact the school counselor. Unless an exception is made by an administrator, a student will not be allowed to enroll in a TxVSN course if the school offers the same or a similar course.

A copy of policy EHDE will be distributed to parents of middle and high school students at least once each year. If you do not receive a copy or have questions about this policy, please contact the counselor.

## **DISTRIBUTION OF LITERATURE, PUBLISHED MATERIALS, OR OTHER DOCUMENTS (All Grade Levels)**

### **School Materials**

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

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

### **Non-School Materials**

#### ***From Students***

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

The principal has designated a specific location for approved non-school materials to be placed for voluntary viewing or collection by students. [See policy FNAA.]

A student may appeal a decision in accordance with policy FNG(LOCAL). Any student who sells, posts, circulates, or distributes non-school material without prior approval will be subject to disciplinary action in accordance with the Student Code of Conduct. Materials displayed without approval will be removed.

#### ***From Others***

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the district or by a district-affiliated school-support organization will not be sold, circulated, distributed, or posted on any district premises by any district employee or by persons or groups not associated with the district, except as permitted by policy GKDA. To be considered for distribution, any non-school material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted electronically through the district’s electronic flyer system,

Peachjar, for prior review. The Communications Department will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies at DGBA or GF.]

Prior review will not be required for:

- Distribution of materials by an attendee or other attendees of a school-sponsored meeting intended for adults and held for after school hours.
- Distribution of materials by an attendee to other attendees of a community group meeting held after school hours in attendance with policy GKD(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL).
- Distribution for electioneering purposes during the time a school facility is being used as a polling place, in accordance with state law.

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

## **DRESS AND GROOMING (All Grade Levels)**

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

1. Student's hair shall be neatly cut, clean, and/or combed so as to be kept out of the eyes. Hairstyles should not, in the opinion of the administration, cause a health or safety hazard or a disruption of the educational process.
2. Appropriate footwear must be worn.
3. Shirts of underwear type, see-through clothing, muscle shirts, halter tops, tube tops, spandex clothing, or any clothing which exposes a bare midriff, back (below the shoulder blades), chest, or underwear **MAY NOT BE WORN**. Shoulders, back, chest, and midriff must be covered.
4. Dresses, skirts, shorts, "skorts", and jumpers must be mid-thigh length or longer. When appropriate, students' jumpers or dresses must be worn with shirts or blouses underneath. Boxer shorts, wind shorts, hats, and pajamas are not allowed.
5. Clothing or possessions which promote/display inappropriate messages shall not be permitted. Apparel should not display risqué prints or symbols, gang graffiti or monikers, lewd, vulgar, obscene, or suggestive language/design. Advertisements or symbols that promote or depict drugs, alcohol, tobacco products, or violence are prohibited on all apparel, jewelry and accessories. No chains, handcuffs, or any other accessories that suggest weaponry will be allowed.
6. Any clothing, which is identified by the administration as gang-related or a safety concern, will not be permitted.
7. Pants or shorts must be worn at a natural waistline and underwear cannot be visible.

8. Leggings are only acceptable to be worn under shorts, skirts, dresses, and/or blouses that maintain the dress code of reaching to mid-thigh or longer in length.
9. SPECIAL EXCEPTION – This code is not to be construed so as to apply to those pupils in certain elective subjects such as band, organized sports, or to students in voluntary student organizations which are called upon from time to time to represent their school in public events. Teachers and sponsors of these subjects and organizations will continue to require those standards of dress and appearance that they deem appropriate and which have served in the past to mark those school representatives with honor and distinction.

**ANY CLOTHING, PERSONAL APPEARANCE, OR PERSONAL STANDARD,  
WHICH IN THE JUDGEMENT OF ADMINISTRATORS DISRUPTS THE  
EDUCATIONAL ENVIRONMENT SHALL NOT BE PERMITTED.**

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

## **DRIVER EDUCATION**

Driver Education is offered as a noncredit course to students living in the Eagle Mountain-Saginaw ISD. To be eligible a student must be 15 years of age. Sign up is on a first-come, first-serve basis. The classroom phase is offered before and after school beginning after the first semester. The state requires that Driver Education students spend 32 hours in the classroom and have 7 hours of driving and 7 hours of observation in order to receive a Driver Education certificate. The district provides, free of charge, two hours of make-up for classroom instruction missed. The student, at a rate determined by the district, must pay for any hours missed beyond two hours. Because of the state's requirement of 55 minutes in class for an hour's credit, a tardy is counted as a 30-minute absence and must be made up and paid for by the student. Driving is done before school, after school and in the summer. A student who misses a scheduled driving time without notifying the driving instructor in advance must pay for the missed time at the rate determined by the district.

## **ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES (All Grade Levels)**

### **Possession and Use of Personal Telecommunications Devices, Including Mobile Telephones**

For safety purposes, the district permits students to possess personal mobile telephones; however, these devices must remain turned off during instructional class time without teacher permission, including during all testing, unless they are being used for approved instructional purposes. A student must have approval to possess other telecommunications devices such as netbooks, laptops, tablets, or other portable computers.

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

If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The parent may pick up the confiscated telecommunications (electronic) device from the principal's office for a fee of \$15.

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

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 92 and policy FNF.]

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

### **Possession and Use of Other Personal Electronic Devices**

**During class time, electronic devices should be used for instructional purposes only with permission of the teacher.** Use of electronic devices for any other purpose may result in disciplinary action as deemed appropriate by teachers or administrators. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

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

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 92 and policy FNF.]

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

### **Instructional Use of Personal Telecommunications and Other Electronic Devices**

In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. When students are not using the devices for approved instructional purposes, all devices must be turned off during the instructional day. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

### **Acceptable Use of District Technology Resources**

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

## Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is district-owned or personally owned, if it results in a substantial disruption to the educational environment.

Any person taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Student Code of Conduct, may be required to complete an educational program related to the dangers of this type of behavior, and, in certain circumstances, may be reported to law enforcement. Because engaging in this type of behavior can lead to bullying or harassment, as well as possibly impede future endeavors as a student, we encourage you to review with your child <http://beforeyoutext.com>, a state-developed program that addresses the consequences of engaging in inappropriate behavior using technology.

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

## User Responsibilities

1. Eagle Mountain-Saginaw ISD is providing Internet resources for educational purposes only. Student/staff use of Internet resources must be related to an expressed educational/administrative goal or objective.
2. The use of the Eagle Mountain-Saginaw ISD Internet and computer network must be in support of educational goals, research, and class assignments and consistent with the educational objectives of the district.
3. The system may not be used for illegal purposes, in support of illegal activities, or for any activity prohibited by District policy.
4. Student users shall not download or copy any data, including music and video, to removable media or hard drives without prior teacher approval.
5. Participation in Internet chat rooms, instant messaging services, and Internet newsgroups is prohibited for all users.
6. Users must have a valid, authorized account to access the network, and use only those computer resources that are authorized. Accounts may be used only in accordance with authorized purposes.
7. Individual accounts may be used only by the owner of the account except where specifically authorized by the Eagle Mountain-Saginaw ISD administrators. In the case of class accounts, all use must be under the supervision of the sponsoring teacher.
8. **Vandalism** is prohibited and will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm, disrupt or destroy data of another user of the District's network, or any of the agencies or other networks that are connected to the Internet. This includes, but is not limited to, the uploading or creating of computer viruses. Any of these actions may be viewed as violations of District policy,

administrative regulations and, possibly, as criminal activity under applicable state and federal laws. Users must respect the privacy of other users. Users will not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or represent themselves as another user unless explicitly authorized to do so by that user. Deliberate attempts to degrade or disrupt system performance and/or degrade, disrupt, or bypass system security are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws.

## **Consequences**

The following consequences will apply to all Eagle Mountain-Saginaw ISD Internet users. Violation of EMS ISD policies and procedures concerning the use of the computer on the networks will result in the same disciplinary actions that would result from similar violations in other areas of Eagle Mountain-Saginaw ISD life. Any or all of the following consequences may be enforced:

1. Loss of computer privileges/Internet access, with length of time to be determined by the campus administration.
2. Any campus-based disciplinary consequence, including suspension as deemed appropriate by the administration.
3. DAEP placement may be considered in flagrant violations or violations that corrupt the educational value of the computers or the Internet. Additionally, expulsion may be considered in instances where students have used Eagle Mountain-Saginaw ISD Internet access to engage in conduct that constitutes felony criminal mischief.
4. Violations of law may result in criminal prosecution as well as disciplinary action by the District.

[For additional information, see policies at CQ.]

## **END-OF-COURSE (EOC) ASSESSMENTS**

[See **Graduation** on page 57, and **Standardized Testing** on page 95.]

## **EXTRACURRICULAR ACTIVITIES, CLUBS AND ORGANIZATIONS (All Grade Levels)**

A variety of extracurricular activities are open to students. The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period determined by the principal or sponsor, and may be subject to other disciplinary action under the Student Code of Conduct. The district has a mandatory drug-testing program for students participating in extracurricular school-sponsored athletics, band, cheerleading, dance, choir, and UIL academic activities.

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

Participation in some of these activities may result in events that occur off-campus. When the district arranges transportation for these events, students are required to use the transportation provided by the district to and from these events. Exceptions to this may only be made with the approval of the activity's coach or sponsor. [Also see **Transportation** on page 100.]

Eligibility for initial and continuing participation in many of these activities is governed by state law and the rules of the University Interscholastic League (UIL)—a statewide association overseeing interdistrict competition. If a student is involved in an academic, athletic, or music activity governed by UIL, the student and parent are expected to know and follow all rules of the UIL organization. Students involved in UIL athletic activities and their parents can access the UIL Parent Information Manual at <https://www.uil texas.org/athletics/manuals>; a hard copy can be provided by the coach or sponsor of the activity on request. To report a complaint of alleged noncompliance with required safety training or an alleged violation of safety rules required by law and the UIL, please contact the curriculum division of TEA at (512) 463-9581 or [curriculum@tea.texas.gov](mailto:curriculum@tea.texas.gov).

[See <http://www.uil texas.org> for additional information on all UIL-governed activities.]

Student safety in extracurricular activities is a priority of the district. The equipment used in football is no exception. As a parent, you are entitled to review the district's records regarding the age of each football helmet used by the campus, including when a helmet has been reconditioned.

In addition, the following provisions apply to all extracurricular activities:

- In order to be eligible to participate in an extracurricular activity for a six weeks period following the initial six weeks period of a school year, a student must not have a recorded grade average lower than 70 on a scale of 0 to 100 in any course for the preceding six weeks period.
- A student who receives at the end of a grading period a grade below 70 in any academic class – other than an Advanced Placement or International Baccalaureate course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or language other than English – may not participate in extracurricular activities for at least three school weeks.
- A student who receives special education services and who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse but may not participate in any competitive activity.
- A student shall be allowed in a school year a maximum of ten extracurricular absences not related to post-district competition and a maximum of five absences for post-district competition prior to state. Additional absences shall be provided for students who are prequalified or elected for state or national competition or participation. All extracurricular activities and public performances, whether UIL activities or other activities approved by the board, are subject to these restrictions.
- An absence for participation in any activity that has not been approved will receive an unexcused absence.

- The principal or principal’s designee may approve or disapprove participation in extra-curricular activities for any student who is absent from a class or classes on the day of the activity.

When it is necessary for students to make trips in connection with athletics, band, choir, cheerleaders or other school-related activities, the following regulations will be in effect:

1. All students must go in school-approved transportation, and the presence of an adult is required. Any student who does not travel by school-approved transportation will not be considered as part of the group.
2. All students must return by school-approved transportation unless the parents personally arrange in writing with the sponsor for the student’s return.
3. Students are under the supervision of the sponsor and are expected to conduct themselves according to school policy.
4. A student who fails to observe these and other rules of good behavior will lose the privilege of making such trips, in addition to other disciplinary action.

### **Standards of Behavior**

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

### **Offices and Elections**

Certain clubs, organizations, and performing groups will hold elections for student officers. For more information, contact your child’s school.

### **FAILED COURSES**

A student who fails a course should immediately contact the counselor. A student who fails a required course may earn the necessary credit by repeating the course in an accredited summer school or during the school year, through credit by examination (if the semester grade is 60 or above), Internet-based learning, or through a correspondence course with prior approval. Courses not required for graduation do not have to be repeated, however the total number of credits required under the student’s graduation plan must be completed.

### **FEES (All Grade Levels)**

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.



- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A fee not to exceed \$50 for costs of providing an educational program outside of regular school hours for a student who has lost credit or has not been awarded a final grade because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- In some cases, a fee for a course taken through the Texas Virtual School Network (TxVSN).

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

## **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.

## **FUNDRAISING (All Grade Levels)**

Funds may not be solicited on campus to purchase a group gift for an individual except with special permission made through the principal's office.

Student groups or classes and/or parent groups may be permitted to conduct fund-raising drives for approved school purposes. An application for permission must be made to the principal at least 30 days before the event. [For further information, see policies FJ and GE.]

## **GANG-FREE ZONES (All Grade Levels)**

Certain criminal offenses, including those involving organized criminal activity such as gang-related crimes, will be enhanced to the next highest category of offense if they are committed in a gang-free zone. For purposes of the district, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any district-owned or leased property or campus playground.

## **GENDER-BASED HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

## **GRADE LEVEL CLASSIFICATION (Grades 9–12 Only)**

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

<b>Classification</b>	<b>Credits Earned</b>
Grade 10 (Sophomore)	5.5 to 11.5 credits
Grade 11 (Junior)	12 to 18.5 credits
Grade 12 (Senior)	19 plus credits

## **GRADING GUIDELINES (All Grade Levels)**

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

[Also see **Report Cards/Progress Reports and Conferences** on page 87 for additional information on grading guidelines.]

## **GRADUATION (Secondary Grade Levels Only)**

### **Requirements for a Diploma for a Student Enrolled in High School Prior to the 2014–15 School Year**

To receive a high school diploma from the district, a student who was enrolled in high school prior to the 2014–15 school year must successfully:

- Complete the required number of credits established by the state and any additional credits required by the district;
- Complete any locally required courses in addition to the courses mandated by the state; and

- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law.

[Also see **Standardized Testing** on page 95 for more information.]

### **Requirements for a Diploma Beginning with the 2014–15 School Year**

Beginning with students who entered grade 9 in the 2014–15 school year; as well as any currently enrolled high school student who decides to graduate under the new foundation graduation program, a student must meet the following requirements to receive a high school diploma from the district:

- Complete the required number of credits established by the state and any additional credits required by the district;
- Complete any locally required courses in addition to the courses mandated by the state;
- Achieve passing scores on certain end-of-course (EOC) assessments or approved substitute assessments, unless specifically waived as permitted by state law; and
- Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education.

### **Testing Requirements for Graduation**

Students are required, with limited exceptions and regardless of graduation program, to perform satisfactorily on the following EOC assessments: English I, English II, Algebra I, Biology, and United States History. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment should a student choose this option. See the school counselor for more information on the state testing requirements for graduation.

If a student fails to perform satisfactorily on an EOC assessment, the district will provide remediation to the student in the content area for which the performance standard was not met. This may require participation of the student before or after normal school hours or at times of the year outside normal school operations.

In limited circumstances, a student who fails to demonstrate proficiency on two or fewer of the required assessments may still be eligible to graduate if an individual graduation committee, formed in accordance with state law, unanimously determines that the student is eligible to graduate.

[Also see **Standardized Testing** on page 95 for more information.]

### **Minimum, Recommended, and Advanced/Distinguished Achievement Graduation Programs**

For students who were enrolled in high school prior to the 2014–15 school year, the district offers the graduation programs listed in this section. Students enrolled in high school prior to the 2014–15 school year also have the option to pursue the foundation graduation program as

described below. Note that permission to enroll in the Minimum Program as described in this section will be granted only if a written agreement is reached among the student, the student's parent or person standing in parental relation, and the school counselor or appropriate administrator. In order for a student to take courses under the Minimum Program, the student must be at least 16 years of age; have completed at least two credits each in English language arts, math, science, and social studies courses that are required for graduation; or have failed grade 9 one or more times. [See policy EIF(LEGAL).]

All students who were enrolled in high school prior to the 2014–15 school year must meet the following credit and course requirements for graduation under the programs listed or may choose to pursue the foundation graduation program as described on page 61:

<b>Courses</b>	<b>Number of credits Recommended Program</b>	<b>Number of credits Advanced/ Distinguished Achievement Program</b>
English/Language Arts	4	4
Mathematics	4	4
Science	4	4
Social Studies, including Economics	4	4
Physical Education*	1	1
Speech	0.5	0.5
Language other than English	2	3
Fine Arts	1	1
Electives**	5.5	4.5
Miscellaneous		Completion of 4 Advanced Measures***
<b>TOTAL</b>	<b>26 credits</b>	<b>26 credits</b>

### **Recommended Program for Students Entering High School 2011-2012 and After**

<b>Department</b>	<b>Number Of Credits</b>	<b>Classes</b>
English	4.0	English 1, English 2, English 3, English 4
Math	4.0	Algebra 1, Geometry, Algebra 2, + Other State Approved Math Course (If Math Models, must be taken before Algebra 2)

Science	4.0	Biology, Chemistry, Physics + Other State Approved Science Course (If IPC, must be taken before Chemistry and Physics)
Social Studies	4.0	World Geography, World History, U.S. History, Government, Economics
Physical Education*	1.0	P.E., Athletics, Drill Team, Cheerleading, Band
Speech	0.5	Communication Applications of Professional Communications
Languages Other Than English	2.0	2 Levels of the Same Language
Fine Arts	1.0	Art, Dance, Music, Theatre
<b>TOTAL</b>	<b>26 credits</b>	

**Distinguished Achievement Program for Students Entering High School 2011-2012 and After**

<b>Department</b>	<b>Number Of Credits</b>	<b>Classes</b>
English	4.0	English 1, English 2, English 3, English 4
Math	4.0	Algebra 1, Geometry, Algebra 2, + Other State Approved Math Course for which Algebra 2 is a Prerequisite
Science	4.0	Biology, Chemistry, Physics + Other State Approved Science Course
Social Studies	4.0	World Geography, World History, U.S. History, Government, Economics
*Physical Education	1.0	P.E., Athletics, Drill Team, Cheerleading, Band
Speech	0.5	Communication Applications of Professional Communications
Languages Other Than English	3.0	3 Levels of the Same Language
Fine Arts	1.0	Art, Dance, Music, Theatre

Electives	4.5	
	26 Total	***4 Advance Measures Required

\* A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, or social studies for the required credit of physical education. This determination will be made by the student’s ARD committee, Section 504 committee, or other campus committee as applicable.

\*\* State rules prohibit a student from combining a half-credit of a course for which there is an EOC assessment with another half-credit of an elective credit course to satisfy an elective credit requirement. However, the district will allow a student to satisfy a graduation requirement for which there are multiple options with one-half credit of one allowable option and one-half credit of another allowable option, if neither course has an EOC assessment.

\*\*\* A student graduating under the Advanced/Distinguished Achievement Program must also achieve a combination of four of the following advanced measures:

1. An original research project or other project that is related to the required curriculum. These projects must be judged by a panel of professionals or conducted under the direction of a mentor and reported to an appropriate audience. Please note that no more than two of the four advanced measures may be received from this option.
2. Test data where a student receives:
  - a. A score of three or above on an Advanced Placement (AP) exam;
  - b. A score of four or above on an International Baccalaureate (IB) exam; or
  - c. A score on the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) that qualifies the student for recognition as a commended scholar or higher by the College Board and National Merit Scholarship Corporation, as part of the National Hispanic Recognition Program (NHRP) of the College Board, or as part of the National Achievement Scholarship Program of the National Merit Scholarship Corporation. The PSAT/NMSQT score will count as only one advanced measure regardless of the number of honors received by the student.
3. College academic courses, including those taken for dual credit, and advanced technical courses, including locally articulated courses, provided the student scores the equivalent of a 3.0 or higher.

### **Foundation Graduation Program**

Every student in a Texas public school who entered grade 9 in the 2014–15 school year and thereafter will graduate under the “foundation graduation program.” Within the foundation graduation program are “endorsements,” which are paths of interest that include Science, Technology, Engineering, and Mathematics (STEM); Business and Industry; Public Services; Arts and Humanities; and Multidisciplinary Studies. Endorsements earned by a student will be noted on the student’s transcript. The foundation graduation program also involves the term “distinguished level of achievement,” which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits. A personal graduation plan will be completed for each high school student, as described on page 63. State law and rules

prohibit a student from graduating solely under the foundation graduation program without an endorsement unless, after the student’s sophomore year, the student and student’s parent are advised of the specific benefits of graduating with an endorsement and submit written permission to the school counselor for the student to graduate without an endorsement. A student who anticipates graduating under the foundation graduation program without an endorsement and who wishes to attend a four-year university or college after graduation must carefully consider whether this will satisfy the admission requirements of the student’s desired college or university.

Graduating under the foundation graduation program will also provide opportunities to earn “performance acknowledgments” that will be acknowledged on a student’s transcript. Performance acknowledgments are available for outstanding performance in bilingualism and biliteracy, in a dual credit course, on an AP or IB exam, on certain national college preparatory and readiness or college entrance exams, or for earning a state recognized or nationally or internationally recognized license or certificate. The criteria for earning these performance acknowledgments are prescribed by state rules, and the school counselor can provide more information about these acknowledgments.

A student enrolled in high school prior to the 2014–15 school year has the option of graduating under the foundation graduation program rather than the programs identified above that would otherwise be applicable to that student. See the school counselor for additional information.

The foundation graduation program requires completion of the following credits:

<b>Course Area</b>	<b>Number of credits Foundation Graduation Program</b>	<b>Number of credits Foundation Graduation Program with an Endorsement</b>
English/Language Arts	4	4
Mathematics	3	4*
Science	3	4
Social Studies, including Economics	3	3
Physical Education**	1	1
Language other than English***	2	2
Fine Arts	1	1
Locally required courses	1 credit in World History	1 credit in World History
Electives	4	6

Course Area	Number of credits Foundation Graduation Program	Number of credits Foundation Graduation Program with an Endorsement
Miscellaneous		Available Endorsements****: Science, Technology, Engineering, and Math Business and Industry Public Services Arts and Humanities Multidisciplinary
TOTAL	22 credits	26 credits

\* In order to obtain the distinguished level of achievement under the foundation graduation program, which will be denoted on a student’s transcript and diploma and is a requirement to be considered for automatic admission purposes to a Texas four-year college or university, a student must complete an endorsement and take Algebra II as one of the four mathematics credits.

\*\* A student who is unable to participate in physical activity due to a disability or illness may be able to substitute a course in English language arts, mathematics, science, social studies, or another locally determined credit-bearing course for the required credit of physical education. This determination will be made by the student’s ARD committee, Section 504 committee, or other campus committee, as applicable.

\*\*\* Students are required to earn two credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits. In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

\*\*\*\* A student must specify upon entering grade 9 the endorsement he or she wishes to pursue.

### ***Personal Graduation Plans for Students Under The Foundation Graduation Program***

A personal graduation plan will be developed for each high school student who is subject to the requirements of the foundation graduation program. The district encourages all students to pursue a personal graduation plan that includes the completion of at least one endorsement and to graduate with the distinguished level of achievement. Attainment of the distinguished level of achievement entitles a student to be considered for automatic admission to a public four year college or university in Texas, depending on his or her rank in class. The school will review personal graduation plan options with each student entering grade 9 and his or her parent. Before the end of grade 9, a student and his or her parent will be required to sign off on a personal graduation plan that includes a course of study that promotes college and workforce readiness and career placement and advancement, as well as facilitates the transition from secondary to postsecondary education. The student’s personal graduation plan will denote an appropriate course sequence based on the student’s choice of endorsement.



Please review TEA's Graduation Toolkit, available here:  
<http://tea.texas.gov/communications/brochures.aspx>.

### **Available Course Options for all Graduation Programs**

Information regarding specific courses required or offered in each curriculum area will be distributed to students each spring in order to enroll in courses for the upcoming school year. Note that the district may require the completion of certain courses for graduation even if these courses are not required by the state for graduation.

Please be aware that not all courses are offered at every secondary campus in the district. A student who wants to take a course not offered at his or her regular campus should contact the counselor about a transfer or other alternatives. If the parents of at least 22 students request a transfer for those students to take a course in the required curriculum other than fine arts or CTE, the district will offer the course for the following year either by teleconference or at the school from which the transfers were requested.

### **Certificates of Coursework Completion**

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

### **Students with Disabilities**

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

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

[See policy FMH(LEGAL).]

Please also be aware that if an ARD committee places a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum Program, if that program is applicable based on the school year in which the student entered high school, in accordance with state rules.

If a student receiving special education services is scheduled to graduate under the Minimum Program or in accordance with the provisions of his or her IEP, the student's ARD committee will determine whether the general EOC assessment is an accurate measure of the student's achievement and progress, and if so, whether successful performance is required for graduation, or whether an alternative assessment is more appropriate. STAAR Alternate 2 is the alternative assessment currently allowed by the state. [See **Standardized Testing** for additional information.]

ARD committees for students with disabilities who receive special education services and who are subject to the foundation graduation program will make instructional and assessment decisions for these students in accordance with state law and rules. In order to earn an endorsement under the foundation program, a student must perform satisfactorily on the EOC assessments and receive no modified curriculum in the student's chosen endorsement area. A student may still be awarded an endorsement when the student fails to perform satisfactorily on no more than two EOC assessments but meets the other requirements for graduation under state law.

### **Graduation Activities**

To be eligible to participate in commencement activities and ceremonies, a student shall meet all state and local graduation requirements, including all applicable state testing. [See policies EI and EIF.]

Students will be counted as graduates of the school in which they articulate their last required credit. Students that finish their program at the Watson High School (regardless of the number of credits) will be designated as graduates of Watson High School. The students' transcripts and diplomas will designate Watson High School. A student desiring to leave Watson High School and readmit to a district high school in the last semester of his/her senior year would be required to graduate on the Recommended Plan. If eligible, the student's transcript and diploma will indicate the Eagle Mountain-Saginaw ISD high school posting the final graduation credits.

Watson High School graduates may participate in both the Watson High School graduation ceremony and the ceremony of their corresponding school. Students admitted directly into Watson High School without attending one of the Eagle Mountain-Saginaw ISD high schools will be eligible only for the Watson High School ceremony. For the Watson High School ceremony, all students will wear gold robes. For the high school ceremonies, students will wear their corresponding high school gown and not the Watson Learning Center gold gown.

### **Graduation Speakers**

Certain graduating students will be given an opportunity to have speaking roles at graduation ceremonies.

A student must meet local eligibility criteria, which may include requirements related to student conduct, to have a speaking role. Students eligible for speaking roles will be notified by the principal and given an opportunity to volunteer.

[See FNA(LOCAL) and the Student Code of Conduct. For student speakers at other school events, see **Student Speakers** on page 98.]

### **Content of Student Speech**

The subject of the student speech must be related to the purpose of the event at which the student is to speak and the purpose of the student's participation at the event. A student's comments must remain related to the purpose or topic and the student may not engage in obscene, vulgar, offensively lewd, or indecent speech. The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise

permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

[See policy FNA(LOCAL) and the Student Code of Conduct. For student speakers at other school events, see **Student Speakers.**]

### **Graduation Expenses**

Because students and parents will incur expenses in order to participate in the traditions of graduation—such as the purchase of invitations, senior ring, cap and gown, and senior picture—both the student and parent should monitor progress toward completion of all requirements for graduation. The expenses often are incurred in the junior year or first semester of the senior year. [See **Student Fees** on page 55.]

### **Scholarships and Grants**

- Students who have a financial need according to federal criteria and who complete the Recommended High School Program or Advanced/Distinguished Achievement Program, for as long as those programs are in place, or who complete the foundation graduation program, may be eligible under the T.E.X.A.S. Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.
- Contact the school counselor or college and career readiness specialist for information about other scholarships and grants available to students.

## **HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

### **HAZING (All Grade Levels)**

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

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

[Also see **Bullying** on page 35 and policies FFI and FNCC.]

## **HEALTH-RELATED MATTERS**

### **Health Services**

Basic first aid and health care that may include diabetes maintenance and other specialized healthcare procedures are available at available at our schools. It is the parent's duty to arrange care for sick children promptly. An up-to-date health record, which includes immunizations,

screening results, and other pertinent medical data, is maintained for each student. Parents 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 Information Form should be completed by the parent/guardian each year. All current Health Services forms may be found on the District website, [www.emsisd.com](http://www.emsisd.com), under “Health Services”.

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

Automated external defibrillators (AED’s) located on each campus and in each secondary athletic department.

(Each registered nurse in health services is responsible for one campus and supervises the unlicensed assistive personnel (UAP) or clinic aide for those campuses.) High school RNs may be called to another campus in the event of an emergency.

### **Student Illness (All Grade Levels)**

When your child is ill, please contact the school to let us know he or she won’t be attending that day. It is important to remember that schools are required to exclude students with certain illnesses from school for periods of time as identified in state rules. For example, if your child has a fever over 100 degrees, he or she must stay out of school until fever free for 24 hours without fever-reducing medications. In addition, students with diarrheal illnesses must stay home until they are diarrhea free without diarrhea-suppressing medications for at least 24 hours. A full list of conditions for which the school must exclude children can be obtained from the school nurse.

If a student becomes ill during the school day, he or she must receive permission from the teacher before reporting to the school nurse. If the nurse determines that the child should go home, the nurse will contact the parent.

The district is also required to report certain contagious (communicable) diseases or illnesses to the Texas Department of State Health Services (TDSHS) or our local/regional health authority. The school nurse can provide information from TDSHS on these notifiable conditions.

Contact the school nurse if you have questions or if you are concerned about whether or not your child should stay home.

### **Bacterial Meningitis (All Grade Levels)**

State law requires the district to provide information about 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 common and most people recover fully. Parasitic and fungal meningitis are very rare. Bacterial meningitis is very serious and may involve complicated medical, surgical, pharmaceutical, and life support management.

- 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 2 years old) and adults with bacterial meningitis commonly have a severe headache, high fever, and neck stiffness. Other symptoms might include nausea, vomiting, discomfort looking into bright lights, confusion, and sleepiness. 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. They are spread when people exchange respiratory or throat secretions (such as kissing, coughing, or sneezing).

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

- How can bacterial meningitis be prevented?

Maintaining healthy habits, like getting plenty of rest, can help prevent infection. Using good health practices such as covering your mouth and nose when coughing or sneezing and washing your hands frequently with soap and water can also help stop the spread of the bacteria. It's a good idea not to share food, drinks, utensils, toothbrushes, or cigarettes. Limit the number of persons you kiss.

There are vaccines available to offer protection from some of the bacteria that can cause bacterial meningitis.\* The vaccines are safe and effective (85-90 percent). They can cause mild side effects, such as redness and pain at the injection site lasting up to two days. Immunity develops within seven to ten days after the vaccine is given and lasts for up to five years.

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

You should seek prompt medical attention.

- Where can you get more information?

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

\* Please note that the TDHS requires at least one meningococcal vaccination for a student ages 11 to 12 or for a student enrolling in grades 7 through 12, and state guidelines recommend this vaccination be administered between age 11 and 12, with a booster dose at 16 years of age. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

[Also refer to **Immunizations** on page 74 for more information.]

### Communicable Diseases

A student who has symptoms of an infectious or contagious disease (including vomiting, temperature of 100 degrees 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 (without medication) 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 Texas Department of State Health Services for re-admission to school:

Name of Disease and Incubation Period	Requirements for Re-admission 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 physician.
<b>Infectious Hepatitis:</b> 15-50 days, commonly 25-30 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 live 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> 7-18 days, commonly 8-12 days	Exclude until released by physician or Health Department (proof of disease is required for vaccination exemption)
<b>Measles, Rubella:</b> 14-23 days, commonly 16-18 days	Exclude until released by physician or Health Department
<b>Meningitis:</b> 2-10 days, commonly 3-4 days	Exclude until statement from physician that the person is non-infectious
<b>Mononucleosis:</b> 30-50 days	Exclude until release by physician
<b>Mumps:</b> 12-25 days, commonly 16-18 days	Exclude until release by physician
<b>Pink Eye:</b> 1-3 days (Bacterial) 12 hours – 12 days (Viral)	Exclude until recovered, or physician’s statement that the person is non-infectious and is under treatment
<b>Ringworm (Body):</b> 4-10 days	May attend school provided the person is under treatment of a physician and the lesions are covered.
<b>Ringworm (Scalp):</b> 10-21 days	Exclude unless under treatment of a physician
<b>Scabies:</b> 2-6 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> 2-12 weeks	Exclude until released by the physician or Health Department
<b>Typhoid Fever:</b> Range 1-3 weeks, Average 2 weeks	Exclude case, carrier, and/or household until released by physician
<b>Whooping Cough (Pertussis):</b> 6-21 days, commonly 7-10 days	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 student, 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 they can be treated as quickly as possible, time will not be spent repeatedly attempting to notify the parent or guardian. FIRST, 911 will be activated. SECOND, the parent/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/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 the nearest hospital medical facility. The school district assumes no financial responsibility for transportation or medical treatment of the child.

## **Food Allergies (All Grade Levels)**

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

The district has developed and annually reviews a food allergy management plan, which addresses employee training, dealing with common food allergens, and specific strategies for dealing with students diagnosed with severe food allergies. When the district receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed on the Health Services section of the district website at [www.emsisd.com](http://www.emsisd.com).

[Also see policy FFAF and **Celebrations** on page 36.]



## **Head Lice (All Grade Levels)**

Head lice, although not an illness or a disease, is very common among children and is spread very easily through head-to-head contact during play, sports, or nap time and when children share things like brushes, combs, hats, and headphones. If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to determine whether the child will need to be picked up from school and to discuss a plan for treatment with an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student has undergone one treatment, the parent should check in with the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments and how best to get rid of lice and prevent their return.

More information on head lice can be obtained from the TDSHS website at <http://www.dshs.state.tx.us/schoolhealth/lice.shtm>.

## **Physical Activity Requirements**

### ***Elementary School***

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

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

### ***Junior High/Middle School***

In accordance with policies at EHAB, EHAC, EHBG, and FFA, the district will ensure that students in middle or junior high school will engage in at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters.

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

## **School Health Advisory Council (SHAC) (All Grade Levels)**

During the preceding school year, the district's School Health Advisory Council (SHAC) held 4 meetings. Additional information regarding the district's SHAC is available from the district website.

The duties of the SHAC range from recommending curriculum to developing strategies for integrating curriculum into a coordinated school health program encompassing issues such as school health services, counseling services, a safe and healthy school environment, recess recommendations, improving student fitness, mental health concerns, and employee wellness.

[See policies at BDF and EHAA. See **Human Sexuality Instruction** on page 14 for additional information.]

## **Student Wellness Policy/Wellness Plan (All Grade Levels)**

Eagle Mountain-Saginaw ISD is committed to encouraging healthy students and therefore has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and

procedures to implement the policy. You are encouraged to contact the district's SHAC or health services coordinator with questions about the content or implementation of the district's wellness policy and plan.

## **Other Health-Related Matters**

### ***Physical Fitness Assessment (Grades 3 – 12)***

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

### ***Vending Machines (All Grade Levels)***

The district has adopted and implemented the state and federal policies and guidelines for food service, including guidelines to restrict student access to vending machines. For more information regarding these policies and guidelines contact the school principal. [See policies at CO and FFA.]

### ***Tobacco and E-Cigarettes Prohibited (All Grade Levels and All Others on School Property)***

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off campus school-related activity.

The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes, or any other electronic vaporizing device, by students and all others on school property and at school-sponsored and school-related activities. [See the Student Code of Conduct and policies FNCD and GKA.]

### ***Asbestos Management Plan (All Grade Levels)***

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's Asbestos Management Plan is available in the superintendent's office. If you have any questions or would like to examine the district's plan in more detail, please contact the Director of Plant Operations, the district's designated asbestos coordinator, at 817-306-0864.

### ***Pest Management Plan (All Grade Levels)***

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

All pesticides used are registered for their intended use by the United States Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will

be posted at the time of treatment, and signs will remain until it is safe to enter the area. Parents who have further questions or who want to be notified prior to pesticide application inside their child's school assignment area may contact the school principal or the Director of Plant Operations, the district's IPM coordinator, at 817-306-0864.

### **HOMELESS STUDENTS (All Grade Levels)**

You are encouraged to inform the district if you or your child are experiencing homelessness. District staff can share resources with you that may be able to assist you and your family.

Please also check the district website for information related to services available in the area that can help families who are homeless.

For more information on services for homeless students, contact the district's homeless education liaison, Dr. Mary Jones at 817-232-0880.

[See also **Students Who Are Homeless** on page 21.]

### **HOMEWORK (All Grade Levels)**

Homework provides the opportunity to extend knowledge and to develop needed skills and study habits. Some long term assignments and projects will require time spent in research and development after school hours. The student is responsible for handing in completed work on time.

### **ILLNESS**

[See **Student Illness** under **Health-Related Matters** on page 67.]

### **IMMUNIZATION (All Grade Levels)**

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical reasons or reasons of conscience, including a religious belief, the student will not be immunized. For exemptions based on reasons of conscience, only official forms issued by the Texas Department of State Health Services (TDSHS), Immunization Branch, can be honored by the district. This form may be obtained by writing the TDSHS Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 78714-9347; or online at <https://corequest.dshs.texas.gov/>. The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

#### **Enrollment and/or admission to school is not allowed until records are produced showing:**

1. The 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. The child is entitled to provisional enrollment.

**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;
3. Military families;
4. Students in process with their immunizations, who have received at least one dose of each specified age appropriate vaccine as required by Texas Department of State Health Services and is on schedule to receive subsequent doses as rapidly as medically feasible. Student must not be overdue for next doses in series to be considered provisional.

Provisional enrollment allows a student to be admitted to school on a temporary basis for up to 30 days. During the 30 day period, the parent/guardian is responsible for ensuring that the student receives the necessary immunization(s) as fast as is medically feasible and/or provide a complete and current immunization record to the school. If, at the end of the 30 day 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.

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

If a student should not be immunized for medical reasons, the student or parent must present a certificate signed by a U.S. registered and licensed physician stating that, in the doctor's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or member of the student's family or household. This certificate must be renewed yearly unless the physician specifies a life-long condition.

As noted at **Bacterial Meningitis**, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

[For further information, see policy FFAB(LEGAL) and the TDSHS website:  
<http://www.dshs.state.tx.us/immunize/school/default.shtm>.]

**LAW ENFORCEMENT AGENCIES (All Grade Levels)**

**Questioning of Students**

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

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

- The principal ordinarily will be present unless the interviewer raises what the principal considers to be a valid objection.

### **Students Taken Into Custody**

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

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

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

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

### **Notification of Law Violations**

The district is required by state law to notify:

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

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

## **LEAVING CAMPUS (All Grade Levels)**

Please remember that student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a child early on a regular basis results in missed opportunities for learning. Unless the principal has granted for approval because of extenuating circumstances, a student will not regularly be released before the end of the school day.

State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent:

- For students in elementary and middle school, a parent or otherwise authorized adult must come to the office and sign the student out. Please be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, we cannot allow you to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.
- For students in high school, the same process will be followed. If the student's parent will authorize the student to leave campus unaccompanied, a note provided by the parent must be submitted to the main office in advance of the absence, no later than two hours prior to the student's need to leave campus. A phone call received from the parent may be accepted, but the school may ultimately require a note to be submitted for documentation purposes. Once the office has received information that the student's parent consents to the student leaving campus, a pass will be issued to the student to hand to his or her teacher with the necessary information. The student must sign out through the main office and sign in upon his or her return, if the student returns the same day. If a student is 18 years of age or is an emancipated minor, the student may produce a note on his or her own behalf. Documentation regarding the reason for the absence will be required.
- If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school. Unless directed by the parent to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures as listed above. If a student is age 18 or is an emancipated minor, the nurse will document the time of day the student was released. Under no circumstances will a child in elementary or middle school be released unaccompanied by a parent or adult authorized by the parent.

### **During Lunch**

No student shall be permitted to leave campus during lunch except as approved by the principal, on a case-by-case basis in response to a parent's written request. Students who leave campus during lunch or at any other time without administrative approval shall be subject to disciplinary action in accordance with the Student Code of Conduct.

### **At Any Other Time During the School Day**

Students are not authorized to leave campus during regular school hours for any other reason, except with the permission of the principal.

Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

### **LIMITED ENGLISH PROFICIENT STUDENTS (All Grade Levels)**

A student with limited English proficiency (LEP), sometimes referred to as an English language learner (ELL) in certain state statutes and state rules, is entitled to receive specialized services from the district. To determine whether the student qualifies for services, a Language Proficiency Assessment Committee (LPAC) will be formed, which will consist of both district personnel and at least one parent representative. The student's parent must consent to any services recommended by the LPAC for a LEP student. However, pending the receipt of parental consent or denial of services, an eligible student will receive the services to which the student is entitled and eligible.

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

The LPAC will also determine whether certain accommodations are necessary for any state-mandated assessments. The STAAR-L, as mentioned at **Standardized Testing** on page 95, may be administered to a LEP student, or, for a student up to grade 5, a Spanish version of STAAR. In limited circumstances, a student's LPAC may exempt the student from an otherwise required state-mandated assessment or may waive certain graduation requirements related to the English I end-of-course (EOC) assessment. The Texas English Language Proficiency Assessment System (TELPAS) will also be administered to LEP students who qualify for services.

If a student is considered LEP and receives special education services because of a qualifying disability, the student's ARD committee will make instructional and assessment decisions in conjunction with the LPAC.

### **LOST AND FOUND (All Grade Levels)**

A "lost and found" collection box is located in the campus office. If your child has lost an item, please encourage him or her to check the lost and found box. The district discourages students from bringing to school personal items of high monetary value, as the district is not responsible for lost or stolen items. The campus will dispose of lost and found items at the end of each semester.

## **MAKEUP WORK**

### **Makeup Work Because of Absence (All Grade Levels)**

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

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

All work must be made up within two days after the student returns to class unless other arrangements are made with the teacher. Zeroes will be given for any required make-up work not turned in.

A student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time, including absences for extracurricular activities, so that the teacher and student may plan any work that can be completed before or shortly after the absence. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold in regards to the state laws surrounding “attendance for credit or final grade.” [See also **Attendance for Credit or Final Grade** on page 25.]

A student involved in an extracurricular activity must notify his or her teachers ahead of time about any absences.

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

### **DAEP Makeup Work**

#### ***All Grade Levels***

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

### **In-School Suspension (ISS) Makeup Work (All Grade Levels)**

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



## MEDICINE AT SCHOOL (All Grade Levels)

All medications should be given outside of school hours if at all possible. If it is necessary for a student to have medication in order to remain in school, the appropriate request form should be completed and returned to Health Services. Original forms may be obtained from the school or the district website, [www.emsisd.com](http://www.emsisd.com), under "Health Services". **Medication, prescription or non-prescription, will not be given without written permission.** Medication sent to school in any unlabeled container or plastic type bag will not be given. Maintenance of adequate amounts of continuing medication is the responsibility of the parent or legal guardian.

Medication that must be administered to a student during school hours must be provided by the student's parent. All medication, whether prescription or nonprescription, must be kept in the nurse's office and administered by the nurse or another authorized district employee, unless the student is authorized to possess his or her own medication because of asthma or a severe allergy as described below or as otherwise allowed by law.

The district will not purchase non-prescription medication to give to a student. District employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, with the following exceptions:

Only authorized employees, in accordance with policy FFAC, may administer:

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

Students whose schedules provide for regular time spent outdoors, including for recess and physical education classes, should apply sunscreen before coming to school.

For students at the elementary level, the student's teacher or other district personnel will apply sunscreen to a student's exposed skin if the student brings the sunscreen to school and requests assistance with the application of the sunscreen. Nothing prohibits a student at this level from applying his or her own sunscreen if the student is capable of doing so.

For students at the secondary level, a student may possess and apply sunscreen when necessary. If the student will need assistance with this application, please address the need for assistance with the school nurse.

Whether a student is at the elementary or secondary level, if sunscreen needs to be administered to treat any type of medical condition, this should be handled through communication with the school nurse so that the district is made aware of any safety and medical issues.

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

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

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

Physician's instructions should be specific and on record annually for students with serious or other medical conditions. Parents/guardians 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 parent/guardians are needed yearly.

### **Medications 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 physician, is on file in the Health Services office).

### **Psychotropic Drugs**

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

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

### **NONDISCRIMINATION STATEMENT (All Grade Levels)**

In its efforts to promote nondiscrimination and as required by law, Eagle Mountain-Saginaw ISD does not discriminate on the basis of race, religion, color, national origin, gender, sex, disability, age, or any other basis prohibited by law, in providing education services, activities, and programs, including CTE programs, and provides equal access to the Boy Scouts and other designated youth groups.

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

- Title IX Coordinator, for concerns regarding discrimination on the basis of sex, including sexual harassment or gender-based harassment: Steve Williams, Chief Human Resources Officer, 817-232-0880
- ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Dr. David Priddy, Executive Director of Educational Services, 817-232-0880
- All other concerns regarding discrimination: See the superintendent, Dr. Jim Chadwell, 817-232-0880.

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

## **NONTRADITIONAL ACADEMIC PROGRAMS (All Grade Levels)**

The district offers credit recovery through Odyssey Ware and Acceleration through Watson High School.

## **OFFICE, COUNSELING, AND LIBRARY ASSISTANTS (Secondary Grade Levels)**

Office, counseling and library assistants will be selected based on the following criteria:

1. Overall 80 average in academic courses.
2. Satisfactory citizenship.
3. Recommendation of library, counseling and office personnel.
4. Satisfactory attendance history.

The librarian, lead counselor and the principal will make selections after consideration of the previous criteria.

## **PARENTAL INVOLVEMENT (All Grade Levels)**

### **Working Together**

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

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the District.
- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.

- Monitoring your child’s academic progress and contacting teachers as needed. [See **Academic Counseling** on page 42.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school. [See **Report Cards/Progress Reports and Conferences** on page 87.]
- Becoming a school volunteer. [For further information, see policy GKG and **Volunteers** on page 104.]
- Participating in campus parent organizations.
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of educational goals and plans to improve student achievement. For further information, see policies at BQA and BQB, and contact the school.
- Serving on the School Health Advisory Council (SHAC), assisting the District in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA and information in this handbook at **School Health Advisory Council** on page 72.]
- Serving on a committee to determine criteria to be used to evaluate the overall performance of the district and each campus in community and student engagement. For further information, please contact the campus principal.
- Being aware of the school’s ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child’s emotional or mental well-being.
- Attending board meetings to learn more about district operations. [See policies at BE and BED for more information.]

### **Parent Involvement Coordinator**

The Parent Involvement Coordinator, who works with parents of students participating in Title I programs is Dr. Mary Jones and may be contacted at 817-232-0880.

## **PHYSICAL EXAMINATIONS / HEALTH SCREENINGS**

### **Athletics’ Participation (Secondary Grade Levels Only)**

A student who wishes to participate in, or continue participation in, the district’s athletics program governed by the UIL must submit certification from a health-care provider authorized under UIL rules that the student has been examined and is physically able to participate in the athletic program.

This examination is required in the first year of middle school competition and the first and third years of high school competition. During the alternate years, the student must complete a

medical appraisal form, and the results of this appraisal may prompt the district to require a physical examination.

### **Other Exams and Screenings (All Grade Levels)**

During the year, school Health Services screens all new students and students in Prekindergarten, Kindergarten, first, third, fifth, and seventh grades for hearing and vision. Students in other grades can be screened at the parent/guardian's request.

Students are required to undergo a risk assessment for Type 2 diabetes at the same time the district screens students for hearing and vision issues, or for abnormal spinal curvatures.

Spinal screening for scoliosis is conducted in the fifth and eighth grades. Students are screened for scoliosis individually, while fully clothed. All first, third, fifth and seventh 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 for your student to be screened for scoliosis at school, please send the completed, signed, and notarized exclusion waiver to the clinic as soon as possible.

[Also see policy FFAA.]

### **PLEDGES OF ALLEGIANCE AND A MINUTE OF SILENCE (All Grade Levels)**

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Reciting the Pledges to the U.S. and Texas Flags** on page 15.]

State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others. In addition, state law requires that each campus provide for the observance of one minute of silence at the beginning of the first class period when September 11 falls on a regular school day in remembrance of those who lost their lives on September 11, 2001.

[See policy EC for more information.]

### **PRAYER (All Grade Levels)**

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

## **PREKINDERGARTEN 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 lives in the district, is four years old as of September 1 of the current school year, and can meet one of the following requirements:

- Family income must fall within federal guidelines for free and reduced lunch program. Parent(s) must show proof of income with the previous year's income tax return and/or 3 current pay stubs.
- Be homeless, as defined by 42 United States Code (U.S.C.) Section 1143a, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child
- Limited English Proficiency Homeless (as defined by 42 U.S.C.S. Section, 11302).
- Child of an active duty member of the armed forces, mobilized Reservist or member of the Texas National Guard, including the child of a member who was hurt or killed on active duty. Parent/Guardian must present a Department of Defense identification (such as a DoD photo ID), or a statement of service, or an official letter from a commander stating that he/she is on active duty or mobilized.
- Child is currently or has ever been in the conservatorship of the Texas Department of Family and Protective Services (DFPS) (i.e., in foster care).

### **Children can be registered for this program at:**

- Weldon Hafley Development Center, 616 W. McLeroy Blvd., Saginaw, (817-847-1620)  
or
- Gililand Elementary School, 701 Waggoman Rd., Blue Mound, (817-232-8822).

## **PROMOTION AND RETENTION**

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level, the recommendation of the student's teacher, the score received on any criterion-referenced or state-mandated assessment, and any other necessary academic information as determined by the district.

In addition, at certain grade levels a student—with limited exceptions—will be required to pass the State of Texas Assessments of Academic Readiness (STAAR), if the student is enrolled in a public Texas school on any day between January 1 and the date of the first administration of the STAAR.

### **Elementary and Middle/Junior High Grade Levels**

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

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

If a student in grade 5 or 8 is enrolled in a course that earns high school credit and for which an end-of-course (EOC) assessment will be administered the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment.

If a student in grades 3-8 is enrolled in a class or course intended for students above his or her current grade level in which the student will be administered a state mandated assessment, the student will only be required to take an applicable state mandated assessment for the course in which he or she is enrolled, unless otherwise required to do so by federal law.

[See **Standardized Testing** on page 95.]

A student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE.]

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

Parents of a student at or above grade level 3 who does not perform satisfactorily on his or her state-mandated exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year. Failure of a student to attend these programs may result in violations of required school attendance as well as the student not being promoted to the next grade level.

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

For information related to the development of personal graduation plans for high school students, see **Personal Graduation Plans for Students Under the Foundation Graduation Program** on page 63.

## **High School Grade Levels**

To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned. [Also see **Grade Level Classification** on page 57.]

Students will also have multiple opportunities to retake EOC assessments. [See **Graduation** on page 57 and **Standardized Testing** on page 95 for more information about EOC assessments.]

## **RELEASE OF STUDENTS FROM SCHOOL**

[See **Leaving Campus** on page 77.]

## **REPORT CARDS / PROGRESS REPORTS AND CONFERENCES (All Grade Levels)**

Grade reports are issued after each six weeks grading period for secondary school students and after every nine weeks grading period for elementary school students. Report cards are computerized; therefore there is one-week delay between the end of the grading period and issuance of report cards. Students receive report cards and are responsible for returning the signed report card to designated teachers.

Interim progress reports are issued at the end of the sixth week of each grading period for all elementary students and after the third week of each grading period for all secondary students. Parents are encouraged to schedule a conference with the teacher if a notice is received. Conferences may be scheduled through the office.

Teachers follow grading guidelines that have been approved by the superintendent pursuant to the board-adopted policy and are designed to reflect each student's academic achievement for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. [See policy EIA(LOCAL) and **Grading Guidelines** on page 57.]

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

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

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within 3 days.

If you need to discuss your child's work with a staff member, please contact the school offices to arrange for an appointment. Conferences may be held by phone or on-site with teachers, counselors, assistant principals or the principal. A conference may be scheduled by calling the school during normal school hours.



## **RETALIATION**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on page 44.]

## **SAFETY (All Grade Levels)**

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

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

## **Accident Insurance**

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

Information regarding student accident insurance can be found under Risk Management on the district website at [www.emsisd.com](http://www.emsisd.com).

The district, under state law, cannot pay for medical expenses associated with a student's injury. The school district will not purchase insurance to cover students who participate in UIL activities. Parents shall accept full responsibility for medical insurance/medical costs for any injury their child may incur at any school sponsored activity.

## **Preparedness Drills: Evacuation, Severe Weather, and Other Emergencies**

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

## **Emergency Medical Treatment and Information**

If a student has a medical emergency at school or a school-related activity when the parent cannot be reached, the school may have to rely on previously provided written parental consent to obtain emergency medical treatment, and information about allergies to medications, foods, insect bites, etc. Therefore, parents are asked each year to complete an emergency care consent form. Parents should keep emergency care information up-to-date (name of doctor, emergency

phone numbers, allergies, etc.). Please contact the school nurse to update any information that the nurse or the teacher needs to know.

### **Emergency School-Closing Information**

Each year, parents are asked to complete an emergency release form to provide contact information in the event that school is dismissed early or opening is delayed because of severe weather or another emergency, or if the campus must restrict access due to a security threat.

When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website, [www.emsisd.com](http://www.emsisd.com) and social media sites, notify area radio and television stations, and a phone message will be sent using the district's call-out system.

### **IDENTIFICATION CARDS**

**ID's are mandatory for all middle and high school students** and will be made free of charge at the beginning of each school year. Replacement ID's will be made for a fee. At the principal's discretion, students may be required to wear their ID's while on school grounds.

### **PHYSICAL RESTRAINT**

Within the scope of an employee's duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:

- Protect a person, including the person using physical restraint, from physical injury.
- Obtain possession of a weapon or other dangerous object.
- Remove from a specific location a student refusing a lawful command of a school employee from a specific location, including from a classroom or other school property, in order to restore order or impose disciplinary measures.
- Control an irrational student.
- Protect property from serious damage.

[See policy FO(LOCAL).]

### **SAT, ACT AND OTHER STANDARDIZED TESTS**

[See **Standardized Testing** on page 95.]

### **SCHEDULE CHANGES (Middle/Junior High and High School Grade Levels)**

Master schedules are developed in the spring prior to the upcoming school year. Selections during registration indicate how many teachers and sections will be needed for a course. Students are not permitted to randomly change schedules, as this would cause classes to become overcrowded. Very seldom does a change affect only one course. Careful selections benefit everyone.

## **Drop Date**

June 6<sup>th</sup> will officially end the opportunity for schedule changes. Only schedule changes pertaining to graduation plans, level changes, duplicate courses and or computer errors will be addressed during the following school year.

## **SCHOOL FACILITIES**

### **Use by Students Before and After School (All Grade Levels)**

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

Students should remain in the area designated by his or her school before school and during lunch. Students must have special permission to be in an off limits area. Areas considered off limits include but are not limited to the following:

1. Parking lots
2. Football field and stadium
3. Gymnasiums/field house
4. Concession stands
5. Fine arts building/areas
6. Any other areas designated by administrators

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

After dismissal of school in the afternoon, unless a student is involved in an activity under the supervision of a teacher or other authorized employee or adult, or unless students are granted permission to remain on campus in accordance with policy FNAB, students must leave campus immediately.

### **Conduct Before and After School (All Grade Levels)**

Teachers and administrators have full authority over student conduct at before- or after-school activities on district premises and at school-sponsored events off district premises, such as play rehearsals, club meetings, athletic practices, and special study groups or tutorials. Students are subject to the same rules of conduct that apply during the instructional day and will be subject to consequences established by the Student Code of Conduct or any stricter standards of behavior established by the sponsor for extracurricular participants. Parents are not to drop students off before the designated time of the campus.

### **Use of Hallways During Class Time (All Grade Levels)**

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

## **Cafeteria Services (All Grade Levels)**

The District participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily in accordance with standards set forth in state and federal law.

Free and reduced-price meals are available based on financial need or household situation. Information about a student's participation is confidential; however, disclosure of a student's eligibility may be made without prior notice or consent to programs, activities, and individuals that are specifically authorized access under the National School Lunch Act (NSLA), which is the law that sets forth the disclosure limits for the district's child nutrition programs. A student's name, eligibility status, and other information may be disclosed to certain agencies as authorized under the NSLA to facilitate the enrollment of eligible children in Medicaid or the state children's health insurance program (CHIP) unless the student's parent notifies the district that a student's information should not be disclosed. A parent's decision will not affect the child's eligibility for free and reduced price meals or free milk.

See <http://emsisd.heartlandapps.com> to apply for free or reduced price meal services. Applications are sent out at the beginning of each year but are also available at any time in the office or online at <http://emsisd.heartlandapps.com>.

Parents are strongly encouraged to continually monitor their child's meal account balance. When a student's meal account is depleted, the district will notify the parent. The student will be allowed to continue purchasing meals for up to the total cost of three regular priced meals at the elementary level or one regular priced meal at the secondary level and the district will present the parent with a schedule of repayment for any outstanding account balance. If the district is unable to work out an agreement with the student's parent on replenishment of the student's meal account and payment of any outstanding balance, the student will receive an alternate meal.

The cafeteria is a center of activity before school and during lunch. Students may purchase breakfast, hot lunches, chef salads or a la carte items. Students are allowed to bring a sack lunch and buy additional items if they so desire. Parents/Guardians may bring lunch to only their child during the day.

Parents may choose to have their student deposit money in a lunch account or have their student pay for lunches on a daily basis. Student lunch account deposits can be made in the cafeteria before school or processed online through [www.myschoolbucks.com](http://www.myschoolbucks.com).

Students may eat in the plaza or cafeteria area only. The serving lines should be single file and crowding, pushing, "cutting in", or loud talking will not be permitted. Students who do not return trash and food to the proper place are subject to disciplinary action and will be required to do extra clean-up duty in the cafeteria.

Classes are held simultaneously during the lunch period so students must confine their lunchtime activities to the cafeteria or designated area. Students will not be permitted to leave the campus during the lunch periods without permission from an administrator.

## **Library and Media Center (All Grade Levels)**

The library media center provides students with opportunities and resources for research and recreational reading. Students are expected to conduct themselves in a manner that shows respect

for one another and are obligated to abide by the established Library Rules as posted in the library.

Students may work in the library during specific hours posted at the school. A signed library pass must be presented at the circulation desk, unless the student is with a class accompanied by a teacher. Entrance and exit will be through the main door only through the library security system. Students may be required to show any items taken into or from the library and to place backpacks and other large items in cubbies near the door.

The library should be used for reading, study and research only; social activities must be conducted elsewhere. Students using library computers must comply with the acceptable use policy as stated in the Computer Access section in this handbook.

Students who keep items beyond the due date will incur fines. Fines and fees are detailed in the posted Library Rules. Students must assume responsibility for any materials checked out from the library, and those who lose library books must pay for their replacement along with any fines, fees, or other costs.

Lockers are available for students upon request. Any student wishing to be issued a locker should see an administrator. Students are not to exchange lockers or share lockers with other students. Only school locks will be used. Non-school locks will be cut off. The use of locks is a great deterrent for lost or stolen items. Students will be held accountable for all damage done to the locker's interior. Searches of lockers may be conducted at any time there is reasonable cause. A student's presence is not required.

### **Meetings of Non-Curriculum-Related Groups (Secondary Grade Levels)**

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

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

## **SCHOOL ISSUED EQUIPMENT**

Each student is responsible for any equipment issued, such as athletic clothing, locks, calculators, etc. The student is required to pay for damaged or lost equipment.

## **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. 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. School age children will not be allowed to attend class parties on a campus where they are not enrolled.

## **SEARCHES**

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

## **Students' Desks and Lockers (All Grade Levels)**

Lockers are available for students upon request. Any student wishing to be issued a locker should see an administrator. Students are not to exchange lockers or share lockers with other students. Only school locks will be used. Non-school locks will be cut off. The use of locks is a great deterrent for lost or stolen items. Students will be held accountable for all damage done to the locker's interior.

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

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

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

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

## **Telecommunications and Other Electronic Devices (All Grade Levels)**

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

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

[See policy FNF(LEGAL) and **Electronic Devices and Technology** Resources on page 50 for more information.]

## **Vehicles on Campus (Secondary Grade Levels Only)**

A student has full responsibility for the security and content of his or her vehicle parked on district property and must make certain that it is locked and that the keys are not given to others. [See also the Student Code of Conduct.]

Vehicles parked on district property are under the jurisdiction of the district. School officials may search any vehicle any time there is reasonable suspicion to do so, with or without the permission of the student. If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the student's parent will be contacted. If a search is also refused by the student's parent, the district will turn the matter over to law enforcement. The district may, in certain circumstances, contact law enforcement even if permission to search is granted.

**Before a motor vehicle can be brought onto the campus, a student must do the following:**

1. Present his/her valid driver's license.
2. Register the vehicle through the office.
3. Buy a NEW parking sticker.

4. Display the sticker on the vehicle as instructed.
5. Student and parents must sign a vehicle use agreement and abide by the regulations.

The student parking lot is the ONLY area where students may park. They may never park around the circle, the faculty lots, gymnasium, and cafeteria areas. Students should not speed, double-park, or park in the fire lane or on the grass.

Bringing a vehicle on campus is a privilege, not a right. If the student cannot abide by the rules and regulations, the vehicle should be left at home. Violation of parking and driving rules may result in, but are not limited to suspension of vehicle privileges. Bringing a suspended vehicle on campus will result in towing.

Parking lot attendants are employed by the school to regulate the parking lot. These employees are to be treated with respect and any request made concerning a vehicle is to be obeyed.

### **Trained Dogs (All Grade Levels)**

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

### **Drug-Testing (Secondary Grade Levels Only)**

The District may implement a mandatory drug-testing program for all students in grades 7–12 participating in extracurricular school-sponsored athletics, band, cheerleading, dance, choir, and UIL academic activities. Participation in extracurricular activities is a privilege, not a right, and students must meet specific requirements in order to participate.

The intended purposes shall be:

1. To allow each student in programs subject to testing to make a commitment against drug use;
2. To give each student an effective tool against drug use;
3. To ensure the health and safety of each student during practices and performances;
4. To offer educational assistance to students who may be identified as having substance abuse problems, and
5. To deter drug use by students.

Each student and his or her parent shall be required to give written permission that will be effective as long as the student is enrolled at the District campus designated on the permission form for student drug testing as provided in policy FNF(LOCAL). If a student or parent refuses to sign a form or provides written notice of revocation of the consent to the principal, the student shall not be allowed to participate in the school-sponsored extracurricular activities for which such testing is required.

The results of any drug test shall be used only to determine eligibility for participation in extracurricular secondary school-sponsored athletics, band, cheerleading, dance, choir, and UIL academic activities.

Nothing in the requirements of the drug testing program shall limit or prohibit application of the District's Student Code of Conduct providing for disciplinary action involving students using, under the influence or, possessing, or distributing alcohol or illegal drugs on school property or at school related events, on or off school property. Consequences in the Student Code of Conduct shall not be invoked in the event a student tests positive in the student drug-testing program.

All results of drug testing shall be confidential and shall be disclosed only to the student, the student's parents, and designated District officials. No drug test results shall be maintained in a student's records. All test results shall be destroyed when the student graduates from high school.

[For further information, see policy FNF(LOCAL). Also see **Steroids** on page 97.]

## **SELLING ON CAMPUS**

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

## **SEXUAL HARASSEMNT**

[See Dating Violence, Discrimination, Harassment, and Retaliation on page 44.]

## **SPECIAL PROGRAMS (All Grade Levels)**

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency or who are English language learners, students diagnosed with dyslexia, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should call 817-232-0880 for specific contact information.

## **STANDARDIZED TESTING**

### **Secondary Grade Levels**

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

Many colleges require either the American College Test (ACT) or the Scholastic Aptitude Test (SAT) for admission. Students are encouraged to talk with the school counselor early during their junior year to determine the appropriate exam to take; these exams are usually taken at the end of the junior year. The Preliminary SAT (PSAT) and ACT Aspire are the corresponding preparatory and readiness assessments for the SAT and ACT, and more information can be obtained on these assessments from the school counselor.

Note that participation in these assessments may qualify a student to receive a performance acknowledgement on his or her diploma and transcript under the foundation graduation program and may qualify as a substitute for an end-of-course testing requirement in certain circumstances.



A student's performance at a certain level on the SAT or ACT also makes the student eligible for automatic admission to a Texas public institution of higher education.

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

### ***TSI (Texas Success Initiative) Assessment***

Prior to enrollment in a Texas public college or university, most students must take a standardized test called the Texas Success Initiative (TSI) assessment. The purpose of the TSI assessment is to assess the reading, mathematics, and writing skills that entering freshmen-level students should have if they are to perform effectively in undergraduate certificate or degree programs in Texas public colleges and universities. This assessment may be required before a student enrolls in a dual-credit course offered through the district as well. Achieving certain benchmark scores on this assessment for college readiness may also waive certain end-of-course assessment requirements in limited circumstances.

### **STAAR (State of Texas Assessments of Academic Readiness)**

#### ***Grades 3–8***

In addition to routine tests and other measures of achievement, students at certain grade levels are required to take the state assessment, called STAAR, in the following subjects:

- Mathematics, annually in grades 3–8
- Reading, annually in grades 3–8
- Writing, including spelling and grammar, in grades 4 and 7
- Science in grades 5 and 8
- Social Studies in grade 8

Successful performance on the reading and math assessments in grades 5 and 8 is required by law, unless the student is enrolled in a reading or math course intended for students above the student's current grade level, in order for the student to be promoted to the next grade level. [See **Promotion and Retention** on page 85 for additional information.]

STAAR-A will be available for an eligible student with a Section 504 accommodation plan who has been identified with dyslexia or a related disorder, as well as for a student receiving special education services, if the student meets state-established criteria and requires certain instructional and assessment accommodations on a routine basis.

STAAR Alternate 2, for students receiving special education services who meet certain state-established criteria, will be available for eligible students, as determined by the student's ARD committee.

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

Assessment Committee (LPAC). A Spanish version of STAAR is also available to students through grade 5 who need this accommodation.

### ***High School Courses–End-of-Course (EOC) Assessments for Students in Grades 9–12***

STAAR end-of-course (EOC) assessments are administered for the following courses:

- Algebra I
- English I and English II
- Biology
- United States History

Satisfactory performance on the applicable assessments will be required for graduation, unless otherwise waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment, which will occur during the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have additional opportunities to retake the assessment.

STAAR-A will be available for an eligible student with a Section 504 accommodation plan who has been identified with dyslexia or a related disorder, as well as for a student receiving special education services, if the student meets state-established criteria and requires certain instructional and assessment accommodations on a routine basis.

STAAR Alternate 2, for students receiving special education services who meet certain criteria established by the state, will be available for eligible students, as determined by the student's ARD committee.

A student's ARD committee for students receiving special education services will determine whether successful performance on the assessments will be required for graduation within the parameters identified in state rules and the student's personal graduation plan.

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

[Also see **Graduation** on page 57 for additional information.]

### **STEROIDS (Secondary Grade Levels Only)**

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

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

## **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 elementary schools and classrooms in teachers and in the provision of curriculum materials and instructional supplies.

Student classes and grades can be viewed through Skyward Family and Student Access. Information on signing up for Family and Student Access can be found on the district website, [www.emsisd.com](http://www.emsisd.com).

## **STUDENTS IN FOSTER CARE (All Grade Levels)**

In an effort to provide educational stability, the district strives to assist any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state) with the enrollment and registration process, as well as other educational services throughout the student's enrollment in the district.

A student who is placed in foster care and who is moved outside of the district's attendance boundaries is entitled to continue in enrollment at the school he or she was attending prior to the placement until the student reaches the highest grade level at the particular school. In addition, if a student in grade 11 or 12 is transferred to another district and does not meet the graduation requirements of the transferring district, the student can request to receive a diploma from the previous district if he or she meets the criteria to graduate from the previous district.

Please contact Bobby Jester, Director of Student and Staff Services, who has been designated as the district's foster care liaison, at 817-232-0880 with any questions.

## **STUDENT SPEAKERS (All Grade Levels)**

If a student meets the eligibility criteria and wishes to introduce a school event, the student should submit his or her name in accordance with policy FNA(LOCAL). The selection of students who may speak or events at which students may speak will be governed by any district regulation that may concern such selection of speakers or events.

Students are eligible to use the limited public forum if they:

1. Are selected as determined on the basis of viewpoint-neutral criteria;
2. Are not in a disciplinary placement at the time of the event; and
3. Where appropriate, are members or elected officers of the student group that is conducting, participating in, or sponsoring the event.

The subject of the student speech must be related to the purpose of the event at which the student is to speak and the purpose of the student's participation at the event. A student's comments

must remain related to the purpose or topic and the student may not engage in obscene, vulgar, offensively lewd or indecent speech. The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

[See policy FNA(LOCAL) regarding other speaking opportunities and **Graduation** on page 57 for information related to student speakers at graduation ceremonies.]

## **SUBSTANCE ABUSE PREVENTION AND INTERVENTION (All Grade Levels)**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor. The school counselor can provide you with a list of community resources that may be of assistance to you. The TDSHS maintains information regarding children's mental health and substance abuse intervention services on its website: <http://www.dshs.state.tx.us./msha-child-adolescent-services/>.

## **SUICIDE AWARENESS (All Grade Levels)**

The district is committed to partnering with parents to support the healthy mental, emotional, and behavioral development of its students. If you are concerned about your child, please access <http://www.texassuicideprevention.org> or contact the school counselor for more information related to suicide prevention services available in your area.

## **TARDIES (All Grade Levels)**

Because tardiness disrupts the classroom and negatively affects the learning environment, students should arrive punctually to each of their classes. Students are allowed an adequate passing period to travel from one class to the next. Excessive unexcused tardies will be addressed by campus administration. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the Student Code of Conduct.

Examples of unexcused tardies include, but are not limited to the following:

1. Car trouble
2. Missed bus
3. Personal business
4. Non-medical appointments
5. Non-subpoena court appearances
6. Weather
7. Illness other than immediate family
8. Oversleeping
9. Detained by a train
10. Traffic

## **TEXTBOOKS, ELECTRONIC TEXTBOOKS, TECHNOLOGICAL EQUIPMENT, AND OTHER INSTRUCTIONAL MATERIALS (All Grade Levels)**

Textbooks and other district-approved instructional materials are provided to students free of charge for each subject or class. Any books must be covered by the student, as directed by the teacher, and treated with care. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives. A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or the damage paid for by the parent; however, the student will be provided the necessary instructional resources and equipment for use at school during the school day.

## **TRANSFERS (All Grade Levels)**

The principal is authorized to transfer a student from one classroom to another.

[See **Safety Transfers/Assignments**, on page 20, **Bullying**, on page 35, and **Students Who Have Learning Difficulties or Who Need Special Education Services**, on page 21 for other transfer options.]

## **TRANSPORTATION (All Grade Levels)**

### **School-Sponsored Trips**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. As approved by the principal, a coach or sponsor of an extracurricular activity may establish procedures related to making an exception to this requirement when a parent requests that the student be released to the parent or to another adult designated by the parent.

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

The district makes school bus transportation available to all students living two or more miles from school. This service is provided at no cost to students.

Bus routes and stops will be designated annually, and any subsequent changes will be posted on the district's website, [www.emsisd.com](http://www.emsisd.com), under the "Departments" tab and then "Transportation". For information on bus routes and stops, you may contact GoldStar Transit at 817-306-0684 or Sharon Mayhew at [smayhew@ridegst.com](mailto:smayhew@ridegst.com). For the safety of the operator of the vehicle and all passengers, students must board buses or other vehicles only at authorized stops, and drivers must unload passengers only at authorized stops.

Students living within the two mile radius can apply for transportation by following the Alternative Guidelines for inside 2 Mile & Voluntary Transfer Bus Service found on the district website, [www.emsisd.com](http://www.emsisd.com), under "Transportation". All applications will be reviewed after the 4<sup>th</sup> week of school is complete.

A parent may also designate a state certified child-care facility or grandparent's residence within the school boundary zone of their school as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop or an approved route.

Bus service is not provided to students assigned to the Alternative Discipline Center (ADC).

All eligible students will be permitted to ride the bus provided they conduct themselves properly and have a Bus Registration Form on file. Students are expected to assist district staff in ensuring that buses and other district vehicles remain in good condition and that transportation is provided safely. When riding in district vehicles, including buses, students are held to behavioral standards established in this handbook and the Student Code of Conduct. Students may be forbidden to ride the bus because of misconduct. For the well-being and safety of students, GoldStar Transit requests that male and female students are separated while riding the bus.

Bus safety is of primary concern to the school district. The district has attempted to balance the loads in buses by assigning students to a certain bus. It is very important that a student ride their assigned bus. Permission to ride a different bus or to get off the bus with another student must be obtained prior to the end of the school day. An administrator must approve a note written by the parent.

Students should report to the designated bus loading area as soon as the bell rings in order to avoid missing the bus.

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

The guidelines that govern riding the school bus are listed below. In an effort to make bus riding safer, the enforcement of these rules will be very rigid. The student's conduct and behavior on the school bus is extremely important for bus safety.

- **First offense** – 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.

### **Bus Rules and Regulations**

1. Be on time at designated school bus stops – 5 minutes prior to pick-up time.
2. Stay off the road at all times while waiting for the bus. All school and bus rules are to be observed at and around bus stops.
3. Wait until the bus comes to a complete stop before attempting to enter the school bus.
4. Be careful in approaching bus stops.

5. Bus riders shall not move toward the bus at the school-loading zone until the busses have been brought to a complete stop.
6. Keep hands and head inside the bus at all times after entering and until leaving the bus.
7. Assist in keeping the bus clean and sanitary at all times.
8. Loud talking and laughter or unnecessary confusion diverts the driver's attention and may result in a serious accident.
9. Treat bus equipment as you would furniture in your own home. Damage to seats, etc., must be paid for by the offender.
10. Bus riders should never tamper with the bus or any of its equipment.
11. Articles left on the bus will be taken to the to the school office.
12. Keep books, packages, coats and all other objects out of the aisles.
13. Help look after the safety and comfort of small children.
14. Do not throw anything out of the bus window.
15. Stay seated while the bus is in motion. Students are not permitted to sit in isle of bus.
16. "Horseplay" is not permitted around or on the school bus.
17. Bus riders are expected to be courteous to fellow pupils, the driver and patrol officers or drivers assistants.
18. The students must be quiet when approaching a railroad-crossing stop.
19. In case of a road emergency, students are to remain in the bus.
20. Cross the road, when necessary after getting off the bus, but only after looking to be sure that no traffic is approaching from either direction. Do not cross behind the bus.
21. Be alert to the danger signal from the driver.
22. The driver will not discharge riders at other places than the regular bus stop unless by proper authorization from a school official.
23. Students shall respect the wishes of a competent chaperone appointed by the school
24. The bus driver has the authority to "take up" a student's identification card.
25. Food and/or canned or bottled drinks are not allowed on the bus.
26. Students are not allowed to transport sharp, pointed, breakable, or other dangerous objects on the bus.
27. Students are not permitted to bring animals on the bus except guide dogs and assistance animals from recognized programs.
28. All school rules are in effect on the bus.
29. Students may not ride any other bus than the one assigned to them unless authorized by the principal.
30. No fire-starting objects or materials will be tolerated.

31. The driver will assign all students seats.
32. Only “2 mile eligible” students will be allowed rider ship. (Certain routes have hazardous areas that are exceptions.) Students living within the two mile radius can apply for transportation by following the *Alternative Guidelines for inside 2 Mile & Voluntary Transfer Bus Service* by contacting Sharon Mayhew at 817-306-0684.
33. Any student that is not bus-eligible will not be permitted to ride a bus unless authorized by the principal or GoldStar Transit.
34. Serious or habitual infractions of these rules and regulations will result in suspending the student from riding the bus until such time as behavior is acceptable.
35. The above rules and regulations would apply to any trip under school sponsorship.
36. Any student that has been injured and placed in a cast that requires crutched needs to contact GoldStar Transit immediately. Other means of transportation will be arranged due to safety issues.
37. Picture taking is not allowed.
38. No skateboards are allowed on buses.

Misconduct will be punished in accordance with the Student Code of Conduct; the privilege to ride in a district vehicle, including a school bus, may be suspended or revoked.

### **TUTORIALS (All Grade Levels)**

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

### **VANDALISM (All Grade Levels)**

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

Students shall be responsible for the care and return of state-owned textbooks and may be charged for replacement of lost textbooks. Each student is responsible for any equipment issued, such as athletic clothing, locks, calculators, etc. The student is required to pay for damaged or lost equipment.

### **VIDEO CAMERAS (All Grade Levels)**

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



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

## **VISITORS TO THE SCHOOL (All Grade Levels)**

### **General Visitors**

Parents and others are welcome to visit district schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and must comply with all applicable district policies and procedures. When arriving on campus, all parents and other visitors should be prepared to show identification.

Prearranged visits to individual classrooms during instructional time are permitted only with approval of the principal and teacher and only so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Even if the visit is approved prior to the visitor's arrival, the individual must check in at the main office first.

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

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

The district invites representatives from colleges and universities and other higher education institutions, prospective employers, and military recruiters to present information to interested students.

## **VOLUNTEERS (All Grade Levels)**

We appreciate so much the efforts of parent and grandparent volunteers that are willing to serve our district and students. If you are interested in volunteering, please contact the main office at your child's school for more information and to complete an application.

## **VOTER REGISTRATION (Secondary Grade Levels Only)**

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

## **WITHDRAWING FROM SCHOOL (All Grade Levels)**

A student under 18 may be withdrawn from school only by a parent. Parents are asked to call the counseling office for an appointment to withdraw. The school requests notice from the parent at least three days in advance so that records and documents may be prepared. The parent may obtain a withdrawal form from the principal's office.

On the student's last day, the withdrawal form must be presented to each teacher for current grade averages and book and equipment clearance; to the librarian to ensure a clear library record; to the clinic for health records; to the school counselor for the last report card and course clearance; and finally to the principal. All school issued materials (textbook, athletic clothes/equipment, etc.) should be returned, and any financial obligations cleared (book fines, etc.) at the time of withdrawal. A copy of the withdrawal form will be given to the student, and a copy will be placed in the student's permanent record.

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

## Secondary Campuses

### W.E. Boswell High School

5805 Bailey Boswell Road  
Fort Worth, TX 76179  
817-237-3314  
Principal, Nika Davis  
Asst. Principal, Penny Arrington  
Asst. Principal, John Fahey  
Asst. Principal, Ilda Gonzales  
Asst. Principal, Chandra Turrentine

### Saginaw High School

800 N. Blue Mound Road  
Saginaw, TX 76131  
817-306-0914  
Principal, Patrick Torres  
Asst. Principal, Javonna Bass  
Asst. Principal, Erica Moody  
Asst. Principal, Jeff Smith  
Asst. Principal, Ona Winders

### Chisholm Trail High School

4800 Education Drive  
Fort Worth, TX 76179  
817-232-7112  
Principal, Dana Barnes  
Asst. Principal, Jana Bartlett  
Asst. Principal, Susan Dye  
Asst. Principal, Daniel Goodner  
Asst. Principal, Don Rossander

### Elmer C. Watson High School

5901 Hereford Drive  
Fort Worth, TX 76179  
817-238-7925  
Principal, Melanie Stitt  
Asst. Principal, Gary Dix

### Hollenstein Career and Technology Center

5501 Marine Creek Parkway  
Fort Worth, TX 76179  
817-306-1925  
Director, Dana Eldredge  
Coordinator, Jennifer Railsback

### Creekview Middle School

6716 Bob Hanger Street  
Fort Worth, TX 76179  
817-237-4261  
Principal, Anthe Anagnostis  
Asst. Principal, Jason Cheslock  
Asst. Principal, Justin Main

### Highland Middle School

1001 E. Bailey Boswell Road  
Fort Worth, TX 76131  
817-847-5143  
Principal, Karen Pressley  
Asst. Principal, David Coker  
Asst. Principal, Mindy Miller

### Prairie Vista Middle School

8000 Comanche Springs Drive  
Fort Worth, TX 76131  
817-847-9210  
Principal, Anna King  
Asst. Principal, Matt Calkins  
Asst. Principal, Tricia Leavitt

### Wayside Middle School

1300 Old Decatur Road  
Fort Worth, TX 76179  
817-232-0541  
Principal, Jason Sneed  
Asst. Principal, Tim Lashombe  
Asst. Principal, Leah Roberts

### Ed Willkie Middle School

6429 Texas Shiner Road  
Fort Worth, TX 76179  
817-237-9631  
Principal, Elisha McDonald  
Asst. Principal, Gary Knowles  
Asst. Principal, Christie Warden

## Elementary Campuses

### Bryson Elementary

8601 Old Decatur Road  
Fort Worth, TX 76179  
817-237-8306  
Principal, Sheryl Sutherland  
Asst. Principal, Whitney Wheeler

### Comanche Springs Elementary

8100 Comanche Springs Drive  
Fort Worth, TX 76131  
817-847-8700  
Principal, Melissa Davis  
Asst. Principal, Mary Mendel

### Elkins Elementary

5787 Boaz Road  
Fort Worth, TX 76179  
817-237-0805  
Principal, Kori Werth  
Asst. Principal, Bobby Jackson

### Greenfield Elementary

6020 Ten Mile Bridge Road  
Fort Worth, TX 76135  
817-237-0357  
Principal, Cathe Bragg  
Asst. Principal, Rebecca Spikes

### Lake Pointe Elementary

5501 Park Drive  
Fort Worth, TX 76179  
817-236-8801  
Principal, Sheri Barberee  
Asst. Principal, Melissa Curtis

### Parkview Elementary

6225 Crystal Lake Drive  
Fort Worth, TX 76179  
817-237-5121  
Principal, Beth Epps  
Asst. Principal, Kenneth Nuss

### Saginaw Elementary

301 McLeroy Blvd  
Fort Worth, TX 76179  
817-232-0631  
Principal, Amber Beene  
Asst. Principal, Rachel Bradley

### Weldon Hafley Development Center

616 W. McLeroy Blvd  
Fort Worth, TX 76179  
817-232-2071  
Principal, Carol Renfro

### Chisholm Ridge Elementary

8301 Running River Lane  
Fort Worth, TX 76131  
817-232-0715  
Principal, Susan Cook  
Asst. Principal, Vanessa Kiser

### Eagle Mountain Elementary

9700 Morris Dido/Newark Road  
Fort Worth, TX 76179  
817-236-7191  
Principal, Bryan McLain  
Asst. Principal, Kelli Shipp

### L.A. Gililand Elementary

701 Waggoman Road  
Fort Worth, TX 76131  
817-232-0331  
Principal, Christy Fehler  
Asst. Principal, Rick Huggett

### High Country Elementary

1301 High Country Trail  
Fort Worth, TX 76131  
817-306-8007  
Principal, Karen Sutton  
Asst. Principal, RandiAnn Kula

### Northbrook Elementary

2500 Cantrell Sansom Road  
Fort Worth, TX 76131  
817-232-0086  
Principal, Doug Sevier  
Asst. Principal, Maggie Highlen

### Remington Point Elementary

6000 Old Decatur Road  
Fort Worth, TX 76179  
817-232-1342  
Principal, Chaney Curran  
Asst. Principal, Jana Morgan

### Willow Creek Elementary

1100 McLeroy Blvd  
Fort Worth, TX 76179  
817-232-2845  
Principal, Lacey Koffi  
Asst. Principal, Dana Switzer

## GLOSSARY

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

**ACT-Aspire** refers to an assessment that took the place of ACT-Plan and is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

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

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

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

**EOC assessments** are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments is required for graduation. These exams will be given in English I, English II, Algebra I, Biology, and United States History.

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

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

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

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

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

**PGP** stands for Personal Graduation Plan, which is required for high school students beginning with ninth graders in the 2014 – 15 school year, and for any student in middle school who fails a section on a state-mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT.

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

**SHAC** stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to assist the district in ensuring that local community values and health issues are reflected in the district’s health education instruction, along with providing assistance with other student and employee wellness issues.

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

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

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student’s ARD committee.

**STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student’s ARD committee.

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

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

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

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

**TSI assessment** is the Texas Success Initiative assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshman students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

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

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

## **APPENDIX I: Freedom From Bullying Policy**

Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit the district's website, [www.emsisd.com](http://www.emsisd.com).

The following pages include Eagle Mountain-Saginaw ISD's policy FFI(LOCAL) as of the date that this Handbook was finalized for this school year.



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**Note:** This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

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BULLYING  
PROHIBITED

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DEFINITION

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will 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. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

EXAMPLES

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

RETALIATION

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

EXAMPLES

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
TIMELY REPORTING	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.
REPORTING PROCEDURES	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.
STUDENT REPORT	
EMPLOYEE REPORT	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
REPORT FORMAT	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
PROHIBITED CONDUCT	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
INVESTIGATION OF REPORT	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
CONCLUDING THE INVESTIGATION	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.  The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.
NOTICE TO PARENTS	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

STUDENT WELFARE  
FREEDOM FROM BULLYING

FFI  
(LOCAL)

DISTRICT ACTION BULLYING	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
DISCIPLINE	<p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
CORRECTIVE ACTION	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.
TRANSFERS	The principal or designee shall refer to FDB for transfer provisions.
COUNSELING	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
IMPROPER CONDUCT	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
CONFIDENTIALITY	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
APPEAL	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
RECORDS RETENTION	Retention of records shall be in accordance with CPC(LOCAL).
ACCESS TO POLICY AND PROCEDURES	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

# STUDENT CODE OF CONDUCT

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2015–2016



**EAGLE MOUNTAIN  
SAGINAW ISD**

*Fostering a Culture of Excellence*

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# STUDENT CODE OF CONDUCT

## Purpose

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

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

The law requires the district to define misconduct that may—or must—result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), placement in a juvenile justice alternative education program (JJAEP), 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. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the board becomes effective for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinators and posted on the district's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

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 shall 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**

### **Campus Behavior Coordinator**

As required by law, a person or persons at each campus must be designated to serve as the campus behavior coordinator(s). The designated person or persons may be the principal of the campus or any other campus administrator selected by the principal. Campus behavior coordinators are primarily responsible for maintaining student discipline. The district maintains a current list of the persons serving as campus behavior coordinators on the district's website at [www.emsisd.com](http://www.emsisd.com).

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 or a school-sponsored or school-related activity 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, board member, 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 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, desk, or personal belongings when there is reasonable cause to believe it contains articles or materials prohibited by the district.

### **Reporting Crimes**

The principal or campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

## **‘Parent’ Defined**

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

## **Participating in Graduation Activities**

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code.

Participation might include a speaking role, as established by district policy and procedures.

Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district’s Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district’s Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

See **DAEP – Restrictions During Placement** on page 24, for information regarding a student assigned to DAEP at the time of graduation.

## **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, 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, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on Out-of-School Suspension, DAEP Placement, Placement and/or Expulsion for Certain Offenses, and Expulsion, certain offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in Removal from the Regular Educational Setting as detailed in that section.

### Disregard for Authority

Students shall not:

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

### Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or incite violence. (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 or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, 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. (See glossary.)
- 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.
- Send or post messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.

## **Property Offenses**

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
- Deface or damage school property—including textbooks, technology and electronic resources, 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, aggravated robbery, and theft see DAEP Placement and Expulsion.)

## **Possession of Prohibited Items**

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon;
- An air gun or BB gun;
- Ammunition;
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- 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.)

- Published or electronic media that is obscene, sexually explicit, or pornographic.

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

Students shall not:

- Use a telecommunications device, including a cellular telephone, or other electronic devices in violation of district and campus rules.

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

Students shall not:

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

## **Misuse of Technology Resources and the Internet**

Students shall not:

- Violate policies or rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- 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 technology resources including but not limited to computers and related 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, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.

- Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyber bullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment. Students are expected to report any receipt of offensive messages immediately. Those students reporting those messages immediately will have safe harbor and will not receive a disciplinary consequence.
- Use e-mail, websites, or other types of multimedia to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment.

## **Safety Transgressions**

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- 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.
- Cause significant disruptions on public transportation, including district buses and vehicles.

## **Miscellaneous Offenses**

Students shall not:

- Violate dress and grooming standards as communicated in the student handbook.
- Engage in any inappropriate public displays of affection.
- Possess any published or electronic media that is obscene, sexually explicit, or pornographic.
- 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.
- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Refuse to accept discipline management techniques assigned by a teacher or principal.

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 shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative discipline practices. Discipline shall 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, including misconduct in a district vehicle owned or operated by the district, 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 shall prevail.

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

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

### **Techniques**

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

- Verbal correction, oral or written.
- Cooling-off time or "time-out."
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy. 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, including outside regular school hours.
- 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.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Restitution.
- Out-of-school suspension, as specified in the Out-of-School 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 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 authorities.
- Other strategies and consequences as determined by school officials.

## **Notification**

A campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. A campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If a campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

## **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, a campus behavior coordinator's office, or the central administration office or through *Policy On Line* at the following address: [www.emsisd.com](http://www.emsisd.com).

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

## **Corporal Punishment**

Corporal punishment may be used as a discipline management technique in accordance with policy FO(LOCAL) and the Student Code of Conduct.

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 or designee.
3. Corporal punishment shall be administered only by an employee who is the same sex as the student.
4. The instrument to be used in administering corporal punishment shall be approved by the principal.
5. 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.

Corporal punishment shall not be administered to a student whose parent has submitted to the principal a signed statement for the current school year prohibiting the use of corporal punishment with his or her child; however, the District shall impose other disciplinary measures consistent with the offense. The parent may reinstate permission to use corporal punishment at any time during the school year by submitting a signed statement to the principal.

## **Removal from the School Bus**

A bus driver may refer a student to the principal's office or a campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

## **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 a campus behavior coordinator's office as a discipline management technique. A campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator **may** remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

### **Formal Removal**

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.

Within three school days of the formal removal, a campus behavior coordinator or appropriate administrator shall 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, a campus behavior coordinator or appropriate administrator shall inform the student of the misconduct for which he or she is charged and the consequences. The student shall have an opportunity to give his or her version of the incident.

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

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

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 shall be followed.

## **Returning Student to Classroom**

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

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

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

### **Misconduct**

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

### **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 shall have an informal conference with a campus behavior coordinator or appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall 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 shall be determined by a campus behavior coordinator, but shall 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 and will not be allowed on any campus for the duration of the suspension.

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.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall 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.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular 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, DAEP.

The DAEP shall be provided in a setting other than the student's regular classroom. The DAEP program is offered at the District's Alternative Discipline Campus (ADC). An elementary school student may not be placed in a DAEP with a student who is not an elementary school student. At the ADC, elementary and secondary students are separated programmatically.

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

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

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

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the district shall 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.

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

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

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

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

- Involvement in 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, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Criminal mischief, not punishable as a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.



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 aggravated robbery or 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.

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

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

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (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 aggravated robbery or 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 shall 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 shall be made by a campus behavior coordinator.

## **Conference**

When a student is removed from class for a DAEP offense, a campus behavior coordinator or appropriate administrator shall 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, a campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall 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.

## **Consideration of Mitigating Factors**

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall 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.

## **Placement Order**

After the conference, if the student is placed in the DAEP, a campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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 shall give notice of the inconsistency.

## **Coursework Notice**

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

## **Length of Placement**

The duration of a student's placement in a DAEP shall be determined by a campus behavior coordinator.

The duration of a student's placement shall be determined on a case-by-case basis. DAEP placement shall 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.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

## **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, a campus behavior coordinator or the board's designee 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 shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

### **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with FNG(LOCAL).

A copy of this policy may be obtained from the principal's office, a campus behavior coordinator's office, the central administration office, or through *Policy On Line* at the following address: [www.emsisd.com](http://www.emsisd.com).

Appeals shall begin at Level One with a campus behavior coordinator or principal.

Disciplinary consequences shall 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.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who has transportation designated as a related service in the student's IEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall 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 shall be provided a review of his or her status, including academic status, by a campus behavior coordinator or the board's designee 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 shall also be reviewed. At the review, the student or the student's parent shall 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 a campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

## **Notice of Criminal Proceedings**

The office of the prosecuting attorney shall 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 shall 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 shall, 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 shall 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, a campus behavior coordinator 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 a campus behavior coordinator 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 shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district.

A newly enrolled student with a DAEP placement from a district in another state shall 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, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

### **Emergency Placement Procedure**

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

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

This section includes two categories of 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 shall 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 shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

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

### **Newly Enrolled Student**

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

### **Appeal**

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

## **Certain Felonies**

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

- Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or 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, regardless of whether the action is mandatory or discretionary, a campus behavior coordinator shall 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.

## Discretionary Expulsion: Misconduct That May Result in Expulsion

### Any Location

A student **may** be expelled for:

- Engaging in the following, no matter where it takes place:
  - Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
  - Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.
- Breach of computer security.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

A student **may** be expelled for 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. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See glossary for "under the influence.")

- 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**

A student **may** be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Use, 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**

A student **may** be expelled for 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**

A student **may** be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Section 21.07, Penal Code;
  - b. Indecent exposure under Section 21.08, Penal Code;

- c. Criminal mischief under Section 28.03, Penal Code;
- d. Personal hazing under Section 37.152; or
- e. Harassment under Section 42.07(a)(1), Penal Code, of a student or district employee.

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

A student **must** be expelled under federal or state law 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:

#### **Under 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.

#### **Under Texas Penal Code**

- Using or possessing the following, as defined by the Texas Penal Code:
  - A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.
  - An illegal knife, which includes 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 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. (See glossary.)
  - 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, a zip gun, or a tire deflation device. (See glossary.)

- Behaving in a manner that contains elements of the following offenses under the Texas Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

## Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall 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, a campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, a campus behavior coordinator or other appropriate administrator 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 shall 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 witnesses called by the district at the hearing.

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.

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

If the Board's designee conducts the hearing, a 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 shall 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 shall hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation.

Consequences shall not be deferred pending the outcome of the hearing.

## **Expulsion Order**

Before ordering the expulsion, the board or campus behavior coordinator shall 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.

If the student is expelled, the board or its designee shall 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 shall 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 shall give notice of the inconsistency.

## **Length of Expulsion**

The length of an expulsion shall 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 shall 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 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 a campus behavior coordinator 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 shall 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 shall 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 shall 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 shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

## **DAEP Placement of Expelled Students**

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



## Glossary

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

**Abuse** is improper or excessive use.

**Aggravated robbery** is defined in part by Texas Penal Code 29.03(a) when a person commits robbery and:

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

**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:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
  - a. Any vegetation, fence, or structure on open-space land; or
  - b. Any building, habitation, or vehicle:
    - 1) Knowing that it is within the limits of an incorporated city or town,
    - 2) Knowing that it is insured against damage or destruction,
    - 3) Knowing that it is subject to a mortgage or other security interest,
    - 4) Knowing that it is located on property belonging to another,
    - 5) Knowing that it has located within it property belonging to another, or
    - 6) 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.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly damages or destroys a building belonging to another, or
  - b. Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Texas Penal Code 22.01(a) (1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly

threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

**Bullying** is when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school related activity, or in a vehicle operated by the district and a school district's board of trustees or the board's designee determines that the behavior:

1. Has the effect or will 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. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator who is engaging in bullying and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

**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.

**Cyberbullying** is the use of any electronic communication device to engage in bullying or intimidation.

**Dating violence** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, 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.

**E-cigarette** means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

**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.

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

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

**Harassment** is:

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 person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety.

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

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

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

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

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

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

**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; telecommunications or electronic devices; 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 Misbehavior** means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Section 21.07, Penal Code;
  - b. Indecent exposure under Section 21.08; Penal Code;
  - c. Criminal mischief under Section 28.03, Penal Code;
  - d. Personal hazing under Section 37.152; or
  - e. Harassment under Section 42.07(a)(1), Penal Code, of a student or district employee.

**Serious or persistent misbehavior** includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement

- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete school work as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

**Sexting** is taking, disseminating, transferring, possessing, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content.

**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.

**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).

**Tire deflation device** is defined in part by Section 46.01 of the Penal Code as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

**Title 5 offenses** are those that involve injury to a person and include:

- Murder;
- Kidnapping;
- Trafficking of persons;
- Smuggling or continuous smuggling of persons;
- Assault;
- Aggravated assault;

- Sexual assault;
- Aggravated sexual assault;
- Unlawful restraint;
- Voyeurism;
- Indecency with a child;
- Invasive visual recording;
- Disclosure or promotion of intimate visual material;
- Injury to a child, an elderly person, or a disabled person of any age;
- 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.