

**Tidehaven ISD**  
**Student Handbook**  
**&**  
**Student Code of Conduct**  
**2011 – 2012**

# Tidehaven ISD School Calendar

Start: August 22, 2011

July 2011 - June 2012

End: May 31, 2012



## July 2011

S	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## August 2011

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## September 2011

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

## October 2011

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## November 2011

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## December 2011

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## January 2012

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## February 2012

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

## March 2012

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## April 2012

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## May 2012

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## June 2012

S	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

	Holiday		Start 6-Weeks
	Staff Development		End 6-Weeks
	Workday		Comp Days
	Emergency		New Teacher

8-Weeks	Start	End	Days	Prog. Rep Sent Home	Rep. Card Sent Home
1st	08/22/11	08/23/11	24	08/12/11	08/28/11
2nd	08/28/11	11/04/11	28	10/17/11	11/10/11
3rd	11/07/11	12/18/11	27	11/28/11	01/06/12
1st Semester			79		
4th	01/03/12	02/10/12	28	01/23/12	02/18/12
5th	02/13/12	03/30/12	33	03/05/12	04/06/12
6th	04/10/12	06/01/12	37	04/23/12	June, 12
2nd Semester			98		
Total			177		

Holidays		
Date(s)	Days	Event
09/05/11	1	Labor Day
11/23, 24, 25/11	3	Thanksgiving Holidays
12/19-1/02/12	11	Christmas Holidays (Students)
4/2, 4/9/12	6	Spring Break
05/28/12	1	Memorial Day

Staff/Work/Comp/ Emergency Days	
Staff Development	8/11/11-8/19/11
	10/07/11
	01/02/12
Workdays	08/18/11
	08/19/11
	06/01/12
Comp Days	10/10/11
	01/16/12
Emergency Days	3/1, 3/2/12

Emergency Days Note: Unused emergency days will become school holidays. School Event Days are indicated with PINK numbers. Testing Days are indicated with TEAL numbers.

Adopted 2-14-11

"Creating a Boundless Energy to Learn"

The Tidehaven ISD school calendar is also available online at <http://www.tidehavenisd.com>

## ACKNOWLEDGEMENT FORM

Dear Parents/Guardians:

The district is sending one Handbook/Code of Conduct home for each family per campus. An administrator or a teacher on your child's campus will review this handbook with your child. Please complete the information below and return this page to your child's campus. This page must be returned no later than **Friday, September 2, 2011**. Failure to return this page indicates agreement and/or acceptance of the policies as stated. If you have any questions regarding this handbook or the student code of conduct, please direct questions to the principal of your child's campus. A copy of this handbook is also available online at [www.tidehavenisd.com](http://www.tidehavenisd.com)

Sincerely,

Dr. Andrew Seigrist  
Superintendent of Schools

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Tidehaven I.S.D. does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended and Title 11 of the Americans with Disabilities Act. Debra Taska, Administrative Assistant, is the compliance officer.

"I have received a copy of the Tidehaven I.S.D. Student Handbook for 2011-2012 and the T.I.S.D. Student Code of Conduct. I understand that the handbook contains information that my child and I may need during the school year. I understand and consent to the responsibilities outlined in the T.I.S.D. Student Handbook and the T.I.S.D. Code of Conduct. I also understand and agree that my child(ren) listed below will be held accountable for the behavior and consequences outlined in the Student Code of Conduct at school and at school-related activities, including school-sponsored travel, and for any school-related misconduct, regardless of time or location. I understand that any student who violates the Student Code of Conduct is subject to disciplinary action, up to and including referral for criminal prosecution for violations of law."

Title I part A campuses (Markham, Blessing and Intermediate) will provide to parents, on request, information regarding the professional qualifications of the students' classroom teachers.

Child's Name

Campus

Grade

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Yes - Corporal Punishment

\_\_\_\_\_ No - Corporal Punishment

\_\_\_\_\_

Parent/Guardian Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Phone Number

\_\_\_\_\_

Student Signature

\_\_\_\_\_

Date

**PLEASE SIGN AND RETURN THIS SHEET.**

"The contents of this handbook are not contractual, and do not give rise to a claim of breach of contract against the school district. Further, the contents of this handbook apply to all students of the district, as the contents now appear in the handbook or may be amended in the future."

# PARENT'S RESPONSE REGARDING RELEASE OF INFORMATION TO MILITARY RECRUITERS AND INSTITUTIONS OF HIGHER EDUCATION

Federal law requires that the district release to military recruiters and institutions of higher education, upon request, the name, address, and phone number of secondary school students enrolled in the district, unless the parent or eligible student directs the district not to release information to these types of requestors without prior written consent. [See **Release of Student Information to Military Recruiters and Institutions of Higher Education** on page 8 for more information.]

**Parent:** Please complete the following only if you do not want your child's information released to a military recruiter or an institution of higher education without your prior consent.

I, parent of \_\_\_\_\_ (*student's name*) requests that the district **not** release my child's name, address, and telephone number to a military recruiter or institutions of higher education upon their request without my prior written consent.

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

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## ★TIDEHAVEN ISD DISTRICT G/T PLAN

To fulfill the requirements of the Texas Administrative Code and the State Plan for the Education of the Gifted/Talented (G/T) Student, we are asking that you please read and check one of the following options:

\_\_\_\_\_ I am able to access the internet and can view the Tidehaven ISD District G/T Plan at [www.tidehavenisd.com](http://www.tidehavenisd.com).

\_\_\_\_\_ I do not have internet access but understand that a copy of the Tidehaven ISD District G/T Plan would be available to me upon my request.

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Student Name \_\_\_\_\_ Teacher \_\_\_\_\_

[See **Gifted and Talented** on page 38 for more information.]



## Use of Student Work/Student Photographs in District Publications

Occasionally, Tidehaven ISD wishes to display or publish student artwork, special projects, or student photographs on the district's web site and in district publications. The district agrees to only use these student projects in this manner.

**Parent: Please circle one of the choices below:**

I, parent of \_\_\_\_\_ (student's name), **(do give) (do not give)** the district permission to use my child's artwork, special project, or photograph on the district's web site and in district publications.

Parent signature: \_\_\_\_\_

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

# INTERNET ACCESS POLICY

The Tidehaven ISD campuses have internet access in the computer lab, library and in each classroom for instructional purposes. Tidehaven ISD is dedicated to keeping up-to-date on technology issues to prepare students for the world of technology.

It is important that the school, staff, parents, and students are familiar with the School Board Policy concerning the access and usage by individuals. Therefore, read the Acceptable Use Policy (CQ LEGAL) carefully. Before access is permitted to the internet, the Tidehaven ISD agreement must be signed, returned and on file in the campus office.

Students will be monitored at all times by trained staff.

## SHARE YOUR E-MAIL ADDRESS WITH US

Your Name: \_\_\_\_\_

Your email address: \_\_\_\_\_

During the upcoming school year, we will send parents e-mails concerning upcoming events, school holidays, early release days, etc. Please be assured that your e-mail address will be used for school purposes only.

Log on to our website at [www.tidehavenisd.com](http://www.tidehavenisd.com) for additional Tidehaven ISD information.

# TIDEHAVEN INDEPENDENT SCHOOL DISTRICT

## DISTRICT AGREEMENT FOR AN ELECTRONIC SYSTEM ACCOUNT

I have read the district's electronic communication system policy and administrative regulations (below) and agree to abide by their provisions. In consideration for the privilege of using the district's electronic communications system and in consideration for having access to the public networks, I hereby release the district, its operators, and any institutions with which they are affiliated from any and all claims and any nature arising from my use of or inability to use the system, including without limitation, the type of damage identified in the district's policy and administrative regulations.

Student Name \_\_\_\_\_ Date \_\_\_\_\_

Student Grade \_\_\_\_\_ Student's Teacher \_\_\_\_\_

Home Address \_\_\_\_\_

Home Phone Number \_\_\_\_\_ Parent Signature \_\_\_\_\_

### ACCEPTABLE USE POLICY (CQ LOCAL)

The superintendent or designee shall implement, monitor and evaluate electronic media resources for instructional and administrative purposes.

**Availability of Access:** Access to the district's electronic communications system, including the Internet be made available to students and employees exclusively for instructional and administrative purposes in accordance with administrative regulations.

Access to the district's electronic communications system is a privilege, not a right. All users shall be able to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to comply with such regulations and guidelines. Noncompliance with applicable regulations may result in suspension or termination of privileges and other disciplinary actions consistent with district policies. (See DH.FNC.FNCJ.FO series and the Student Code of Conduct.) Violations of law may result in criminal prosecution as well as disciplinary action by the district.

**Acceptable Use:** The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the district and with the laws and policy governing copyright. (See EFE.)

**Monitored Use:** Electronic mail transmissions and other use of electronic communications system by staff and employees shall not be considered confidential and may be monitored at any time by designated district staff to ensure appropriate use for educational or administrative purposes.

**Disclaimer of Liability:** The district shall not be liable for user's inappropriate use of electronic communication resources or violations of copyright restrictions, user's mistakes or negligence or costs by users. The district shall not be responsible for ensuring the accuracy or usability of any information on the internet.

# PREFACE

To Students and Parents:

Welcome to school year 2011–2012! Education is a team effort, and we know that students, parents, teachers, and other staff members all working together can make this a wonderfully successful year for our students.

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

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

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

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

Both students and parents should become familiar with the Tidehaven ISD *Student Code of Conduct*, which is a document adopted by the board and intended to promote school safety and an atmosphere for learning. That document may be found as an attachment to this handbook or as a separate document sent home to parents. You may also access it on the district’s website [www.tidehavenisd.com](http://www.tidehavenisd.com) as well as on each campus.

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

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

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

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

1. Acknowledgment Form
2. Release of Information to Military Recruiters and Institutions of Higher Education Form;
3. Tidehaven ISD District G/T Plan;
4. Student Directory Information and Release of Student Information Form;
5. Use of Student Work in District Publications Form;
6. Internet Access Policy; and
7. District Agreement for an Electronic System Account

[See **Obtaining Information and Protecting Student Rights** on page 2 and **Directory Information** on page 7 for more information.]

Please note that references to policy codes are included so that parents can refer to current board policy. A copy of the district’s policy manual is available for review in the school office or online at [www.tidehavenisd.com](http://www.tidehavenisd.com).

**Tidehaven I.S.D. Board of Trustees**

Stephen Clontz, President  
Robert Dannels, Vice-President  
Stephen Crow, Secretary  
Eric Saha, Secretary Pro-Tem,  
Richard Beyer, Trustee  
Robbie Galvan, Trustee  
Vic Collins, Trustee

**Central Office Staff**

Dr. Andrew Seigris, Superintendent  
Debra Taska, Assistant Superintendent  
Doris Streams, Superintendent's Secretary  
Bill Foley, Bookkeeper  
Christy Alley, Payroll  
Karen Black, Food Services Supervisor

**Campus Administrators**

Kathy Boyett, High School Principal  
Jim Sides, High School Assistant Principal  
Gerry Talley, Intermediate Principal  
Jean May, Markham Elementary Principal  
Kim Marceaux, Blessing Elementary Principal

**Counselors**

Sharon Foltyn, High School  
Christa Saha, Intermediate  
Maria Enoch, Markham & Blessing

**Nurses**

Kathy Hoffman  
Renee Smith

**Tidehaven ISD Contact Information:**

	<b><u>Phone:</u></b>	<b><u>Fax:</u></b>
Superintendent's Office	361-588-6321	588-7109
Assistant Superintendent	361-588-6839	588-7109
Bookkeeping & Payroll	361-588-6685	588-7109
Food Services	361-588-6839	588-7109
High School	361-588-6810	588-6966
Intermediate	361-588-6600	588-6368
Markham Elementary	979-843-5015	843-5018
Blessing Elementary	361-588-6622	588-1150

**Addresses:**

Tidehaven ISD	High School	Intermediate	Markham Elem.	Blessing Elem.
P.O. Box 129	P.O. Box 159	P.O. Box 130	P.O. Box 317	P.O. Box 170
El Maton, TX	El Maton, TX	El Maton, TX	Markham, TX	Blessing, TX
77440	77440	77440	77456	77419

## **STUDENT CODE OF ETHICS**

### **I WILL STRIVE**

To develop a school loyalty and spirit which will be recognized by everyone with whom I come in contact;

To be known as one whose honor is to be trusted and who is capable of accepting responsibility;

To be a true sportsman; to be able to lose the game but never to lose my smile nor my courage; and not to blame others for my shortcomings;

To use my opportunity to get an education to the best of my ability -- so that I may be better fitted to serve society;

To be able to scorn personal success which I might achieve by taking unfair advantage of my schoolmates;

To make my aim and goal "above average," realizing that the higher one's goal is, the greater is his achievement of success;

To improve myself, increase my efficiency, and enlarge my service to mankind and by doing so attest my faith in the fundamental principles of Good Citizenship -- "Service Above Self;"

To be willing and ready to give my time and services to any worthy person who requests them, or to any cause which may promote the welfare of the school, community, or state, remembering, "He profits most who serves best;"

To believe in the words and worth of the Golden rule -- "Do unto others as you would have them do unto you;"

To achieve these high purposes realizing that the fulfillment of them will make me an exemplary student.

### **KID FOR CHARACTER PLEDGE**

I pledge to be a KID FOR CHARACTER.

I will be worthy of TRUST.

I will be RESPECTFUL and RESPONSIBLE, doing what I must.

I will always act with FAIRNESS.

I will show that I CARE.

I will be a good CITIZEN, and always do my share.

### **NATIONAL PATRIOTISM PROPERLY DISPLAYED**

The students of Tidehaven I.S.D. are expected to show appropriate respect in all activities involving patriotic pride and feeling. In assemblies and on special occasions when patriotic behavior is in order, students are expected to rise for the Pledge and the National Anthem.

Students are expected to show due respect for both the flags of the United States and the State of Texas. If the occasion is outdoors, boys are to remove hats if these are worn, and all students are expected to bow heads at appropriate times. In saluting the national flag, the dictates of custom should be followed. No student should become careless in showing respect to these national or state symbols and emblems. At no time should either flag be desecrated in either handling or observance. A display of love for our country is never outdated!

## **AMERICAN'S CREED**

I believe in the United States of America as a government of the people, by the people, and for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

## **PLEDGE TO THE FLAG**

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

## **THE STAR-SPANGLED BANNER**

Oh! Say, can you see, by the dawn's early light,  
What so proudly we hailed at the twilight's last gleaming?  
Whose broad stripes and bright stars, through the perilous fight,  
O're the ramparts we watched were so gallantly streaming?  
And the rockets red glare, the bombs bursting in air,  
Gave proof through the night that our flag was still there.  
Oh! Say, does that star-spangled banner yet wave,  
O're the land of the free and the home of the brave?

## **PLEDGE TO THE TEXAS FLAG**

Honor the Texas Flag. I pledge allegiance to thee,  
Texas, one state under God,  
one and indivisible.

## **TIDEHAVEN SCHOOL SONG**

Tidehaven High, to thee our hearts are given,  
In loyalty to each familiar scene,  
We pledge to thee, our love and our devotion,  
We pledge this now, and for years to come,  
And may we strive, to bring a greater glory,  
With honor won, for Tidehaven High.

**Tidehaven I.S.D.  
Grade Reporting Periods  
2011-2012 School Year**

**Progress Reports & Report Cards will be sent home on the following dates:**

End of 1 <sup>st</sup> Three Week Grading Period	September 09, 2011
<b>Progress Reports Sent Home</b>	<b>September 12, 2011</b>
End of 1 <sup>st</sup> Six Weeks	September 23, 2011
<b>Report Cards Sent Home</b>	<b>September 29, 2011</b>
End of 2 <sup>nd</sup> Three Week Grading Period	October 14, 2011
<b>Progress Reports Sent Home</b>	<b>October 17, 2011</b>
End of 2 <sup>nd</sup> Six Weeks	November 04, 2011
<b>Report Cards Sent Home</b>	<b>November 10, 2011</b>
End of 3 <sup>rd</sup> Three Week Grading Period	November 25, 2011
<b>Progress Reports Sent Home</b>	<b>November 28, 2011</b>
End of 3 <sup>rd</sup> Six Weeks	December 16, 2011
<b>Report Cards Sent Home</b>	<b>January 05, 2012</b>
End of 4 <sup>th</sup> Three Week Grading Period	January 20, 2012
<b>Progress Reports Sent Home</b>	<b>January 23, 2012</b>
End of 4 <sup>th</sup> Six Weeks	February 10, 2012
<b>Report Cards Sent Home</b>	<b>February 16, 2012</b>
End of 5 <sup>th</sup> Three Week Grading Period	March 02, 2012
<b>Progress Reports Sent Home</b>	<b>March 05, 2012</b>
End of 5 <sup>th</sup> Six Weeks	March 30, 2012
<b>Report Cards Sent Home</b>	<b>April 12, 2012</b>
End of 6 <sup>th</sup> Three Week Grading Period	May 04, 2012
<b>Progress Reports Sent Home</b>	<b>May 07, 2012</b>
End of 6 <sup>th</sup> Six Weeks	May 31, 2012
<b>Report Cards Sent Home</b>	<b>June, 2012</b>
(Final Report Cards may be mailed)	

## Early Dismissal Days & Times 2011-2012 School Year

Date	Event	Time
Tue., Nov. 22, 2011	Thanksgiving Holidays	12:20 (K - 2) 12:45 (3 - 12)
Thurs., Dec. 15, 2011	Christmas Holidays (final exams at high school)	12:20 (K - 2) 12:45 (3 - 12)
Fri., Dec. 16, 2011	Christmas Holidays (final exams at high school)	12:20 (K - 2) 12:45 (3 - 12)
Fri., March 30, 2012	Spring Break	12:20 (K - 2) 12:45 (3 - 12)
Wed., May 30, 2012	End of School (final exams at high school)	12:20 (K - 2) 12:45 (3 - 12)
Thurs., May 31, 2012	End of School (final exams at high school)	12:20 (K - 2) 12:45 (3 - 12)

## Holidays 2011-2012 School Year

Date(s)	Event
September 05, 2011	Labor Day
November 23, 24, 25, 2011	Thanksgiving Holidays
December 19, 2011 through December 30, 2011	Christmas Holidays
April 2 – 9, 2012	Spring Break

## Staff Development/Workdays/Comp Days/Emergency Days 2011-2012 School Year

Staff Development/ Workdays	Comp Days	Emergency Days
August 11 <sup>th</sup> – 19 <sup>th</sup> , 2011 Oct. 7 <sup>th</sup> , 2011 Jan. 2 <sup>nd</sup> , 2012	Oct. 10 <sup>th</sup> , 2011 Jan. 16 <sup>th</sup> , 2012	March 01, 2012 March 02, 2012

**Emergency Days Note:** In the event the emergency days are not utilized during the earlier part of the school year, they would become holidays.

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★These sections have either been added or changed.

# SECTION I: PARENTAL RIGHTS AND RESPONSIBILITIES

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

## **PARENTAL INVOLVEMENT**

### **Working Together**

Both experience and research tell us that a child is more successful when there is good communication and a strong partnership between home and school. Your involvement in this partnership may include:

- Encouraging your child to put a high priority on education and working with your child on a daily basis to make the most of the educational opportunities the school provides.
- Ensuring that your child completes all homework assignments and special projects and comes to school each day prepared, rested, and ready to learn.
- Becoming familiar with all of your child's school activities and with the academic programs, including special programs, offered in the district.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements of the graduation programs with your child once your child begins enrolling in courses that earn high school credit.
- Monitoring your child's academic progress ([www.tidehavenisd.com/txconnect.htm](http://www.tidehavenisd.com/txconnect.htm)) and contacting teachers as needed. [See **Academic Counseling** on page 14 and **Academic Programs** on page 11.]
- Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please contact your child's school 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 33.]
- Becoming a school volunteer. [For further information, see policies at GKG and contact your child's campus.]
- 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 your child's principal.
- Serving on the School Health Advisory Council (SHAC), assisting the district in ensuring local community values are reflected in health education instruction. [See policies at BDF, EHAA, FFA, and information in this handbook at **School Health Advisory Council** on page 25.]
- 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 Debra Taska and may be contacted at (361) 588-6839.

## **PARENTAL RIGHTS**

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

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

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

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

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

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

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

### **Inspecting Surveys**

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

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

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

## **Reviewing Instructional Materials**

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

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

Teachers may display students' work in classrooms or elsewhere on campus as recognition of student achievement. However, the district will seek parental consent before displaying students' artwork, special projects, photographs taken by students, and the like on the district's web site, in printed material, by video, or by any other method of mass communication.

## **Accessing Student Records**

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

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

[See **Student Records** on page 6.]

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

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

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

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

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

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

As a parent, you may request that your child be excused from participation in the daily recitation of the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. The request must be in writing. State law does not allow your child to be excused from participation in the required minute of silence or silent activity that follows. [See **Pledges of Allegiance and a Minute of Silence** on page 31 and policy EC(LEGAL).]

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

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

## **★Requesting Limited or No Contact with a Student through Electronic Media**

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

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

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

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

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

## **School Safety Transfers**

As a parent, you have a right:

- To request the transfer of your child to another classroom or campus if your child has been determined to have been a victim of bullying as the term is defined by Education Code 25.0341. Transportation is not provided for a transfer to another campus. Please contact Debra Taska (361) 588-6839 or the campus principal for more information. [See policy FDB.]  
[See **Bullying** on page 11, and policy FFI(LOCAL).]
- To request the transfer of your child to attend a safe public school in the district if your child attends school at a campus identified by TEA as persistently dangerous or if your child has been a victim of a violent criminal offense while at school or on school grounds. [See policy FDE(LOCAL).]
- To request the transfer of your child to another campus or neighboring district, if your child has been the victim of a sexual assault by another student assigned to the same campus, whether the assault occurred on or off campus, and that student has been convicted of or placed on deferred adjudication for that assault. [See policy FDE]

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

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

## **Parents of Students with Disabilities**

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

### **★Request for the Use of a Service Animal**

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

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

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

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

If the district determines that the evaluation is not needed, the district will provide the parent with a prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of his or her rights if the parent disagrees with the district. The district is required to give parents the *Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities*. Additional information regarding the IDEA is available from the school district in a companion document *A Guide to the Admission, Review, and Dismissal Process*.

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

- Texas Project First
- Partners Resource Network

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

### **★Parents of Students who speak a Primary Language Other than English**

A student may be eligible to receive specialized support if his or her primary language is not English, and the student has difficulty performing ordinary class work in English. If the student qualifies for

these extra services, the Language Proficiency Assessment Committee (LPAC) will determine the types of services the student needs, including accommodations or modifications related to classroom instruction, local assessments, and state-mandated assessments.

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

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

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

In addition, absences related to a student visiting with his or her parent related to leave or deployment activities may be excused by the district. The district will permit no more than **5** excused absences per year for this purpose.

Additional information may be found at <http://ritter.tea.state.tx.us/mil/>.

## **Student Records**

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

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

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

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

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

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

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

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

A parent or eligible student who provides a written request and pays copying costs of ten cents per page may obtain copies. If circumstances prevent inspection during regular school hours and the student qualifies for free or reduced-price meals, the district will either provide a copy of the records requested or make other arrangements for the parent or student to review these records.

A parent (or eligible student) may inspect the student's records and request a correction if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights. A request to correct a student's record should be submitted to the principal. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information in the record is inaccurate. If the district denies the request to amend the records, the parent or eligible student has the right to request a hearing. If the records are not amended as a result of the hearing, the parent or eligible student has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, contesting a student's grade in a course is handled through the general complaint process found in policy FNG(LOCAL). A grade issued by a classroom teacher can be changed only if, as determined by the board of trustees, the grade is arbitrary, erroneous, or inconsistent with the district's grading policy. [See FINALITY OF GRADES at FNG(LEGAL), **Report Cards/Progress Reports and Conferences** on page 33, and **Complaints and Concerns** on page 12 for an overview of the process.]

The district's policy regarding student records found at FL(LEGAL) and (LOCAL) is available from the principal's or superintendent's office or on the district's Web site at [www.tidehavenisd.com](http://www.tidehavenisd.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.

**Please note:**

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

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

**Directory Information**

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

However, release of a student's directory information may be prevented by the parent or an eligible student. This objection must be made in writing to the principal within ten school days of your child's

first day of instruction for this school year. [See the “Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information” included in this handbook.]

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

The district has not designated a separate list of student information as directory information for school-sponsored purposes. As a result, if the parent objects to the release of the student information included on the directory information response form, the district would be unable to use that information for school-sponsored purposes, such as the honor roll, school newspaper, the yearbook, recognition activities, news releases, or athletic programs.

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

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

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

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

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

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

#### **Compulsory Attendance**

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

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

Students enrolled in prekindergarten or kindergarten are required to attend school.

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

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

#### **★Exemptions to Compulsory Attendance**

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

- Religious holy days;
- Required court appearances;
- Activities related to obtaining United States citizenship;
- Service as an election clerk; and
- Documented health-care appointments, including absences for recognized services for students diagnosed with autism spectrum disorders. A note from the health-care provider must be submitted upon the student’s return to campus.

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

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

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

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

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

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

### **★ Attendance for Credit**

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered will be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit, if appropriate. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit for the class. [See policies at FEC]

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

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

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

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

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

**When a student must be absent from school, the district asks that the parent contact the campus office the morning of the absence, as well as send a note signed by the parent within one (1) school day, that describes the reason for the absence.** A note signed by the student, even with the parent's permission, will not be accepted unless the student is 18 or older. **The note is to be presented to the office where an admission slip will be issued. If a note is not sent, the absence will be considered unexcused.**

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

When a student's absence for personal illness exceeds **five** consecutive days, the principal or attendance committee shall require that the student present a statement from a physician or health clinic verifying the illness or condition that caused the student's extended absence from school as a condition of classifying the absence as one for which there are extenuating circumstances.

If a student has established a questionable pattern of absences, the principal or attendance committee may require that a student present a physician's or clinic's statement of illness after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances.

[See policy FEC(LOCAL).]

## **ACADEMIC PROGRAMS**

The school counselor provides students and parents information regarding academic programs to prepare for higher education and career choices. [See **Academic Counseling** on page 14 and policies at EIF.]

### **★BULLYING**

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

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

If a student believes that he or she has experienced bullying, it is important for the student or parent to notify a teacher, counselor, principal, or another district employee. The administration will investigate any allegations of bullying and will take appropriate disciplinary action if an investigation indicates that bullying has occurred.

[Also see **School Safety Transfers** on page 4, **Hazing** on page 24, and policy FFI(LOCAL)]

## **CHILD SEXUAL ABUSE**

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

may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). [See FFG(LEGAL).]

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

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

As a parent, if your child is a victim of sexual abuse, the campus counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. 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 Web sites might help you become more aware of child sexual abuse:

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

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

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

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

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

Reports may be made to:

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

## **COMPLAINTS AND CONCERNS**

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

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

Please follow the chain of command when trying to resolve complaints or concerns.

## **CONDUCT**

### **Applicability of School Rules**

As required by law, the board has adopted a *Student Code of Conduct* that prohibits certain behaviors and defines standards of acceptable behavior—both on and off campus—and consequences for violation of these standards. The district has disciplinary authority over a student in accordance with

the *Student Code of Conduct*. Students and parents should be familiar with the standards set out in the *Student Code of Conduct*, as well as campus and classroom rules. Students who are an accomplice or witness to any disciplinary event that they failed to report to an administrator may be subject to disciplinary action.

## **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. Corporal punishment shall be administered only in accordance with the following guidelines:

- The student shall be told the reason for the corporal punishment.
- Corporal punishment may be administered only by the principal or designee.
- The instrument to be used will be approved by the principal or designee.
- Corporal punishment will be administered in the presence of one other district professional employee and out of view of other students.
- Parents not permitting corporal punishment must notify the campus administrator in writing.

## **Disruptions of School Operations**

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

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

## **Social Events**

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

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

## **CONTAGIOUS DISEASES / CONDITIONS**

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

The school nurse or the principal's office can provide information from the Department of State Health Services regarding these diseases. These diseases include, but are not limited to:

- Amebiasis
- Campylobacteriosis
- Chickenpox (varicella)
- Common cold with fever
- Conjunctivitis (bacterial or viral)
- Cryptosporidiosis
- Escherichia coli (E. coli) infection
- Fever
- Fifth disease (erythema infectiosum) with fever
- Gastroenteritis, viral
- Giardiasis
- Head Lice
- Hepatitis A
- Hepatitis B with fever
- Herpes simplex (cold sores)
- Impetigo
- Influenza
- Measles (rubeola)
- Meningitis, bacterial
- Meningitis, viral with fever
- Meningococcal infections (meningitis, meningococemia)
- Mononucleosis, infectious
- Mumps
- Otitis with fever
- Pertussis (whooping cough)
- Pharyngitis, nonstreptococcal with fever
- Ringworm of the scalp
- Rubella (German measles)
- Salmonellosis
- Scabies
- Shigellosis
- Streptococcal sore throat and scarlet fever
- Tuberculosis, pulmonary

## **COUNSELING**

### **Academic Counseling**

Students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures. Each spring, students in grades 5 through 11 will be provided information on anticipated course offerings for the next school year and other information that will help them make the most of academic and CTE opportunities.

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

### **Personal Counseling**

The school counselor is available to assist students with a wide range of personal concerns, including such areas as social, family, or emotional issues, or substance abuse. The counselor may also make available information about community resources to address these concerns. Students may be referred to the counselor by parents and or school staff. After meeting with the student, the counselor will decide if regular appointments will benefit the student. If so, the counselor will obtain written permission from the parent or guardian.

A student who wishes to meet with the counselor, or learn more about the counseling program, should contact the individual campus office or visit the district Web site [www.tidehavenisd.com](http://www.tidehavenisd.com).

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

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

[For more information, refer to policies EHBAA(LEGAL), FFE(LEGAL) and FFG(EXHIBIT).]

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

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

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

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

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

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

A student will be permitted to take an exam to earn credit for an academic course for which the student has had no prior instruction or to accelerate to the next grade level. For date of exams, contact the campus principal and/or school counselor.

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

If a student plans to take an exam, the student (or parent) must register with the principal no later than 30 days prior to the scheduled testing date. The district [will or will not] honor a request by a parent to administer a test on a date other than the published dates. If the district agrees to administer a test other than the one chosen by the district, the student's parent will be responsible for the cost of the exam.

[For further information, see policy EHDC(LOCAL).]

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

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

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

### **Dating Violence**

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

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

## **Discrimination**

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

## **Harassment**

Harassment, in general terms, is conduct so severe, persistent, or pervasive that it affects the student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; or substantially interferes with the student's academic performance. A copy of the district's policy is available in the principal's office and in the superintendent's office or on the district's web site [www.tidehavenisd.com](http://www.tidehavenisd.com)

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

## **Sexual Harassment**

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

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

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

## **Retaliation**

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

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

## **Reporting Procedures**

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

## **Investigation of Report**

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

In the event prohibited conduct involves another student, the district will notify the parents of the student alleged to have experienced the prohibited conduct when the allegations, if proven, would constitute a violation as defined by policy.

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

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

## ***DISCRIMINATION***

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on pages 15-16.]

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

### **School Materials**

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

The school, and/or district yearbook, are available to students.

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

[See **Directory Information for School-Sponsored Purposes** on page 8.]

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

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

The principal shall designate the location for approved nonschool materials to be placed for voluntary viewing by students. [See policies at FNAA.]

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

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

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

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

Prior review will not be required for:

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

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

### **★DRESS AND GROOMING**

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

#### **Hair, mustaches, etc...**

- Hair will not be worn below the eyebrow in the front, not extend over the top of an ordinary dress shirt collar, and not extend lower than the lobe of the ear.
- Pony tails and mohawks are not permitted.
- Hair should be clean, combed, and neatly styled. It may not hang on the sides of the face when the head is bowed.
- Burrs/shaved heads are permitted. Razor cuts will be limited to one cut no higher than one and a half inches above the ear, with no designs. No hair accessories are permitted.
- All boys must be clean shaven--no mustaches or beards. Sideburns will extend no lower than the bottom of the ear, and they must be kept neat and well-trimmed with no special designs.
- All tattoos must be covered.

#### **Hats, Earrings, Sunglasses, and Similar apparel**

- No hats, stocking caps, baseball caps, sweatbands, or head-dress of any type is allowed to be worn in the building.
- Earrings on boys are not permitted at school or when participating at school activities, nor while being transported by the school. Band-Aids covering earrings are not acceptable.
- No jewelry may pierce the body, with the exception of earrings on girls. Band-Aids covering body piercing jewelry are not acceptable.
- Sunglasses are not to be worn in the building unless approved by the principal.

#### **Clothing**

- All shirt buttons, with the exception of the top two collar buttons, must be buttoned and collars must be turned down.
- See-through shirts are not permitted unless worn with an appropriate undergarment.

- Trousers, slacks or jeans, when worn, must be full length and fit on the waist.
- Dresses, blouses, or shirts must have no low necklines, or spaghetti straps. No halter tops. All shoulder straps should be of at least 1 1/2 inches wide with no undergarments visible. Tops are considered too short unless they can be tucked in and stay in when the hands are extended above the head. Bare midriffs are not permitted.
- No transparent blouses may be worn on school premises.
- Boys shirts which are not acceptable include muscle shirts, see-through shirts (without a T-shirt underneath), and shirts with inappropriate designs or slogans (including those promoting intoxicants, tobacco, drugs, etc.). Shirts designed with tails are to be tucked in. Shirts must have sleeves.
- Wearing apparel should be at the finger tips or below the extended arm length while standing in a natural position. Girls' dresses, pant dresses, and/or scooter skirts will be no shorter than mid thigh (3" above the knee).
- Skate tops (Tunic) that meet the dress length standards may be worn with loose fitting pants. Stretch pants are acceptable if the shirt covers the hips. Spandex or tights are prohibited.
- Shorts of an appropriate length will be no shorter than the fingertips of the extended arm length while standing in a natural position (approx. 6 inches above the knee). Extremely short shorts and cut-offs are not to be worn to school. Spandex, tights, or biker shorts, or clingy, see-through material are not acceptable unless covered by other shorts. Certain functions, activities, and days of the year may be designated as "no shorts allowed", and shorts will not be worn. The principal will have the authority to discipline and suspend the privilege of wearing shorts to any student not complying with the "shorts rule."
- Frayed or unhemmed shorts or pants will not be permitted.
- Shorts and pants are to be free of holes.
- Clothing on boys and girls that exhibits pictures, emblems, or writings that can be interpreted/perceived as lewd, offensive, vulgar, or obscene, or that advertise or depict tobacco products, alcoholic beverages, drugs or any other substance prohibited by policy is not permitted at school or at school activities.

### **Footwear**

- Students must wear standard footwear.
- Footwear can have no steel plates of any type on the soles, heels or toes.
- Laced type footwear must be laced with the appropriate type of shoe laces.
- Special apparel days may be designated by the school principal. Students failing to meet the dress and grooming code will be subject to disciplinary action (I.S.S., swats, suspension etc.).

**Each year there are a few fads that show up on our campus. These are not listed.** Any fad that develops which creates a "nuisance" and distracts from the spirit or dignity of the Tidehaven schools will be regulated. If the principal determines that a student's grooming or clothing violates the school's dress code, the student will be given an opportunity to correct the problem at school. If not corrected, the student will be assigned to in-school suspension for the remainder of the day, until the problem is corrected, or until a parent or designee brings an acceptable change of clothing to the school. Repeated offenses may result in more serious disciplinary action in accordance with the Student Code of Conduct.

## ★**ELECTRONIC DEVICES AND TECHNOLOGY RESOURCES**

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

Cellular telephones or other telecommunication devices, CD Players, radios, MP3 players, video or audio recorders, DVD players, cameras, tape players, miniature TV's, electronic games, etc., are not permitted at school during the school day, unless permission is given by the administrator.

Prior to the district's confiscation of the electronic device, the student will be informed of the reason(s) for the confiscation and be given an opportunity to respond to the charges. For the first offense, electronic devices, **including cell phones along with SIM card and battery**, will be held by the campus administrator until the Monday following the confiscation of the device. For the second and all subsequent offenses, the electronic devices, **including cell phones with SIM card and battery**, will be held by the campus administrator until the Monday following the confiscation of the device and the student will be required to pay a fee of \$15.00 before the device is returned. A student in violation of the electronics rule is also subject to discipline. The device will be confiscated and may be disposed of in a reasonable manner at the discretion of the administrator, provided the student's parent/guardian and the company whose name and address or telephone number appear on the device are given 30 days prior notice of district's intent to dispose of the device. Such notice may be in writing or by telephone and shall include the serial number of the device. At the sole discretion of the administrator, the device may be returned to the company or the student's parent(s). For more information, see FNCE (LEGAL).

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.

In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See **Searches** on page 37 and policy FNF.]

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

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

Except as described below, students are not permitted to possess or use personal electronic devices such as MP3 players, video or audio recorders, DVD players, cameras, games, e-readers, or other electronic devices at school, unless prior permission has been obtained. Without such permission, teachers will collect the items and turn them in to the principal's office. The principal will determine whether to return items to students at the end of the day or to contact parents to pick up the items.

In limited circumstances and in accordance with law, a student's personal electronic device may be searched by authorized personnel. [See **Searches** on page 37 and policy FNF.]

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

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

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

## Acceptable Use of District Technology Resources

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

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

## Unacceptable and Inappropriate Use of Technology Resources

Students are prohibited from sending, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition 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, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the *Student Code of Conduct* and may, in certain circumstances, be reported to law enforcement.

## EXTRACURRICULAR ACTIVITIES, CLUBS, AND ORGANIZATIONS

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

Eligibility for 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. [See <http://www.uil texas.org> for additional information.]

The following requirements apply to all extracurricular activities:

- A student who receives at the end of a grading period a grade below 70 in any academic class—other than an advanced placement or international baccalaureate course; or an honors or dual credit course in English language arts, mathematics, science, social studies, economics, or language other than English—may not participate in extracurricular activities for at least three school weeks.
- A student with disabilities who fails to meet the standards in the individualized education program (IEP) may not participate for at least three school weeks.
- An ineligible student may practice or rehearse.
- A student is allowed in a school year an unlimited number of absences for extra-curricular activities. [See policy FM(LOCAL).]
- An absence for participation in an activity that has not been approved will receive an unexcused absence.

## 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 local policy will apply in addition to any consequences specified by the organization's standards of behavior.

[For further information, see policies at FM and FO. For student-organized, student-led groups, see **Meetings of Noncurriculum-Related Groups** on page 37.]

## ★FEES

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

- Costs for materials for a class project that the student will keep.
- Membership dues in voluntary clubs or student organizations and admission fees to extracurricular activities.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Voluntarily purchased student accident insurance.
- Musical instrument rental and uniform maintenance, when uniforms are provided by the district.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Parking fees and student identification cards.
- Fees for lost, damaged, or overdue library books.
- Fees for driver training courses, if offered.
- Fees for optional courses offered for credit that require use of facilities not available on district premises.
- Summer school for courses that are offered tuition-free during the regular school year.
- A reasonable fee for providing transportation to a student who lives within two miles of the school. [See **Buses and Other School Vehicles** on page 41.]
- A fee not to exceed \$50 may be charged by the district for costs of providing an educational program outside of regular school hours for a student who has lost credit because of absences and whose parent chooses the program in order for the student to meet the 90 percent attendance requirement. The fee will be charged only if the parent or guardian signs a district-provided request form.
- 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 district. [For further information, see policies at FP.]

## FUND-RAISING

Fund-raising activities by student groups and/or for school-sponsored projects shall be allowed, with prior administration approval and under the supervision of the project sponsor, for students in all grades. All fund-raising projects shall be subject to the approval of the campus principal and the Superintendent. Student participation in approved fund-raising activities shall not interfere with the regular instructional program. [See EC] Funds raised shall be received, deposited, and disbursed in accordance with CFD(LOCAL).

Students representing their school may participate in charitable institution and community drives. Such participation, which shall be on a strictly voluntary basis and shall not disrupt the regular school day, shall be open to students in all grades. No outside organizations, commercial enterprises, or individuals may solicit contributions from students within the school. Charitable organizations shall be allowed to place collection boxes in the school buildings, provided no pressure to contribute is exerted on the students at any time.

The collection of monies that takes the time of the students or staff during school hours is strictly forbidden, unless the monies collected represent payment for school lunches, monies that shall benefit the school or its students, or other authorized fees. [See also FP] The Superintendent shall regularly be informed of approved fundraising projects and shall periodically review the effect of such activity on the student body, the instructional program, and the community.

Student selling of tickets, magazines, candy, and other items as a means of gaining revenue is strongly discouraged. Each such activity shall be individually approved by the campus principal and then approved by the Superintendent. Students and their organizations are strongly encouraged to use read-a-thons, lift-a-thons, etc. to raise funds. School booster organizations shall be advised of this policy and shall, in their fund-raising activities, keep student selling and solicitation by students to a minimum.

Each group shall be allowed two fund-raisers per school year and each fund-raiser shall be approved by the campus principal and by the Superintendent. Approval for additional fund-raisers may be granted with approval of the campus principal and Superintendent.

Students in grades prekindergarten-grade 8 shall not participate in any door-to-door sales. No coercion shall be exercised in any fund-raising activities. No student or teacher shall be required to raise any particular amount of money or to sell any minimum number of fund-raising items, i.e., tickets as a condition of participating in any required school activity.

All affiliated parent groups must establish a separate bank account, maintain an accurate bookkeeping system, and submit quarterly balance sheets and an annual financial report to the campus principal for information purposes only. Parent-affiliated organizations are responsible for all expenses incurred by a fund-raising project, i.e., printing, merchandise, sales incentives, and the like. [See GE]

After completion of the fund-raising activity, reconciliation forms must be submitted to the campus principal.

[For further information, see policies at FJ and GE, as well as the Campus Student Activity Funds Procedure Manual]

## **GANG-FREE ZONES**

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

## **★GRADING GUIDELINES**

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed and have been approved by the campus principal.

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

## **HARASSMENT**

[See **Dating Violence, Discrimination, Harassment, and Retaliation** on pages 15-16.]

### **★HAZING**

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

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

[Also see **Bullying** on page 11 and policies FFI and FNCC.]

## **HEALTH-RELATED MATTERS**

### **Bacterial Meningitis**

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

- What is meningitis?

Meningitis is an inflammation of the covering of the brain and spinal cord. It can be caused by viruses, parasites, fungi, and bacteria. Viral meningitis is most common and the least serious. Bacterial meningitis is the most common form of serious bacterial infection with the potential for serious, long-term complications. It is an uncommon disease, but requires urgent treatment with antibiotics to prevent permanent damage or death.

- What are the symptoms?

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

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

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

- How serious is bacterial meningitis?

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

- How is bacterial meningitis spread?

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

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

- How can bacterial meningitis be prevented?

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

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

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

You should seek prompt medical attention.

- Where can you get more information?

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

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

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

To the extent practicable, students who attend prekindergarten on a less than full-day basis should adhere to these requirements as well.

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

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

## **School Health Advisory Council (SHAC)**

For information regarding the district's School Health Advisory Council (SHAC), including the number of meetings scheduled or held during the year, please see Ms. Debra Taska at the administration office. [See also policies at BDF and EHAA.]

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

## **Other Health-Related Matters**

### **Physical Fitness Assessment**

Annually, the district will conduct a physical fitness assessment of students in grades 3–12. At the end of the school year, a parent may submit a written request to the campus principal to obtain the results of his or her child’s physical fitness assessment conducted during the school year.

### **Vending Machines**

The district has adopted policies and implemented procedures to comply with state and federal food service guidelines for restricting student access to vending machines. For more information regarding these policies and guidelines see the campus principal. [See policies at CO and FFA.]

### **Tobacco Prohibited**

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

Smoking is prohibited within any indoor facility used for provision of routine or regular kindergarten, elementary, or secondary education or library services; or regular or routine health care or day care or early childhood development services; or provided for use of employees who provide such services.

Reasonably sized notices stating that smoking is prohibited by law and that the offense is punishable by a fine shall be displayed in prominent places in each school building, and each building shall be equipped with facilities for extinguishing smoking materials.

Penalty for possession or use of tobacco products may be as follows:

- Three day suspension and student may be issued a ticket by the Tidehaven ISD Police Department for a Class C Misdemeanor, which is punishable by a fine not to exceed \$500.00.

### **Asbestos Management Plan**

The district’s Asbestos Management Plan, designed to be in compliance with state and federal regulations, is available in the central administration office. If you have any questions, please contact Debra Taska @ 361-588-6839.

### **Pest Management Plan**

The district applies only pest control products that comply with state and federal guidelines. Except in an emergency, signs will be posted 48 hours before application. Parents who want to be notified prior to pesticide application inside their child’s school assignment area may contact Debra Taska @ 361-588-6839.

## **HOMELESS STUDENTS**

For more information on services for homeless students, contact the district’s Liaison for Homeless Children and Youths, Debra Taska @ 361-588-6839.

## **HOMEWORK**

Homework refers to an assignment to be completed during a period of study outside of class, in a study hall, or at home. Well-chosen, clearly communicated homework is an integral part of the instructional process. Challenging homework that reinforces, enriches, and enhances instruction encourages families to become more involved with education. It also causes students to work independently and to become more responsible for their own achievements.

## **IMMUNIZATION**

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

The school nurse can provide information on age-appropriate doses or on an acceptable physician-validated history of illness required by the Department of State Health Services. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

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

## **LAW ENFORCEMENT AGENCIES**

### **Questioning of Students**

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

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

### **Students Taken Into Custody**

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

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

- To comply with a properly issued directive to take a student into custody.

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

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

## **Notification of Law Violations**

The district is required by state law to notify:

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

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

## **★LIMITED ENGLISH PROFICIENT STUDENTS**

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

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

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

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

## **MAKEUP WORK**

### **Makeup Work Because of Absence**

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

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

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

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

A student absent for any reason should make up specific assignments missed and/or complete additional in-depth study assigned by the teacher in accordance with the guidelines specified in item 4 below. A student who does not make up assigned work within the time allotted by the teacher may receive a grade of zero for the assignment.

1. Missed work/tests must be made up for student absences.
2. Students are responsible for making arrangements for completion of missed work/tests with their teachers.
3. Missed work/tests may be scheduled before, after, or during the school day. The teacher shall determine the "best" time to complete missed work/tests.
4. The allotted time will be as follows:
  - a. One day absence--one day to make-up
  - b. Two day absences--two days to make-up
  - c. Three or more day absences--three days to make-up
5. Students present on the day an assignment is made will be required to complete the assignment (including tests) on the day the student returns to school. (This includes semester exams). This policy may be waived by the teacher.

### ***DAEP Makeup Work***

A student removed to a disciplinary alternative education program (DAEP) during the school year will have an opportunity to complete, before the beginning of the next school year, a foundation curriculum course in which the student was enrolled at the time of removal. The district may provide the opportunity to complete the course through an alternative method, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district. Except for this requirement, the district is not required to provide in the DAEP a course necessary to fulfill a student's high school graduation requirements.

*Education Code 37.008(l)* [See policy FOCA(LEGAL).]

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

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

### ***MEDICINE AT SCHOOL***

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

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

- Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request.
- Prescription medication from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from the original, properly labeled container.

- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request.
- Herbal or dietary supplements provided by the parent only if required by the student's individualized education program (IEP) or Section 504 plan for a student with disabilities.

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

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

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

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

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

## **Psychotropic Drugs**

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

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

## ***NONDISCRIMINATION STATEMENT***

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

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

- Title IX Coordinator, for concerns regarding discrimination on the basis of gender: Debra Taska, P.O. Box 129, El Maton, TX 77440, (361) 588-6839.
- ADA / Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Debra Taska, P.O. Box 129, El Maton, TX 77440, (361) 588-6839.

- All other concerns regarding discrimination: See the Superintendent, Dr. Andrew Seigrist, P.O. Box 129, El Maton, TX 77440, (361) 588-6321.

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

### **Physical Examinations**

See **Intermediate & High School Addendum**, page 58.

### **Spinal Screening**

Texas Legislature has mandated children in schools shall be screened for abnormal spinal curvature. The purpose of scoliosis screening is the early detection and referral of spinal variations. The only exemption to having the screening is religious beliefs. A notarized religious exemption form needs to be presented to the nurse's office one day before the date set for the screening. Students in grades 5<sup>th</sup> and 8<sup>th</sup> are screened. New students or late enrollees that enter a grade which is scheduled to receive spinal screening, and who do not have a record of having received their spinal screening at their previous school, must be included in the spinal screening. This includes students in grades 6<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> thru 12<sup>th</sup> grade. In addition, the program allows for screeners to re-check students they consider to be at risk for developing an abnormal curve. The screening is carried out by the school nurse and takes less than 30 seconds per student. The examiner looks at the child's back. If the child's back is found to have a possible curvature, the parents will be notified. Parents may choose to have the screening conducted by a physician instead of the school. In this case, parents are to provide results of spinal screening from a physician.

### **Texas Risk Assessment for Type 2 Diabetes**

The screening is a legislative mandated program that assesses children who may be at high risk to develop Type 2 diabetes. Certified individuals assess children for the acanthosis nigricans (AN) marker, a skin condition that signals high insulin levels. Children who are identified with the AN marker undergo additional assessments of height and weight in order to determine body mass index (BMI) and blood pressure (BP). Parents of children with AN will be notified

### **Tuberculosis Screening**

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

### **Vision and Hearing Screening**

Vision and hearing is important to a student's future success. A State law, the Special Senses and Communication Disorders Act, Chapter 36 of the Texas Health and Safety Code, requires each child to be provided with periodic vision and hearing screenings. If your child fails a vision and/or hearing screen, the parent will be notified.

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

Each school day, students will recite the Pledge of Allegiance to the United States flag and the Pledge of Allegiance to the Texas flag. Parents may submit a written request to the principal to excuse their child from reciting a pledge. [See **Excusing a Student from Reciting the Pledges to the U.S. and Texas Flags** on page 4.]

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

## **PRAYER**

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

## **★PROMOTION AND RETENTION**

A student will be promoted only on the basis of academic achievement or demonstrated proficiency in the subject matter of the course or grade level, the recommendation of the student's teacher, the score received on any criterion-referenced or state-mandated assessment, and any other necessary academic information as determined by the district. To earn credit in a course, a student must receive a grade of at least 70 based on course-level or grade-level standards.

In grades 1-8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies. [Refer to EIE(LOCAL)].

Grade-level advancement for students in grades 9-12 shall be earned by course credits. Mastery of at least 70 percent of the objectives on district-approved tests shall be required. [See EI(LOCAL)].

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

- In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.
- In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the mathematics and reading sections of the grade 8 assessment in English.

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

Parents of a student in grade 3-8 who does not perform satisfactorily on his or her exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year.

With the exception of the 2011-2012 school year, a student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policies at EIE.]

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

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

## **RELEASE OF STUDENTS FROM SCHOOL**

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

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

If a student becomes ill during the school day, the student should receive permission from the teacher before reporting to the school nurse. The nurse/office personnel will decide whether or not the student should be sent home and will notify the student's parent [See FEF (LOCAL)].

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

Report cards with each student's grades or performance and absences in each class or subject are issued to parents at least once every 6 weeks.

At the end of the first three weeks of a grading period, parents will be given a written progress report if their child's performance in any course OR in English language arts, mathematics, science, or social studies is near or below 70, or is below the expected level of performance. If the student receives a grade lower than 70 in any class or subject at the end of a grading period, the parent will be requested to schedule a conference with the teacher of that class or subject. [See **Working Together** on page 1 for how to schedule a conference.]

Teachers follow grading guidelines that have been approved by the superintendent and are designed to reflect each student's academic achievement for the grading period, semester, or course. State law provides that a test or course grade issued by a teacher cannot be changed unless the board determines that the grade was arbitrary or contains an error, or that the teacher did not follow the district's grading policy. The Board's decision is not subject to appeal. [See **Grading Guidelines** on page 23 and policy EIA.]

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

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

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

## **RETALIATION**

See **Dating Violence, Discrimination, Harassment, and Retaliation** on pages 15-16.

## **SAFETY**

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

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

### **Accident Insurance**

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

The district shall not be responsible for costs of treating injuries or assume liability for any other costs associated with an injury.

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

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

#### **Emergency Bells for Fire Drill:**

3 Bells - Exit the building

1 Bell - Halt; stand at attention

2 Bells - Return to the building

#### **Emergency Bells for Lockdown:**

1 long continuous bell - Lockdown (remain in classroom; lock all doors; turn off lights)

#### **High School Only:**

4 Bells - Evacuate to the football field

#### **Emergency Bells for a Tornado:**

Several(10) short bells - Tornado/disaster [go to area without windows (classroom or hall); kneel down and cover your head with your arms].

1 Bell - Halt; stand at attention

2 Bells - Return to classroom

#### **Shelter in Place:**

Each campus has designated a site on the campus to serve as a safe location for protection from any airborne hazardous materials.

Individual campuses will inform parents as to the proper procedures to follow in picking up their child(ren) in a crisis situation, such as a tornado, fire etc. Students will be released only to persons listed on the registration form, unless there is a phone call, which can be verified, from the parent or guardian.

### **Emergency Medical Treatment and Information**

If a student has a medical emergency at school or a school-related activity, the school may obtain emergency medical treatment in the absence of the parent. In order for the school to have information about your child's allergies to medications, foods, insect bites, etc., 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. The district is not responsible for medical expenses associated with a student's injury. The district does make available, however, an optional, low-cost student accident insurance program to assist parents in meeting medical expenses. A parent who desires coverage for his or her child will be responsible for paying insurance premiums and for submitting claims through the principal's office.

## **Emergency School-Closing Information**

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

In the event there is a question regarding school closing or a delayed opening due to bad weather or other emergencies, an announcement may be made by the following:

Radio Station KULP 1390 AM – El Campo 979-543-3303

Radio Station KMKS 102.5 FM – Bay City 979-244-4242

Radio Station KKHA 92.5 FM – Bay City 979-244-5542

TV Station KAVU Channel 25 – Victoria 361-575-2500

TV Station KHOU Channel 11 – Houston 713-521-4388

TV Station KTRK Channel 13 – Houston 713-666-0713

TV Station Fox 26 – Houston 713-479-2600

Matagorda County Sheriff's Department 979-245-5526

District Website [www.tidehavenisd.com](http://www.tidehavenisd.com)

District Messenger System

Utilizing all available data, the Superintendent of Tidehaven I.S.D. will make a decision to have or to delay school no later than 6:30 A.M.

Tidehaven ISD will also participate in all emergency evacuation drills as mandated by the Nuclear Regulatory Commission. This information may be obtained by contacting Debra Taska @ 361-588-6839.

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

See **Standardized Testing** on page 39.

## **SCHOOL FACILITIES**

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

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

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

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

## Conduct Before and After School

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

## Cafeteria Services

The district participates in the School Breakfast Program and National School Lunch Program and offers students nutritionally balanced meals daily. Free and reduced-price meals are available based on financial need. Information about a student's participation is confidential. See campus secretary to apply.

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

Elementary Cafeteria Prices	
<b>Breakfast:</b>	
Reduced price student	\$0.00
Full priced student	\$0.00
Employee	\$1.75
Adult Visitor	\$2.25
Extra Milk/Juice	\$0.35
<b>Lunch:</b>	
Reduced price student	\$0.40
Full price student	\$2.25
Employee	\$3.00
Adult Visitor	\$3.75
Child Visitor	\$1.50
Extra Main Dish	\$1.00
Potatoes	\$0.50
Veggie, fruit, dessert	\$0.50
Extra Milk/Juice	\$0.35
Tea	\$0.25

Intermediate & High School Cafeteria Prices	
<b>Breakfast:</b>	
Reduced price student	\$0.00
Full priced student	\$0.00
Employee	\$1.75
Adult Visitor	\$2.25
Extra Milk/Juice	\$0.35
<b>Lunch:</b>	
Reduced price student	\$0.40
Full price student	\$2.50
Employee	\$3.00
Adult Visitor	\$3.75
Child Visitor	\$1.50
Extra Main Dish	\$1.00
Potatoes	\$0.50
Veggie, fruit, dessert	\$0.50
Extra Milk/Juice	\$0.35
Tea	\$0.25

Lunch Schedule - Markham Elem.	
PreKindergarten (A.M.)	11:00-11:30
PreKindergarten (P.M.)	12:00-12:30
Kindergarten	10:30-11:00
First Grade	10:45-11:15
Second Grade	11:05-11:35
Third Grade	11:15-11:45
Fourth Grade	11:45-12:15
Fifth Grade	11:45-12:15

Lunch Schedule - Blessing Elem.	
PreKindergarten (A.M.)	11:00-11:30
PreKindergarten (P.M.)	12:00-12:30
Kindergarten	10:50-11:20
First Grade	11:00-11:30
Second Grade	11:15-11:45
Third Grade	11:30-12:00
Fourth Grade	11:40-12:10
Fifth Grade	11:45-12:15

Lunch Schedule - Intermediate	
Sixth Grade	11:00-11:30
Seventh Grade	12:05-12:35
Eighth Grade	12:00-12:35

Lunch Schedule - High School	
First Lunch	11:35-12:05
Second Lunch	12:25-12:55

## **Library (Learning Resource Center-LRC)**

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

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

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

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

## **SEARCHES**

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

## **Students' Desks and Lockers**

Desks, lockers, and similar items are the property of the District and are provided for student use as a matter of convenience. Lockers and desks are subject to blanket searches or inspections by District administrators. Searches or inspections may be conducted at anytime and without notice. Students shall be fully responsible for the security and contents of desks or lockers assigned to them. Students shall not place or keep in a desk or locker any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be held responsible for any prohibited items found in their desks or lockers. [For further information, see policy FNF(LOCAL).]

## **★Electronic Devices**

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

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

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

## **Vehicles on Campus**

Students shall be fully responsible for the security and contents of vehicles parked on school property. Students shall make certain that their parked vehicles are locked and that the keys are not given to others. Students shall not place or keep in a vehicle on school property any article or material prohibited by law, District policy, or the Student Code of Conduct. If there is a reasonable cause to believe that a vehicle on school property contains contraband, it may be searched by school officials or by personnel whose services have been engaged by the District to conduct such searches. Students shall be held responsible for any prohibited items found in their vehicles on school property. If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents. If the parents also refuse the search, the District may contact local law enforcement officials and turn the matter over to them, or the District may conduct the search. [For further information, see policy FNF(LOCAL).]

## **Trained Dogs**

The district shall 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. [For further information, see policy FNF(LOCAL).]

## **Metal Detectors**

Students shall be notified at the beginning of each school year that they are subject to metal detector searches on a random basis. [For further information, see policy FNF(LOCAL).]

## **Drug-Testing**

For further information, see policy FNF(LOCAL). Also see **Steroids** on page 59.

## ***SPECIAL PROGRAMS***

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency, dyslexic students, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact your child's principal or Maria Enoch at 979-843-5015 or 361-588-6622.

## **Gifted and Talented**

Students shall be identified as gifted/talented in accordance with a written policy EHBB(LEGAL, LOCAL) that includes:

1. Provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in Education Code 29.121.
2. Assessment measures collected from multiple sources according to each area defined in the Texas State Plan for the Education of Gifted/Talented students.
3. Data and procedures designed to ensure the students from all populations in the district have access to assessment, and if identified, to services provided for the gifted/talented program.
4. Provisions for final selection of students to be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students.
5. Provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of district decisions regarding program placement.

The District shall provide an array of learning opportunities for gifted/talented students in kindergarten through grade 12 and shall inform parents of the opportunities. Options shall include:

1. Instructional and organizational patterns that enable identified students to work together as a group, to work with other students, and to work independently.
2. A continuum of learning experiences that leads to the development of advanced-level products and performances.

## **English as a Second Language (ESL)**

English is the basic language of instruction in our schools. Children who have limited English-speaking skills will have access to programs that will help them learn to understand, speak, read, and write the English language. At the time a child is enrolled, the parent will be asked to complete a

Home Language Survey. This survey will provide us with information regarding the primary language spoken in the home so that we may be able to better serve the child.

Tidehaven ISD identifies students whose home language survey indicates that a language other than English is the family's primary language. After administering an oral language proficiency test, students who are limited English proficient are offered services by an ESL certified classroom teacher. Parent permission is required before services begin. Annual LPAC (Language Proficiency Assessment Committee) meetings are held for each student to determine student progress and services to be provided for the following year. If you have any questions, please contact the campus principal or Maria Enoch at 979-843-5015 or 361-588-6622.

## ★**STANDARDIZED TESTING**

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

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

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

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

#### **Grades 3–8**

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

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

Successful performance on the reading and math assessments in grades 5 and 8 is required by law in order for the student to be promoted to the next grade level. For the 2011–2012 school year only, this requirement will be waived. [See **Promotion and Retention** on page 32 for additional information.]

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

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

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

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

- Algebra I, Geometry, and Algebra II
- English I, English II, and English III
- Biology, Chemistry, and Physics

- World Geography, World History, and United States History

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

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

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

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

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

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

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

[Also see **Grading Guidelines** on page 54, and **Graduation** on page 54 for additional information.]

### **TAKS (Texas Assessment of Knowledge and Skills)**

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

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

[Also see **Graduation** on page 54 for more information.]

### **THEA (Texas Higher Education Assessment)**

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

## **SUMMER SCHOOL**

Parents of students who are not successful in meeting requirements for promotion shall be informed of any available options, such as an extended year program, credit recovery, or summer school.

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

See **Standardized Testing** on page 39.

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

State-approved textbooks are provided to students free of charge for each subject or class. Books must be covered by the student, as directed by the teacher, and treated with care. Electronic textbooks and technological equipment may also be provided to students, depending on the course and course objectives. A student who is issued a damaged item should report the damage to the teacher. Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or paid for by the parent/guardian; however, the student will be provided textbooks and equipment for use at school during the school day.

## **TRANSFERS**

A transfer student shall be notified in the written transfer agreement that he/she must follow all the rules and regulations of the district including those for student conduct and attendance and that violation of the district's rules and regulations may result in revocation of the transfer agreement [FDA (LOCAL)].

[See **School Safety Transfers** on page 4, and **Options and Requirements for Providing Assistance to Students Who Have Learning Difficulties or Who Need or May Need Special Education Services** on page 5 for other transfer options.]

## **TRANSPORTATION**

### **School-Sponsored Trips**

Students who participate in school-sponsored trips are required to use transportation provided by the school to and from the event. The principal, however, may make an exception if the parent makes a written request no later than the day before the scheduled trip, that the student be released to the parent or to another adult designated by the parent.

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

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

A parent may also designate a child-care facility or grandparent's residence as the regular pickup and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact Debra Taska @ 361-588-6839.

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

Students must:

- Follow the driver's directions at all times.

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

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

Video cameras may be used in district vehicles to promote compliance with the rules of conduct.

## **VANDALISM**

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

## **VIDEO CAMERAS**

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

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

## **VISITORS TO THE SCHOOL**

### **General Visitors**

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

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

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

## **WITHDRAWING FROM SCHOOL**

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

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

# **Markham & Blessing Elementary Addendum**

## **BLESSING & MARKHAM ELEMENTARY ADDENDUM**

### ***ACCELERATED READING INSTRUCTIONAL INTERVENTION PROGRAM***

State law requires attendance in an accelerated reading instructional intervention program for students who do not perform satisfactorily on a state-administered assessment instrument. Parents will be notified in writing if their child is assigned to an accelerated reading instructional intervention program.

### ***ASSEMBLIES***

Award Assemblies are scheduled following the end of each six-week grading period, as well as at the end of the year, to recognize students for their accomplishments. Parents and guests are welcome to attend. Other special assemblies are also scheduled throughout the year with announcements going home through newsletters and notes home.

### ***EARLY TOWN BUS (Blessing Elem. only)***

Students who live in Blessing and ride the early town bus (3:00 p.m.) or are picked up by parents will do so each day. Early town bus students will not be allowed to stay and ride a later bus unless they are staying for tutorial or make-up work.

### ***GRADING GUIDELINES***

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed and have been approved by the campus principal.

### ***GRADING POLICY***

Tidehaven elementary schools will report grades in the following manner:

- Pre-Kindergarten and Kindergarten will report student progress as E, S, N, and U through a locally developed academic skills inventory.
- Grades 1 through 5 will report numerical grades in language arts, mathematics, science, and social studies:
- In grades 1 through 5, health, fine arts, conduct, handwriting, and physical education shall be reported as E, S, N, and U.
- The minimal failing grade in any subject that will be reported on a student's report card, in Grades 1-12, shall not be less than 50 on a scale of 100. Each principal is responsible for the classification and promotion of pupils in his/her building.

Students that have been sent to the office for discipline and accessed In School Suspension (I.S.S.), corporal punishment, or suspension will automatically receive U in conduct for that six-weeks. Students receiving a "U" in conduct will not be recognized for Honor Roll during that particular six-week grading period even if his/her grades are in the range from 80 to 100.

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

The school nurse or other qualified personnel shall periodically check students for the presence of lice and/or nits. If a student has the presence of lice or nits, he/she will be sent home immediately. Students must be treated before returning to school. When the student returns to school, he/she will be checked again and determined to be lice-free/nit-free before being allowed to return to class.

## ***HOMWORK POLICY***

Homework refers to an assignment to be completed during a period of study outside of class, in a study hall, or at home. Well-chosen, clearly communicated homework is an integral part of the instructional process. Challenging homework that reinforces, enriches, and enhances instruction encourages families to become more involved with education. It also causes students to work independently and to become more responsible for their own achievements.

## ***PARENTAL INVOLVEMENT***

Parental involvement is a critical part of any successful school. T.I.S.D. strongly encourages all parents to contact their child's teacher or principal about how they can become actively involved in their child's education. For more information, please contact your respective school.

## ***PHYSICAL EDUCATION (P.E.)***

To help ensure the safety of your child, we are asking that you provide an inexpensive pair of closed-toe tennis shoes for your child to wear during P.E. class (please label your child's tennis shoes). Tennis shoes may be kept in your child's locker or classroom.

Flip-flops often break or become tripping hazards, jeopardizing the safety of not only your child, but that of the other students.

## ***★PROMOTIONS***

In grades 1-5, promotions to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge & skills) for all subject areas and grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies - and requirements of state assessments.

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

- In order to be promoted to grade 6, students enrolled in grade 5 must perform satisfactorily on the mathematics and reading sections of the grade 5 assessment in English or Spanish.
- In order to be promoted to grade 9, students enrolled in grade 8 must perform satisfactorily on the mathematics and reading sections of the grade 8 assessment in English.

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

Parents of a student in grades 3-8 who does not perform satisfactorily on his or her exams will be notified that their child will participate in special instructional programs designed to improve performance. The student may be required to participate in this instruction before or after normal school hours or outside of the normal school year.

With the exception of the 2011-2012 school year, a student in grade 5 or 8 will have two additional opportunities to take a failed assessment. If a student fails a second time, a grade placement committee, consisting of the principal or designee, the teacher, and the student's parent, will determine the additional special instruction the student will receive. After a third failed attempt, the student will be retained; however, the parent can appeal this decision to the committee. In order for the student to be promoted, based on standards previously established by the district, the decision of the committee must be unanimous and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be

designed to enable the student to perform at grade level by the end of the next school year. [See policies at EIE.]

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

## **TARDY POLICY**

Students attending Tidehaven Intermediate, Markham Elementary, or Blessing Elementary are required to have a parent sign them in when they arrive to school late. **Students are not allowed to sign themselves in.** A student who is tardy to class may receive consequences. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the *Student Code of Conduct*.

## **TARDINESS**

The school building is opened to students before school beginning at 7:30 a.m. If you plan for your child to eat breakfast, he/she will need to be at school by 7:30 a.m. to ensure they have adequate time to eat and not be tardy to class. Classes begin promptly at 8:00 a.m., and the school day ends at 3:00 p.m. for students in Kindergarten-2nd grade, and 3:30 p.m. for students in grades Pre-Kindergarten, 3rd, 4th, & 5th.

## **TUTORIALS**

Tutorials are available for any student needing assistance from 7:45-8:00 a.m. Monday through Friday. Tutorials will begin the first full week of school and continue to be available every week until school is released for the summer.

Students in Kindergarten-5<sup>th</sup> grade who need more intensive tutorials will be recommended by their teacher to attend an additional tutorial session.

The more intensive tutorials begin after the first three week grading period. You will be notified by your child's teacher if your child is being required to attend.

# **Intermediate & High School Addendum**

# ★STUDENT UIL ELIGIBILITY FORM

## PROGRESS REPORT DATES

Progress reports are to go out at or near the end of the first three weeks of each six weeks grading period.

Listed below are the dates that progress reports are to be sent for 2011--2012:

- |                       |                      |                  |
|-----------------------|----------------------|------------------|
| 1. September 12, 2011 | 3. November 28, 2011 | 5. March 5, 2012 |
| 2. October 17, 2011   | 4. January 23, 2012  | 6. May 7, 2012   |

## SIX WEEKS ELIGIBILITY CHECK

Six weeks grades must be checked for student’s participation in extracurricular activities. Students who failed a course lose their eligibility seven days after the end of the six weeks. If a student regains eligibility by passing all courses at the end of the six weeks, the eligibility is restored seven days after the end of the six weeks. If a grading period or three week evaluation period ends on the last day prior to a school holiday of one calendar week or more, the seven calendar day grace period to lose eligibility and the seven calendar day waiting period to regain eligibility begin the first day classes resume.

## 2011--2012 ELIGIBITIY DATES

End of 3 weeks:	Regain eligibility IF passing ALL classes:	End of 6 weeks:	Regain or lose eligibility:
9/9/2011	Does not apply.	9/23/2011	9/30/2011
10/14/2011	10/21/2011	11/04/2011	11/11/2011
11/22/2011	11/29/2011	12/16/2011*	01/6/2012 *All students are eligible from 12/17/2011 through 1/1/2012 regardless of grades.
01/20/2012	01/27/2012	02/10/2012	02/17/2012
03/02/2012	03/09/2012	03/30/2012	04/13/2012
05/04/2012	05/11/2012	05/31/2012	Does not apply.
Special circumstance: --Any freshman who is “placed” in 9 <sup>th</sup> grade is not eligible for UIL participation during the first six weeks. --For UIL eligibility, a sophomore must have 5 credits, a junior must have 10 credits, and a senior must have 15 credits. If a student does not have the appropriate number of credits, the students is not eligible for UIL participation during the entire first six weeks.			

## **TIDEHAVEN INTERMEDIATE & HIGH SCHOOL ADDENDUM**

### ***ACADEMIC ACHIEVEMENT / CLASS RANKING (High School)***

Class rank shall be determined by the weighted overall numerical grade average. Class ranking for seniors shall be calculated at the end of the first semester for submission to colleges and universities. All seniors shall be ranked again at the end of the fifth six weeks grading period of the school year. Class rank shall be computed based on cumulative average for four (4) years.

### ***ADVANCED COURSES***

See Board Policy EIC(LOCAL)

### ***ASSEMBLIES***

Students are required to conduct themselves in assemblies according to the Student Code of Conduct. Students who do not abide by the Student Code of Conduct shall be subject to disciplinary action.

### ***BOTTLES AND CONTAINERS***

Students are prohibited from bringing any type of bottle, container, koozie cup, paper, plastic, or metal cup with a lid to the campus.

### ***CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS***

The district offers career and technical education programs in agriculture, computer technology, and family and consumer science. Admission to these programs is based on course requests and student grade classifications.

Tidehaven ISD 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 28 for additional information regarding the district's efforts regarding participation in these programs.]

### ***CERTIFICATES OF COURSEWORK COMPLETION***

The district shall not issue certificates of coursework completion to students who fail to meet all state and local requirements for graduation. EI (LOCAL).

### ***CLASS RANKING (Intermediate)***

The valedictorian shall be the individual with the highest numerical grade average at the end of the fifth six weeks of the 8<sup>th</sup> grade year. The salutatorian shall be the individual with the second highest numerical grade average at the same time.

To be eligible for valedictorian and salutatorian honors, a student must have been continuously enrolled in the district intermediate school for the entire eighth grade year.

For purposes of determining class rank for honors positions, only grades earned during the regular school term shall be used in determining the valedictorian and salutatorian. Grades earned in local credit courses, summer school, home-based courses, college courses, or through correspondence, credit by examination, or credit recovery are excluded, as are any courses where the content has been modified by an Admission, Review, and Dismissal (ARD) committee as to the requirements of the Texas Essential Knowledge and Skills (TEKS) and reflected in a student's Individual Education Plan (IEP). Courses where only the methodology has been modified shall be treated as any other course that is not an advanced course. [EIC(LOCAL)]

## **CLASS RANKING (High School)**

### **Class Rank / Top Ten Percent / Highest Ranking Student**

Class rank will be determined by the weighted overall numerical grade average of grades earned in grades nine (9) through twelve (12). Class ranking for seniors shall be calculated at the end of the first semester for submission to colleges and universities. All seniors shall be ranked again at the end of the fifth six-week grading period of the school year. The grade point average (GPA) shall be rounded to the fourth decimal place. Grades transferred from other schools shall be credited in conformity with the course descriptions approved for the established grading system.

The valedictorian and salutatorian shall be the eligible students with the highest and second highest ranking as determined by the district's class ranking procedure described in board policy and who complete either the recommended program or the advanced/distinguished achievement program. The valedictorian shall be the individual with the highest weighted numerical grade average at the end of the fifth six weeks of the senior year. The salutatorian shall be the individual with the second highest weighted numerical grade average at the same time.

To be eligible for valedictorian and salutatorian honors, a student must have been continuously enrolled in the district high school for the entire four (4) semesters immediately preceding graduation.

Only numerical grade points earned during the regular school term may be counted in determining valedictorian and salutatorian. Grades earned in local credit courses, summer school, home-based courses, college courses, or through correspondence, credit by examination, or credit recovery shall not be included in this calculation.

For two school years following his or her graduation, a district student who graduates in the top ten 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.

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 freshmen.

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

[For further information, see policies at EIC.]

## **CLASSIFICATION OF PUPILS**

The principal of each school in the Tidehaven District shall be responsible for the classification of all pupils enrolled. If needed, standardized tests may be administered to determine proper classification. To enter Tidehaven High School, pupils must have completed the 8th grade of an accredited school system. If the pupil is a transfer student, he/she must present satisfactory credentials from a school outside of the district.

## **CLUBS**

Student clubs and extracurricular organizations may establish rules of conduct and consequences for misbehavior that are stricter than those for students in general. If a violation is also a violation of the school rules, consequences specified by the school shall apply, in addition to any consequences specified by the organization.

## **COLLEGE CREDIT COURSES (High School)**

Students interested in earning college credit while in high school should contact the counselor.

## **COLLEGE DAY (High School)**

Juniors and seniors will be allowed two college days as excused absences not counting toward exemptions. A college day is defined as a school day taken to visit a college for the purposes of obtaining enrollment or housing information prior to high school graduation.

For this day to be excused, the following conditions must be met.

1. Arrangements with the counselor's office must be made prior to the college visit, including picking up a college visitation form.
2. The college visitation form must be properly completed and returned to the attendance clerk upon the student's return to school. A college administrator, counselor, etc. must sign this form.
3. These days must be taken by the end of the 5th six weeks.

## **★CORRESPONDENCE COURSES**

Students may earn a maximum of two state-required credits through correspondence courses. The superintendent or designee may waive limitations on an individual basis for extenuating circumstances.

[For further information, see policies at EEJC.]

## **DISCIPLINE**

Tidehaven schools adhere to the Tidehaven I.S.D. Student Code of Conduct for all rules of conduct and discipline that are established to achieve and maintain order in the schools and teach respect toward others and responsible behavior. Defined infractions and consequences are clearly outlined in the Student Code of Conduct handbook.

The district's rules of students' conduct apply to all school-sponsored and school-related activities, on or off campus. Students who violate these rules will be subject to disciplinary action including notification of law enforcement.

A student removed to a Disciplinary Alternative Education Program (DAEP) during the school year will have an opportunity to complete a course needed to fulfill the student's high school graduation requirements before the beginning of the next school year. The district may provide the opportunity to complete the coursework through any method available, including a correspondence course, distance learning, or summer school. The district will not charge the student for any method of completion provided by the district. A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. Students and their parents are encouraged to discuss the options with the teacher or counselor to ensure the student completes all work required for the course or grade level.

## **★DISTANCE LEARNING**

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

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

earn course credit for graduation. Depending on the 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 20.]

The additional distance learning opportunities available to district students are several dual credit courses. Only numerical grade points earned during the regular school term may be counted in determining valedictorian and salutatorian. Grades earned in local credit courses, summer school, home-based courses, college courses, or through correspondence, credit by examination, or credit recovery shall not be included in this calculation.

### ***DRIVER LICENSE ATTENDANCE VERIFICATION***

For a student between the ages of 16 and 18 to obtain a driver license, the Texas Department of Public Safety must be provided written parental consent to access the student’s records for purposes of verifying 90 percent attendance for credit for the semester.

### ***EARLY HIGH SCHOOL GRADUATION SCHOLARSHIP PROGRAM***

Under the Early High School Graduation Scholarship Program, the state provides eligible students financial credits in varying amounts, depending on the number of consecutive months in which the student completed graduation and the number of early college credits earned, to public or private Texas higher education institutions. The program will be limited to students who complete the Recommended or Advanced (Distinguished Achievement) High School Program. The counselor can provide additional information about meeting the program’s eligibility requirements. Students who have financial need according to federal criteria and who complete the appropriate graduation programs may be eligible under the Texas Grant Program for tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions. [For further information, see the principal or counselor and policies at EIC and EJ.] {At press time, the Texas Legislature had not yet passed the Appropriations Act to provide funding for this program. Please contact your campus counselor for more information.}

### ***ELIGIBLE COURSES***

For purposes of determining class rank for honors positions, only grades earned during the regular school term shall be used in determining the valedictorian and salutatorian. Grades earned in local credit courses, summer school, home-based courses, college courses, or through correspondence, credit by examination, or credit recovery are excluded, as are any courses where the content has been modified by an Admission, Review, and Dismissal (ARD) committee as to the requirements of the Texas Essential Knowledge and Skills (TEKS) and reflected in a student’s Individual Education Plan (IEP). Courses where only the methodology has been modified shall be treated as any other course that is not an advanced course. [EIC (LOCAL)]

### ***EXAM EXEMPTIONS (High School)***

Senior students who have been assigned I.S.S (in school suspension) or have un-excused absences are not eligible for exemption. Students qualifying for exemption are not excluded from taking the exam. A student's grade may not be lowered because a student takes an exam in which they qualify to be exempt. A senior may be exempt if he/she meets the following criterion: (1) No absences and at least an 80 average. (2) One excused absence and at least an 85 average. (3) Two excused absences and at least a 90 average. (4) Three excused absences and at least a 95 average. Senior students with more than three excused absences will not be eligible for exemption. If any student is exempt from all exams during the day, attendance at school on exam day is required. A student may not leave until the end of the day, even though they may only have to take one exam. Freshmen, sophomores, and juniors may be exempt from spring finals only for core classes in which they pass the corresponding spring TAKS tests.

## **GRADE CLASSIFICATION (High School)**

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

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

## **GRADING GUIDELINES**

Grading guidelines for each grade level or course will be communicated and distributed to students and their parents by the classroom teacher. These guidelines have been reviewed and have been approved by the campus principal.

## **GRADING SYSTEM**

Grades shall be reported as numerical grades for all subjects. Numerical grades are used on all records and report cards. The lowest passing grade is 70. See Board policy EIC(LOCAL) for transfer grade conversion chart.

To compute the semester grade, the average of the three six week's grades will count 5/6 and the semester exam will count 1/6. In the event of an exemption (see EXAM EXEMPTIONS), the average of the three six weeks grades will be the student's grade. Teachers will provide exam reviews for the semester exams.

## **★GRADUATION**

### **Requirements for a Diploma (High School)**

To receive a high school diploma from the district, a student must successfully complete the required number of credits and pass appropriate statewide exit-level exams. [EIF(LEGAL), EIF(LOCAL)]

The TAKS exit-level tests, required for students in grade 11, covers English language arts, mathematics, science, and social studies and requires knowledge of Algebra I, geometry, biology, integrated chemistry and physics, English III, and early American and United States history, world history, and world geography. A student who does not pass all exit-level assessments will have additional opportunities to take the tests.

Students who enter high school in the fall of 2011 will be required to pass End of Course exams in state designated courses in order to receive a high school diploma.

### **Graduation Programs (High School)**

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

Beginning with the 2007–2008 school year, a student entering the ninth grade must meet the following credit requirements for graduation:

- |  |           |         |
|--|-----------|---------|
| • Minimum Program                            | <u>22</u> | credits |
| • Recommended Program                        | <u>26</u> | credits |
| • Advanced/Distinguished Achievement Program | <u>26</u> | credits |

## **Students with Disabilities**

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

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

[See FMH(LEGAL).]

## **GRADUATION ACTIVITIES**

### **★High School**

Students shall meet all state and local graduation requirements, including all applicable state mandated assessments to be eligible to participate in commencement activities and ceremonies. [EI, EIF] In order to graduate, students who enter high school as freshmen in the 2011-2012 school year will be required to fulfill testing requirements through the End of Course assessments. For more information, contact the campus principal or counselor.

### **★Intermediate**

All eighth grade students shall meet state and local graduation requirements, including passing all applicable state assessments to be eligible to participate in commencement activities and ceremonies. Eighth grade students must pass both the math and reading STAAR tests to participate in graduation ceremonies. The STAAR scores from the first administration will be used to determine participation in commencement if scores for the second administration are not available.

Graduation activities will be subject to schedule and supervision by the principal's office or designee.

### **★Graduation Speakers (High School)**

The district hereby creates a limited public forum consisting of an opportunity for a student to speak to begin graduation ceremonies and another student to speak to end graduation ceremonies. For each speaker, the district shall set a maximum time limit reasonable and appropriate to the occasion.

The forum shall be limited in the manner provided by this section on student speakers at graduation. [See also FMH(LEGAL)]

Only students who are graduating and who hold one of the following neutral criteria positions of honor shall be eligible to use the limited public forum: top four academically ranked graduates.

[See FNA(LOCAL).]

The district has the right to limit a student's participation in graduation activities for violating the district's Code. In order to be considered as an eligible student speaker at graduation ceremonies, a student shall not have engaged in any serious misconduct in violation of the district's Code, including an out-of-school suspension, removal to a DAEP placement, or expulsion during his or her last two semesters.

## **Graduation Expenses (High School)**

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 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.

## ★GRADUATION REQUIREMENTS (High School)

### TIDEHAVEN HIGH SCHOOL GRADUATION PROGRAMS FOR STUDENTS ENTERING 9<sup>TH</sup> GRADE IN FALL 2010 AND AFTER

Recommended High School Program		Distinguished Achievement Program	
Subject Area:	Credits:	Subject Area:	Credits:
English	4.0	English	4.0
Communication Applications	.5	Communication Applications	.5
Math	4.0	Math	4.0
Science	4.0	Science	4.0
Social Studies	3.5	Social Studies	3.5
Economics	.5	Economics	.5
Health	.5	Health	.5
Physical Education	1.5	Physical Education	1.5
Other Languages	2.0	Other Languages	3.0
Fine Arts	1.0	Fine Arts	1.0
Technology Applications	1.0	Technology Applications	1.0
Electives	3.5	Electives	2.5
<b>Total Credits Required</b>	<b>26.0</b>	<b>Total Credits Required</b>	<b>26.0</b>
<b>Texas MINIMUM Graduation Plan:</b> Any student considering graduation on the Standard plan must see a counselor. Only students meeting strict criteria during the spring semester of their senior year will be able to select the minimum graduation plan. A waiver acknowledging understanding of the Texas Minimum Graduation Plan must be signed.		<b>PLUS four (4) Advanced Measures</b> <ul style="list-style-type: none"> <li>• One measure maximum: national recognition on PSAT</li> <li>• Two measures maximum: original research/project</li> <li>• Four measures maximum: Performance on AP exams (scoring 3, 4, or 5); Grades in college credit courses (grades of "A" or "B")</li> </ul> See your counselor for specific requirements.	

Subject Area:	Recommended High School Program:
<b>English</b>	English I, II, III, and IV are required. Immigrant students with limited English proficiency may substitute ESOL-I and ESOL-II for English I and II ONLY
<b>Communication Applications</b>	One-half credit Communication Applications is required. NO SUBSTITUTIONS.
<b>Mathematics</b>	Four credits are required. The four credits must include Algebra I, Algebra II, and Geometry. Math models, if selected, must be successfully completed prior to taking Algebra II.
<b>Science</b>	Four credits are required. The four credits must include biology, chemistry, and physics. IPC, if selected, must be successfully completed prior to enrolling in chemistry and physics.
<b>Social Studies</b>	Three and one-half credits are required and must consist of World Geography, World History, U.S. History, and U.S. Government.
<b>Economics</b>	One-half credit is required; transfer Economics courses must have an emphasis on the free enterprise system.
<b>Health</b>	One-half credit is required; may substitute Health Science Technology (one credit) in place of Health.
<b>Physical Education</b>	Students may earn a total of four (4) PE credits for graduation.
<b>Other Languages</b>	Two credits of the SAME language are required. Exploratory Language and culture courses do not meet the "Other Languages" requirement.
<b>Fine Arts</b>	One credit is required, selected from courses in the areas of art, music, theatre arts, or dance.
<b>Technology Applications</b>	One credit is required and may be selected from designated courses in Technology Applications or Career Technology. See the counselor for specific courses.
<b>Electives</b>	Three and one-half credits are required.

Subject Area:	Distinguished Achievement Program:
<b>English</b>	English I, II, III, and IV are required. Immigrant students with limited English proficiency may substitute ESOL-I and ESOL-II for English I and II ONLY
<b>Communication Applications</b>	One-half credit Communication Applications is required. NO SUBSTITUTIONS.
<b>Mathematics</b>	Four credits are required. The four credits must include Algebra I, Algebra II, and Geometry. The fourth math credit must have an Algebra II prerequisite. Computer Science will not count for the DAP.
<b>Science</b>	Four credits are required. The four credits must include Biology, Chemistry, and Physics. IPC and Principles of Technology will not count for the DAP.
<b>Social Studies</b>	Three and one-half credits are required and must consist of World Geography, World History, U.S. History, and U.S. Government.
<b>Economics</b>	One-half credit is required; transfer Economics courses must have an emphasis on the free enterprise system.
<b>Health</b>	One-half credit is required; may substitute Health Science Technology (one credit) in place of Health.
<b>Physical Education</b>	Students may earn a total of (4) four PE credits for graduation.
<b>Other Languages</b>	Three credits of the SAME language beginning with Level I are required. Exploratory Language and culture courses do not meet the "Other Languages" requirement.
<b>Fine Arts</b>	One credit is required, selected from courses in the areas of art, music, theatre arts, or dance.
<b>Technology Applications</b>	One credit is required and may be selected from designated courses in Technology Applications or Career Technology. See the counselor for specific courses.
<b>Electives</b>	Two and one-half credits are required.

## ***GYMNASIUM FLOOR USE***

Only basketball or tennis shoes may be worn on the gym floor. Rubber sole shoes worn to school may not be used. Students are asked to stay off the floor following games.

## ***LEAVING SCHOOL***

A student may be permitted to leave school during school hours only with the approval of the principal and with parent / school contact. Students leaving for doctor or dental appointments must get permission from the office before leaving. They must sign-out when they leave and sign in at the office when they return to school. Pupils shall not be released from school for private lessons of any type.

## ***MARRIAGES AND PREGNANCIES***

Marriages and/or pregnancies should be reported to the principal as soon as possible. Tidehaven I.S.D. will provide pregnancy related services for any student who becomes pregnant. For more information, contact your campus principal or school nurse.

## ***OFFICES AND ELECTIONS***

Certain clubs, organizations, and performing groups may hold elections for student officers.

## ***★PARTIES AND SOCIALS***

The rules of good conduct and grooming shall be observed for school social events. Guests will be expected to observe the same rules as students who attend the event. The person inviting the guest will share responsibility for the conduct of the guest.

## ***PHYSICAL EXAMINATIONS***

A physical examination form must be completed prior to junior high athletic participation and again prior to first and third years of high school athletic participation. The form must be filled in and signed by either a physician, a physician assistant licensed by a State Board of Physician Assistant Examiners, or a registered nurse recognized as an Advanced Practice Nurse by the Board of Nurse Examiners. Examination forms signed by any other health care practitioner, including chiropractors, will not be accepted.

## ***POSTERS***

The principal must first approve signs and posters that students wish to display. Posters displayed without authorization will be removed. Any student who posts printed material without approval may be subject to disciplinary action.

## ***PRINTED MATERIAL (High School)***

School-sponsored newspapers and/or yearbooks are under the complete supervision of the teacher and campus principal. All written material over which the district does not exercise editorial control that is intended for distribution to students shall be submitted to the principal for review and approval.

## ***PROMOTION AND RETENTION - GRADES 6 - 8***

Students shall be promoted from one grade to the next on the basis of academic achievement. Intermediate students must have an overall average of 70 or above, in at least three of the following subjects; language arts (including reading/reading improvement if required), mathematics, social studies, and science and required state assessments. Students in grades 6-8 who are not promoted may be retained in the same grade. Eighth (8<sup>th</sup>) grade students must meet the academic standards, as well as the required 8<sup>th</sup> grade state assessments for promotion.

## **PROMOTION AND RETENTION - GRADES 9-12**

Grade-level advancement for students in grades 9-12 shall be earned by course credits. Mastery of at least 70 percent of the objectives on district-approved tests shall be required. [see EIE(LOCAL) EI(LEGAL)] Changes in grade-level classification shall be made at the beginning of the fall semester.

### **QUALIFYING COURSES**

Advanced courses for students entering the 9th grade during or after 2007-2008 school year will include the following three (3) tiers with the courses listed under each of the separate three (3) tiers:

#### **Tier #1 Courses:**

Welding, BCIS, A+ Computer, Child Development. Any additional tech-prep classes added to the high school curriculum may also be included.

Five (5) points will be added to a student's final numerical grade average for each semester for a total of ten (10) points per year for the above courses.

#### **Tier #2 Courses:**

Spanish III, honors classes, Pre-AP classes, such as Pre-calculus, and any Dual Credit classes such as College English and psychology. Any additional Pre-AP and/or dual credit college classes added to the high school curriculum may also be included.

Eight (8) points will be added to a student's final numerical grade average for each semester for a total of sixteen (16) points per year for the above courses:

#### **Tier #3 Courses:**

AP Chemistry and AP Calculus. Any additional College Board Advanced Placement (AP) courses and/or International Baccalaureate (IB) courses added to the high school curriculum may also be included.

Ten (10) points will be added to a student's final numerical grade average for the 1st semester. If, and only if, the student attempts the AP exam, ten (10) points will be added to the student's final numerical average for the 2nd semester for a possible total of twenty (20) points per year for the above courses.

## **STEROIDS**

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

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

Students participating in UIL athletic competition may be subject to random steroid testing. More information on the UIL testing program may be found on the UIL Web site at

[http://www.uil.utexas.edu/athletics/health/steroid\\_information.html](http://www.uil.utexas.edu/athletics/health/steroid_information.html).

## **STUDENT OFFICES AND ELECTIONS**

The school officials will administer elections, other than class or club offices. All officer candidates will meet the following criteria: passing, favorable discipline record, and the ability to fulfill duties and obligations of the elected office. If these criteria are not met, the officer is subject to removal from that office by the principal and/or sponsor.

## ★**STUDENT SCHEDULES (High School)**

Students will be allowed to request at-will changes to their schedules, that is, add or drop classes, only until the deadline established at initial registration and prior to the beginning of school. No at-will schedule changes will be made after school starts. In the case where a student is making a real effort to pass, but does not have the academic ability to do so, the student may request a conference with his/her parent, the teacher, the principal, and the counselor to review the situation. The conference may allow a schedule change. The principal and/or the school counselor must approve all schedule changes.

## **TARDY POLICY (Intermediate)**

Students attending Tidehaven Intermediate, Markham Elementary, or Blessing Elementary are required to have a parent sign them in when they arrive to school late. **Students are not allowed to sign themselves in.** A student who is tardy to class may receive consequences. Repeated instances of tardiness will result in more severe disciplinary action, in accordance with the *Student Code of Conduct*.

## ★**TIDEHAVEN HIGH SCHOOL TESTING CALENDAR**

A finalized copy of the schedule for state mandated assessments was not complete at press time. When the schedule is finalized by the State of Texas and TEA, a test schedule will be available at each Tidehaven campus as well as on the District's web page.

## **TRAVEL TO AND FROM EXTRACURRICULAR ACTIVITIES**

If a student belongs to a club or organization, the student will ride to the event on the bus with the group except in very special cases and these must be approved by the principal in advance. When the student rides the bus to an event, he/she may come home in one of the following ways:

- Ride home on the bus with the group.
- Ride home with his/her parents. If one is to ride home with his/her parents, the parent should approach the sponsor of the group following the event and tell the sponsor that the child will be riding home with them. It is not necessary for the parent/guardian to call the sponsor or principal before the trip if the child is going home with the parent/guardian. A written note should be supplied to the sponsor.
- Ride home with another student's parents. A student may ride home with someone other than the student's parent if it makes it more convenient and would save parents from coming long distances to town late at night when the student could catch a ride with another driver other than his/her parents. If a student is to ride home with someone other than his/her parent/guardian, the parent/guardian must call and speak to the principal in advance or a written note from the parent/guardian sent and approved by the principal before permission is granted.

## **TUTORIALS**

Tutorials will be available from 7:40 to 7:55 A.M. and after school from 3:33 to 3:50 P.M. each Monday through Thursday. Tutorials will begin the first full week of school and continue to be available every week until school is released for the summer. Longer (3:45 to 4:30 P.M.) more intensive tutorials will become available after the fourth week of the first six weeks or as determined by the campus principal.

## **VEHICLES ON CAMPUS (High School)**

Vehicles parked on school property are under the jurisdiction of the school. The school reserves the right to search any vehicle if reasonable cause exists to do so with or without the presence of the student. Students have full responsibility for the security of their vehicles and will make certain they are locked and that the keys are not given to others. Students will be held responsible for any prohibited

objects or substances, such as alcohol, drugs, and weapons that are found in their cars and will be subject to disciplinary action.

### ***WEIGHTED SYSTEM***

To encourage students to take more difficult courses, certain courses shall be classified locally as advanced and additional credit (weighted values) shall be added to a student's numerical semester grade average for each advanced course taken. The weighted values shall be used when determining class rank and yearly average.

## GLOSSARY

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

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

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

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

**DAEP** stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the *Student Code of Conduct*.

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

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

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

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

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

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

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

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

universities.

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

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

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

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

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

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

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

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

**TAKS** is the Texas Assessment of Knowledge and Skills, the state's standardized achievement test currently given to students in certain subjects in grades 10 and 11 and as required for graduation for students at these grade levels.

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

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

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

# **Student Code of Conduct**

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## ***Purpose of the Student Code of Conduct***

The purpose of the Student Code of Conduct is to communicate to students, parents, and other persons the expectations for student conduct at Tidehaven ISD. Because education in this district represents a significant commitment of financial and human resources, the Board, administrators, staff, and community have high expectations for our students in academics and conduct.

The benefits a student derives from this investment depend very much on the student's and parent's attitude toward learning and the student's adherence to high standards of behavior. Students are expected to respect the rights and privileges of other students, teachers, and district staff. This document contains the district's rules of conduct in an effort to fully inform students and parents of the expectations of the district.

The district's rules of conduct and discipline, maintained in Board policy, the student handbook and/or the Board adopted Student Code of Conduct are established to achieve and maintain order in the schools and teach respect toward others, as well as responsible behavior. A complete copy of the Tidehaven ISD policies governing student discipline is found in the Tidehaven ISD Policy Manual, the Texas Education Code Chapter 37, Discipline, Law, and Order. [School Board Policy Manual located at the district website ([www.tidehavenisd.com](http://www.tidehavenisd.com))]

Tidehaven ISD's disciplinary options include:

1. using one or more of the discipline management techniques listed in this document;
2. In-School Suspension (ISS);
3. removal to a district or county disciplinary alternative education program (DAEP)(JJAEP);
4. Out-of-School Suspension (OSS); and
5. expulsion.

When a student commits drug- and alcohol-related offenses or any reportable criminal act, he or she may also be referred to legal authorities for prosecution. Students who violate the rights of others or who violate district or school rules will be subject to appropriate behavior management techniques for each violation as outlined in this Code of Conduct and parents will be notified of every violation of this Code. The Code of Conduct promotes adherence by all students to their responsibilities as citizens in the school.

The Student Code of Conduct that follows is the district's response to the requirements of Chapter 37 of the Texas Education Code. 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), Juvenile Justice Alternative Education Program (JJAEP), or expulsion from school. This Student Code of Conduct has been adopted by the Tidehaven ISD Board of Trustee and provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Student Code of Conduct will be posted at each school campus or will be available for review at the office of the campus principal and will be on the district's website. Parents will be notified of any Student Code of Conduct violation that may result in a student being suspended, removed to a DAEP, or expelled from the district.

The Student Code of Conduct shall be distributed to all students, teachers, and administrators at the beginning of each school year. It shall be provided to new professional employees, newly enrolled students, any parent, and any other person on request. Changes made during the year shall be approved by the Board of Trustees, published and distributed as soon as possible. Each student and parent or guardian annually shall sign a statement that they have received and read the student handbook and the

Code of Conduct and acknowledge the responsibilities outlined therein.

It is the right of all students to have the opportunity to learn without unnecessary distractions from other students. Teachers expect to provide learning opportunities for all students without distractions. Positive approaches are used to help a student realize that he/she is responsible for his/her behavior. Rules carefully explained and firmly enforced prove to our students that we care about them. The principal or superintendent can provide more information about the district's Student Code of Conduct.

## **Responsibilities of Students**

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. It is the belief of this school district that the rights of students can be protected only so long as an atmosphere of organization and cooperation exists in the classroom and at school-related functions. District schools shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and district staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of the district's educational mission. The district's rules of conduct and discipline are established to achieve and maintain order in the school. Students who violate the rights of others or who violate district or school rules shall be subject to disciplinary measures designed to correct the misconduct and to promote adherence by all students to the responsibilities of citizens in the school community.

Schools are places of learning. For individual students and schools as a whole to succeed, courtesy, respect, and diligence are essential and are required. In general, each student is expected to:

1. Attend all classes, regularly and on time;
2. Be prepared for each class with appropriate materials and assignments;
3. Be appropriately dressed and groomed according to Tidehaven ISD's Dress Code;
4. Show courtesy and respect for the rights and privileges of other students, teachers, & staff;
5. Respect the property of others, including district property and facilities;
6. Behave in a responsible manner;
7. Be honest with others;
8. Complete homework assignments on time;
9. Pay required fees and fines, unless these are waived;
10. Avoid violations of the Student Code of Conduct;
11. Obey all classroom, campus, and district rules, including safety rules;
12. Seek changes in school policies and regulations in an orderly and appropriate manner, through appropriate channels; and
13. Cooperate with staff in investigation of disciplinary cases and volunteering information within the student's knowledge relating to a serious offense. Students who are an accomplice or witness to any disciplinary event that they fail to report to an administrator may be subject to disciplinary action.

*The above standards apply at all times at school and at any school-related activities.*

## **Responsibilities of Parents**

Throughout this Student Code of Conduct the term "Parents" includes single parent, legal guardian, or person having lawful control of the child. Parents have the responsibility to:

1. Exercise appropriate parental control. Under Family Code 33.01, a student's parent is legally

liable for property damage caused by

- a. the negligent conduct of the student if the conduct is reasonably attributable to the negligent failure of the parent to exercise their duty to control and reasonably discipline their child, or
  - b. the willful or malicious conduct of a student who is at least 12 but under 18 years of age.
2. Make every effort to provide for the physical and emotional needs of their child.
  3. Be sure the student is appropriately dressed and groomed at school and school-related activities.
  4. Be sure their child attends school regularly and on time; promptly report and explain absences and tardies to the school.
  5. Encourage their child to listen to teachers, other school personnel, and obey school rules.
  6. Encourage and lead their child to develop proper study habits at home.
  7. Participate in school-related organizations.
  8. Participate in meaningful parent-teacher conferences to discuss their child's progress.
  9. Keep informed about school policies and the academic requirements of school programs.
  10. Attend parent training workshops for home reinforcement of study skills and specific curriculum objectives.
  11. Discuss report cards and school assignments with their child.
  12. Bring to the attention of school authorities any learning problem or condition that may relate to the child's education.
  13. Ensure the district has up-to-date home, work, and emergency telephone numbers and other pertinent information.
  14. Cooperate with school administrators, teachers, and staff.
  15. Be sure their child attends school tutorials when required or as the need arises.
  16. Submit a signed statement that they understand and consent to the responsibilities outlined in this Code of Conduct.

### **Responsibilities of Administrators**

1. Respond to discipline problems referred to them by teachers/staff to assure a safe and orderly climate for teaching and learning.
2. Promote effective training and discipline of all students.
3. Encourage parental communication with the school, including participation in required parent/teacher/student conferences. Encourage teachers to conduct positive, prescriptive parent/teacher/student conferences.
4. Provide appropriate assistance to students in learning self-discipline.
5. Assume responsibility and instructional leadership for discipline and for evaluation of the Student Code of Conduct.
6. Serve as appropriate role models for the students on their campus in accordance with the standards of the profession.
7. If necessary, confer with parent or guardian concerning their child's absences.
8. Admit a student after the student/guardian has successfully completed any court disposition requirement, if student meets requirements for admission into a public school.

9. The principal or designee is required to report to the local police if he/she has "reasonable grounds" to believe that certain offenses (See Title V Offenses of the TPC) have occurred at school or at a school activity. The notification must include the name and address of each student who may have been involved. The principal must also notify district instructional/support employees who has "regular contact" with the student.
10. It is highly recommended that the principal contact the local law enforcement agencies prior to the beginning of school that if a student is arrested or suspected of a felony offense, local law enforcement must notify the school.
11. An annual report must be sent to the commissioner of education detailing information about each student that has been placed in DAEP or expelled during that school year.
12. The principal must inform each teacher to whom the student is assigned of the conduct of a student who has engaged in an expellable offense. The teacher must keep this information confidential and may have his/her certificate revoked or suspended for intentionally not keeping this information confidential.

### **Responsibilities of Teachers**

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

*If any policy or statement in this Student Code of Conduct conflicts with policy or policies that have been adopted by the Tidehaven Independent School District, Board policy will take precedence over the Student Code of Conduct.*

## ***Glossary of Code of Conduct Definitions, Violations, and Consequences***

**Abuse** is improper or excessive use.

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

**Arson** is:

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:
    - Knowing that it is within the limits of an incorporated city or town,
    - Knowing that it is insured against damage or destruction,
    - Knowing that it is subject to a mortgage or other security interest,
    - Knowing that it is located on property belonging to another,
    - Knowing that it has located within it property belonging to another, or
    - When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another;
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.

**Assaults:** Students are prohibited from assaulting anyone on school property or at any school-related event. An assault shall be defined as an attack without provocation on another person. Assault is defined as:

1. Intentionally, knowingly, or recklessly causing bodily injury to another person;
2. Intentionally or knowingly threatening another with imminent bodily injury; or
3. Intentionally or knowingly causing physical contact with another when the student knows or should reasonably believe that the other will regard the contact as offensive or provocative.

Students shall be placed in a DAEP if they assault, by inflicting bodily injury to another person and may be expelled if they assault, by inflicting bodily injury to a school employee or volunteer in accordance with the specific provisions in this Code. Students who engage in other conduct that constitutes an assault may also be subject to disciplinary consequences.

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

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

**Bus Conduct and Discipline:** One of the most common causes of bus accidents is when the driver's attention is distracted by a student not behaving on the school bus.

Bus rules are developed for the safety of all students. Please help us ensure the safety of all students by talking to your child(ren) about these rules. **RIDING THE BUS IS A PRIVILEGE, NOT A RIGHT!** Students transported in a school-owned vehicle shall comply with the Student Code of Conduct and will be under the authority of the teacher on the bus; or if a teacher is not present on the bus, the driver of the bus is responsible for the conduct of the student on his/her bus. Any student who fails to comply with this code of conduct while on school transportation may be denied transportation services and will be subject to disciplinary action.

In addition to the district's Student Code of Conduct and any other established rules, the following rules will apply to a student's conduct on school transportation:

- Follow the driver's directions at all times.
- Board and leave the bus in an orderly manner at the designated bus stop nearest your home.
- All students must be seated at all times when the bus is moving or when otherwise appropriate. While the bus is moving, no standing is allowed.
- Keep books, band instrument cases, feet and other objects out of the aisle.
- Don't deface the bus or its equipment.
- Do not put hands, head, arms, or legs out of the bus window or hold any object out of the window or throw objects within or out of the bus.
- Do not smoke or use tobacco products of any kind.
- Usual classroom conduct shall be observed. Unruly conduct, including the use of obscene language, will subject the passenger to disciplinary action.
- Upon disembarking from the bus, wait for the driver's signal before crossing in front of the bus.
- The emergency door is for emergency use only.
- Eating or drinking on the bus is prohibited (unless approved by transportation director)

When a student violates the rules of conduct while on school transportation, a disciplinary form will be completed by the bus driver and turned in to the campus principal. A conference with the student, the bus driver, the parent(s), and the principal may be required. The following steps will be followed:

- First Offense - Warning; the bus driver will explain the consequences of future violations of these rules and make a written report to the principal.
- Second Offense - The bus driver shall make a written report to the student's principal, and the principal shall counsel with the student and make a written report to the parent(s).
- Third Offense - The bus driver shall make a written report to the student's principal. The student shall be restricted from riding the bus until such time as the riding privilege is restored by the principal, director of transportation or Superintendent.

For flagrant violations, the principal shall have the authority to restrict the student from riding the bus after notifying his/her parents to pick up the student at school. The principal shall have the authority to deny bus riding privileges to any student after an investigation of the incident. A written notification to the parent shall follow. Riding privileges may be restored only after a conference with parent(s), student, principal, the director of transportation or the Superintendent, and if a satisfactory solution is agreed upon by all concerned. A full report of violations and actions taken in each instance must be made by the principal to the Superintendent and the director of transportation. Disciplinary sanctions and changes in transportation for a student with a disability will be made in accordance with the student's IEP if applicable.

**Campus Discipline Person:** The campus discipline person on each campus shall be the administrator or designated professional personnel. Duties shall include the authority to:

1. Assess and implement the Student Code of Conduct and Campus Discipline Management

Program.

2. Suspend a student from campus for no more than three (3) consecutive school days per incident.
3. Assign students to ISS or DAEP
4. Recommend to the Superintendent to expel a student. (The Board is authorized to expel students.)
5. Remove a student from their campus for emergency reasons.

**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 by striking a person with the instrument, including a blackjack, mace, and tomahawk.

**Clubs & Extracurricular Organizations:** Student clubs and extracurricular organizations may establish rules of conduct and consequences for misbehavior that are stricter than those for students in general. If a violation is also a violation of the school rules, consequences specified by the school shall apply, in addition to any consequences specified by the organization.

The Tidehaven ISD Board of Trustees acknowledges the fact that all rules of conduct associated with Tidehaven ISD recognized clubs or extracurricular organizations are approved by the Superintendent or designee.

**Consequences:** The consequences may be different for students at the elementary, intermediate and high school levels. District personnel shall use the following guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Factors to consider shall include:
  - Seriousness of the offense
  - Student's age and grade level
  - Frequency of misconduct
  - Student's attitude
  - Potential effect of the misconduct on the school environment and statutory requirements.

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

A student whose behavior shows disrespect for others, including interference with their access to a public education and a safe environment, will be subject to disciplinary action.

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

Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher and the principal may be imposed.

In general, discipline will be designed to correct misconduct and to encourage adherence by all students to their responsibilities as citizens of the school community. Disciplinary action will draw on the professional judgment of teachers and administrators and on a range of discipline management techniques.

A student who violates campus or classroom rules that are not Student Code of Conduct violations may

be disciplined by one or more of the discipline management techniques. For these violations, the teacher is not required to make a Student Code of Conduct violation report, and the principal is not required to notify parents.

**Corporal Punishment:** Corporal punishment is permitted in order to preserve an effective educational environment, free of disruption. Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for purpose of revenge. Such factors as size, age, and physical, mental, and emotional conditions of the student; the type of instrument to be used; the amount of force to be used; and the part of the body to be struck shall be considered before administering any corporal punishment. A disciplinary record shall be maintained and shall contain the name of the student, the type of misconduct, any previous disciplinary actions, the type of corporal punishment administered, the name of the person administering the punishment, the name of the witnesses present, and the date and time of the punishment. Disciplinary records shall be made available to parents or the student, whichever is appropriate.

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

- The student will be told the reason corporal punishment is being administered.
- Corporal punishment shall be administered only by the principal or a designated professional person.
- The instrument used in administering corporal punishment shall be approved by the principal.
- When corporal punishment is administered, it shall be done in the presence of one other district professional employee and shall take place in the principal's office out of the view of other students.

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

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

**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. Delinquent conduct also includes conduct that violates certain juvenile court orders, including probation orders. Delinquent conduct does not, however, include violations of traffic laws.

**Detention:** For minor infractions of the Code of Conduct or other policies and regulations, the principal or a teacher may detain students after school hours. Before assigning students to detention, the principal or teacher shall inform the student of the conduct that allegedly constitutes the violation, and the student shall be given the opportunity to explain his/her side of the incident. When after-school detention is used, notice shall first be given to the student's parent/guardian to inform the parent of the reason for after-school detention and permit arrangements for the necessary transportation of the

student. This notification can be sent home with the student. The after-school detention shall not begin until the parent has been notified. Short term in-school detention does not require parent notification, but the same procedure described above will be followed.

**Disciplinary Alternative Education Program (DAEP):** A DAEP for disciplinary purposes has been established for students who violate certain standards of conduct. Students in DAEP are separated from other students, in a setting other than the student's regular classroom, and are taught a curriculum of English/Language Arts, mathematics, science, social studies, and self-responsibility. Elementary students may not be placed in an alternative education program with any other student who is not an elementary school student. For purposes of DAEP, elementary classification shall be kindergarten-grade 5 and secondary classification shall be grades 6-12. The principal will schedule a conference not later than the third day of class after the day on which a student is removed from class with the student's parent/guardian, teacher, and student. The principal may place the student in another appropriate classroom, in ISS, or suspend the student until the conference can be held.

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

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

A student may be placed in a DAEP for behaviors prohibited in the section titled Tidehaven ISD's Disciplinary System .

During the time a student is assigned to DAEP, he/she shall not participate in any extracurricular or school-related activities or attend any extracurricular or co-curricular events on or off any campus without special permission of the superintendent. Students placed in DAEP will not be provided transportation unless they are a student with a disability who has transportation designated as a related service. It will be at the discretion of the administrator whether DAEP students are served with other students during the summer program.

**Discipline Management Techniques:** The following discipline management techniques may be used alone or in combination for Student Code of Conduct/non-Student Code of Conduct violations:

1. Verbal correction.
2. Seating changes within the classroom.
3. Cooling-off or time-out.
4. Parent/teacher/student conferences, phone calls, or letters.
5. Counseling by teachers, special services, or administrative personnel.
6. Sending the student to the office or other assigned areas.
7. Temporary removal from class.
8. Temporary or permanent confiscation of items that disrupt the educational process.
9. Assigned school duties other than class tasks.
10. Withdrawal of privileges, i.e. - participation in extracurricular activities and honorary positions.
11. Detention outside school hours or during the school day.
12. School-assessed and administered probation.
13. Behavioral contracts.
14. Corporal punishment.
15. Assign student to In-School Suspension (ISS).
16. Removal to an disciplinary alternative education program (DAEP).

17. Out-of-School Suspension (OSS).
18. Emergency expulsion.
19. Expulsion.
20. Referral to outside agency or legal authority for criminal prosecution, in addition to disciplinary measures imposed by the district.
21. Special assignments or duties.
22. Grade reduction for cheating, plagiarism, and as otherwise permitted by policy [see EIA(LOCAL)]
23. Restitution
24. Techniques or penalties identified in individual student organizations' codes of conduct.
25. Withdrawing or restricting bus riding privileges.
26. Other strategies and consequences as specified by the Code of Conduct.

*Each handicapped student's individual education plan (IEP) shall address the student's specialized needs on discipline, including which of the discipline management techniques can appropriately be used with the student.*

**Disciplining Students Who Are Disabled Under I.D.E.A.:** 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.

The methods adopted in the Student Code of Conduct [see FO] for preventing and intervening in student discipline problems must provide that a student who is enrolled in a special education program under Education Code Chapter 29, Subchapter A, may not be disciplined for bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. Education Code 37.001(b-1)

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

**Disruption of Classes:** For purposes of this rule, "school property" includes the public school campuses or school grounds upon which any public school is located, and any grounds or buildings used by district schools for assemblies or other school-related activities, and "public property" includes any street, highway, alley, public park, or sidewalk. No student shall be permitted, on school property or on public property within 500 feet of school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities. Conduct that disrupts the educational activities of a school includes.

1. Emissions by any means of noise of an intensity that prevents or hinders classroom instruction.
2. Enticement or attempted enticement of students away from classes or other school activities that students are required to attend.
3. Prevention or attempted prevention of students from attending classes or other school-related activities that students are required to attend.
4. Entrance into a classroom without consent of either the principal or teacher and either acts of misconduct and/or use of loud or profane language cause disruption of class activities.

**Disruption of a Lawful Assembly:** No student or group of students acting in concert may willfully engage in a disruptive activity or disrupt a lawful assembly on the campus or property of any school in the district. Disruptive activity means.

1. Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school.
2. Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity.

3. Preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration.
4. Disrupting by force/violence or threat of force or violence a lawful assembly in progress.
5. Interfering with the normal activity, occupancy, or use of any school bus engaged in the transportation of students to and from school-sponsored activities by exhibiting or using or threatening to exhibit or use a firearm.
6. Obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the entrance or exit of any person to and from said property or campus without the authorization of the administration of the school.

A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Conduct by students, either in or out of class, that for any reason - whether because of time, place, or manner of behavior - materially disrupts class work or involves substantial disorder or invasion of the rights of other students or employees at school or school-related activities is prohibited.

Student demonstrations and similar activities shall be prohibited when there is evidence that may reasonably lead school authorities to forecast substantial disruption of, or material interference with, normal school operations or approved school activities.

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

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

If the principal determines that a student's grooming violates the dress code, the student shall be given an opportunity to correct the problem at school. If not corrected, the student shall be isolated for the remainder of the day or until the problem is corrected. The student will be allowed to contact a parent to bring him/her a change of clothes. Repeated offenses may result in more serious disciplinary action. Any fad or dress that may be disruptive or immodest may be corrected at the discretion of the school administration. Final determination of acceptable dress and grooming rests with the principal.

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 these standards 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.

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

1. Any controlled substance or dangerous drug as defined by state and federal law, without regard to amount, including, but not limited to, marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.

3. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs, including caffeine pills, and other over-the-counter stimulants and sedatives.

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

"Use" means a student has smoked, ingested, injected, imbibed, inhaled, drunk, or otherwise taken internally a prohibited substance. "Under the influence" means a student's faculties are noticeably impaired, but the student need not be legally intoxicated. The transmittal, sale, or attempted sale of what is represented to be any of the above listed substances is also prohibited under this rule.

**Electronic Devices:** Cellular telephones or other telecommunication devices, CD Players, radios, MP3 players, video or audio recorders, DVD players, cameras, tape players, miniature TV's, electronic games, etc., are not permitted at school during the school day, unless permission is given by the administrator.

Prior to the district's confiscation of the electronic device, the student will be informed of the reason(s) for the confiscation and be given an opportunity to respond to the charges. For the first offense, electronic devices, **including cell phones along with SIM card and battery**, will be held by the campus administrator until the Monday following the confiscation of the device. For the second and all subsequent offenses, the electronic devices, **including cell phones with SIM card and battery**, will be held by the campus administrator until the Monday following the confiscation of the device and the student will be required to pay a fee of \$15.00 before the device is returned. A student in violation of the electronics rule is also subject to discipline. The device will be confiscated and may be disposed of in a reasonable manner at the discretion of the administrator, provided the student's parent/guardian and the company whose name and address or telephone number appear on the device are given 30 days prior notice of district's intent to dispose of the device. Such notice may be in writing or by telephone and shall include the serial number of the device. At the sole discretion of the administrator, the device may be returned to the company or the student's parent(s). For more information, see FNCE (LEGAL).

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

**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, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

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

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

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

**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. Repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct related to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment [see DIA(LOCAL) and FFH(LOCAL)]; or
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety.

**Hazing** includes any willful act done by a student, either individually, or with others, to another student for the purpose of subjecting the other student to indignity, humiliation, intimidation, physical abuse or threats of abuse, social, or other ostracism, shame, or disgrace. No student shall engage in any form of hazing, nor shall any student encourage or assist any other person in hazing. A sponsor and the officers in a club must get prior approval from the principal for any type of "initiation rites" of a school club or 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.

**In-School Suspension:** Placement of students on the same or different campus for isolation and supervised study. The duration of a student's placement in ISS will be determined by the principal. The principal will schedule an informal hearing which will include the following: the student is advised of the conduct with which he/she is charged and the student will be given the opportunity to explain his/her version of the incident.

**Interrogation:** Administrators and teachers have the right to question students regarding their conduct or the conduct of others.

**Jurisdiction:** The district has jurisdiction over its students during the regular school day and while going to and from school on district transportation. The district's jurisdiction includes any activity during the school day on school grounds, attendance at any school-related activity, regardless of time or location, and any school-related misconduct, regardless of time and location. Additionally, state law requires that the district take disciplinary action when students engage in certain misconduct regardless of the time and location. Tidehaven ISD has disciplinary authority and control over a student:

1. during the regular school day and while going to and from school on district transportation;
2. while participating in any activity during the school day on school grounds or who is in attendance at any school-related activity, regardless of the time or location;
3. for any school-related misconduct, regardless of time or location, including retaliation against a school employee;
4. when criminal mischief is committed on or off school property or at a school-related event; and
5. when a felony is committed, as provided by Education Code 37.006 (c).

**Knuckles (such as Brass Knuckles)** is any instrument consisting of finger rings or guards made of a

hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

**Liability of Reporting a Drug Offense:** A teacher, school administrator, or school employee who reports to a school administrator or governmental authority a student whom the teacher suspects of using, passing, or selling on school property marijuana or a controlled substance, a dangerous drug, an abusable glue or aerosol paint, a volatile chemical, or an alcoholic beverage shall not be held liable for civil damages. (TEC 37.016)

**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.

**Minor Offenses:** Any violation of the Student Code of Conduct that is listed in Level I is considered a minor offense. Any other offense is considered a serious offense.

**Notice to Parent:** The district shall make reasonable efforts to notify the parent prior to removing a child from school premises. If the parent cannot be notified prior to removal of the reasons for removal, the parent shall be notified as soon as possible of the reasons for removal.

**Out-of-School Suspension:** A student may be suspended for up to three (3) consecutive school days per incident for any reason that a student may be placed in a DAEP. There is no limit on the number of times a student may be suspended in a semester or school year. A student who is suspended will be given an informal hearing which will include the following: the student is advised of the conduct with which he/she is charged and the student will be given the opportunity to explain his/her version of the incident. The length of the out-of-school suspension will not exceed three (3) consecutive school days per incident and the student shall not participate in extracurricular activities during the time of suspension. Suspended students are prohibited from being on school grounds or attending school-related extracurricular activities during the period of suspension, except by special permission.

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

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

**Paraphernalia** is any device that can be used to inhale, ingest, inject, or otherwise introduce a controlled substance into a human body.

**Persistent Offenses:** The district defines "persistent" to be two (2) or more violations of the student Code of Conduct or two (2) or more violations of the same offense.

**Physical Restraint:** Any district professional employee may, within the scope of the employee's duties, use and apply physical restraint to a student if the employee reasonably believes restraint is necessary in order to:

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

**Police - Custody of Students:** Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity.

To the best of his/her ability, the principal shall verify the official's authority to take custody of the student and then shall deliver the student to the officer.

The principal shall immediately notify the Superintendent and ordinarily shall notify the parent or other person having lawful control of the student. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parent/guardian at the time, the principal shall not notify the parent.

**Police Intervention:** The district reserves the right to refer any student to law enforcement officials if the district suspects that a student has broken the law. This referral may be in addition to any school disciplinary action taken against the student. A district administrator who suspects that a crime has been committed on campus will call local law enforcement.

**Police Questioning of Students:** The following guidelines apply when law enforcement authorities desire to question or interview a student at school:

1. The principal shall verify and record the identity of the officer or other lawful authority and request an explanation of the need to question or interview the student at school.
2. Unless the interviewer objects, the principal shall make reasonable efforts to notify the student's parent(s) or other person having lawful control of the student.
3. Unless the interviewer objects, the principal or designee shall be present during the questioning or interview.

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

**Prescription/Over the Counter (OTC) Medicine:** A student who uses a drug authorized by a licensed physician through a prescription specifically for the student's use shall not be considered to have violated the drug rule. The student shall bring the prescription or OTC drug to school in the original container, and if prescribed, showing the physician's name. Immediately upon arriving at school, the student must turn the prescription/OTC drug(s) over to the school nurse or other designated school authority. OTC medication must be accompanied with a note authorizing the use of the OTC and giving instructions for the dosage and the frequency. Strict compliance with the above rule is mandatory, and any deviation there from will be considered a violation of Board policy.

**Procedural Rights:** The following information will explain the student's right to due process in a variety of situations. If you have any questions, please contact the campus principal or Superintendent.

### **1. Student's Appeal Rights for Removal to a Disciplinary Alternative Educational Setting (DAEP).**

Before removing a student, the principal shall meet with the student and advise him/her of the conduct with which he/she is charged. The student will be given the opportunity to explain his/her version of the incident.

The student's parent shall be notified in writing of the decision to remove the student to a DAEP. The principal shall set the term of removal and shall forward a copy of the order of removal to the parent. The initial notice may be made by telephone and shall be as soon as reasonably possible. If the initial notification to the parent is by telephone, the principal must also notify the parent in writing of the decision to remove the student to the DAEP.

If the student's removal shall extend beyond the end of the next grading period, the administrator's decision to remove a student to a Disciplinary Alternative Placement Program, the parent/guardian is entitled to notice of an opportunity to participate in a proceeding before

the Board or the Board's designee. If a student appeals the principal's decision for DAEP placement, the student shall remain in the DAEP during the appeal process. Students placed in DAEP are prohibited from being on school grounds or attending school-related extracurricular activities during the period of time he/she is assigned to DAEP, except by special permission from the Superintendent.

A request by the student or his/her parent/guardian to address the Board to appeal a decision to remove the student to DAEP shall be made in writing to the Superintendent within two (2) school days after the notice of removal. The Superintendent shall inform the parent that the matter will be placed on the agenda of the next Board meeting. The Board shall hear both sides of the issue and base its decision on the evidence. The Board's decision on a removal to a DAEP shall be final and may not be appealed [see FOC(LEGAL).] All other appeals regarding a placement in a DAEP should be addressed in accordance with policy FNG(LOCAL).

## **2. Student's Rights for an Out-of-School Suspension**

Before suspending a student, the principal shall meet with the student and advise him/her of the conduct with which he/she is charged. The student will be given the opportunity to explain his/her side of the incident. A student may be suspended from one (1) to a maximum of three (3) consecutive school days, per occurrence, with no limit on the total number of days the student can be suspended during the school year.

The student's parent/guardian shall be notified in writing of the decision to suspend the student. The principal shall set the term of suspension and forward a copy of the order of suspension to the parent. The initial notice may be made by telephone and shall be as soon as reasonably possible. If the initial notification to the parent is by telephone the principal must also notify the parent in writing of the decision to suspend the student. 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 that are suspended from school are prohibited from being on school grounds or attending school-related extracurricular activities during the period of time the student is suspended, except by special permission.

## **3. Student's Appeal Rights for an Expulsion Hearing**

Before a student is expelled, the Superintendent or designee shall provide the student an opportunity for a hearing at which the student is afforded due process, which shall include the following:

- a. Prior notice of the charges and the proposed sanctions so as to afford a reasonable opportunity for preparation
- b. Right to a full and fair hearing before the Board.
- c. Right to an adult representative or legal counsel. The student and his/her adult representative shall be notified in writing of the date, time, and place of the expulsion hearing at least five (5) days prior to the hearing. This notice shall be in writing and shall advise of the nature of the evidence to be used against the student, including a list of witnesses and the nature of their testimony, and any documents that will be used at the hearing.
- d. Opportunity to testify and present evidence and witnesses in his/her defense.
- e. Opportunity to examine the evidence presented by the school administration and question the administration's witnesses. The decision shall be communicated promptly to the student and the parent.

A student may be expelled by written order of the Board, setting the term of the expulsion based on the seriousness of the offense and other relevant factors. The expulsion may not extend beyond one year.

A student may be denied the privileges of the home campus pending the expulsion hearing. A student with handicaps shall remain in the present education setting; however, if warranted, the district on recommendation to the ARD committee, may seek an injunction in state or federal court to remove a dangerous student with handicaps.

The Superintendent shall mail a copy of the expulsion order to the student and the student's parent or guardian. Not later than the second (2nd) day after an expulsion hearing is held, the Superintendent or his designee shall also mail a copy of the order to the authorized officer of the juvenile court in the county in which the student resides.

The Board's decision may be appealed to the state district court in the county in which the district's central administrative offices are located.

After the Superintendent or designee notifies the parent/guardian that the student has been expelled, the parent shall provide adequate supervision of the student during the period of expulsion.

Expelled students are prohibited from being on school grounds or attending school-related extracurricular activities during the period of expulsion. If a court orders a student who has been expelled to attend school as a condition of probation, the district shall readmit the student, but the student is not immune from suspension, removal to an alternative placement program, or expulsion during the term of the probation.

**Publications:** Distribution of written materials may be restricted, subject to the following guidelines:

1. Distribution may be limited in order to prevent material and substantial interference with normal school operations in circumstances where there is evidence that reasonably supports a forecast that disruption will likely result directly from the distribution.
2. Reasonable administrative regulations as to the time, place, and manner of distribution may be prescribed to promote orderly administration of school activities by preventing disruption, but shall not be designed to stifle expression.
3. Content of materials to be distributed shall conform to the following standards:
  - a. Materials that are sexually inappropriate for the age and maturity of the audience or that endorse actions endangering the health/safety shall not be distributed.
  - b. Materials that are profane are prohibited.
  - c. Libelous material may be prohibited from distribution.
4. Publications that criticize board members or school officials or advocate violation of school rules may be prohibited when there is evidence that reasonably supports a forecast that material and substantial disruption of normal school operations will result from the publication. Advocacy directed toward inciting or producing imminent lawless or disruptive action and that is likely to incite or produce such action shall be restricted.
5. Hate literature that scurrilously attacks ethnic, religious, or racial groups and similar irresponsible publications aimed at creating hostility and violence, may be banned. Only material that could reasonably support a forecast of material and substantial disruption of normal school operations is affected by this restriction.

All student publications and other written material intended for distribution to students shall be submitted for prior review according to the following procedures:

1. Material shall be submitted to the building principal for review.
2. The principal shall approve or disapprove submitted material within twenty-four hours of the time the material is received. Failure to act within the twenty-four hour period shall be interpreted as disapproval.
3. The student may appeal the disapproval to the Superintendent, or designee, who shall decide the

appeal within three days of its receipt. Failure of the Superintendent to act within the three day period shall be interpreted as disapproval.

4. The student may appeal the disapproval by the Superintendent to the Board of Trustees. The student shall notify the Superintendent of the appeal and request the matter to be placed on the agenda of the next Board meeting. At that Board meeting, the student shall be given a reasonable period of time to present his viewpoint.

**Reasonable belief** determination can be made by the Superintendent or designee using all available information, including the information furnished under Article 15.27 of the Code of Criminal Procedure. Administrators may place a student in a Disciplinary Alternative Education Program (DAEP) if they have reasonable belief that the student has engaged in felony conduct under Title 5. Administrators also may place a student in a DAEP if they have reasonable belief that the student has committed felony conduct that is not a Title 5 offense, if the Superintendent believes the student's continued presence in the regular classroom threatens the safety of other students or teachers, or will be detrimental to the educational process.

### **Removal of a Student from the Classroom by a Teacher**

**Discretionary Removal of a Student by a Teacher:** General misconduct violations will not necessarily result in the formal removal of the student from class or another placement but may result in a routine referral, formal removal, or the use of one or more discipline management techniques.

### **Procedures for Discretionary Removal of Student by a Teacher**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state their side.
3. The student is informed of the administrator's actions.
4. The teacher is informed of the administrator's actions.
5. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
6. Parents may request a conference with the principal, teacher, and student.
7. An accurate record of the violations and actions will be maintained by the administrator.

### **Formal Removal of a Student by a Teacher/Administrator:**

Formal removal from class will be initiated by a teacher/administrator 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
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach and the students in the classroom cannot learn.
3. 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.
4. A teacher or administrator may remove a student from class for a behavior that the district has determined is a violation of the Student Code of Conduct.

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

1. Another appropriate classroom.
2. In-school suspension.

3. Out-of-school suspension.
4. A Disciplinary Alternative Education Program.

When a student has been formally removed from class by a teacher, the principal may not return the student to the teacher's class without the teacher's consent unless the Placement Review Committee determines that the teacher's class is the best or only alternative available.

### **Procedures for Formal Removal of Student by a Teacher**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state his/her side.
3. The student is informed of the administrator's actions.
4. The teacher is informed of the administrator's actions.
5. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
6. The principal shall schedule a conference within three (3) days with the principal, teacher, parent/guardian, and the student. At this conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.
7. Following this conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the principal shall order the student placement in another classroom, in-school suspension, or in DAEP. If the student recommended for removal by the teacher committed an expellable offense, the principal will recommend expulsion.
8. An accurate record of the violations and actions will be maintained.
9. The district may prohibit the student from participating in extracurricular activities.

**Review of Teacher Removals:** Not later than the third class day after the day on which a teacher removes a student from class, the school principal shall schedule a hearing with the principal or a designee, a parent/guardian of the student, the teacher removing the student, and the student. The student may not be returned to class pending the hearing. Following the hearing and whether or not each requested person is in attendance, after valid attempts to require a person's attendance, the principal shall order the placement of the student either in ISS or in DAEP, or another teacher's classroom. If the teacher removes the student for a reason listed as mandatory placement in a DAEP or mandatory expulsion, the principals shall take the appropriate action as required by state law and the Code of Conduct. If removal extends beyond the end of the next grading period, the student is entitled to a hearing as described in the section entitled "Appeal Rights for Removal to a DAEP". (FOAA LEGAL)

**Sanctions:** Expelled or out-of-school suspended students and students assigned to DAEP are prohibited from being on school grounds or attending or participating in any school-related extracurricular or co-curricular activities during the period of expulsion, out-of-school suspension, or DAEP, except by special permission from the Superintendent.

**Scholastic Penalties:** There will be no scholastic penalties for students placed in ISS. Students placed in DAEP will focus on English/Language Arts, mathematics, science, history, and self-discipline. Grades earned in DAEP will have no scholastic penalty.

A student suspended from his/her regular classes will receive an excused absence if the student satisfactorily completes the assignments for the period of suspension within a time designated by the teacher.

Pending an appeal to the Board of an expulsion, students will be allowed to remain current on all

coursework. However, if the appeal is denied, the student will not receive credit for that work. Students who are expelled will not receive credit for work missed during the expulsion. Disabled students will receive educational services during expulsion as determined by the Admission, Review, and Dismissal (ARD) Committee.

Generally, academic sanctions shall not be used as discipline. However, when the disciplinary infraction is academically related, such as cheating or plagiarism, academic sanctions determined by the teacher and principal may be imposed.

**Searches:** School officials may search a student or a student's property with reasonable or probable cause with or without the student's free and voluntary consent. However, consent obtained through threat of contacting the police authorities is not considered to be freely and voluntarily given. Vehicles on school property are also subject to search.

Areas such as lockers or desk, which are owned or jointly controlled by the district, may be searched if reasonable cause exists to believe that contraband is inside the locker. Students shall not place, keep, or maintain any article or material in school lockers that is forbidden by district policy or that could lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function.

Searches of a student's outer clothing and pockets may be conducted if reasonable cause exists. Highly intrusive invasions of a student's privacy, such as searches of the student's person, shall be conducted only if probable cause exists to believe that the student possesses contraband. This search will be done in the presence of a witness of the same gender as the offender.

Searching with an alcohol and narcotics interdiction dog is to be accomplished on a random, unpredictable basis throughout the entire school facility. No routine with regards to time, place, or frequency, or duration of the visit should be planned or tolerated if the desired effect is to be realized. Students found with contraband will be dealt with according to school policy.

**Secret Societies and Gang Activities:** Students shall not become members or promise to become members of any organization composed wholly or in part of students of public school below the rank of college or jr. college which seeks to perpetuate itself by taking in additional members from the students enrolled in such school on the basis of the decision of its membership, rather than upon the free choice of any student in the school, who is qualified under the rules of the school, to fill the special aims of the organization. Gangs are specifically included in this rule. Any student who violates this rule shall be recommended for placement in a DAEP.

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

**Serious Offenses:** Any offense that is Level II or above or is listed as prohibited conduct in the Code of Conduct, is a serious offense.

**Sexual Harassment:** The district believes that every student has the right to attend school and school-related activities free from all forms of discrimination on the basis of sex, including sexual harassment. The district considers sexual harassment of students to be serious and will consider the full range of disciplinary options, up to and including expulsion, according to the nature of the offense. All students are expected to treat one another courteously, with respect for the other person's feelings; to avoid any behaviors known to be offensive; to stop these behaviors when asked or told to stop. All students are prohibited from engaging in offensive verbal or physical conduct of a sexual nature directed toward another student. This prohibition applies whether the conduct is by word, gesture, or any other intimidating sexual contact, including requests for sexual favors, that the other student regards as offensive or provocative

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

length of less than 26 inches.

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force. The term does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

**Terroristic threat** occurs when a person threatens to commit any offense involving violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

**Title 5 offenses** involve injury to a person and include murder; kidnapping; assault; aggravated assault; sexual assault; aggravated sexual assault; unlawful restraint; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; deadly conduct; terroristic threat; aiding a person to commit suicide; and tampering with a consumer product. [see FOC(EXHIBIT)]

**Title II (ADA):** The Tidehaven Independent School District does not discriminate on the basis of disability by denying access to the benefits of the district services, programs, or activities. To request information about applicability of Title II of the Americans with Disabilities Act (ADA), interested persons should contact Dr. Suzanne Wesson.

**Title IX:** The Tidehaven Independent School District does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services. Ms. Debra Taska has been designated to coordinate compliance with the nondiscrimination requirements of Title IX of the Education Amendments of 1972, as amended. Ms. Debra Taska has been designated to coordinate compliance with the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973.

**Tobacco Use:** Students shall not possess or use tobacco products, including but not limited to cigarettes, cigars, pipes, snuff, or chewing tobacco, while under the school's jurisdiction. (FNCD LEGAL)

**Under the influence** means not having the normal use of mental or physical faculties; however, the student need not be legally intoxicated. Impairment of a person's physical and/or mental faculties may be evidenced by a pattern of abnormal or erratic behavior and/or the presence of physical symptoms of drug or alcohol use.

**Use** means that a student has voluntarily introduced into his or her body by any means a prohibited substance recently enough that it is detectable by the student's physical appearance, actions, breath, or speech.

**Vandalism and Damage to School Property:** Students shall not vandalize or otherwise damage or deface any property, including furniture and other equipment belonging to or used by the district or district schools. Parents or guardians of students guilty of damaging school property may be liable for

damages in accordance with the law. Students shall be responsible for the care and return of state-owned textbooks/calculators and may be charged for replacement of lost items.

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

Students are prohibited from bringing to school or a school-related activity any weapons. This prohibition will not normally apply to school supplies such as pencils, compasses, and the like, unless they are used in a menacing or threatening manner.

**Weapons include, but are not limited to:**

Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device; explosive weapons; a razor, box cutter, chain, club, metallic knuckles, or any other object used in a way that threatens or inflicts bodily injury to another person; a “look-alike weapon”; firearms; an air gun or BB gun; a machine gun; short-barrel firearm; ammunition; a stun gun; a zip gun; an illegal knife; a pocketknife or any other small knife; switchblade knife; mace or pepper spray; chemical dispensing device; pornographic material; tobacco products; matches or a lighter; a laser pointer for other than an approved use; any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

The possession or use of articles not generally considered weapons may be prohibited when, in the principal's judgment, a reasonable apprehension of danger exists to the student in possession, other students, staff, or school property by virtue of possession or use.

**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.

## **Tidehaven ISD's Disciplinary System**

Students violating the district's rules and regulations shall suffer disciplinary consequences commensurate with their behavior. In general, discipline shall be progressively administered so that penalties increase due to the severity or persistence of the misbehavior. The type and extent of the punishment will depend on the offense. Pursuant to state law, however, some offenses require mandatory removal to a disciplinary alternative education program or mandatory expulsion. The consequences are not necessarily in the order of severity and one or more disciplinary options may be used for a single offense, if deemed appropriate. The teacher or administrator responsible for the discipline of a student in a given situation may use discretion in determining the disciplinary action most appropriate to the setting and the violation. As a consequence of persistent or serious violations, students may be referred to a counselor, nurse, or other staff members with special skills for assistance in modifying the behavior. School officials shall notify a local law enforcement authority if they suspect that criminal acts have occurred on school or district property.

Tidehaven ISD has organized the Student Code of Conduct violations into levels. Level I violations are all violations that are minor in nature and are generally handled by the classroom teacher. Level II and Level III violations are more serious in nature, and the principal has several options as to how he/she can discipline the student. The violations of the Student Code of Conduct that are in Level IV are more serious and will normally result in expulsion, out-of-school suspension, or placement in ISS or a DAEP. The next level of violations, Level V, of the Student Code of Conduct is reserved for the most severe infractions. Students who commit any of these violations will be expelled from school. The last part of this disciplinary system deals with the removal of a student from the classroom by a teacher.

# Level I Violations of the District's Student Code of Conduct

A teacher may handle the following behaviors in the classroom by applying the appropriate discipline management technique, or the teacher may send the student to the principal. Parents may be requested to come for a conference with the teacher to discuss the misbehavior and the disciplinary action. These behaviors are minor acts of misconduct, generally observed in the classroom or in the building, which interfere with the orderly educational process.

1. Throwing small objects that may not cause bodily injury or damage property. (i.e. - paper, spit wads, erasers, pen, pencils, etc.).
2. Horseplay, scuffling, pushing, or shoving.
3. Being disruptive, rude, or making unnecessary noises.
4. Disturbing other students.
5. Refusing to follow instructions or classroom rules.
6. Minor defacing of school property (i.e. - writing on desks or in books)
7. Possession or use of non-instructional items (i.e. - CD's, cards, water guns).
8. Inappropriate display of emotion or affection.
9. Running in classrooms, halls, cafeteria, etc.
10. Tardies.
11. Sleeping in class.
12. Thefts of less than or equal to \$1.00
13. Violation(s) of classroom procedures established by teacher/campus policy.
14. Any other misbehavior the teacher determines is minor in nature.

## **Procedures for Level I Violations**

1. There is immediate and consistent intervention by the teacher who is supervising the student or who observes the violations.
2. If the teacher does not send the student to the principal, the teacher does NOT have to write a Student Code of Conduct violation report for the above violations.
3. If the teacher does send the student to the principal, the teacher must write a Student Code of Conduct violation report for the above violations, and the principal shall notify the student's parents.
4. A documented record of the offense and disciplinary action taken is maintained by the teacher or the principal, whichever is applicable.

## **Suggested Discipline Management Techniques for Level I Violations (Teachers)**

1. Use of visual and/or auditory methods of correction.
2. Time out or cooling off.
3. Withdrawal of privileges.
4. Seating changes within the classroom.
5. Special assignments or duties.
6. Detention outside of school hours or during the school day.
7. The teacher may wish to discuss the misbehavior with the parents via letter, phone and/or conference, and the campus administrator, etc.

8. Demerits.
9. Temporary confiscation of the item(s) that is disrupting the educational process.
10. Behavioral contract.
11. Isolation within or outside the classroom.
12. Sending the student to the appropriate administrator for a conference.
13. Any other discipline management technique listed under the section entitled Discipline Management Techniques, except DAEP, ISS, Out-of-School Suspension, or Expulsion.
14. Student shadowing by parent.

## Level II Violations of the District's Student Code of Conduct

These violations of the Student Code of Conduct are more severe and disruptive than Level I violations. Parents may be notified of the offense and may be requested to come to the school for a conference with the administrator to discuss the offense and the disciplinary action. **These types of violations of the Student Code of Conduct should be routinely handled by the administrator.** These violations include:

1. **Persistent** violations of Level I.
2. Throwing objects that can cause bodily injury or damage property.
3. Engaging in any conduct that disrupts the school environment or educational process.
4. Directing profanity, vulgar language, or obscene gestures toward other students.
5. Scholastic dishonesty which includes but is not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.
6. Failing to comply with lawful directives issued by school personnel or school policies, rules, and regulations.
7. Possession or use of matches or lighters, etc.
8. Smoking, using, or possession of tobacco products.
9. Violating safety rules.
10. Violations of the district's dress and grooming codes.
11. Failure to complete teacher assigned detention.
12. Possession of a cellular phone or telecommunication device inside any Tidehaven ISD school building.
13. Possession or use of fireworks.
14. Thefts in an amount of more than \$1.00 and less than or equal to \$50.00.
15. Forgery of school records and/or forms.
16. Misuse of food in the cafeteria or anywhere else on the campuses.
17. Posting or distributing unauthorized publications on school property.
18. Participating in an unauthorized organization (if a student participates in a fraternity, sorority, secret society or a gang, the student will be removed to a DAEP).
19. Selling or soliciting for sale unauthorized merchandise.
20. Use, exhibition, or possession of a knife less than 5.5 inches long.
21. Any other violation of the Student Code of Conduct that is determined to be more serious than a Level I, but does not fall in the category of Level III, IV, V.

### **Procedures for Level II Violations**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state his/her side.
3. The student and, if necessary the teacher, is informed of the administrator's actions.
4. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
5. If the student is removed by a teacher or administrator, the principal may schedule a conference within three (3) days with the principal, teacher, parent/guardian, and the student. At this

conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

6. An accurate record of the violations and actions will be maintained.
7. In the case of a discretionary removal of a student by the teacher, the principal may not return the student to that teacher's classroom without his/her consent, unless the PRC determines it is the best placement or the only alternative.
8. The district may prohibit the student from participating in extracurricular activities.

### **Suggested Discipline Management Techniques - Level II Violations (Administrators)**

1. Oral or visual correction.
2. Time out or cooling off.
3. Sending the student to the office or other assigned area.
4. Conference with parent and student and, if needed, teacher(s).
5. Principal assigned detention - Morning, Noon, afternoon, and/or Saturday.
6. Assigned school duties other than classroom tasks.
7. School-assessed and administered probation.
8. Withdrawal of privileges, including participation in extracurricular activities and honorary positions.
9. Corporal punishment.
10. Confiscation of the item(s) that is disrupting the educational process.
11. Counseling by special services, administrator, or teacher(s).
12. Student shadowing by parent.
13. Behavioral contracts.
14. In-school suspension.
15. Referral to an outside agency or authority, including community programs.
16. Teacher removal of the student from the classroom.
17. Removal to a disciplinary alternative education program (DAEP).
18. Out-of-school suspension.
19. Restitution, if applicable.
20. Grade penalty for copying or cheating
21. Any other discipline management technique listed under the section entitled "Discipline Management Techniques".

## Level III Violations of the District's Student Code of Conduct

These violations of the Student Code of Conduct are more severe and disruptive than Level I or Level II violations. Parents will be notified of the offense and shall be requested to come to the school for a conference with the administrator to discuss the offense and the disciplinary action. **These types of violations of the Student Code of Conduct should be routinely handled by the administrator.** These violations include:

1. Gambling.
2. Possession or use of a stink bomb, smoke bomb, or other noxious chemicals.
3. Possessing or selling look-alike drugs or items attempted to be passed off as drugs.
4. Perjury or lying as a witness during a school investigation. Students who are an accomplice or witness to any disciplinary event that they fail to report to an administrator may be subject to disciplinary action.
5. Illegal or unauthorized entry or attempted entry into computer files (Hacking) or accessing prohibited or inappropriate materials by electronic means.
6. Mooning.
7. Truancy or leaving school grounds or events without permission.
8. Exhibiting disrespect or directing profanity, vulgar language, or obscene gestures toward teachers or other school employees.
9. Engaging in verbal abuse, i.e. name calling, ethnic or racial slurs, or derogatory remarks addressed publicly to others.
10. Engaging in inappropriate physical or sexual contact disruptive to other students or the school environment. Includes possession of obscene materials.
11. Engaging in offensive conduct of a sexual nature that constitutes sexual harassment or sexual abuse, whether verbal or physical, that may include requests for sexual favors or other intimidating sexual conduct directed toward another person.
12. Dating violence.
13. Causing or attempting to cause damage to school property under \$1,500.00 or stealing or attempting to steal school property of a value in an amount greater than \$50.00 and less than \$1,500.00.
14. Causing or attempting to cause damage to private property under \$1,500.00 or stealing or attempting to steal private property owned by another student or district employee in an amount greater than \$50.00 and less than \$1,500.00.
15. Hazing.
16. Fighting, committing physical abuse, or threatening physical abuse.
17. Committing extortion, coercion, or blackmail, i.e. obtaining money or another object of value from an unwitting person or forcing an individual to act through the use of threat or threat of force.
18. Engaging in misconduct, as defined by district policies and regulations, on school buses.
19. Causing or participating in classroom disturbances or engaging in any other conduct that disrupts the school environment or education process.
20. Vandalism which is destructive and disrupts the normal function of the school.
21. **Persistent** violations of Level II
22. Any violation of the Student Code of Conduct that is determined to be more serious than a Level I and Level II, but does not fall in the category of Level IV or V.

23. A principal or other appropriate administrator may place a student in an DAEP if the Superintendent or designee has a reasonable belief that a student has engaged in conduct defined as a felony offense other than those defined in Title 5 of the Penal Code (offenses against a person); and the continued presence of the student in the regular classroom threatens the safety of the other students or teachers or will be detrimental to the educational process.

The statute provides that the Superintendent may determine whether there is reasonable belief by using information provided by the police under Article 15.27 or any other information that is available. On receipt of notice from the prosecuting attorney or juvenile court that the student has been found not guilty or that the charges have been dropped by the prosecutor, the Superintendent or his designee must review the student's placement in the DAEP. The student may not be returned to the regular classroom pending review.

### **Procedures for Level III Violations**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state his/her side.
3. The student and, if necessary the teacher, is informed of the administrator's actions.
4. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
5. The principal shall schedule a conference within three (3) days with the principal, teacher, parent/guardian, and the student.
6. An accurate record of the violations and actions will be maintained.
7. In the case of a discretionary removal of a student by the teacher, the principal may not return the student to that teacher's classroom without his/her consent, unless the PRC determines it is the best placement or the only alternative.
8. The district may prohibit the student from participating in extracurricular activities.

### **Suggested Discipline Management Techniques-Level III Violations (Administrators)**

1. Sending the student to the office or other assigned area.
2. Conference with parent and student and, if needed, teacher(s).
3. Principal assigned detention - Morning, Noon, afternoon, and/or Saturday.
4. Assigned school duties other than classroom tasks.
5. School-assessed and administered probation.
6. Withdrawal of privileges, including participation in extracurricular activities and honorary positions.
7. Corporal punishment.
8. Student shadowing by parent.
9. Counseling by special services, administrator, or teacher(s).
10. Behavioral contracts.
11. In-school suspension.
12. Referral to an outside agency or authority, including school-community programs.
13. Teacher removal of the student from the classroom.
14. \*Removal to a disciplinary alternative education program (DAEP).
15. \*Out-of-school suspension.

16. Restitution, if applicable.

17. Any other discipline management technique listed under the section entitled "Discipline Management Techniques".

**\*In deciding to order suspension and/or DAEP, the district will take into consideration:**

a. self-defense (see glossary)

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

c. the student's disciplinary history.

## ★Level IV Violations of the District's Student Code of Conduct

Level IV violations are more serious misbehavior than Level I, Level II or Level III. These violations interfere with and disrupt the educational process. Parents will be notified of the offense and shall be requested to come to the school for a conference with the administrator to discuss the offense and the disciplinary action. **These types of misbehaviors should be routinely handled by the administrator.**

**If a student commits any of the following infractions, it is mandated by law that the student must be placed in a DAEP, and he/she may be placed in ISS or suspended pending a hearing.**

**Students must be placed in a DAEP for the following offenses if committed on school property or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property:**

1. Engages in conduct involving a public school that contains the elements of false alarm or report (including a bomb threat) or a terroristic threat.
2. Engages in conduct punishable as a felony.
3. Engages in conduct that contains elements of assault (intentionally, knowingly, or recklessly causing bodily injury to another) or a terroristic threat.
4. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marihuana or a controlled substance in an amount not constituting a felony offense or a dangerous drug in an amount not constituting a felony offense (district will decide on a case-by-case basis whether to place in DAEP or expel if the conduct is not punishable as a felony).
5. 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 punishment is less than a felony (district will decide on a case-by-case basis whether to place in DAEP or expel if the conduct is not punishable as a felony).
6. Engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint or relating to volatile chemicals (district will decide on a case-by-case basis whether to place in DAEP or expel if the conduct is not punishable as a felony).
7. Engages in conduct that contains the elements of the offense of public lewdness or indecent exposure.
8. Retaliates against a school employee, when not combined with another offense, either on or off school property (if a student engages in an expellable offense in retaliation against an employee, the student shall be expelled).
9. Damage to property equal to or in excess of \$1500 is felony criminal mischief and requires placement in a DAEP or expulsion.

**In accordance with State Law, a student may be placed in a DAEP for any one of the following offenses.**

1. Engaging in conduct punishable as a felony, other than those listed as offenses involving injury to a person in Title 5 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. In accordance with *Education Code 37.0081*, after an opportunity for a hearing before the Board or its designee, a student may be placed in a DAEP if:
  - a. the student receives deferred prosecution for conduct defined as a felony offense in Title 5 of the Texas Penal Code; or
  - b. the student has been found by a court to have engaged in delinquent conduct for conduct

defined as a felony offense in Title 5 of the Texas Penal Code.

The Board or the Board's designee must determine that the student's presence in the regular classroom:

- a. threatens the safety of other students or teachers,
- b. will be detrimental to the educational process; or
- c. is not in the best interest of the district's students.

A student's placement in the DAEP as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur regardless of:

- a. the date on which the student's conduct occurred,
  - b. the location at which the conduct occurred,
  - c. whether the conduct occurred while the student was enrolled in the district; or
  - d. whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.
1. Involvement in gang activity, including participating as a member or pledge, or soliciting another person to become a pledge or member of a gang.
  2. Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, or secret society.
  3. Any criminal mischief.
  4. A federal firearms violation, for a student six years of age or younger.

**The district has determined that the following behaviors may result in a student's placement in a DAEP:**

- Cheating or copying the work of another.
- Throwing objects that can cause bodily injury or property damage.
- Failing to comply with directives given by school personnel.
- Leaving school grounds or school-sponsored events without permission.
- Disobeying rules for conduct on school buses.
- Directing profanity, vulgar language, or obscene gestures toward other students or a district employee.
- Fighting.
- Hazing.
- Stealing from students, staff, or the school.
- Damaging or vandalizing property owned by others.
- Defacing or damaging school property—including textbooks, lockers, furniture, and other equipment—with graffiti or by other means.
- Possessing fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device.
- Discharging a fire extinguisher.
- Possessing a razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person.

- Possessing or selling a "look-alike" weapon.
- Possessing an air gun or BB gun.
- Possessing ammunition.
- Possessing a stun gun.
- Possessing mace or pepper spray.
- Possessing or using any articles not generally considered to be a weapon, including school supplies, when the principal or designee determines that a danger exists.
- Gambling.
- Making false accusations or hoaxes regarding school safety.
- Falsifying records, passes, or other school-related documents.
- Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person).
- Engaging in disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Being insubordinate.
- Refusing to accept discipline management techniques assigned by a teacher or principal.
- Forcing an individual to act through the use of force or threat of force.
- Dating violence.
- Committing or assisting in a robbery or theft even if it does not constitute a felony according to the Texas Penal Code. (Felony robbery or theft offenses are addressed elsewhere in the Student Code of Conduct.)
- Bullying, including intimidation by name-calling, using ethnic or racial slurs, or making derogatory statements that could disrupt the school program or incite violence.
- Engaging in threatening behavior toward another student or district employee, on or off school property.
- Engaging in harassment motivated by race, color, religion, national origin, disability, or age and directed toward another student or a district employee.
- Engaging in any misbehavior that gives school officials reasonable cause to believe that such conduct will substantially disrupt the school program or incite violence.
- Engaging in inappropriate verbal, physical, or sexual contact directed toward another student or a district employee.
- Being required by law to register as a sex offender.
- Engaging in conduct that constitutes sexual harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors directed toward another student or a district employee.
- Inappropriate or indecent exposure of a student's private body parts.
- Possessing or using matches or a lighter.

- Possessing, smoking, or using tobacco products.
- Possessing or selling look-alike drugs or items attempted to be passed off as drugs or contraband.
- Possessing or selling seeds or pieces of marijuana in less than a usable amount.
- Possessing, using, giving, or selling paraphernalia related to any prohibited substance.
- Abusing the student's own prescription drug, giving a prescription drug to another student, or possessing or being under the influence of another person's prescription drug on school property or at a school-related event.
- Violating the district's policy on taking prescription drugs and over-the-counter drugs at school.
- Possessing a cellular telephone or other telecommunications device at school during the school day.
- Possessing or using a laser pointer for other than an approved use.
- Violating computer use policies, rules, or agreements signed by the student, and/or agreements signed by the student's parent.
- Using the Internet or other electronic communications to threaten students, employees, or cause disruption to the educational program.
- Sending or posting electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Engaging in verbal or written exchanges that threaten the safety of another student, a school employee, or school property.
- Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety, using e-mail or Web sites at school to encourage illegal behavior, or threatening school safety.
- Possessing material that is pornographic.
- Violating dress and grooming standards as communicated in the student handbook.
- Repeatedly violating other communicated campus or classroom standards of behavior.

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 non-emergency basis.

## **Title 5 of the Texas Penal Code - Offenses against the Person**

Offenses against a person include the following:

1. Murder
2. Capital Murder
3. Manslaughter
4. Criminally negligent homicide
5. Kidnapping
6. Aggravated kidnapping
7. Indecency with a child
8. Sexual assault
9. Aggravated assault
10. Aggravated sexual assault
11. Injury to a child, elderly individual, or disabled individual
12. Abandoning or endangering a child
13. Deadly conduct
14. Terroristic threat
15. Aiding a person to commit suicide
16. Tampering with a consumer product

### **Procedures for Level IV Violations**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state his/her side.
3. The student and, if necessary the teacher, is informed of the administrator's actions.
4. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
5. The principal shall schedule a removal conference within three (3) days with the principal, teacher, parent/guardian, and the student. At this conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal. Following the conference, whether or not each requested person attended, the principal shall order the placement of the student according to the student code of conduct.
6. An accurate record of the violations and actions will be maintained.
7. Not later than the second business day after a hearing, the Board or the Board's designee must deliver to the juvenile court a copy of the order placing a student in an DAEP and information required by Section 52.04 of the Family Code.
8. The district shall prohibit the student from participating in extracurricular activities.
9. If the placement extends beyond the end of the next grading period, the student or student's parent or guardian has a right to notice and participation in a removal conference before the Board or its designee.
10. For placement in DAEP to extend beyond the end of the school year, the Board or its 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 that violates the district student code of conduct.

11. A student placed in a DAEP must be provided a review of the student's status, including the student's academic status, by the Board designee. The review must occur at intervals of not more than 120 days.
12. If the student in the DAEP is a high school student, the Board designee and the student's parent/guardian must assess the student's progress toward meeting graduation requirements and must establish a specific graduation plan for the student. At the review, the student or student's parent/guardian must be given an opportunity to present arguments on behalf of the student for the student's return to a regular classroom.
13. In-School Suspension - A student may be placed in ISS pending an DAEP or expulsion hearing.

## **General Level IV Information**

1. Removals to a DAEP will be made by the campus principal.
2. The duration of a student's placement in a DAEP will be determined by the campus principal.
3. The duration of a student's placement in a DAEP will be determined on a case-by-case basis.
4. DAEP placement will be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.
5. 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.
6. The district will decide on a case-by-case basis whether to place in a DAEP or expel a student who sells, gives, delivers, possesses, uses, or is under the influence of prohibited drugs or alcohol or engages in conduct punishable as an offense relating to an abusable volatile chemical if the conduct is not punishable as a felony.
7. When a student is removed from class by a teacher (formal removal) or an administrator for a mandatory or discretionary DAEP offense, the principal or other appropriate administrator will schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.
8. Until a conference can be held as a result of a formal teacher removal or administrator removal, the principal may place the student in:
  - a. another appropriate classroom.
  - b. in-school suspension.
  - c. out-of-school suspension.
  - d. a Disciplinary Alternative Education Program.
9. At the conference, the principal or appropriate administrator will inform the student, orally or in writing, of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.
10. Following valid attempts to require their attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parent attends the conference.
11. After the conference, if the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in the Student Code of Conduct, the DAEP placement order will give notice of the inconsistency.
12. Placement in a DAEP may not exceed one year unless a review by the district determines that:
  - a. the student is a threat to the safety of other students or to district employees; or
  - b. extended placement is in the best interest of the student.
13. A DAEP placement in accordance with Education Code 37.0081 may be for any length of time determined necessary by the Board or its designee in light of the factors considered before

placement. A student placed under this section is entitled to periodic status reviews by the Board or designee at intervals not to exceed 120 days.

14. The Board's designee will send the student and the parents a copy of the DAEP order. Not later than the second business day after the conference, the Board's designee will deliver to the juvenile court a copy of the order placing the student in a DAEP and all information required by Section 52.04 of the Family Code.
15. After the conference, if the student is placed in a DAEP, the appropriate administrator will write a DAEP placement order. A copy of the DAEP placement order will be sent to the student and the student's parent. Parental questions or complaints regarding disciplinary measures should be addressed to the campus administration, in accordance with policy FNG (LOCAL). A copy of this policy may be obtained from the principal's office or the central administration office or by accessing district policy online at <http://www.tidehavenisd.com> . Consequences will not be deferred pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the Board.
16. State law prohibits students placed in a DAEP for mandatory removal reasons from attending or participating in school-sponsored or school-related extracurricular activities.
17. The district does not permit a student who is placed in a DAEP for any reason determined by the district to participate in any school-sponsored or school-related extracurricular and co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.
18. A student placed in a DAEP will 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.
19. If during the term of placement in a DAEP the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the principal, or other appropriate administrator, or the Board may enter an additional disciplinary order as a result of those proceedings.
20. A student placed in a DAEP will be provided a review of his or her status, including academic status, by the campus principal at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan will also be reviewed. At the review, the student or the student's parent will be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.
21. For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent will be given notice and the opportunity to participate in a proceeding before the Board or the Board's designee. Any decision is final and may not be appealed beyond the Board.
22. For placement in a DAEP to extend beyond the end of the school year, the campus principal must determine that:
  - a. the student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or
  - b. the student has engaged in serious or persistent misbehavior that violates the district's Student Code of Conduct.
23. 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.
24. When a student violates the district's Student Code of Conduct in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a DAEP placement order is completed, the district may complete the proceedings and issue a DAEP

placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the principal, or other appropriate administrator, or the Board fails to issue a DAEP placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a DAEP placement order.

25. A student assigned to a DAEP placement in another district or open-enrollment charter school at the time he or she enrolls in the district will be placed directly into the district's DAEP.
26. 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 will be the last instructional day, and the student will be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.
27. The office of the prosecuting attorney will notify the district if a student was placed in a DAEP and prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication (see glossary), or deferred prosecution will be initiated; or the court or jury found a student not guilty, or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.
28. If a student was placed in a DAEP for conduct other than a false alarm or report or terroristic threat involving a public school or conduct on or within 300 feet of school property for which DAEP placement is required by law, on receiving the notice from the prosecutor, the Superintendent or designee will review the student's placement in the DAEP and schedule a review of the student's placement 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.
29. After reviewing the notice and receiving information from the student's parent, the Superintendent or designee may continue the student's placement in the DAEP 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.
30. The Board will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the Superintendent or designee, and confirm or reverse the decision of the Superintendent or designee. The Board will make a record of the proceedings. If the Board confirms the decision of the Superintendent or designee, the Board will inform the student and the student's parent of the right to appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.
31. When an emergency placement occurs, the student will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will be given the appropriate conference required for placement in a DAEP. If emergency placement involves a student with disabilities who receives special education services, the term of the student's emergency removal is subject to the requirements of federal law.
32. A school district shall provide the parents of a student removed to DAEP with written notice of the district's obligation to provide the student with opportunity to complete coursework required for graduation. The notice must include information regarding all methods available for completing coursework and state that the methods are available at no cost to the student.

## Placement and/or Expulsion for Certain Serious Offenses

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

### Sex Offender:

- Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the administration must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.
- If the student is under any form of court supervision, including probation, community supervision, or parole, the placement will be in either DAEP or JJAEP for at least one semester.
- If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the board or its designee determines that the student's presence:
  1. threatens the safety of other students or teachers,
  2. will be detrimental to the educational process, or
  3. is not in the best interests of the district's students.
- At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee will recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.
- The placement review of a student with a disability who receives special education services must be made by the ARD committee.
- 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.
- A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.
- Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may be expelled** and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to a felony offense under Title 5 of the Texas Penal Code. The student must:
  1. Have received deferred prosecution for conduct defined as a Title 5 felony offense;
  2. Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as a Title 5 felony offense;

3. Have been charged with engaging in conduct defined as a Title 5 felony offense;
  4. Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as a Title 5 felony offense; or
  5. Have received probation or deferred adjudication or have been arrested for, charged with or convicted of a Title 5 felony.
- 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.
  - 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.
  - The student is subject to 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.
  - The student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.
  - **Any decision of the board or the board's designee under this section is final and may not be appealed.**

## ★Level V Violations of the District's Student Code of Conduct

**The following offenses are considered serious offenses. A student age ten (10) or older shall be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off school property, commits any of the following violations:**

Bringing to school a firearm, as defined by federal law.

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

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

- A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.
- An illegal knife, such as a knife with a blade over 5 1/2 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; or a zip gun. (See glossary)

Behavior containing 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.

- Behavior punishable as a felony that involves the selling, giving, or delivering to another person, possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Retaliation against a school employee combined with one of the above-listed offenses on or off school property or at a school-related activity.

**The following offenses are considered serious offenses. In deciding whether to order expulsion, the district will take into consideration:**

1. self-defense,
2. intent or lack of intent at the time the student engaged in the conduct, and
3. the student's disciplinary history.

**A student age ten (10) or older may be expelled from school if the student, on school property or while attending a school-sponsored or school-related activity on or off school property, commits any of the following violations:**

1. **A student may be expelled** for engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.
2. **A student may be expelled** for 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 at a school in another district in Texas.
3. **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:
  - a. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony.
  - b. Selling, giving, or delivering to another person, or possessing, using, or being under the influence of any amount of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
  - c. Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
  - d. Engaging in conduct that contains the elements of assault under Section 22.01 (a)(1) against an employee or a volunteer.
  - e. Engaging in deadly conduct. (See glossary)
4. **A student may be expelled** for the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:
  - a. Committing aggravated assault, sexual assault, or aggravated sexual assault.
  - b. Committing arson.
  - c. Committing murder, capital murder, or criminal attempt to commit murder or capital murder.
  - d. Committing indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
  - e. Continuous sexual abuse of a young child or children.
  - f. Committing a felony drug- or alcohol-related offense.
  - g. Using, exhibiting, or possessing a firearm (as defined by state law, an illegal knife, a club, or prohibited weapon, or possessing a firearm (as defined by federal law).

5. **A student may be expelled** if the student engages in the following conduct no matter where the conduct takes place:
  - a. Engaging in conduct that contains the elements of assault under Penal Code 22.01 (a)(1) in retaliation against a school employee or volunteer.
  - b. Engaging in criminal mischief, if punishable as a felony.
6. **A student may be expelled** if the student engages in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - a. Aggravated assault.
  - b. Sexual assault.
  - c. Aggravated sexual assault.
  - d. Murder.
  - e. Capital murder.
  - f. Criminal attempt to commit murder or capital murder.
  - g. Aggravated robbery.
7. **A student may be expelled** for engaging in serious or persistent misbehavior that violates the district's Student Code of Conduct, while placed in a DAEP. The district defines "persistent" as two or more violations of the Student Code of Conduct in general or repeated occurrences of the same violation despite documented behavioral interventions. Serious offenses include, but are not limited to, the following:
  - a. Murder.
  - b. Vandalism.
  - c. Robbery or theft.
  - d. Extortion, coercion, or blackmail.
  - e. Disruptive actions or demonstrations that substantially disrupt or materially interfere with school activities.
  - f. Hazing.
  - g. Insubordination.
  - h. Profanity, vulgar language, or obscene gestures directed toward teachers or other school employees.
  - i. Fighting, committing physical abuse, or threatening physical abuse.
  - j. Possession or distribution of pornographic materials.
  - k. Leaving school grounds without permission.
  - l. Sexual harassment of a student or district employee.
  - m. Possession of or conspiracy to possess any explosive or explosive device.
  - n. Falsification of records, passes, or other school-related documents.
  - o. Refusal to accept discipline management techniques assigned by the teacher or principal.
  - p. Deliberate violent behavior that poses a direct threat to the health or safety of others.
  - q. Public lewdness or indecent exposure.
  - r. Personal hazing.
  - s. Harassment of a student or district employee.
  - t. Criminal mischief.

**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 non-emergency basis.**

## **Procedures for Level V Violations**

1. Teacher/administrator will complete a written report or disciplinary referral (not to exceed one page) and send the student to the appropriate administrator.
2. Administrator meets with the student and/or the teacher to understand the offense and if necessary, give the student and/or the teacher a chance to state his/her side.
3. The student and, if necessary the teacher, is informed of the administrator's actions.
4. Within 24 hours of the administrator receiving the report from the teacher, the principal must send a copy to the student's parent or guardian.
5. The principal shall schedule a conference within three (3) days with the principal, teacher, parent/guardian, and the student. At this conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.
6. The Board or Board's designee must provide the student with a hearing which the student's parent or guardian is invited in writing to attend, and proper due process (right to notice and an opportunity to be heard) must be provided the student. At the hearing the student is entitled to be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district. If the district makes a good-faith effort to inform the student and the student's parent or guardian of the time and place of the hearing, the district may hold the hearing regardless of whether the student, the student's parent, or another adult representing the student attends.
7. If the decision to expel is made by the Board's designee, the decision may be appealed to the Board. A decision by the Board may be appealed by trial de novo to a district court of the county in which the district's central administrative office is located.
8. An accurate record of the violations and actions will be maintained.
9. No later than the second business day after a hearing, the Board or the Board's designee must deliver a copy of the order expelling a student and information required by Section 52.04 of the Family Code to the juvenile court. If the student is expelled for serious or persistent misbehavior while in a disciplinary DAEP, the Board or designee shall refer the student to the authorized officer of the juvenile court.
10. An expelled student may be readmitted on the recommendation of the placement review committee or the district while the student is completing any court disposition requirements the court imposes. The student may not be returned to the teacher's class where the offense occurred without the teacher's consent. After the student has successfully completed any court disposition requirements the court imposes, including conditions of a deferred prosecution ordered by the prosecutor or probation department, the district may not refuse to admit the student if the student meets the requirements for admission. However, the district may place the student in an DAEP.
11. The district shall prohibit the student from participating in extracurricular activities.
12. A student may be placed in In-school suspension and DAEP or suspended for up to 3 days preceding an expulsion hearing.
13. After the hearing, the Board has the authority to expel the student.
14. The student shall not participate in extracurricular activities and shall not come to any school function on or off school property.

## **General Level V Information**

- 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.

- When a student **under the age of ten** engages in behavior that is expellable behavior, the student will not be expelled, but will be placed in a Disciplinary Alternative Education Program (DAEP).
  - Students **under age six** will not be removed from class or placed in a DAEP unless the student commits a federal firearm offense.
  - State and federal law **require a student to be expelled** from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the Superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis, and/or the district may provide educational services to the expelled student in a DAEP.
  - The district must provide educational services in the DAEP if the student is less than ten years of age.
1. If a student is believed to have committed an expellable offense, the principal or other appropriate administrator will schedule a hearing within a reasonable time. The student's parent will be invited in writing to attend the hearing. Until a hearing can be held, the principal may place the student in:
    - a. another appropriate classroom.
    - b. in-school suspension.
    - c. out-of-school suspension.
    - d. a Disciplinary Alternative Education Program.
  2. The duration of a student's expulsion will be determined on a case-by-case basis.
  3. The length of an expulsion will be correlated to the seriousness of the offense, the student's age and grade level the frequency of misbehavior, the student's attitude, and statutory requirements.
  4. A student facing expulsion will be given appropriate due process. The student is entitled to:
    - a. 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.
    - b. an opportunity to testify and to present evidence and witnesses in the student's defense.
    - c. an opportunity to question the district's witnesses.
  5. The Board delegates to the superintendent, or designee, the authority to expel students.
  6. A student expelled by the superintendent, or designee, after the due process hearing may request that the Board review the expulsion decision. The student or parent must submit a written request to the Superintendent within seven days after receipt of the written decision.
  7. 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. Consequences will not be deferred pending the outcome of the hearing.
  8. After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or parent attends.
  9. The Board will review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The Board may also hear a statement from the student or parent and from the Board's designee.
  10. The Board will hear statements made by the parties at the review and will base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board will make and communicate its decision orally at the conclusion of the presentation. Consequences will not be deferred pending the outcome of the hearing.
  11. After the due process hearing, if the student is expelled, the Board or its designee will deliver to the student and the student's parent a copy of the order expelling the student.

12. If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order will give notice of the inconsistency. An expulsion may not exceed one year unless, after review, the district determines that:
  - a. the student is a threat to the safety of other students or to district employees; or
  - b. extended expulsion is in the best interest of the student.
13. When a student has violated the district's Student Code of Conduct 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 re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district. If the principal, another appropriate administrator, or the Board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings. 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 principal, another appropriate administrator, or the Board may issue an additional disciplinary order as a result of those proceedings.
14. Not later than the second business day after the hearing, the Board's designee will deliver to the juvenile court a copy of the order expelling the student and the information required by Section 52.04 of the Family Code.
15. 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.
16. Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.
17. No district academic credit will be earned for work missed during the period of expulsion (unless the student is enrolled in a Juvenile Justice Alternative Education Program or another district-approved program).
18. The district will continue the expulsion of any student expelled from another district during the period of the expulsion order.
19. The district will continue the expulsion of any student expelled from another open-enrollment charter school during the period of the expulsion order.
20. 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:
  - a. the out-of-state district provides the district with a copy of the expulsion order, and
  - b. the offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.
21. If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district will reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:
  - a. the student is a threat to the safety of other students or district employees; or
  - b. extended placement is in the best interest of the student.
22. When an emergency expulsion occurs, the student will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion. If emergency expulsion involves a student with disabilities who receives special education services, the term of the student's emergency expulsion is subject to the requirements of federal law.

## **Expulsion of Students with Disabilities Under Section 504**

Students with disabilities served pursuant to Section 504 will be disciplined in accordance with state and federal law. The Discipline Management Plan and Student Code of Conduct apply to all students, including Section 504 students. Section 504 students may be subject to a series of removals for disciplinary reasons, each one of which may be for up to ten school days at a time, for different acts of misconduct. So long as the series of removals does not constitute a change of placement, and the disciplinary consequences are those applicable to non-disabled students, there is no requirement that the Section 504 Committee determine whether the misbehavior is a manifestation of the disability. A Section 504 student shall not be subject to disciplinary removal for more than ten consecutive school days or expelled unless the district first determines that the misbehavior is not a manifestation of the student's disability. That determination may be made by the same group of people who make placement decisions. The group must have available to it, evaluation data that is recent enough to afford and understanding of the student's current behavior. At a minimum, the group shall include two or more persons knowledgeable about the student and the meaning of the evaluation data.

**This Student Code of Conduct was written and developed with cooperation of the Administration and the District Improvement Plan Committee.**