

# PARENT/ STUDENT HANDBOOK

and Student Code of Conduct  
2020-2021



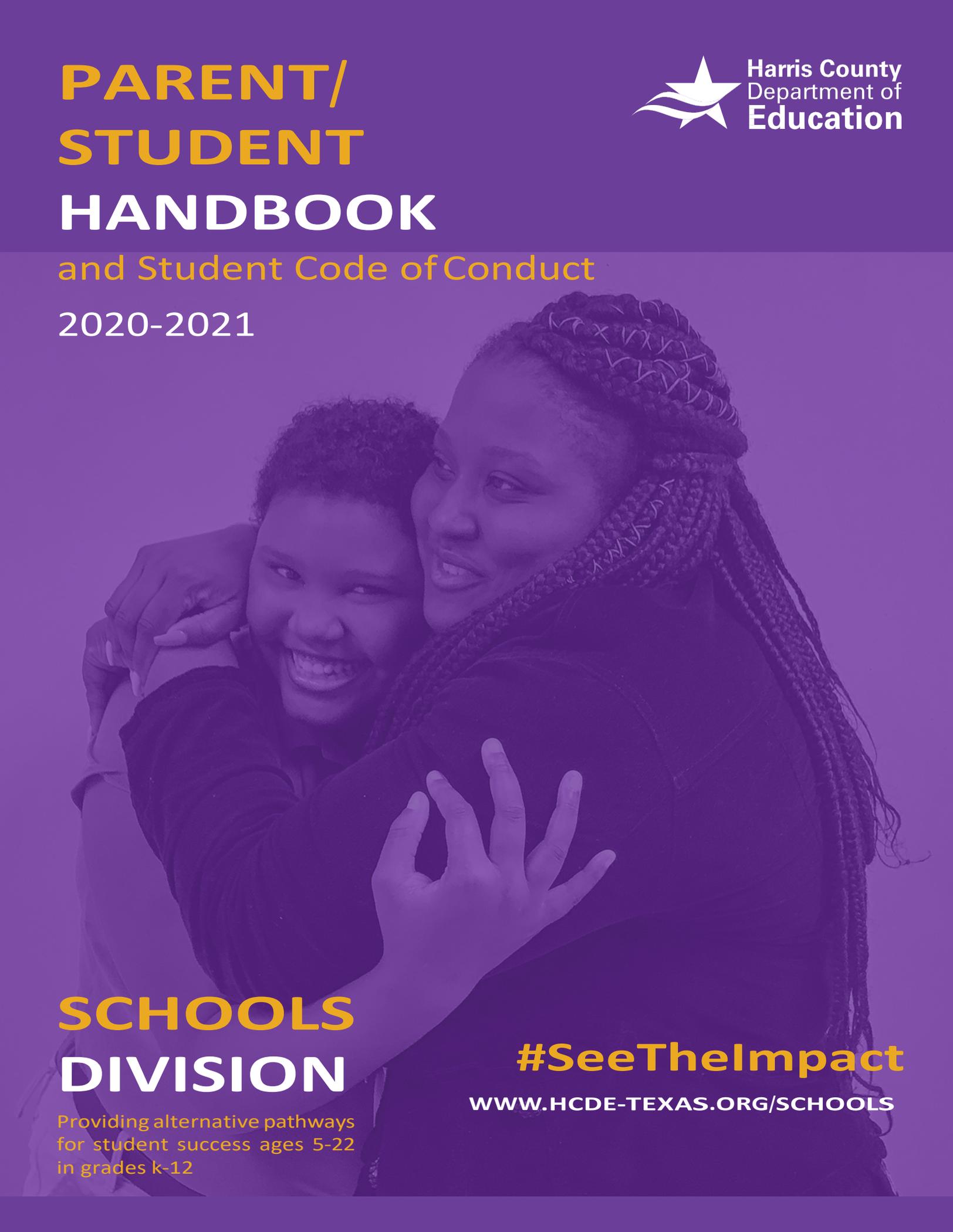
Harris County  
Department of  
Education

## SCHOOLS DIVISION

Providing alternative pathways  
for student success ages 5-22  
in grades k-12

## #SeeTheImpact

[WWW.HCDE-TEXAS.ORG/SCHOOLS](http://WWW.HCDE-TEXAS.ORG/SCHOOLS)





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**One source for all learners**



*Please complete and return to the student's campus the following forms.*

**2020-2021 Acknowledgment of  
Electronic Distribution  
Academic and Behavior Schools  
Highpoint School  
Fortis Academy  
Student Handbook and Student Code of Conduct**

My child and I have received a copy of the Harris County Department of Education Student and Parent Handbook and the Student Code of Conduct for 2020-2021. I understand that the handbook contains information that my child and I will need during the school year and that all students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Student Code of Conduct. If I have any questions regarding this Handbook or the Code, I will direct those questions to the principal at the campus.

Printed name of student: \_\_\_\_\_

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

Printed name of parent: \_\_\_\_\_

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

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

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STUDENT CODE OF CONDUCT

School Calendar



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**Family Educational Rights and Privacy Act (FERPA)  
Notice Regarding Directory Information and  
Parent’s Response Regarding Release of Student Information**

State law requires the district to give you the following information: Certain information about students are considered directory information and will be released to anyone who follows the procedures for requesting the information unless the parent or guardian objects to the release of the directory information about the student. If you do not want Harris County Department of Education to disclose directory information from your child’s education records without your prior written consent, you must notify the campus in writing by **September 4, 2020** or within ten school days of child’s first day of instruction for this school year.

This means that the department must give certain personal information (called “directory information”) about your child to any person who requests it, unless you have told the department in writing not to do so. In addition, you have the right to tell the department that it may, or may not, use certain personal information about your child for specific school-sponsored purposes. The department is providing you this form so you can communicate your wishes about these issues.

For the following school-sponsored purposes: Harris County Department of Education has designated the following information as directory information:

- Student’s name
- Address
- Telephone listing
- E-mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Most recent school previously attended
- Student identification numbers or identifiers that cannot be used alone to gain access to electronic education records.

Directory information identified only for limited school-sponsored purposes remains otherwise confidential and will not be released to the public without the consent of the parent or eligible student.

State law makes the location or physical *layout of a shelter for survivors of family violence or trafficking confidential. Please notify the campus principal if your student currently resides in such a shelter.*

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

I, parent of \_\_\_\_\_ (student’s name), **(do give) (do not give)**  
the Department permission to use the information in the above list for the specified school-sponsored purposes.

Printed Name of Parent \_\_\_\_\_

Parent signature \_\_\_\_\_ Date \_\_\_\_\_



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**Parent's Objection to the Release of Student 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.

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), request that the district not release my child's name, address, and telephone number to a military recruiter or institution of higher education without my prior written consent.

Printed Name: \_\_\_\_\_

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

## **PHILOSOPHY OF ACADEMIC AND BEHAVIOR SCHOOLS**

Academic and Behavior Schools (ABS) of Harris County Department of Education (HCDE) provide an educational environment for those students identified as having severe behavioral difficulties, emotional difficulties, and/or developmental disabilities. The classes are specifically designed to assist special education students to function successfully. Staff members at the Academic and Behavior Schools use **data driven** behavior management techniques emphasizing positive reinforcement. The philosophy of the ABS program revolves around the premise that significant learning and behavioral changes may be achieved with the following:

- Appropriate educational tasks;
- Reinforcement that is meaningful to the student; and
- Student knowledge of socially acceptable, responsible behaviors.

### **GOALS OF ACADEMIC AND BEHAVIOR SCHOOLS**

1. To teach students to control their behaviors and handle life situations appropriately.
2. To enable students to return to a less restrictive environment as quickly as possible.
3. To plan and execute educational programming that provides students with the academic and vocational skills necessary to experience a productive future.

## **PHILOSOPHY OF HIGHPOINT SCHOOL**

The Highpoint School of HCDE provide an educational environment that revolves around the premise that significant learning and behavioral changes are achieved with the following:

- Appropriate educational tasks;
- The teaching of coping strategies and socially acceptable, responsible behaviors;
- Appropriate self-control and guided supervision; and
- Rewards that are meaningful to the individual.

Highpoint School use a behavior management philosophy based upon structured discipline and positive reinforcement. This philosophy is designed to provide students with the skills needed to succeed in academic and social settings.

### **GOALS OF HIGHPOINT SCHOOL**

1. To provide an environment that values the individual without regard to ethnicity, gender, creed, national origin or disabilities.
2. To provide an academic program that is current, flexible and integrated that prepares students for employment and/or post-secondary institutions, colleges and universities.
3. To provide academic and emotional counseling support to students.
4. To secure parent/community support through participation in the education of students.

## **ADMINISTRATION**

The Academic and Behavior Schools and Highpoint School are administered by the Harris County Department of Education (HCDE) under the direction of the County School Superintendent and the Board of Trustees. Questions and concerns may be directed to the campus principal or senior director of Schools.

## PREFACE

The Harris County Department of Education Student Handbook is designed to provide a resource for some of the basic information that parents, and students 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.

Both students and parents should become familiar with the Harris County Department of Education Student Code of Conduct, which is a document adopted by the board and intended to promote school safety and an atmosphere of learning. This document may be found as an attachment to this handbook and posted on the department’s website at [www.hcde-texas.org](http://www.hcde-texas.org).

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

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

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

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

1. Acknowledgment Form
2. Notice Regarding Directory Information and Parent’s Response Regarding Release of Student Information Form
3. Parent’s Objection to the Release of Student Information to Military Recruiters and Institutions of Higher Education form, if you choose to restrict the release of information to these entities.
4. Highpoint Schools: Drug and Alcohol Test Procedures
5. Media Release form

## SECTION I: PARENTAL RIGHTS AND RESPONSIBILITIES

This section of the Harris County Department of Education Student Handbook includes information on topics of particular interest to you as a parent.

## PARENTAL INVOLVEMENT

### **Working Together**

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

- Encouraging your child to put a high priority on education and working with your child daily 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 your child's school activities and with the academic programs, including special programs, offered in the department.
- Discussing with the counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements of the graduation programs with your child once your child begins enrolling in courses that earn high school credit.
- Monitoring your child's academic progress and contacting teachers as needed. Attending scheduled conferences and requesting additional conferences as needed. To schedule a telephone or in-person conference with a teacher, counselor, or principal, please call the school office for an appointment. The teacher will usually return your call or meet with you during his or her conference period or before or after school.
- Becoming a school volunteer. [For further information, see policies at GKG and contact the school principal.]
- Serving as a parent representative on the district-level or campus-level planning committees, assisting in the development of education goals and plans to improve student achievement.
- Being aware of the school's ongoing bullying and harassment prevention efforts.
- Contacting school official if you are concerned with your child's emotional or mental well-being.
- Attending board meetings to learn more about department operations. [See policies at BE and BED for more information.]

## 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).]

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

### **Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service**

Unless required under state or federal law, a district employee will not conduct a psychological examination, test, screening, or treatment, without obtaining prior written parental consent.

The district will not provide a mental health care service to a student except as permitted by law.

The district has established procedures for providing a parent with a recommendation for an intervention for a student with early warning signs of mental health concerns or substance abuse or who has been identified as at risk of attempting suicide. The district's Director of Curriculum and Compliance Services will notify the student's parent within a reasonable amount of time after the liaison learns that a student has displayed early warning signs and a possible need for intervention and provide information about available counseling options.

The student's parents' and home district will be notified immediately when HCDE's Director of Curriculum and Compliance Services learns that a student who may need intervention.

The Director of Curriculum and Compliance Services, Brenda Mullins can be reached at [bmullins@hcde-texas.org](mailto:bmullins@hcde-texas.org) and can provide further information regarding these procedures as well as educational materials on identifying risk factors, accessing resources for treatment or support on- and off-campus, and accessing available student accommodations provided on campus.

Note: An evaluation may be legally required under special education rules or by the Texas Education Agency for child abuse investigations and reports.

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

Teachers may display a student's work in classrooms or elsewhere on campus as recognition of student achievement without seeking prior parental consent.

These displays may include personally identifiable student information.

Student work includes:

- Artwork,
- Special projects,
- Photographs,
- Original videos or voice recordings, and
- Other original works.

However, the district will seek parental consent before displaying a student's work on the district's website, a website affiliated or sponsored by the district (such as a campus or classroom website), or in district publications, which may include printed materials, videos, or other methods of mass communication.

### **Consent to Video or Audio Record a Student when not Already permitted by Law**

State law permits the school to make a video or voice recording without parental permission when it:

- Is to be used for school safety,
- Relates to classroom instruction or a co-curricular or extracurricular activity,
- Relates to media coverage of the school, or
- Relates to the promotion of student safety as provided by law for a student receiving special education services in certain settings.

In other circumstances, the district will seek written parental consent before making a video or voice recording of a student.

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

HCDE Schools Division does not utilize Corporal Punishment

### **Limiting Electronic Communications between Students and District Employees**

The district permits teachers and other approved employees to use electronic communications with students within the scope of professional responsibilities, as described by district guidelines.

For example, a teacher may create a social networking page for his or her class to relay information regarding class work, homework, and tests. A parent is welcome to access such a page.

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

The employee is required to include the student's parent as a recipient on all text messages.

A parent who does not want his or her child to receive one-to-one electronic communications from a district employee should contact the campus principal

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

Unless a parent has advised the district not to release his or her student's information, the Every Student Succeeds Act (ESSA) requires the district to comply with requests from military recruiters or institutions of higher education for the student's:

- Name,
- Address, and
- Telephone listing.

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

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

The Protection of Pupil Rights Amendment (PPRA) mandates that a student 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;
- Sex behavior or attitudes;
- Illegal, antisocial, self-incriminating, or demeaning behavior;

- Critical appraisals of individuals with whom the student has a close family relationship;
- Legally recognized privileged relationships, such as with lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or parent; or
- Income, except when the information is required by law and will be used to determine the student’s eligibility for a program.

A parent can inspect the survey or other instrument and any corresponding instructional materials used in connection with such a survey, analysis, or evaluation. [See policy EF(LEGAL) for more information.]

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

The PPRA gives parents the right to receive notice and an opportunity to opt a student out of:

- Any survey concerning the protected.
- Activities involving the collection, disclosure, or use of personal information gathered from the child for the purpose of marketing, selling, or otherwise disclosing that information to others.
- 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 spinal screenings, or any physical exam or screening permitted or required under state law. [See policies EF and FFAA.]

A parent may inspect:

- Protected information surveys of students and surveys created by a third party;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

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

State law designates the week of September 17 as Celebrate Freedom Week and requires all social studies classes provide:

- Instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, and
- A specific recitation from the Declaration of Independence for students in grades 3–12.

Per state law, a student may be excused from recitation of a portion of the Declaration of Independence if:

- A parent provides a written statement requesting that his or her child be excused,
- The district determines that the student has a conscientious objection to the recitation, or
- A parent is a representative of a foreign government to whom the U.S. government extends diplomatic immunity. [See policy EHBK(LEGAL) for more information.]

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

A parent may request that his or her child be excused from participation in the daily recitation of the Pledge of Allegiance to the U.S. flag and the Pledge of Allegiance to the Texas flag. The request must be made in writing.

State law, however, requires that all students participate in one minute of silence following recitation of the pledges.

### **Religious or Moral Beliefs**

A parent may remove his or her child temporarily from the classroom if a scheduled instructional activity conflicts with the parent's religious or moral beliefs.

The removal may not be used to avoid a test and may not extend for an entire semester. Further, the student must satisfy grade-level and graduation requirements as determined by the school and by state law.

### **Right of Access to Student Records, Curriculum Materials, and District Records/Policies Instructional Materials**

A parent has the 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.

A parent is also entitled to request that the school allow the student to take home instructional materials the student uses. The school may ask the student to return the materials at the beginning of the next school day.

A school must provide printed versions of electronic instructional materials to a student if the student does not have reliable access to technology at home.

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

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

### **Participation in Federally Required, State-Mandated, and District Assessments**

In accordance with Every Student Succeeds Act (ESSA), a parent may request information regarding any federal, state, or district policy related to his or her child's participation in required assessments.

## **STUDENT RECORDS**

### **Accessing Student Records**

A parent may review his or her child's records. These records include:

- Attendance records,
- Test scores,
- Grades,
- Disciplinary records,
- Counseling records,
- Psychological records,
- Applications for admission,
- Health and immunization information,
- Other medical records,
- Teacher and school counselor evaluations,

- Reports of behavioral patterns,
- Records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child, as the term “intervention strategy” is defined by law,
- State assessment instruments that have been administered to the child, and
- Teaching materials and tests used in the child’s classroom.

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

The Family Educational Rights and Privacy Act (FERPA) affords parents and eligible students certain rights regarding student education records.

For purposes of student records, an “eligible” student is anyone age 18 or older or who attends a postsecondary educational institution. These rights, as discussed here and at Objecting to the Release of Directory Information on page 7, are the right to:

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

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., S.W.  
Washington, DC 20202

Both FERPA and state laws safeguard student records from unauthorized inspection or use and provide parents and eligible students certain rights of privacy.

Before disclosing personally identifiable information from a student’s records, the district must verify the identity of the person, including a parent or the student, requesting the information.

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

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

Federal law requires that control of the records goes to the student as soon as the student:

- Reaches the age of 18,
- Is emancipated by a court, or
- Enrolls in a postsecondary educational institution.

However, the parent may continue to have access to the records if the student is a dependent for

tax purposes and, under limited circumstances, when there is a threat to the health and safety of the student or other individuals.

FERPA permits the disclosure of personally identifiable information from a student's education records without written consent of the parent or eligible student:

- When school officials have what federal law refers to as a “legitimate educational interest” in a student’s records.
- Legitimate educational interest may include:
  - 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.
- School officials may include:
  - Board members and employees, such as the superintendent, administrators, and principals;
  - Teachers, school counselors, diagnosticians, and support staff (including district health or medical staff
  - A person or company with whom the district has contracted or allowed to provide a specific institutional service or function (such as an attorney, consultant, third-party vendor that offers online programs or software, auditor, medical consultant, therapist, school resource officer, or volunteer);
  - A person appointed to serve on a team to support the district’s safe and supportive school program;
  - 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.

FERPA also permits the disclosure of personally identifiable information without written consent: To authorized representatives of various governmental agencies, including juvenile service providers, the U.S. Comptroller General’s office, the U.S. Attorney General’s office, the U.S. Secretary of Education, the Texas Education Agency, the U.S. Secretary of Agriculture’s office, and Child Protective Services (CPS) caseworkers or, in certain cases, other child welfare representatives.

- To individuals or entities granted access in response to a subpoena or court order.
- To another school, district/system, or postsecondary educational institution to which a student seeks or intends to enroll or in which the student already is enrolled.
- In connection with financial aid for which a student has applied or has received.
- To accrediting organizations to carry out accrediting functions.
- To organizations conducting studies for, or on behalf of, the school to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- To appropriate officials in connection with a health or safety emergency.
- When the district discloses directory information-designated details.
- Release of personally identifiable information to any other person or agency— such as a prospective

employer or for a scholarship application—will occur only with parental or student permission as appropriate.

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

A parent or eligible student who wants to inspect the student's records should submit a written request to the records custodian identifying the records he or she wants to inspect.

Records may be reviewed in person during regular school hours. The records custodian or designee will be available to explain the record and to answer questions.

A parent or eligible student who submits 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 the records.

The address of the senior director's office is:

Harris County Department of Education  
Schools Division  
6300 Irvington Blvd.  
Houston, Texas 77022

A parent or eligible student may inspect the student's records and request a correction or amendment if the records are considered inaccurate, misleading, or otherwise in violation of the student's privacy rights.

A request to correct a student's record should be submitted to the appropriate records custodian. The request must clearly identify the part of the record that should be corrected and include an explanation of how the information 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 after the hearing the records are not amended, the parent or eligible student has 30 school days to place a statement in the student's record.

Although improperly recorded grades may be challenged, contesting a student's grade in a course or on an examination is handled through the complaint process found in policy FNG(LOCAL). A grade issued by a 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 guidelines. [See **Report Cards/Progress Reports and Conferences** on page 64, **Complaints and Concerns** on page 28, and **Finality of Grades** at policy FNG(LEGAL).]

The district's student records policy is found at policy FL(LEGAL) and (LOCAL) and is available on the district's website at <https://pol.tasb.org/Home/Index/578>.

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

## **Teacher and Staff Professional Qualifications**

A parent may request information regarding the professional qualifications of his or her child's teachers, including whether the teacher:

- Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction,
- Has an emergency permit or other provisional status for which state requirements have been waived, and
- Is currently teaching in the field of discipline of his or her certification.

The parent also has the right to request information about the qualifications of any paraprofessional who may provide services to the child.

## **A Student with Exceptionalities or Special Circumstances**

### **Children of Military Families**

The Interstate Compact on Educational Opportunities for Military Children entitles children of military families to flexibility regarding certain district and state requirements, including:

- Immunization requirements;
- Grade level, course, or educational program placement;
- Eligibility requirements for participation in extracurricular activities;
- Enrollment in the Texas Virtual School Network (TXVSN); and
- Graduation requirements.

The district will excuse absences related to a student visiting a parent, including a stepparent or legal guardian, who is:

- Called to active duty,
- On leave, or
- Returning from a deployment of at least four months.

The district will permit no more than five excused absences per year for this purpose. For the absence to be excused, the absence must occur no earlier than the 60th day before deployment or no later than the 30th day after the parent's return from deployment.

Additional information may be found at Military Family Resources at the Texas Education Agency.

### **Safety Transfers/Assignments**

The board or its designee will honor a parent's request to transfer his or her child to another classroom or campus if the district has determined that the child has been a victim of bullying, including cyberbullying, as defined by Education Code 37.0832. The home district will be notified of reported bullying.

The board may transfer a student who has engaged in bullying to another classroom. The board will consult with the parent of a child who has engaged in bullying before deciding to transfer the child to another campus. The child's home district will be informed of any request that may result in a change in campus.

Transportation is not provided for a transfer to another. Please contact the home district's superintendent for more information.

[See Bullying and policies FDB and FFI for more information.]

### **Student Use of a Service/Assistance Animal**

A parent of a student who uses a service/assistance animal because of the student's disability must submit a written request to the principal before bringing the service/assistance animal on campus. The district will try to accommodate a request as soon as possible but will do so within ten district business days.

### **A Student in the Conservatorship of the State (Foster Care)**

A student in the conservatorship (custody) of the state who enrolls in the home district after the beginning of the school year will be allowed credit-by examination opportunities at any point during the year.

The home district will grant partial course credit by semester when the student only passes one semester of a two-semester course

A student in the conservatorship of the state who is moved outside the home district's or school's attendance boundaries—or who is initially placed in the conservatorship of the state and moved outside the district's or school's boundaries—is entitled to remain at the school the student was attending prior to the placement or move until the student reaches the highest grade level at that particular school.

If a student in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, the student can request a diploma from the previous district if the student meets its graduation criteria.

For a student in the conservatorship of the state who is eligible for a tuition and fee exemption under state law and likely to be in care on the day preceding the student's 18th birthday, the district will:

- Assist the student with the completion of applications for admission or financial aid;
- Arrange and accompany the student on campus visits;
- Assist in researching and applying for private or institution-sponsored scholarships;
- Identify whether the student is a candidate for appointment to a military academy;
- Assist the student in registering and preparing for college entrance examinations, including (subject to the availability of funds) arranging for the payment of examination fees by the Texas Department of Family and Protective Services (DFPS); and
- Coordinate contact between the student and a liaison officer for students formerly in the conservatorship of the state.

### **A Student Who is Homeless**

Children who are homeless will be provided flexibility regarding certain home district provisions, including:

- Proof of residency requirements;
- Immunization requirements;
- Educational program placement (if the student is unable to provide previous academic records or misses an application deadline during a period of homelessness);
- Credit-by-examination opportunities at any point during the year (if the student enrolled in the

- district after the beginning of the school year), per State Board of Education (SBOE) rules;
- Awarding partial credit when a student passes only one semester of a two semester course;
  - Eligibility requirements for participation in extracurricular activities; and
  - Graduation requirements.

Federal law allows a student who is homeless to remain enrolled in the “school of origin” or to enroll in a new school in the attendance area where the student is currently residing.

If a student who is homeless in grade 11 or 12 transfers to another district but does not meet the graduation requirements of the receiving district, state law allows the student to request a diploma from the previous district if the student meets the criteria to graduate from the previous district.

A student or parent who is dissatisfied by the home district’s eligibility, school selection, or enrollment decision may appeal through policy FNG(LOCAL). The district will expedite local timelines, when possible, for prompt dispute resolution.

### **A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services**

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the home district Special Education Department to learn about the school’s overall general education referral or screening system for support services.

This system links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine whether the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time through their home campus.

### **Special Education Referrals**

If a parent makes a written request for an initial evaluation for special education services to the home district’s director of special education services or to a district administrative employee of the school district, the district must respond no later than 15 school days after receiving the request. ***If the request is received at a HCDE school, the request will be emailed to the district contact within 24 hours.*** At that time, the district must give the parent prior written notice of whether it agrees or refuses to evaluate the student, along with a copy of the *Notice of Procedural Safeguards*. If the district agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

Note: A request for a special education evaluation may be made verbally; it does not need to be made in writing. Districts must still comply with all federal prior-written notices and procedural safeguard requirements as well as the requirements for identifying, locating, and evaluating children who are suspected of having a disability and in need of special education. However, a verbal request does not require the district to respond within the 15 school-day timeline.

If the district decides to evaluate the student, it must complete the student's initial evaluation and evaluation report no later than 45 school days from the day it receives a parent's written consent. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent.

There is an exception to the 45-school-day timeline. If the district receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30 due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

Upon completing the evaluation, the district must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the school district in a companion document titled Parent's Guide to the Admission, Review, and Dismissal Process.

### **Contact Person for Special Education and 504 Referrals**

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is the campus counselor at each campus. The counselor will notify the home district of all request for testing.

Visit these websites for information regarding students with disabilities and the family:

- [Legal Framework for the Child-Centered Special Education Process](#)
- [Partners Resource Network](#)
- [Special Education Information Center](#)
- [Texas Project First](#)

### **A Student Who Speaks 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 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.

### **A Student with Physical or Mental Impairments Protected under Section 504**

A student with a physical or mental impairment that substantially limits a major life activity, as defined by law—and who does not otherwise qualify for special education services—may qualify for protections under Section 504 of the Rehabilitation Act.

Section 504 is a federal law designed to prohibit discrimination against individuals with disabilities. When an evaluation is requested, a committee will be formed to determine whether the student needs services and supports under Section 504 in order to receive a free appropriate public education (FAPE), as defined in federal law.

[See A Student Who Has Learning Difficulties or Who Needs Special Education or Section 504 Services on page 13 and policy FB for more information.]

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

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

### **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 Prekindergarten and Kindergarten**

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

#### **Ages 6- 18**

State law requires that a student who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached their 19th birthday, shall 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.

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

A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day until the end of the school year. If the student incurs 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 for more information.]

#### **Exemptions to Compulsory Attendance (*All Grade Levels*)**

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

- Religious holy days;
- Required court appearances;

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

For children of military families, absences of up to five days will be excluded for a student to visit a parent, stepparent, or legal guardian going to, on leave from, or returning from certain deployments.

### **Secondary Grade Levels**

The district will allow junior and senior students to be absent for up to two days per year to visit a college or university, provided this has been;

- Authorized by the board under policy FEA(LOCAL) and the student receives approval from the campus principal,
- Follows campus procedures to verify the visit, and
- Makes up any work missed.

The district will allow a student 17 years old or older to be absent for up to four days during the period the student is enrolled in high school to pursue enlistment in the U.S. armed services or Texas National Guard, provided the student verifies these activities to the district.

The district will allow a student to be absent for up to two days per school year to serve as:

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

The district will allow a student in grades 6–12 to be absent for the purpose of sounding "Taps" at a military honors funeral for a deceased veteran.

### **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; any class; required special programs or required tutorials will be considered in violation of the compulsory attendance law and subject to disciplinary action.

### **Students with Disabilities**

If a student with a disability is experiencing attendance issues, the student's ARD or Section 504 committee will determine whether the attendance issues warrant an evaluation, a reevaluation, and/or modifications to the student's individualized education program or Section 504 plan, as appropriate.

### **Ages 6-18**

When a student ages 6–18 incurs three or more unexcused absences within a four-week period, the law requires the school to send notice to the parent. The notice will:

- Remind the parent of his or her duty to monitor the student’s attendance and require the student to attend school;
- Request a conference between school administrators and the parent; and
- Inform the parent that the district will initiate truancy prevention measures, including a behavior improvement plan, school-based community service, referrals to counseling or other social services, or other appropriate measures.

The truancy prevention facilitator for the district is Brenda Mullins. For any questions about student absences, parents should contact the facilitator or any other campus administrator.

A court of law may impose penalties against the parent if a school-aged student is deliberately not attending school. The district may file a complaint against the parent if the student incurs ten or more unexcused absences within a six-month period in the same school year.

If a student age 12–18 incurs ten or more unexcused absences within a six-month period in the same school year, the district, in most circumstances, will refer the student to truancy court. [See policies FEA(LEGAL) and FED(LEGAL) for more information.]

### **Age 19 and Older**

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

### **Attendance for Credit or Final Grade (*All Grade Levels*)**

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

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

All absences, excused or unexcused, may be held against a student’s attendance requirement. To determine whether there were extenuating circumstances for any absences, the committee will use the following guidelines:

- If makeup work is completed, absences listed under **Exemptions** to Compulsory Attendance will be considered extenuating circumstances.
- A transfer or migrant student incurs absences only after he or she has enrolled in the district.

- Absences incurred due to the student's participation in approved extracurricular activities will be considered by the attendance committee as extenuating circumstances if the student makes up the work missed in each class.
- The committee will consider the acceptability and authenticity of documented reasons for the student's absences.
- The committee will consider whether the student or student's parent had any control over the absences.
- 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 discuss ways to earn or regain credit or a final grade.

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).

### **Official Attendance-Taking Time**

The department must submit attendance of its students to our client districts who report it to the Texas Education Agency (TEA) reflecting attendance at a specific time each day.

Official attendance is taken every day during second period. A student absent for any portion of the day, should follow the procedures below to provide documentation of the absence

### **Documentation after an Absence**

A parent must provide an explanation for any absence upon the student's arrival or return to school. The student must submit a note signed by the parent. The campus may accept a phone call from the parent but reserves the right to require a written note.

A note signed by the student will not be accepted unless the student is age 18 or older or is an emancipated minor under state law.

The campus will document in its attendance records whether the absence is excused or unexcused

**Note:** The district is not required to excuse any absence, even if the parent provides a note explaining the absence, unless the absence is an exemption under compulsory attendance laws.

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

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

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

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

A currently enrolled student seeking a driver's license shall submit the Texas Department of Public Safety Verification of Enrollment and Attendance Form (VOE), signed by the parent, to the campus central office at least 10 days before it is needed. The district will issue a VOE only if the student meets class credit or attendance requirements. The VOE form is available at:

<https://www.tdlr.texas.gov/driver/forms/VOE.pdf>

Further information may be found on the Texas Department of Public Safety website:

<https://www.dps.texas.gov/driverlicense/teedriver.htm>.

### **Armed Services Vocational Aptitude Battery Test (Grades 10–12)**

A student in grades 10–12 will be offered an opportunity to take the Armed Services Vocational Aptitude Battery test and consult with a military recruiter. Contact the principal for information about this opportunity.

## **ACADEMIC PROGRAMS**

The school counselor provides students and parent information regarding academic programs to prepare for higher education and career choices. [For more information, see policies at EIF.]

### **ADMISSION PROCEDURES - ACADEMIC AND BEHAVIOR SCHOOLS**

Admission to the Academic and Behavior Schools are made through an Admission Review and Dismissal (ARD) committee meeting conducted by the sending school district. A placement at ABS may be recommended for student's ages 5-21, who exhibit identified characteristics over an extended amount of time and to a marked degree that adversely affect their educational performance in the current setting. An ABS representative participates as a member of the ARD committee. The sending district is responsible for conducting an on-site visit to ensure the needs of the individual student can be met and that the placement is the least restrictive environment for the student. When placement at an ABS is considered, parents are afforded an opportunity to tour the facility prior to a placement decision being made.

The ARD committee identifies the projected enrollment date. Transportation arrangements are made by the sending school district. The parent is required to complete the ABS admission information packet prior to student enrollment.

An ARD committee is convened for the purpose of considering the transition of the student back to a less restrictive environment in the home district when the student has met the exit criteria identified in the IEP. A plan for transitioning the student to the less restrictive environment is developed by the ARD committee during this meeting.

### **ADMISSION PROCEDURES - HIGHPOINT SCHOOL**

Enrollment at Highpoint School is contingent on both the parent/guardian and student agreeing that the student will comply with all rules, regulations and procedures that are now in effect or which may come into effect during the student's enrollment.

Students in grades 6 through 12 are eligible for admission to the Highpoint program if they meet one or more of the following criteria from their home district.

- The student has received a referral from the home district.
- The student has committed an offense severe enough to be classified as an offender by the court.
- The student has been placed by the home district according to Chapter 37 of the Texas Education Code.
- The student has been removed or expelled under the requirements of the Student Code of Conduct of the home district.
- The student requires an alternative placement due to chronic or persistent misbehavior.
- Special education students must have a placement ARD meeting prior to enrollment at Highpoint School.
- Both the student and parent/guardian must attend the orientation at Highpoint School and complete the application forms. Students will not be enrolled until the orientation has been completed and all forms have been submitted.

## **ADMISSION PROCEDURES – FORTIS ACADEMY**

### **APG Referral and Treatment Recommendations**

Student must maintain active referral from their APG counselor in order to remain a student. The individual APG counselor will set the expectation for maintaining the referral. A student will be withdrawn from Fortis if the counselor revokes the referral. A student may be eligible to return once the referral is reinstated.

Fortis Academy Enrollment Process:

1. Students attend a parent meeting with the principal and/or his designee.
2. Students participate in an interview with the principal and/or his designee for screening.
3. Students are selected and completed form is sent to Irvington for district contract.
4. Student Information Form is coupled with a Contract and the Senior Director contacts district.
5. Student and family are notified of acceptance and enrollment date for Fortis Academy.

Eligibility Criteria:

- Counselor recommendation
- Successful discharge
- Interest in this school and furthering education
- Stage of change
- Behavioral records; school records, fights, history of relapse
- Participation in group, completion of assignments, and family involvement
- Transportation/Location

## **AWARDS AND HONORS**

Students are recognized throughout the school year for academic, as well as, positive behavior improvement. Parents will be notified by the principal of recognitions and honors.

## **BEHAVIOR MANAGEMENT SYSTEM - ACADEMIC AND BEHAVIOR SCHOOLS**

The behavior management system employed at the Academic and Behavior Schools is based on the Boys Town Education Model and Applied Behavior Analysis strategies. Both are supplemental to the Behavior Intervention Plan.

The Boys Town Education Model involves training for school staff and administrators followed by on-site technical assistance, coaching and evaluation. Staff training includes information and practice with:

- classroom management plans that establish clear expectations for student behavior;
- prevention of student disruptive behavior;
- blending of social and academic instruction;
- verbal reinforcement for student pro-social behavior and academic performance;
- methods for correcting student misbehavior;
- daily lessons on social skills instruction and generalization of skill use;
- implementing a school-wide social skills curriculum; and
- using data to support building wide change

Additional information may be found at [www.boystown.org](http://www.boystown.org)

## **BEHAVIOR MANAGEMENT SYSTEM - HIGHPOINT SCHOOLS**

The behavior management system employed at the Highpoint School East is based on the Love and Logic Philosophy. The Highpoint Schools use a motivational level system that is explained in the Appendix. Additional information may be found at [www.loveandlogic.com](http://www.loveandlogic.com).

## **BULLYING**

Bullying is defined in state law as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

- Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
- Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
- Infringes on the rights of the victim at school.

Bullying includes cyberbullying. Cyberbullying is defined in state law as bullying that is done through the use of any electronic communication device, including through the use of:

- A cellular or other type of telephone
- A computer
- A camera
- Electronic mail

- Instant messaging
- Text messaging
- A social media application
- An internet website
- Any other internet-based communication tool

Bullying is prohibited by the Harris County Department of Education (HCDE). Bullying could include assault, confinement, demands for money, hazing, ostracism, taunting, teasing, or threats, destruction of property, theft of valued possessions, name-calling and rumor-spreading.

If a student believes that he or she has experienced bullying or witnesses the bullying of another student, the student or parent should notify a teacher, school counselor, principal, or another district employee as soon as possible. Procedures for reporting allegations of bullying may be found on the district’s website.

### **Steps to Report Bullying**

A student may anonymously report an alleged incident of bullying by follow these steps (including completing the Bullying Complaint Form): Your campus administration will assist you if needed.

Step 1: A report must be completed to file a complaint related to an incident of the alleged bullying.

Step 2: Return the completed form to the school’s principal/designee of the victim’s school or center.

Step 3: Upon receiving the Complaint Form. The administration will investigate any allegations of bullying and related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying.

### **Bullying Complaint Report Form**

May be accessed from the HCDE website: [www.hcde-texas.org](http://www.hcde-texas.org) and download the “Access The HCDE Bullying Form” to file an incident report.

The administration will investigate any allegations of bullying and related misconduct. The district will also provide notice to the parent of the alleged victim and the parent of the student alleged to have engaged in bullying.

If an investigation determines that bullying occurred, the administration will take appropriate disciplinary action and may, in certain circumstances, notify law enforcement. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying.

Available counseling options will be provided to the affected individuals, including any student who witnessed the bullying. Any retaliation against a student who reports an incident of bullying is prohibited.

Upon recommendation of the home district’s administration, the district’s board may request a transfer for a student found to have engaged in bullying to another classroom at the campus. In consultation with the student’s parent, the student may also be transferred to another campus in the district. The parent of a student who has been determined to be a victim of bullying may request that the student be transferred to another classroom or campus within the district.

A copy of the district’s bullying policy is available in the principal’s office, senior director’s

office, and on the district's website, and is included at the end of this handbook as an appendix.

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

Website Links on Bullying: <http://www.stopbullying.gov>

## CAFETERIA SERVICES

The Department 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. Each new student must complete the form when placed at either an ABS or Highpoint school. The Department 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).] Students at AB Schools from Houston ISD, Highpoint School from Galena Park ISD do not need to complete a new application if already approved.

### **Cafeteria Services-Academic and Behavior Schools**

Students may bring their own bag lunches in small paper bags. Lunches may be purchased daily. Prices will be set by the school district providing meals for each ABS. Prices will be available the first day of school. Students may only bring money to pay for lunch each day. Checks are not allowed to pay for student meals. Breakfast meals are provided to students at no charge.

Gum and candy are not allowed on campus at any time unless authorized by an administrator. This includes candy in a "Lunchable". Teachers may distribute food awards only with administrative approval. No food can be taken out of the room in which it was dispensed.

### **Cafeteria Services-Highpoint School**

All students must complete a new application at orientation. Approval in the home district does not guarantee approval at a Highpoint campus. Students must plan to bring their lunch or pay for their lunch until the application is processed. Lunches may be purchased daily. Prices will be set by the school district providing meals for Highpoint. Prices will be available the first day of school. Checks are not allowed to pay for student meals. Students may not charge meals.

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).]

Students may bring their own, cold lunch. The lunch must be packed in a small paper or clear bag. Lunch bags are searched daily. Prohibited items will be confiscated and will be thrown away. Other than a sandwich or Lunchable, the following are the maximum servings allowed in a sack lunch:

- One 12 oz. non-carbonated can drink is allowed. (re-sealable bottles, cans, thermoses, carbonated drinks are not allowed.)
- One serving of chips in an unopened, sealed bag (no larger than a grab bag) is allowed. Ziplocs or bags larger than a grab bag are not allowed.
- Only one serving of a dessert or sweet food product is allowed. Candy is not allowed including candy in a Lunchable.
- No additional food may be brought to the campus by students purchasing breakfast or lunch.

- Parents may not bring in outside food for their student without prior approval from the principal or designee.
- The principal or designee of each campus will make the final decisions regarding what is acceptable, whether specified in the handbook or not.
- Lunches may be purchased from the school. Students must turn in their money for breakfast/lunch before they enter the search line.

STUDENTS ARE PROHIBITED FROM TRADING OR GIVING FOOD ITEMS AMONG EACH OTHER. STUDENTS ARE SUBJECT TO DISCIPLINARY CONSEQUENCES FOR CHOOSING TO SHARE FOOD.

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

The department offers a limited selection of career and technical education programs. Edgenuity is utilized to expand the CTE courses offered for students while they are enrolled. Admission to these programs are based on Edgenuity and campus course offerings.

District policy prohibits discrimination on the basis of race, color, national origin, sex, or handicap in its vocational programs, services, and activities, as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973 as amended.

District policy also prohibits discrimination on the basis of race, color, national origin, sex, or handicap in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

Harris County Department of Education 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.

### **CHILD SEXUAL ABUSE AND OTHER MALTREATMENT OF CHILDREN**

The department has established a plan for addressing child sexual abuse and other maltreatment of children, which may be accessed at board policy FFH LOCAL. Trafficking includes both sex and labor trafficking.

#### **Warning Signs of Sexual Abuse**

Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. A person who compels or encourages a child to engage in sexual conduct commits abuse. It is illegal to make or possess child pornography or to display such material to a child.

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

A child who has been or is being sexually abused may exhibit physical, behavioral, or emotional warning signs, including:

- Difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches;
- 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; or
- Withdrawal, depression, sleeping and eating disorders, and problems in school.

### **Warning Signs of Trafficking**

Child trafficking of any sort is prohibited by the Penal Code. Sex trafficking involves forcing a person, including a child, into sexual abuse, assault, indecency, prostitution, or pornography. Labor trafficking involves forcing a person, including a child, to engage in forced labor or services.

Traffickers are often trusted members of a child's community, such as friends, romantic partners, family members, mentors, and coaches, although traffickers frequently make contact with victims online.

Possible warning signs of sexual trafficking in children include:

- Changes in school attendance, habits, friend groups, vocabulary, demeanor, and attitude;
- Sudden appearance of expensive items (for example, manicures, designer clothes, purses, technology);
- Tattoos or branding;
- Refillable gift cards;
- Frequent runaway episodes;
- Multiple phones or social media accounts;
- Provocative pictures posted online or stored on the phone;
- Unexplained injuries;
- Isolation from family, friends, and community; and
- Older boyfriends or girlfriends.

Additional warning signs of labor trafficking in children include:

- Being unpaid, paid very little, or paid only through tips;
- Being employed but not having a school-authorized work permit;
- Being employed and having a work permit but clearly working outside the permitted hours for students;
- Owing a large debt and being unable to pay it off;
- Not being allowed breaks at work or being subjected to excessively long work hours;
- Being overly concerned with pleasing an employer and/or deferring personal or educational decisions to a boss;
- Not being in control of his or her own money;
- Living with an employer or having an employer listed as a student's caregiver; and
- A desire to quit a job but not being allowed to do so.

### **Reporting and Responding to Sexual Abuse, Trafficking, and Other Maltreatment of Children**

Anyone who suspects that a child has been or may be abused, trafficked, or neglected has a legal responsibility, under state law, to report the suspected abuse or neglect to law enforcement or to

Child Protective Services (CPS).

A child who has experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Children may be more reluctant to disclose sexual abuse than physical abuse and neglect and may only disclose sexual abuse indirectly. As a parent or trusted adult, 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.

If your child is a victim of sexual abuse, trafficking, or other maltreatment, the school counselor or principal will provide information on counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (DFPS) 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)

Reports of abuse, trafficking, or neglect may be made to the CPS division of the DFPS at 1-800-252-5400 or on the web at [Texas Abuse Hotline Website](#)).

### **Further Resources on Sexual Abuse, Trafficking, and Other Maltreatment of Children**

The following websites might help you become more aware of child abuse and neglect, sexual abuse, trafficking, and other maltreatment of children:

- <https://www.childwelfare.gov/pubs/factsheets/whatiscan.pdf>
- <http://kidshealth.org/en/parents/child-abuse.html>
- <https://gov.texas.gov/organization/cjd/childsextrafficking>
- [https://tea.texas.gov/About\\_TEA/Other\\_Services/Human Trafficking of School-aged Children/](https://tea.texas.gov/About_TEA/Other_Services/Human_Trafficking_of_School-aged_Children/)
- <http://taasa.org/product/child-sexual-abuse-parental-guide/>
- <https://safesupportivelearning.ed.gov/human-trafficking-americas-schools/child-labor-trafficking>

### **Class Schedules (Secondary Grade Levels Only)**

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

### **College and University Admissions and Financial Aid**

For two school years following graduation, a district student who graduates as valedictorian or 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 distinguished level of achievement under the foundation graduation program (a student must graduate with at least one endorsement and must have taken Algebra II as one of the four required math courses); or Satisfies the ACT College Readiness Benchmarks or earns at least a 1500 out of 2400 on the SAT.
- The student is ultimately responsible for meeting the admission requirements of the university or college, including timely submission of a completed application.

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

The University of Texas at Austin may limit the number of automatically admitted students to 75 percent of the University’s enrollment capacity for incoming resident freshmen. During the summer and fall 2020 terms and spring 2021 term, the University will admit the top six percent of a high school’s graduating class who meet the above requirements. Additional applicants will be considered by the University of through a holistic review process.

As required by law, the district will provide written notice concerning automatic college admission, the curriculum requirements for financial aid, and the benefits of completing the requirements for automatic admission and financial aid. Parents and students will be asked to sign an acknowledgment that they received this information.

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

### **College Credit Courses (Secondary Grade Levels Only)**

Students in grades 9–12 may earn college credit through the following opportunities:

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

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

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

### **Communications—Automated (All Grade Levels)**

#### **Emergency**

The district will rely on contact information on file with the district to communicate with parents in an emergency situation, which may include real-time or automated messages. An emergency situation may include early dismissal, delayed opening, or restricted access to the campus due to severe weather, another emergency, or a security threat. It is crucial to notify your child’s school when a phone number changes.

[See Safety on page 127 for information regarding contact with parents during an emergency situation.]

## **Nonemergency**

Your child's school will request that you provide contact information for the school to send information specific to your child, your child's school, or the district. If you provide a phone number for this purpose, please notify the school's administration office immediately if your number changes.

The district or school may generate automated or pre-recorded messages, text messages, or real-time phone or email communications that are closely related to the school's mission, so prompt notification of any change in contact information will be crucial.

Standard messaging rates of your wireless phone carrier may apply.

If you have specific requests or needs related to how the district contacts you, please contact your child's principal.

## **Complaints and Concerns (All Grade Levels)**

Usually student or parent complaints or concerns can be addressed informally by a phone call or a conference with the teacher or principal.

For those complaints and concerns that cannot be resolved informally, the board has adopted a Student and Parent Complaints/Grievances policy FNG(LOCAL). This policy can be viewed in the district's policy manual, available online at <https://pol.tasb.org/Policy/Code/578?filter=FNG>.

The complaint forms can be accessed online at the principal's or senior director's office.

- To file a formal complaint a parent or student should complete and submit the complaint form.
- In general, the written complaint form should be completed and submitted to the campus principal in a timely manner.
- If the concern is not resolved, a parent or student may request a conference with the superintendent.
- If the concern is still unresolved, the district provides a process for parents and students to appeal to the board of trustees.

## **Conduct (All Grade Levels)**

### **Applicability of School Rules**

The board has adopted a Student Code of Conduct that defines standards of acceptable behavior—both on and off campus, as well as on district vehicles— and outlines consequences for violation of these standards. The district has disciplinary authority over a student in accordance with the Student Code of Conduct. Students and parents should be familiar with the standards set out in the Student Code of Conduct, as well as campus and classroom rules.

During summer instruction, the Student Handbook and Student Code of Conduct in place for the school year immediately preceding the summer period shall apply, unless the district amends either or both documents for the purposes of summer instruction

### **Campus Behavior Coordinator**

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

student misconduct. The campus principal serves as the Campus Behavior Coordinator.

### **Disruption of School Operations**

Disruption of school operations is not tolerated and may constitute a misdemeanor offense. As identified by state 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 or within 500 feet of district property 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 is also considered a disruption

### **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 and will not be readmitted.

A parent interested in serving as a chaperone for any school social events should contact the campus principal.

### **CONTAGIOUS DISEASES / CONDITIONS**

**See Student Illness under Health-Related Matters.**

### **CONTRABAND-ACADEMIC AND BEHAVIOR SCHOOLS**

Students are not allowed to bring anything to school except homework, a house key, metro pass or money for breakfast and lunch. Students may not bring any money to school except for breakfast/lunch money. Breakfast/lunch money must be turned in to the designated person before entering the search line or it will be considered contraband. Anything else brought to school is considered contraband. A parent is required to come to school to pick up any contraband items from the principal.

The AB Schools and HCDE are not responsible for the safekeeping and/or replacing any confiscated contraband. A student in possession of any contraband item may be subject to disciplinary action in accordance with the Student Code of Conduct.

## **CONTRABAND-HIGHPOINT SCHOOL**

Students are not allowed to bring anything to school except homework, a house key, metro pass or money for breakfast and lunch. Breakfast/lunch money must be turned in to the designated person before entering the search line or it will be considered contraband. Anything else brought to school is considered contraband. Contraband will be treated according to the following guidelines:

- All contraband will be immediately confiscated.
- Cash that is confiscated that was not turned in prior to entering the search line will not be returned.
- All non-valuable contraband will be disposed of immediately. (i.e. combs, hairbrushes, gum, candy, makeup, do rags etc.)
- Contraband of value may be returned to the parent only within 5 days if the parent pays the required handling charges. After 5 days the contraband will be disposed.
- Handling fee: 1<sup>st</sup> incident - \$15.00; Second incident = \$30.00; Third incident = \$45.00; Fourth incident = \$60.00.

The Highpoint Schools and HCDE are not responsible for the safekeeping and/or replacing any confiscated contraband. A student in possession of any contraband item may be subject to disciplinary action in accordance with the Student Code of Conduct.

## **COUNSELING**

The district has a comprehensive school counseling program that includes:

- A guidance curriculum to help students develop their full educational potential, including the student's interests and career objectives;
- A responsive services component to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk;
- An individual planning system to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development; and
- Systems to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students.

The district will make a preview of the program, including all materials and curriculum, available to parents to review during school hours.

### **Academic Counseling**

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

The school counselor will provide information to students and parents about college and university admissions and the importance of planning for postsecondary education, including appropriate coursework and financial aid availability and requirements.

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

### **High School Grade Levels**

High school students and their parents are encouraged to talk with a school counselor, teacher, or principal to learn more about course offerings, graduation requirements, and early graduation procedures. Each year, high school students will be provided information on anticipated course offerings for the next school year, how to make the most of academic and career and technical education (CTE) opportunities, and the importance of postsecondary education.

The school counselor will also provide information each year a student is enrolled in high school regarding:

- The importance of postsecondary education;
- The advantages of earning an endorsement and completing the foundation program with the distinguished level of achievement;
- The disadvantages of pursuing a high school equivalency exam (GED) as opposed to earning a high school diploma;
- Financial aid eligibility and how to apply for financial aid;
- Automatic admission to state-funded Texas colleges and universities;
- Eligibility requirements for the TEXAS Grant;
- Availability of district programs that allow students to earn college credit;
- Availability of tuition and fee assistance for postsecondary education for students in foster care; and
- Availability of college credit awarded by institutions of higher education to veterans and military service members for military experience, education, and training.

Additionally, the school counselor can provide information about workforce opportunities after graduation or technical and trade school opportunities, including opportunities to earn industry-recognized certificates and licenses.

### **Personal Counseling**

The school counselor is available to assist students with a wide range of personal, social, and family concerns, including emotional or mental health issues and substance abuse. A student who wished to meet with the school counselor should inform their teacher. As a parent, if you are concerned about your child's mental or emotional health, please speak with the school counselor for a list of resources that may be of assistance.

If your child has experienced trauma, contact the school counselor for more information.

## **COURSE CREDIT**

A student at any grade level enrolled in a high school course will earn credit for the course only if the final grade is 70 or above. For a two-part (two-semester, 1-credit course), the student's grades from both halves (semesters) will be averaged and credit will be awarded if the combined average is 70 or above. If the student's combined average is less than 70, the student will be awarded credit only for the half (semester) with the passing grade.

## CREDIT BY EXAM

A student who has previously taken a course or subject but did not receive credit or a final grade for it may, in circumstances determined by the principal or attendance committee, be permitted to earn credit or a final grade by passing an examination approved by the district's board of trustees on the essential knowledge and skills defined for that course or subject.

Examples of prior instruction include incomplete coursework due to a failed course or excessive absences, homeschooling, or coursework by a student transferring from a nonaccredited school. The opportunity to earn credit by examination after the student has had prior instruction is sometimes referred to as "credit recovery."

If the student is granted approval to take an examination for this purpose, the student must score at least 70 on the examination 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 examination.

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

### **Credit by Examination for Advancement/Acceleration—If a Student Has Not Taken the Course/Subject**

A student will be permitted to earn credit by examination for an academic course or subject area for which the student had no prior instruction for advancement or to accelerate to the next grade level.

The examinations offered by the home district are approved by the district's board of trustees. Testing windows for these examinations will be published in district publications and on the district's website. A student may take a specific examination only once per testing window. The only exceptions to the published testing windows will be for examinations administered by another entity or to accommodate a student experiencing homelessness or a student involved in the foster care system.

When another entity administers an examination, the student and the district must comply with the testing schedule of the other entity.

If a student plans to take an examination, the student or parent must register with the school counselor no later than 30 days prior to the scheduled testing date. [See policy EHDC for more information.]

## CURRICULUM

Harris County Department of Education uses the **TEKS** Resource System (TRS) curriculum, as well as other instructional strategies and materials that are best practices and approved by the Texas Education Agency or department administration. TEKS Resource System is aligned with TEKS/STAAR expectations. It includes instructional strategies, questioning techniques, suggested resources and intervention plans to meet the needs of a diverse learning population. Both ABS and Highpoint students are expected to master the **State of Texas Assessments of Academic Readiness**

as defined by the Texas Education Agency. Students receiving special education services are expected to master the TEKS as defined in the student's Individual Educational Plan (IEP). Teachers are required to submit lesson plans to their principal using components of TRS.

**Edgenuity** is an on-line **education** program that is available at all campuses for students who have not earned credit in required courses for graduation. Students may also be placed in an Edgenuity course for initial credit. Students are expected to complete the course assignments per the guidelines in the Edgenuity procedures. Students will be required to complete a minimum of three lessons per week. The average lesson consists of four activities. Modifications will be made for students based on their Individualized Education Plans. Credit will be awarded when the student's Relative grade reaches 70% (which indicates that 80% of the course is completed) and the student's Overall grade is 70% or higher. Students are expected to login to Edgenuity and complete assignments each day unless completing a written assignment. Students who give their passwords to others or are caught cheating will be subject to removal from the course and additional disciplinary consequences.

Edgenuity may also be utilized for national test preparation (SAT, ACT, COMPASS, ACCUPLACER), state test preparation (STAAR, STAAR EOC) and intervention (reading, writing, mathematics). Lessons are web-based and are available in 17 languages. Edgenuity is aligned with TEKS Resources System (TRS) curriculum.

Teachers use other instructional programs such as:

- **Insights to Behavior** is also utilized to assist campus staff in designing the most appropriate instruction for each student on the autism spectrum and with behavioral or developmental difficulties.
- **Success Ed**: The program utilized by the teaching staff to develop an IEP for students with disabilities.

In accordance with the law, "Protecting Children in the 21<sup>st</sup> Century Act", students also receive instruction on the appropriate online behavior, use of social networking websites, chat rooms, cyberbullying and online safety. For additional information, please contact the principal.

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

Students learn best, and their welfare is best served, in a school environment that is free from dating violence, discrimination, harassment, and retaliation.

Students are expected to treat peers and district employees with courtesy and respect, avoid offensive behaviors, and stop those behaviors as directed. District employees are likewise expected to treat students with courtesy and respect.

The board has established policies and procedures to prohibit and promptly address inappropriate and offensive behaviors that are based on a person's race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law. A copy of the district's policy is available on the district's website.

[See policy FFH for more information.]

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

Examples of harassment may include, but are not limited to, offensive or derogatory language directed at a person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening 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 and Gender-Based Harassment** of a student by an employee, volunteer, or another student are prohibited.

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

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

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

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

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

### **Reporting Procedures**

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

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

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

### **Investigation of Report**

Allegations of prohibited conduct, which includes dating violence, discrimination, harassment, and retaliation, will be promptly investigated.

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 comply with law.

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

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

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

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

## **DISCRIMINATION**

**See Dating Violence, Discrimination, Harassment and Retaliation**

## **DISTANCE LEARNING**

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

The distance learning opportunities available to department students is Edgenuity.

## **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. All school publications are under the supervision, sponsor, and the principal

### **Non-school Materials...from students**

Students must obtain prior approval from the 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 non-school material must include the name of the sponsoring person or organization. The decision regarding approval will be made within two school days.

A student may appeal a principal's decision in accordance with policy FNG (LOCAL). Any student who posts non-school 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.

### **Non-school Materials...from others**

No person or group will sell, circulate, distribute, or post on any district premises written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials that is not sponsored by the district or by a district-affiliated school-support organization, except as permitted by policy GKDA, to be considered for distribution, any non-school material must meet the limitations on content established in the policy, include the name of the sponsoring person or organization, and be submitted to for prior review. The principal will approve or reject the materials within two school days of the time the materials are received. The requestor may appeal a rejection in accordance with the appropriate district complaint policy. [See policies DGBA or GF for more information.]

The requestor may appeal a rejection in accordance with the appropriate department complaint policy. [See policies at DGBA, or GF.]

The principal at each campus is a responsible for designating time, place, and manner of distribution on non-school literature from community members.

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 non-curriculum-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 non-school materials distributed under these circumstances must be removed from department property immediately following the event at which the materials are distributed.

## **DRESS AND GROOMING -ACADEMIC AND BEHAVIOR SCHOOLS**

The department's dress code at the ABS campuses is established to teach grooming and hygiene, prevent disruption, and minimizes safety hazards. All students shall wear the designated uniform from the time they board the school bus until they leave on the bus at the end of the day. Students and parents may determine a student's personal dress and grooming standards, provided that they comply with the following:

1. Black, khaki or navy-blue colored pants or skirts. Clothing items may include walking shorts, skorts, and jumpers which may not be more than three (3) inches above the knee or five inches from the floor to the lower edge of the article when the student is kneeling. Pants and skirts shall be properly sized and belted at the waist. Pants may not be oversized or baggy. **NO CORDUROY, JEANS, LOW RISE OR CARGO PANTS ARE ALLOWED.** Pant legs must be properly hemmed with no slits.
2. Black, khaki, white or navy-blue shirts, blouses and polo-style pullovers (without decorations, logos, emblems, accent color etc.) Undershirt (if worn) must be solid white without pictures or writing. Shirts must be long enough to tuck in at the waist.
3. All students must wear a belt (brown or black).
4. Athletic shoes only (tennis shoes/sneakers).
5. White or dark colored socks only (without decoration, i.e. emblems, logos, accent color, etc.).
6. Jackets will be taken at search and returned at the end of the day.
7. Sweatshirts should be solid navy or white. They are the only outerwear that is permitted in the classroom. They must be worn over an appropriate dress code shirt. Sweatshirts may not have hoods, zippers, buttons, pockets, emblems or logos. They may not be tied around the waist or draped over the shoulders.
8. Students must maintain the hair on their head in a well-groomed, non-distracting manner that does not disrupt the educational process. Girls may not wear anything in their hair other than a black scrunchie or rubber band. Students with dyed or colored hair must return their hair to its natural color before attending the Academic & Behavior Schools. Facial hair such as sideburns, mustache, goatee, or beard is not allowed.
9. Clothing may not be worn to reflect gang affiliation or hide illegal items.
10. Hats, caps, bandannas (colors) or other head apparel may not be worn or carried on the bus.
11. Fingernails shall be conventionally trimmed. Colored polish, sculptured nails, tips and extensions should not distract the environment.
12. Sunglasses or shades may not be worn or brought to school. Only prescribed contacts are

- allowed and no sharing is permitted.
13. No jewelry of any kind may be worn.
  14. Only clear backpacks are allowed on campus.
  15. Obscene tattoos must be covered. The principal or designee will make the determination of the appropriateness of tattoos.

If the principal or designee 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, a parent or designee must bring 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.

## **DRESS AND GROOMING-HIGHPOINT**

The department's dress code at the Highpoint Schools has been established to ensure an appropriate and non-distracting appearance among the student body. The principal or designee of each campus shall apply the dress code and make all final decisions regarding what is acceptable and appropriate, whether specified in the handbook or not. Any items held by a student, which are deemed inappropriate by the school staff, will be confiscated and not returned. Clothing and valuables will be donated to charitable organizations selected by campus administrators. All other items will be thrown away.

Students who do not adhere to the dress code shall be given choices to correct the offense, if possible. Students who do not adhere to the dress code:

1. Will not be permitted to attend class until the parent/guardian brings the acceptable change of clothing or the student will be sent home.
2. After repeated disregard for the rules concerning the uniform dress code and grooming, the student will be declared insubordinate and will be subject to appropriate disciplinary action including suspension.
3. Any uniform or appearance violation will result in an office referral and will receive appropriate consequences determined by the administration.

The following uniform dress code is to be followed by all students. Students are subject to search in an appropriate manner by school personnel each day. All students will wear the designated uniform from the time they board the school bus until they leave the bus at the end of the day.

1. Khaki or tan pants. Pants shall be properly sized and belted at the waist. The following are not allowed: baggy and/or oversized pants, tight/stretch material, denim material, split seams and/or cuffs. no more than two front pockets and two back pockets are allowed. **pants with rivets**, cargo pants or low-rise pants are not allowed.
2. All white, conventionally sized polo/golf-style shirt or white long-sleeved dress shirt dress shirt (without decorations, logos, emblems, accent color etc.) Shirts must be tucked into the pants without any blousing and neatly pressed each day. Only the top button may be unbuttoned.
3. Appropriate undergarments must be worn. Males and female undergarments must be white only with no colors, designs, or logos. Males may wear either boxers or briefs but not both. Girls are required to wear underwear. Girls may not wear an underwire bra or more than one bra or sports bra. Students found wearing two or more pairs of underwear will have the extra

pair confiscated. Sports shorts or other garments with or without pockets are not appropriate as underwear.

4. All students must wear a black belt. Belt must have a regular size belt buckle. Belts may not have any additional decorations on them. (studs, holes, etc.)  
Solid black athletic shoes. Shoes may not have any color or decorations on them. Shoes must lace up so they can be used for PE activities. Shoes must be laced with black shoelaces. NO VELCRO STRAPS ARE ALLOWED. WHITE OR COLORED LOGOS MAY NOT BE COLORED IN OR TAPED OVER TO CONCEAL LOGOS.
5. White socks only (without decoration, i.e. emblems, logos, accent color, etc.) Only one pair of socks may be worn at a time.
6. Hats, caps, bandannas (colors) or other head apparel may not be worn or carried on the bus.
7. Fingernails shall be conventionally trimmed. Colored polishes on nails or toenails are not allowed. Sculptured nails, tips and extensions are not allowed.
8. Students may not wear make-up or cosmetics of any kind. Students may not bring cosmetics to school.
9. Sunglasses or shades may not be brought to school. Only conventional, prescribed contacts are allowed and no sharing is permitted.
10. No jewelry of any kind may be worn. This includes watches, rings, earrings, bracelets, necklaces, ankle bracelets, belly rings, tongue piercings, grills, mouth jewelry or hair ornaments.
11. All tattoos must be covered at all times, including at lunch. THE SCHOOL WILL NOT FURNISH COVERINGS. Plain white sweatbands without logos or neutral band aids without colors or decorations may be used. Students may use a black marker to completely color in tattoos. The marker must remain on during the day. The school will not furnish the black markers. Long sleeved dress shirts buttoned at the wrist may be required in order to keep tattoos covered.
12. Hair must be kept clean, conventionally styled and non-distracting. Conventional hair styling does not include any popular fad styles: spikes, Mohawks, multi- colors, dreadlocks, twists, weaves, or extensions. Writing, lines, symbols, multiple edges in hair or eyebrows are not permitted. On males, hair may not exceed two inches in height or length, nor extend below the shirt collar. Girls, other than those with short hair, must wear their hair in a ponytail high on the crown of their head. It may not be worn gathered at the nape of the neck. Girls may not wear anything in their hair other than a black scrunchie or rubber band. Students with dyed or colored hair must return their hair to its natural color before attending the Highpoint School. Students may not bring hairstyling products to school.
13. Facial hair is not permitted. Boys must be cleanly shaven each morning. Sideburns may not extend below the earlobe.
14. No jackets are to be worn to school including, but not limited to trench coats and starter jackets. On very cold days, students are permitted to wear white thermal undergarments (one shirt and one pant) underneath their standard uniform. Students may wear a white sweatshirt without logos, writing, pockets, zippers, or hoods. The principal or designee will determine on very cold days if jackets may be brought to school and when students will not be allowed to bring them. They will be placed in the designated receptacle during search and returned at the end of the day. Jackets will be searched and prohibited items confiscated. Students will pick up their jackets at dismissal. The Highpoint School is not responsible for lost or stolen jackets. Highpoint jackets are available for purchase. Students must sign a contract governing the appropriate wearing of a

Highpoint jacket. Violation of the contract will lead to confiscation of the jacket. Money will not be refunded on confiscated jackets.

15. Clothing may not be worn to reflect gang affiliation or hide illegal/contraband items.
16. Street/casual clothing may not be worn underneath the school uniform.

If the principal or designee 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, a parent or designee must bring 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 Cell Phones, and Other Electronic Devices**

Students are not allowed to bring mobile telephones or other personal telecommunication devices to school. If a student uses a telecommunications device without authorization during the school day, the device will be confiscated. The device will be returned to the student at the end of the school day on the first offense for ABS students. Parents of ABS students will be required to pick up any telecommunications device from the principal's office on any subsequent offenses. Refer to the Contraband procedure for Highpoint students.

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. Confiscated telecommunications devices that are not retrieved by the student or the student's parents will be disposed of after notice required by law. [See policy FNCE.] In limited circumstances and in accordance with law, a student's personal telecommunications device may be searched by authorized personnel. [See policy FNF.] Any disciplinary action will be in accordance with the Student Code of Conduct. The Department 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 **cell phones, smart watches**, 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, staff will confiscate the items and turn them in to the principal's office. The device(s) will be returned to the student at the end of the school day on the first offense for ABS students. Parents will be required to pick up any personal electronic devices from the principal's office on any subsequent offenses for ABS students. Refer to the Contraband procedure for Highpoint students.

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

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

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

Personal telecommunication devices and other electronic devices are not allowed on any campus. The campuses will furnish any telecommunication or electronic device necessary for instructional use.

### **Acceptable Use of Department Technology Resources**

To prepare students for an increasingly technological society, the department has made an investment in the use of department-owned technology resources for instructional purposes; specific resources may be issued individually to students. Use of these technological resources, which include the department's network systems and use of department equipment, is restricted for approved purposes only. Students use of Department Technology Resources shall comply at all times with applicable law and HCDE policies, including Board Policy CQ and HCDE's Internet Safety Policy. Students may not engage in hacking, cyber-attacks, or other unlawful activities through Department Technology Resources. Use of Department Technology Resources shall not be considered private. HCDE may monitor any activity occurring on HCDE equipment or accounts and will monitor the online activity of students as required by law. HCDE also employs filtering software to limit access to restricted sites and inappropriate material on the Internet. This software is compatible with Children's Internet Protection Act (CIPA) and Neighborhood Children's Internet Protection Act recommendations for student access to the Internet. Students and parents will be asked to sign a technology user agreement (see appendix) regarding use of these department resources. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

Computers or other electronic devices issued to students must be utilized for instructional purposes only. Students and parents will be required to loan the equipment for a predetermined amount of time. By signing this agreement, the parent takes responsibility for the care and safe return of the loaned equipment.

Students and parents must agree to the following:

1. No food or drink around the computer, ever
2. Installation of software or APPs shall not be on the loaned computer.
3. Students hacking, altering unauthorized files, or using the computer in any way other than what is intended, will be required to return the loaned equipment.
4. Shutdown, log off and put the computer away appropriately every day. Store your computer as intended, will lose their computer privileges.
5. Must notify the campus principal immediately, if a problem occurs with the computer.
6. To follow all Acceptable Use of Department Technology Resources requirements. The use of loaned equipment is a privilege, not a right.

### **Unacceptable and Inappropriate Use of Technology Resources**

Students are prohibited from possessing, sending, forwarding, posting, accessing, or displaying electronic messages **or other materials** that are abusive, obscene, sexually oriented **or pornographic**, threatening, harassing, damaging to another's reputation, **harmful to minors**, or illegal. This prohibition also applies to conduct off school property, whether the equipment used to send such messages is department-owned or personally owned, if it results in a substantial disruption to the educational environment. Students may not use Department Technology Resources to access unauthorized material and may not disclose, use, or disseminate personal identification information regarding minors without appropriate authorization.

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

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

In accordance with the law, “Protecting Children in the 21<sup>st</sup> Century Act”, students receive instruction on the appropriate online behavior, use of social networking websites, chat rooms, cyberbullying and online safety.

### **FEES**

Materials that are part of the basic educational program are provided with department 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.
- Security deposits.
- Personal physical education and athletic equipment and apparel.
- Voluntarily purchased pictures, publications, class rings, yearbooks, graduation announcements, etc.
- Admission fees to extracurricular activities.
- Personal apparel used in extracurricular activities that becomes the property of the student.
- Fees for lost, damaged, or overdue library books or textbooks.
- Lost or damaged student identification cards.

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

### **FUND-RAISING**

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

### **GANG-FREE ZONES**

Certain criminal offenses, including those involving 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/department, a gang-free zone includes a school bus and a location in, on, or within 1,000 feet of any district/department-owned or leased property or campus playground. Any gang signs, symbols, gestures may result in a citation, ticket, or referral to the Harris County Gang Task Force. Handshakes, writings, drawings, gang websites are considered gang activity.

### GRADE LEVEL CLASSIFICATION

After the ninth grade, students are classified according to the number of credits earned toward graduation. Each home district may have different local policies regarding grade classification. Refer to the home district policy for additional information regarding local requirements.

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 establish the minimum number of assignments, projects, and examinations required for each grading period. In addition, these guidelines establish how the student's mastery of concepts and achievement will be communicated (i.e., letter grades, numerical averages, checklist of required skills, etc.). Grading guidelines also outline in what circumstances a student will be allowed to redo an assignment or retake an examination for which the student originally failed and procedures a student must follow after an absence.

### GRADING SCALES

Numerical Grade	Letter Grade
90 – 100	A
80 – 89	B
75 – 79	C
70 – 74	D
69 or below	F

### GRADUATION

#### Requirements for a Diploma

A student must meet the following requirements to receive a high school diploma from the home district:

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

Demonstrate proficiency, as determined by the district, in the specific communication skills required by the State Board of Education (SBOE).

## TESTING REQUIREMENTS for GRADUATION

Students are required, with limited exceptions and regardless of graduation program, to perform satisfactorily on EOC assessments in:

- English I,
- English II,
- Algebra I,
- Biology, and
- U.S. History.

A student who does not achieve a sufficient score will have opportunities to retake an assessment.

State law allows a student to meet EOC requirements by substituting satisfactory performance on norm-referenced national standardized assessments or on the state-developed assessment used for entrance into Texas public universities. [See the school counselor for more information on the state testing requirements for graduation.]

If a student fails to perform satisfactorily on an EOC assessment, the district will provide remediation in the applicable content area. This may require the student's participation outside normal school operating times.

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

### Foundation Graduation Program

Every Texas public school student will graduate under the foundation graduation program. The foundation graduation program features endorsements, which are paths of interest that include:

- Science, Technology, Engineering, and Mathematics (STEM);
- Business and Industry;
- Public Service;
- Arts and Humanities; and
- Multidisciplinary Studies.

Endorsements earned by a student will be noted on the student's transcript.

A student can complete the foundation graduation program with a "distinguished level of achievement," which reflects the completion of at least one endorsement and Algebra II as one of the required advanced mathematics credits. A Personal Graduation Plan will be completed for each high school student, as described on page 46.

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

admission requirements of the student’s desired college or university.

A student graduating under the foundation graduation program can also earn performance acknowledgments on his or her transcript. Performance acknowledgments are available for outstanding performance in bilingualism and biliteracy, in a dual credit course, on an AP or IB examination, on certain national college preparatory and readiness or college entrance examinations or for earning a license or certificate recognized at the state, national, or international level. The school counselor can provide more information about these acknowledgments.

A student is not required to complete an Algebra II course to graduate under the foundation graduation program, and the district will annually notify a student’s parent of this fact. However, not taking Algebra II will make a student ineligible for automatic admission to four-year public universities and college in Texas and for certain financial aid and grants while attending those institutions.

A school district will permit a student to satisfy the curriculum requirements for graduation under the foundation program with the distinguished level of achievement, including an endorsement, by successfully completing courses in the core curriculum of a public Texas institution of higher education. Please see your home district counselor for more information.

### Credits Required

The foundation graduation program requires completion of the following credits:

<b>Course Area</b>	<b>Number of Credits: Foundation Graduation Program</b>	<b>Number of Credits: Foundation Graduation Program with an Endorsement</b>
<b>English/Language Arts</b>	<b>4</b>	<b>4</b>
<b>Mathematics</b>	<b>3</b>	<b>4</b>
<b>Science</b>	<b>3</b>	<b>4</b>
<b>Social Studies, including Economics</b>	<b>3</b>	<b>3</b>
<b>Physical Education</b>	<b>1</b>	<b>1</b>
<b>Languages other than English</b>	<b>2</b>	<b>2</b>
<b>Fine Arts</b>	<b>1</b>	<b>1</b>
<b>Locally required Courses</b>		
<b>Locally required Courses</b>		
<b>Electives</b>	<b>5</b>	<b>7</b>
<b>Total</b>	<b>22 credits</b>	<b>26 credits</b>

Additional considerations apply in some course areas, including:

**Mathematics.** To obtain the distinguished level of achievement foundation graduation program, a student must complete an endorsement and take Algebra II as one of the 4 mathematics credits. A

student's completion of the distinguished level of achievement is a requirement to be considered for automatic admission to a Texas four-year college or university and will be included on a student's transcript.

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

**Languages other than English.** Students are required to earn 2 credits in the same language other than English to graduate. Any student may substitute computer programming languages for these credits successfully.

- A student may satisfy one of the two required credits by completing in elementary school a dual language immersion program or a course in American Sign Language.
- In limited circumstances, a student may be able to substitute this requirement with other courses, as determined by a district committee authorized by law to make these decisions for the student.

### **Available Endorsements**

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

### **Personal Graduation Plans**

A personal graduation plan will be developed for each high school student's home district.

The home district encourages all students to pursue a personal graduation plan that includes the completion of at least one endorsement and to graduate with the distinguished level of academic achievement. Attainment of the distinguished level of achievement entitles a student to be considered for automatic admission to a public four-year college or university in Texas, depending on his or her rank in class.

The school will review personal graduation plan options with each student entering grade 9 and his or her parent. Before the end of grade 9, a student and his or her parent will be required to sign off on a personal graduation plan that promotes college and workforce readiness, promotes career placement and advancement, and facilitates the transition from secondary to postsecondary education.

The student's personal graduation plan will outline an appropriate course sequence based on the student's choice of endorsement.

**Please review [TEA's Graduation Toolkit](#).**

Your home district will determine if you will be able to amend your personal graduation plan.

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

Each spring, the district will update students on the courses required or offered in each curriculum area so students can enroll for the upcoming school year.

Note: The home district may require the completion of certain courses for graduation even if these

courses are not required by the state for graduation.

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

### **Graduation Expenses**

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

### **Scholarships and Grants**

Students who have a financial need according to federal criteria and who complete the foundation graduation program may be eligible under the TEXAS Grant Program and the Teach for Texas Grant Program for scholarships and grants toward tuition and fees to Texas public universities, community colleges, and technical schools, as well as to private institutions.

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

## **HAZING**

Hazing is defined as an intentional, knowing, or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151, including:

- Any type of physical brutality;
- An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
- An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
- Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. The district will not tolerate hazing. Disciplinary consequences for hazing will be 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.

## HEALTH-PHYSICAL AND MENTAL

### **Illness**

When your child is ill, please contact the school to let us know he or she won't be attending that day.

State rules require to exclude students with certain illnesses from school for periods of time. For example, if your child has a fever over 100 degrees, he or she must stay out of school until fever free for 24 hours without fever-reducing medications. Student with diarrheal illnesses must stay home until they are diarrhea-free without use of diarrhea-suppressing medications for 24 hours.

A full list of conditions for which the school must exclude children can be obtained from the school nurse.

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

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

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

### **Immunizations**

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 Affidavit Request for Exemption from Immunization. The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are:

- Diphtheria, tetanus, and pertussis;
- Rubeola (measles), mumps, and rubella;
- Polio;
- Hepatitis A;
- Hepatitis B;
- Varicella (chicken pox); and
- Meningococcal.

The school nurse can provide information on immunization requirements. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a

signature or rubber-stamp validation.

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

As noted at **Bacterial Meningitis** on page ---, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement. [See the DSHS website: [Texas School & Child Care Facility Immunization Requirements](#) and policy FFAB(LEGAL) for more information.]

### **Lice**

Head lice is very common among children. Although not an illness or a disease, it spreads easily through head-to-head contact during play, sports, nap time, and when children share things like brushes, combs, hats, and headphones.

If careful observation indicates that a student has head lice, the school nurse will contact the student's parent to determine whether the student needs to be picked up from school and to discuss a treatment plan using an FDA-approved medicated shampoo or cream rinse that may be purchased from any drug or grocery store. After the student undergoes one treatment, the parent should contact the school nurse to discuss the treatment used. The nurse can also offer additional recommendations, including subsequent treatments, how best to get rid of lice, and how to prevent their return.

The district will provide notice to parents of elementary school students in the affected classroom without identifying the student with lice. More information on head lice can be obtained from the DSHS website <http://www.dshs.state.tx.us/schoolhealth/lice.shtm>. [See policy FFAA for more information.]

## **MEDICINE AT SCHOOL**

If a student must take medication during school hours, the student's parent must provide the medication. All medication, whether prescription or nonprescription, must be kept in the nurse's office and be administered by the nurse or another authorized district employee.

The Department will not purchase medicine to give to a student. Department employees will not give a student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements, except that authorized employees, in accordance with policy FFAC, may administer:

- Prescription medication, in the original, properly labeled container, provided by the parent, along with a written request. Written physician orders are required in order to administer medications at school.
- Prescription medication from a properly labeled unit dosage container filled by a registered

nurse or another qualified department employee from the original, properly labeled container. Written physician orders are required in order to administer medications at school.

- Nonprescription medication, in the original, properly labeled container, provided by the parent along with a written request. **Note:** Insect repellent is considered a nonprescription medication.
- 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.
- Each medication to be administered must be accompanied by a completed Parent/Guardian Consent for Administration of Prescription and Non-Prescription Medication at School or a School Related Activity form. The form detailing parental consent is good only for the school year in which it was submitted. A new form must be completed annually.

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

At the elementary level, a student's teacher or other district personnel will apply sunscreen to the student's exposed skin if the student brings the sunscreen to school and asks for help applying it. A student at this level may apply his or her own sunscreen if the student is able to do so.

At the secondary level, a student may possess and apply sunscreen when necessary. If the student needs assistance with sunscreen application, please address the need with the school nurse.

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

### **Asthma and Severe Allergic Reactions**

A student with asthma or severe allergic reaction (anaphylaxis) may 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 health-care provider and 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.

See also Food Allergies on page --

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

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

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.

### **Mental Health Support (All Grade Levels)**

The district has implemented programs to address the following mental health, behavioral health, and substance abuse concerns:

- Mental health promotion and early intervention;

- Building skills to manage emotions, establish and maintain positive relationships, and engage in responsible decision-making;
- Substance abuse prevention and intervention;
- Suicide prevention, intervention, and postvention (interventions after a suicide in a community);
- Grief, trauma, and trauma-informed care;
- Positive behavior interventions and supports;
- Positive youth development; and
- Safe, supportive, and positive school climates.

**If a student has been hospitalized or placed in residential treatment for a mental health condition or substance abuse, the district has procedures to support the student’s return to school. Please contact the district’s mental health liaison for further information.**

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 psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication that is intended to alter perception, emotion, mood, or behavior.

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. [See policy FFAC FFEB for more information.] For related information, see:

- Consent to Conduct a Psychological Evaluation or Provide a Mental Health Care Service on page 3 for the district’s procedures for recommending a mental health intervention and the mental health liaison’s contact information;
- Counseling on page for the district’s comprehensive school counseling program;
- Physical and Mental Health Resources on page 108 for campus and community mental and physical health resources; and
- Policies and Procedures that Promote Student Physical and Mental Health on pages [50-51](#) for board-adopted policies and administrative procedures that promote student health.

## **PHYSICAL ACTIVITY REQUIREMENTS**

### **Elementary School**

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

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

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

The district will ensure that students in middle or junior high school will engage in [30 minutes of moderate or vigorous physical activity per day for at least four semesters OR at least 225 minutes of moderate or vigorous physical activity within each two-week period for at least four semesters], in

accordance with policies at EHAB, EHAC, EHBG, and FFA.

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

### **Temporary Restriction from Participation in Physical Education**

Students who are temporarily restricted from participation in physical education will not actively participate in skill demonstration but will remain in class to learn the concepts of the lessons.

### **Physical Fitness Assessment**

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

### **Physical Health Screenings / Examinations**

#### **Spinal Screening Program**

School-based spinal screening helps identify adolescents with abnormal spin curvature at an early stage, when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities. Spinal screening is non-invasive and conducted in accordance with the most recent, nationally accepted and peer-reviewed standards.

All students who meet the Texas Department of State Health Services criteria will be screened for abnormal spinal curvature before the end of the school year. As appropriate, students will be referred for follow-up with their physical.

For information on spinal screening by an outside professional or exemption from spinal screening based on religious beliefs, contact the superintendent or see policy FFAA(LEGAL).

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

Students are required to undergo a risk assessment for Type 2 diabetes at the same time the district screens students for hearing and vision issues or for abnormal spinal curvatures. [See policy FFAA for more information.]

#### **Special Health Concerns (All Grade Levels)**

##### **Bacterial Meningitis**

Please see the district's website at [hcde-texas.org](http://hcde-texas.org)

Additional information may also be found at:

- <https://www.dshs.state.tx.us/immunize/school/meningitis-information-forstudents---parents/>.
- <https://www.cdc.gov/meningitis/index.html>
- <https://www.dshs.texas.gov/immunize/PreteenVaccines.aspx>

Education Code 38.0025 & FFAD LEGAL

Note: DSHS requires at least one meningococcal vaccination on or after a student's 11th birthday, unless the student received the vaccine at age 10. Also note that entering college students must show, with limited exception, evidence of receiving a bacterial meningitis vaccination within the five-year period prior to enrolling in and taking courses at an institution of higher education. Please

see the school nurse for more information, as this may affect a student who wishes to enroll in a dual credit course taken off campus.

### **IMMUNIZATIONS**

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 Affidavit Request for Exemption from Immunization. The form must be notarized and submitted to the principal or school nurse within 90 days of notarization. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student.

The immunizations required are:

- Diphtheria, tetanus, and pertussis;
- Rubeola (measles), mumps, and rubella;
- Polio;
- Hepatitis A;
- Hepatitis B;
- Varicella (chicken pox); and
- Meningococcal.

The school nurse can provide information on immunization requirements. Proof of immunization may be established by personal records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

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

As noted at Bacterial Meningitis on page 52, entering college students must also, with limited exception, furnish evidence of having received a bacterial meningitis vaccination within the five years prior to enrolling in and attending classes at an institution of higher education. A student wanting to enroll in a dual credit course taken off campus may be subject to this requirement.

[See the DSHS website: Texas School & Child Care Facility Immunization Requirements and policy FFAB(LEGAL) for more information.]

### **Diabetes**

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) for more information.]

### **Food Allergies**

Parents should notify the department when a student has been diagnosed with a food allergy, especially an allergy that could result in dangerous or life-threatening reactions either by inhalation, ingestion, or skin contact with the particular food. It is important to disclose the food to which the student is allergic as well as the nature of the allergic reaction. If your child has a food allergy, please complete the Food Allergy form in the appendix. Please contact the school nurse or campus principal if your child has a known food allergy or as soon as possible after any diagnosis of a food allergy.

The district has developed and annually reviews a food allergy management plan, based on the Texas Department of State Health Services' (DSHS) "Guidelines for the Care of Students with Food Allergies At-Risk for Anaphylaxis" found on the DSHS website at <https://www.dshs.texas.gov/schoolhealth/allergiesandanaphylaxis/>

When the department receives information that a student has a food allergy that puts the student at risk for anaphylaxis, individual care plans will be developed to assist the student in safely accessing the school environment. The district's food allergy management plan can be accessed from the principal's office. [See policy FFAF.]

### **Seizures**

To address the care of a student with a seizure disorder while at school or participating in a school activity, a parent may submit a seizure management and treatment plan to the district before the beginning of the school year, upon enrollment of the student, or as soon as practicable following diagnosis of a seizure disorder.

[See **A Student with Physical or Mental Impairments Protected under Section 504** on page and contact the school nurse for more information.]

### **Tobacco Prohibited**

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

The department 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.]

## **HEALTH-RELATED RESOURCES, POLICIES, AND PROCEDURES**

Parents and students in need of assistance with physical and mental health concerns may contact the following campus and community resources:

- The campus full-time nurse

Campus	Email	Nurse's Name
Academic and Behavior School East	avernardo@hcde-texas.org	Ahna Vernardo
Academic and Behavior School West	bhurd@hcde-texas.org	Barbara Hurd

Highpoint School	jgonzalez@hcde-texas.org	Karina Jerez Gonzalez
Fortis Academy	ksimpson@hcde-texas.org	Kaynell Simpson

- The campus full-time school counselor

Campus	Email	Counselor's Name
Academic and Behavior School East	mparker@hcde-texas.org	Marilyn Parker
Academic and Behavior School West	mcalhoun@hcde-texas.org	Michelle Calhoun
Highpoint School	asneed@hcde-texas.org	Andrea Sneed
Fortis Academy	mbautista@hcde-texas.org	Maria Bautista

- The local public health authority, Houston Health Department which may be contacted at [hhd.director@houstontx.gov](mailto:hhd.director@houstontx.gov)

- The local mental health authority, The Harris Center, which may be contacted (713) 970-7000

Policies and Procedures that Promote Student Physical and Mental Health (All Grade Levels)  
The district has adopted board policies that promote student physical and mental health. (LOCAL) policies on the topics below can be found in the district's policy manual, available at [https://pol.tasb.org/Policy/Download/578?filename=FFB\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/578?filename=FFB(LOCAL).pdf)

- Food and nutrition management: CO, COA, COB
- Wellness and Health Services: FFA
- Physical Examinations: FFAA
- Immunizations: FFAB
- Medical Treatment: FFAC
- Communicable Diseases: FFAD
- School-Based Health Centers: FFAE
- Care Plans: FFAF
- Crisis Intervention: FFB
- Trauma-informed Care: FFBA
- Student Support Services: FFC
- Student Safety: FFF
- Child Abuse and Neglect: FFG
- Freedom from Discrimination, Harassment, and Retaliation: FFH
- Freedom from Bullying: FFI

In addition, the District Improvement Plan details the district's strategies to improve student performance through evidence-based practices that address physical and mental health. [Provide a substantive description of the strategies in the DIP that address the list of required components in the editorial notes.]

The district has developed administrative procedures as necessary to implement the above policies and plans.

Please contact [administrator responsible for health-related inquiries] at [telephone, email, or both] for further information regarding these procedures and access to the District Improvement Plan.

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

To encourage healthy habits in our students, the district has developed a board-adopted wellness policy at FFA(LOCAL) and corresponding plans and procedures to implement it. You are encouraged to contact Brenda Mullins with questions about the content or implementation of the district's wellness policy and plan.

## **HOMEWORK**

Homework may be assigned by the teacher to reinforce instruction. For questions regarding homework policies, please contact the teacher or principal.

## **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:

1. 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.
2. The principal ordinarily will make reasonable efforts to notify the parents unless the interviewer raises what the principal considers to be a valid objection.
3. 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:

1. To comply with an order of the juvenile court.
2. To comply with the laws of arrest.
3. By law enforcement officer if there is probable cause to believe the student has engaged in delinquent conduct or conduct in need of supervision.
4. By a law enforcement officer to obtain fingerprints or photographs for comparison in an investigation
5. By a law enforcement officer to obtain fingerprints or photographs to establish a student's identity where the child may have engaged in conduct indicating a need for supervision, such as running away
6. By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court.
7. 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.
8. To comply with a properly issued directive from a juvenile court to take a student into custody.

Before a student is released to a law enforcement officer or other legally authorized person, the principal/designee 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 Senior Director of School Administration 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 Department is required by state law to notify:

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

[For further information, see policies FL (LEGAL) for more information]

### **LEAVING CAMPUS**

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

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

For students in elementary and middle school, a parent or authorized adult must come to the office and show identification to sign the student out. A campus representative will ask the student to report to the office. For safety purposes and stability of the learning environment, we cannot allow any unescorted adult to go to the classroom or other area to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student's return. Documentation regarding the reason for the absence will also be required.

The same process applies to students in high school. If the student's parent authorizes the student to leave campus unaccompanied, a note provided by the parent must be submitted to the main office no later than two hours prior to the student's need to leave campus. A phone call from the parent may be accepted, but the school may ultimately require a note for documentation purposes. The student must sign out through the main office and sign in upon his or her return, if the student returns the same day.

If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student's parent and document the parent's wishes regarding release from school.

Unless the parent directs district personnel to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures listed above. If a student is permitted by his or her parent to leave campus unaccompanied, the nurse will document the time of day the student was released. Under no circumstances will a student in elementary or middle school be released unaccompanied.

If a student is 18 years of age or is an emancipated minor, the student may sign him- or herself out of school. Documentation regarding the reason for the absence will be required.

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

Students are not authorized to leave campus during the regular school hours for any other reason except with the permission of the principal or administrator. Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.

The Harris County Department of Education does not carry personal injury insurance on students.

If the school administration or the nurse assesses that a student is in physical danger as a result of an accident or illness, an ambulance will be called. Financial responsibility for the emergency transport and services rendered are the parent/guardian's responsibility.

### **LIMITED ENGLISH PROFICIENT STUDENTS**

A student with limited English proficiency (LEP) is entitled to receive specialized services from the district. Refer to your home district for additional information.

### **LOST AND FOUND**

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

### **MAKEUP WORK**

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

The teacher will assign the student makeup work and assignments. The work must be based on the instructional objectives for the subject or course and the needs of the individual student in mastering the essential knowledge and skills or in meeting subject or course requirements.

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

The student is encouraged to speak with his or her teacher if the student knows of an absence ahead of time, including absences for extracurricular activities, so that the teacher and student may plan

any work that can be completed before or shortly after the absence. Please remember the importance of student attendance at school and that, even though absences may be excused or unexcused, all absences account for the 90 percent threshold in regard to the state laws surrounding “attendance for credit or final grade.”

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

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

### **MESSAGES**

Telephones are for business purposes only. Parents are not to call their children at school except in case of an emergency. Campus personnel will deliver parent messages, when necessary. Students are not permitted to use the telephone except in emergencies. Requests to use the telephone will be granted on an individual basis by an administrator.

### **NONDISCRIMINATION STATEMENT**

In its efforts to promote nondiscrimination, Harris County Department of Education 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.

In accordance with Title IX, the district does not and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to admission and employment.

Inquiries about the application of Title IX may be referred to the district’s Title IX Coordinator (see below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

- Other federal laws that prohibit discrimination include Title VI, Section 504, the Age Discrimination Act, the Boy Scouts Act, and Title II.
- The district has designated and authorized the following employee as the Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, or gender-based harassment: [name, title, physical address, phone number, and email]. Reports can be made at any time and by any person, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon the district receiving notice or an allegation of sex-based harassment,
- ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Jonathan Parker, Assistant Superintendent of Academic Support, 6300 Irvington Blvd, Houston, Texas, 713-694-6300.

- All other concerns regarding discrimination: Contact the superintendent, Mr. James Colbert, Jr., 6300 Irvington Blvd, Houston, Texas, 713-694-6300. [See policies FB (LOCAL) and FFH (LOCAL).]

The following district representatives have been designated to address concerns or inquiries about other kinds of discrimination:

For concerns regarding discrimination on the basis of disability, see the ADA/Section 504 Coordinator, ADA/Section 504 Coordinator, for concerns regarding discrimination on the basis of disability: Jonathan Parker, Assistant Superintendent of Academic Support, 6300 Irvington Blvd, Houston, Texas, 713-694-6300.

### **ON CAMPUS INTERVENTION (OCI) - ACADEMIC & BEHAVIOR SCHOOLS**

On Campus Intervention is designed as a last resort for managing student behavior. OCI is a therapeutic intervention and not a form of punishment. It is a program designed to assist students in recognizing and modifying inappropriate behaviors that interfere with their learning, and/or disrupt the learning environment, in or out of the classroom. In cases where the teacher, counselor, support staff, administrators have implemented several interventions according to the student's behavior intervention plan, a non-compliant student may be placed in the OCI program until he/she has successfully completed a behavior related task. The student is returned to class as soon as he/she has regained the emotional or physical composure necessary to be successful in the learning environment.

### **Parent and Family Engagement (All Grade Levels)**

#### **Working Together**

Experience and research tell us that a child succeeds in education with good communication and a strong partnership between home and school. A parent's involvement and engagement 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 your child's school activities and with the academic programs, including special programs, offered in the district.

- Discussing with the school counselor or principal any questions you may have about the options and opportunities available to your child.
- Reviewing the requirements and options for graduation with your child in middle school and again while your child is enrolled in high school.
- Monitoring your child's academic progress and contacting teachers as needed. [See Academic Counseling on page 31.]
- Attending scheduled conferences and requesting additional conferences as needed.

To schedule a telephone or in-person conference with a teacher, school counselor, or principal, please call the school office at [phone number] 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 64]
- Becoming a school volunteer. [See Volunteers on page 75 and policy GKG for more information.]
- Participating in campus parent organizations.].
- Serving as a parent representative on the district-level or campus-level planning committees that develop educational goals and plans to improve student achievement. and see policies BQA and BQB, for more information.]
- Being aware of the school’s ongoing bullying and harassment prevention efforts.
- Contacting school officials if you are concerned with your child’s emotional or mental well-being.
- Attending board meetings to learn more about district operations. Regular board meetings are held on the “third Wednesday ” of each month at 1:00 p. m. at Harris County Department of Education building at 6300 Irvington Blvd., Houston, Texas 77022. An agenda for a regular or special meeting is posted no later than 72 hours before each meeting and online at <https://hcde-texas.org/board-trustees/board-agenda/> [See policies BE and BED for more information.]

### **PHYSICAL RESTRAINT**

All staff members at HCDE campuses receive annual training in physical restraint techniques. A student is restrained when he/she is endangering him/herself, staff members, other students or property. A student may be restrained **as a last resort**. Physical restraint may also be used to enforce the contingencies of the behavior intervention plan.

The staff employs a non-harmful control and restraint system designed to defuse and ensure the safety and welfare of challenging, disruptive behavior before it escalates to a crisis situation. The purpose of the method used is to assist student to:

- learn to live and thrive in a safe and respectful environment;
- interact with positive role models who are equipped to manage difficult situations
- learn new coping skills;
- receive guidance about making positive behavior choices in the future and;
- feel supported by staff who are empathic, compassionate and respectful.

Physical restraint is a serious action; therefore, every effort will be made to contact the parent/guardian the day the restraint is used. Written notification of the restraint and the behaviors leading to the restraint will be mailed to the parent/guardian and home district within 24 hours. [See policy FO (LEGAL) for more information.]

### **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 Reciting the Pledges to the U.S. and Texas Flags on page 13.] State law requires that one minute of silence follow recitation of the pledges. Each student may choose to reflect, pray, meditate, or engage in any other silent activity during that minute so long as the silent activity does not interfere with or distract others.

In addition, state law requires that each campus provide for the observance of one minute of silence in remembrance of those who lost their lives on September 11, 2001, at the beginning of the first class period when September 11 falls on a regular school day.

[See policy EC 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 proficiency. In making promotion decisions, the district will consider:

- Teacher recommendation,
- Grades,
- Scores on criterion-referenced or state-mandated assessments, and
- Any other necessary academic information as determined by the district.

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

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

In grades 5, must demonstrate proficiency in reading and mathematics, as required by Education Code 28.0211(a), in order to advance to the next grade and include promotion standards for the respective grade levels. .

In grades 8, promotion is based on must demonstrate proficiency in reading and mathematics, as required by Education Code 28.0211(a), in order to advance to the next grade. LO include promotion standards for the respective grade levels.

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.

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

If a student in grade 5 or 8 is enrolled in a high-school credit course with corresponding end-of-course (EOC) assessment, the student will not be subject to the promotion requirements described above for the relevant grade 5 or 8 assessment. The student will instead take the corresponding EOC assessment.

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

A student in grade 5 or 8 will have two opportunities to retake 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.

For the student to be promoted based on standards previously established by the district, the decision of the committee must be unanimous, and the student must complete additional special instruction before beginning the next grade level. Whether the student is retained or promoted, an educational plan for the student will be designed to enable the student to perform at grade level by the end of the next school year. [See policy EIE for more information.] (Waived for 2021 school year).

Certain students—some with disabilities and some classified as English learners—may be eligible for exemptions, accommodations, or deferred testing. An admission, review, and dismissal (ARD) committee meeting will be convened if a student receiving special education services in grade 5 or 8 fails to meet satisfactory performance after the first STAAR administrations in reading or math. For more information, see the principal, school counselor, or special education director.

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

For a middle-school student who does not perform satisfactorily on his or her state-mandated examinations, a school official will prepare a personal graduation plan (PGP). School officials will also develop a PGP for a middle-school student who is determined by the district to be unlikely to earn a high school diploma within five years of high school enrollment. 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. [See the school counselor and policy EIF(LEGAL) for more information.] 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.

[See Personal Graduation Plans on page 84 for information related to the development of personal graduation plans for high school students.]

### **High School Grade Levels**

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

A student in grades 9–12 will be advanced a grade level based on the number of course credits earned.

Students will also have multiple opportunities to retake EOC assessments.

## **REPORT CARDS / PROGRESS REPORTS AND CONFERENCES (ALL GRADE LEVELS)**

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

At the end of the first three weeks of a grading period, parents will receive a progress report of their child's performance in any course/subject area is near or below 70 or the expected level of performance. If a student receives a grade lower than a 70 in any class or subject at the end of a grading period, the parent will be asked to schedule a conference with the teacher.

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

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).

Report cards and unsatisfactory progress reports must be signed by the parent and returned to the school within days. The district may communicate academic information about a student electronically, including for progress reporting purposes. An electronic signature will be accepted by the district, but parents are entitled to request a handwritten signature of acknowledgment instead.

AB Schools will also provide a Behavioral Progress Report. These reports are compiled and distributed to parents by mail or by folders sent home with the student. The purpose of this report is to identify specific behaviors the student is working on to improve and the progress that has been made, as identified in the IEP/BIP. Parents/guardians who do not receive these reports should notify the counselor or principal to arrange for other options for delivery of the reports.

## **SAFETY**

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

- Avoid conduct that is likely to put the student or others at risk.
- Follow the behavior 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 and promptly report any incidents to a district employee. A student may make anonymous reports about safety concerns by reporting the incident to campus administration.
- Know emergency evacuation routes and signals.
- Follow immediately the instructions of teachers, bus drivers, and other department

employees who are overseeing the welfare of students.

**Accident Insurance** may be available from your home campus/district. Contact the administration of your home campus.

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

Periodically, the school will conduct preparedness drills of emergency procedures. When the command is given or alarm is sounded, students need to follow the direction of teachers or others in charge quickly, quietly, and in an orderly manner.

### **Preparedness Training: CPR and Stop the Bleed**

The district will annually offer instruction in CPR at least once to students enrolled in grades 7–12. The instruction can be provided as part of any course and is not required to result in CPR certification. The district will annually offer students in grades 7–12 instruction on the use of bleeding control stations to respond to traumatic injury. For more information, **see Homeland Security’s Stop the Bleed and Stop the Bleed Texas.**

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

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

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

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

If the campus must close or restrict access to the building because of an emergency, the district will alert the community by calling home or work, contacting the major local television or radio stations. It is critical that current contact information be available. Please make sure to notify the campus office of any change of address or phone number.

If the campus must close, delay opening, or restrict access to the building because of an emergency, the district will also alert the community in the following ways: School Messenger phone calls and text messages.

## **SCHEDULE CHANGES**

Schedule changes will be made on a limited basis and only to ensure that students are placed in the correct classes. Requests for schedule changes must be made in writing on the campus form. Students are not allowed to leave class to go to the school counselor’s office. Once the request for a schedule change has been reviewed the school counselor will contact the student to inform the student if the change will be made or not.

## **SCHOOL FACILITIES**

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

The district works diligently to maintain compliance with federal and state law governing asbestos in school buildings. A copy of the district's asbestos management plan is available in the central administrative office. If you have any questions or would like to examine the district's plan in more detail, please contact Albert Valadez, the district's designated asbestos coordinator, at [avaladez@hcde-texas.org](mailto:avaladez@hcde-texas.org).

### **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.

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, students must leave campus. Unless students are granted permission to remain on the campus in accordance with policy FNAB, students must leave campus immediately. Bus transportation to and from school is only provided by the home district. All students must exit the school building by 3:30 p.m.

### **Food and Nutrition Services**

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

### **Vending Machines**

The department has adopted policies and implemented procedures to comply with state and federal food service guidelines for restricting student access to vending machines. Students do not have access to vending machines

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

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

All pesticides used are registered for their intended use by the U.S. Environmental Protection Agency and are applied only by certified pesticide applicators. Except in an emergency, signs will be posted 48 hours before indoor application. All outdoor applications will be posted at the time of treatment, and signs will remain until it is safe to enter the area.

Parents who have questions or who want to be notified of the times and types of applications prior to pesticide application inside their child's school assignment area may contact Richard Vela, the district's IPM coordinator, at [rvela@hcde-texas.org](mailto:rvela@hcde-texas.org).

### **Use of Hallways during Class Time**

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

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

Teachers and administrators have full authority over student conduct at before- or after-school activities. Whether a school activity is on or off district premises, students are subject to the same rules of conduct that apply during the instructional day. Misbehavior 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.

### **School-Sponsored Field Trips (All Grade Levels)**

The district periodically takes students on field trips for educational purposes.

A parent must provide permission for a student to participate in a field trip.

The district may ask the parent to provide information about a student's medical provider and insurance coverage and may also ask the parent to sign a waiver allowing for emergency medical treatment in the case of a student accident or illness during the field trip.

The district may require a fee for student participation in a field trip to cover expenses such as transportation, admission, and meals; however, a student will not be denied participation because of financial need.

### **Searches in General (All Grade Levels)**

In the interest of promoting student safety and drug-free schools, district officials may occasionally conduct searches.

District officials may search students, their belongings, and their vehicles in accordance with law and district policy. Searches of students will be conducted without discrimination, based on, for example, reasonable suspicion or voluntary consent or pursuant to district policy providing for suspicion less security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on district property.

If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a district official may conduct a search in accordance with law and district regulations.

Any unauthorized/illegal items will be confiscated. Searches are done daily upon entering the building and randomly as needed.

**District Property (All Grade Levels)**

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in district property. Searches can occur whether or not a student is present.

Students are responsible for any item found in district property provided to the student that is prohibited by law, district policy, or the Student Code of Conduct.

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

**Metal Detectors (All Grade Levels)**

To maintain a safe and disciplined learning environment, the district reserves the right to subject students to metal detector searches when entering a district campus and at off-campus, school-sponsored activities.

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

Use of department-owned equipment and its network systems is not private and will be monitored by the department. [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.]

**Trained Dogs (All Grade Levels)**

The district may use trained dogs to screen for concealed, prohibited items, including drugs and alcohol. Screenings conducted by trained dogs will not be announced in advance. The dogs will not be used with students, but students may be asked to leave personal belongings in an area that is going to be screened, such as a classroom, a locker, or a vehicle. If a dog alerts to an item or an area, it may be searched by district officials.

**DRUG TEST PROCEDURE: ACADEMIC AND BEHAVIOR SCHOOLS**

If a student is suspected of being under the influence of illegal substances while enrolled at Academic and Behavior School, the administration may require the student to submit to a drug test. Academic and Behavior School administrators, counselors, nurses, Juvenile Probation staff, and/or private testing facilities secured by the parent/guardian may administer drug tests. Students testing positive for illegal substances are subject to disciplinary consequences.

**DRUG TEST PROCEDURE: HIGHPOINT SCHOOL**

All Highpoint students are required to pass a drug test to successfully complete the program and exit. Highpoint administrative, counseling or nursing staff; Juvenile Probation staff; and/or private testing facilities secured by the parent/guardian may administer drug tests. If a student is suspected of being under the influence of illegal substances while enrolled at Highpoint Schools, the administration may require the student submit to a drug test. Students are also subject to random

drug tests at designated points in the level system.

Students who have a positive drug test at Highpoint must enroll in a drug counseling program and provide proof of continuous attendance and completion. Students must also pay a testing fee of \$25 each time they are retested and test positive. Students are also subject to additional days or a recommendation to their home district for expulsion to JJAEP in accordance with the law. Students who test positive for illegal substances or alcohol will drop to Level 1. They will remain at Level 1 until they have completed an approved drug counseling program and reimburse the campus the \$25 fee for the drug test.

Once the student satisfies the successful completion of the drug program, the student will be returned to his/her original level, providing there are no other disciplinary infractions.

Refusal to submit to a drug test when requested to do so by Highpoint administration will be considered the same as testing positive for drug use. The student refusing to submit to drug testing will face the same consequences as a student testing positive.

### **Vehicles on Campus**

Students are not allowed to drive vehicles to and from school to any campus.

### **SEXUAL HARASSMENT**

See Dating Violence, Discrimination, Harassment and Retaliation

### **SPECIAL PROGRAMS**

The department provides special programs for homeless students, students in foster care and students with disabilities. A student or parent with questions about these programs should contact the campus principal. 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 the campus counselor.

The Texas State Library and Archives Commission's Talking Book Program provides audiobooks free of charge to qualifying Texans, including students with visual, physical, or reading disabilities such as dyslexia.

### **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, annually in grades 4 and 7
- Science, annually in grades 5 and 8
- Social Studies, annually in grade 8

State law requires successful performance on the reading and math assessments in grades 5 and 8 for a student to be promoted to the next grade level. A student may be exempt from this requirement if:

- The student is enrolled in a reading or math course intended for students above the student's current grade level; or
- The student is enrolled in a special education program and the admission, review, and dismissal (ARD) committee concludes the student has made sufficient progress in his or her individualized education plan (IEP).

STAAR Alternate 2 is available for eligible students receiving special education services who meet certain state-established criteria as determined by the ARD committee

STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

### **High School Courses End-of-Course (EOC) Assessments**

STAAR end-of-course (EOC) assessments are administered for the following courses:

- Algebra I
- English I and English II
- Biology
- United States History

Satisfactory performance on the applicable assessments is required for graduation, unless waived or substituted as allowed by state law and rules.

There are three testing windows during the year in which a student may take an EOC assessment. The windows occur in the fall, spring, and summer months. If a student does not meet satisfactory performance, the student will have opportunities to retake the assessment.

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

An admission, review, and dismissal (ARD) committee for a student receiving special education services will determine whether successful performance on the EOC assessments will be required for graduation within the parameters identified in state rules and the student's Personal graduation plan (PGP).

An assessment calendar is included in the Appendix.

### **STUDENTS IN FOSTER CARE**

In an effort to provide educational stability, the district will provide enrollment and registration assistance, as well as other educational services throughout the student's enrollment, to any student who is currently placed or newly placed in foster care (temporary or permanent custody of the state, sometimes referred to as substitute care).

Please contact Brenda Mullins, who has been designated as the district's foster care liaison, at

[bmullins@hcde-texas.org](mailto:bmullins@hcde-texas.org) or (713)696-0761 with any questions.

### **STUDENTS WHO ARE HOMELESS**

A parent is encouraged to inform their home district if his or her child is experiencing homelessness. Home district staff can share resources that may be able to assist families. Please contact Gabriella Hernandez, the Divisions' homeless education liaison at [ghernandez@hcde-texas.org](mailto:ghernandez@hcde-texas.org) or (713)696-. Mrs. Hernandez will assist you with additional resources and with contacting your district homeless liaison. For more information, see <http://www.theotx.org/>

### **SUMMER SCHOOL-ACADEMIC AND BEHAVIOR SCHOOLS**

Extended Year Services (ESY) will be addressed in the student's annual ARD meeting. ESY services will be provided for eligible students in the summer of 2022, Monday through Thursday. ESY services will not be offered on Fridays. ESY services will be offered from June 14, 2021 through July 15, 2021.

Summer School is offered for students assigned by their home district for credit recovery. Summer School will be provided for eligible students in the summer of 2022 Tuesday through Friday. Services will be provided June 15, 2022 through July 16, 2022.

### **STUDENT SUPERVISION**

Students are supervised at all times to ensure their safety, therefore any Academic and Behavior School student that is transported by parents is not allowed to be dropped off before 7:45 AM. Students must be picked up by 3:15 PM each day. Parents are required to sign the student in each morning.

Occasionally a student may need to be picked up at school during the school day. Any student remaining on campus at 5:30 PM may be referred to Child Protective Services (CPS).

### **SUBSTANCE ABUSE PREVENTION AND INTERVENTION**

If you are worried that your child may be using or is in danger of experimenting, using, or abusing illegal drugs or other prohibited substances, please contact the school counselor or principal. The school counselor can provide you with a list of community resources that may be of assistance to you. The TDSHS maintains information regarding children's mental health and substance abuse intervention services on its Website: <http://www.dshs.state.tx.us/mhsa-child-adolescent-services>

The Highpoint campuses also have the services of a substance abuse counselor at each campus.

### **TEXTBOOKS, ELECTRONIC TEXTBOOK, 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.

If a student needs a graphing calculator for a course and the district does not provide one, the student may use a calculator application with graphing capabilities on a laptop, tablet, or other computing device.

A student who is issued a damaged item should report the damage to the teacher.

Any student failing to return an item in acceptable condition loses the right to free textbooks and technological equipment until the item is returned or paid for by the parent; however, the student will be provided textbooks and equipment for use at school during the school day. Payment for lost or destroyed books should be made to the principal's office.

## **TRANSFERS**

The principal is authorized to transfer a student from one classroom to another.

## **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. As approved by the principal an exception to this requirement may be made when the parent requests that the student be released to the parent or to another adult designated by the parent in writing.

Educational and incentive field trips are permitted for ABS students who meet individual campus criteria. Information and permission slips are sent home prior to the planned trip and must be returned to the school at least one (1) day before a scheduled trip. Verbal permission by phone may be given, on occasion, if the parent can be reached.

Students who do not have verbal or written permission before the field trip will not be permitted to attend the field trip. Students must be in dress code compliance to attend.

### **Other Forms of Transportation**

Students are not allowed to use other forms of transportation, such as UBER, etc. or cabs to or from schools.

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

The home district makes school bus transportation available to all ABS and Highpoint students. This service is provided at no cost to students. Bus routes and any subsequent changes are available from the home district. The division does not have input into the bus routes or pick up/drop off locations. Questions about routes, times and pick up locations must be **addressed to the home district**. Students are required to ride the bus provided by the home district to and from school unless the principal has granted an exception to the parent.

A parent may also designate a child-care facility or grandparent's residence as the regular pickup

and drop-off location for his or her child. The designated facility or residence must be on an approved stop on an approved route. For information on bus routes and stops or to designate an alternate pickup or drop-off location, you may contact the transportation department at the home campus/district.

Students are expected to assist district/division staff in ensuring that buses remain in good condition and that transportation is provided safely. When riding in district/department 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 vehicle or its equipment. Students will be required to make restitution for vandalism.
- 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 vehicle.
- Not possess or use any form of tobacco on any district vehicle.
- 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.
- Follow any other rules established by the operator of the vehicle.

Misconduct will be **addressed** in accordance with the Student Code of Conduct; the privilege to ride in a district vehicle, including a school bus, may be suspended or revoked.

Highpoint students must arrive and depart by their district school bus. Students who miss the bus in the morning and do not attend school are charged with an unexcused absence. Students missing the bus may be brought to school by a parent; however, the parent must bring the student into the office and sign the student in. Students missing the bus intentionally to circumvent riding the bus will be subject to disciplinary action.

Students returning to school from a court appearance or doctor's visit on the same day must bring a written note from the court or doctor in order for the absence not to count.

Students suspended from the bus are still required to attend school unless they are suspended from school. Parents must bring the student to school no later than 15 minutes before the beginning of the first class. Parents must pick the student up in the afternoon at the dismissal time. The parent is required to bring the child to the office and sign them in. Failure to attend school due to bus suspension will result in an unexcused absence.

### **TRESPASSING-HIGHPOINT SCHOOL EAST**

Students are advised that visiting other schools or district facilities while they are enrolled at Highpoint School East may constitute trespassing. Therefore, students should not enter the grounds, buildings, or property of other schools without permission by a campus administrator.

This includes during the school day and outside the school day at any extra-curricular event. Students may be charged or ticketed for criminal trespass if they are found on any campus at any time without the appropriate permission.

## **VANDALISM**

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 will 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. Video availability is subject to the traffic in the area: approximately 30 days.

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

The Federal Right to Privacy Act prohibits the showing of video tapes of children to parents other than those of their child. Footage including other students is not available for parent viewing.

## **VIDEO SURVEILLANCE OF CERTAIN SPECIAL EDUCATION SETTINGS**

In order to promote student safety, HCDE's Self-contained classes are equipped with video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

In accordance with state law, a parent of a student who receives special education services, a staff member (as this term is defined by law), a principal or assistant principal, or the board may make a written request for the district to place video and audio recording equipment in certain self-contained special education classrooms. The district will provide notice before placing a video camera in a classroom or other setting in which a child receives special education services. For more information or to request the operation of this equipment, speak with the principal or Dr. Anthony Mays, who the district has designated to coordinate the implementation of and compliance with this law. [See policy EHBAF (LOCAL) for more information]

## **VISITORS TO THE SCHOOL**

### **General Visitors**

Parents and others are welcome to visit department schools. For the safety of those within the school and to avoid disruption of instructional time, all visitors must first report to the main office and must comply with all applicable department policies and procedures. The campuses are equipped with the Raptor program and a driver's license or other form of proper identification is required to visit the campus. **All visitors should be prepared to show identification.**

Visits to individual classrooms during instructional time are permitted only with approval of the principal and only so long as their duration or frequency does not interfere with the delivery of instruction or disrupt the normal school environment. Even if the visit is approved prior to the visitor's arrival, the individual must check in to the main office first.

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

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

The district may invite representatives from patriotic societies listed in Title of the United States Code to present information to interested students a membership in the society

All visitors to the campus must comply with the Visitors to the School procedures. Special programs must be arranged in advance by the principal and visitors must be approved. All visitors are expected to demonstrate the highest standards of courtesy and conduct; disruptive behavior will not be permitted.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG (LOCAL or GF (LOCAL)).

### **Career Day**

Harris County Department of Education College and Career Day is provided during second semester. The department invites representatives from higher education institutions, trade schools, prospective employers and military recruiters to present information to interested students.

### **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer has the authority to refuse to or eject a person from district property if the person refuses to leave peaceably on request and:

- The person poses a substantial risk of harm to any person; or
- The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

### **Volunteers (All Grade Levels)**

The district invites and appreciates the efforts of volunteers who are willing to serve our district and students.

If you are interested in volunteering, please contact Gabriela Hernandez, the Parent Liaison for more information and to complete an application.

The district does not require state criminal history background checks for volunteers who are parents, guardians, or grandparents of a child enrolled in the district.

Subject to exceptions in accordance with state law and district procedures, other volunteers will be subject to a state criminal history background check, and the volunteer must pay all costs for the

background check.

**Voter Registration (Secondary Grade Levels Only)**

A student who is eligible to vote in any local, state, or federal election may obtain a voter registration application at the main campus office.

**WITHDRAWING FROM SCHOOL**

To withdraw a student under age 18 from school, the parent or guardian must submit a written request to the principal specifying the reasons for withdrawal and the final day the student will be in attendance. Withdrawal forms are available from the principal's office.

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

Please provide the school at least three days' notice of withdrawal so that records and documents may be prepared.

## Glossary

**Accelerated instruction** is an intensive supplemental program designed to help an individual student acquire the knowledge and skills required at his or her grade level. It is required when a student does not meet the passing standard on a state-mandated assessment.

**ACT**, or the American College Test, is one of the two most frequently used college or university admissions examinations. The test may be required for admission to certain colleges or universities.

**ACT-Aspire** is designed as a preparatory and readiness assessment for the ACT. This is usually taken by students in grade 10.

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

**Attendance review committee** is responsible for reviewing a student's absences when the student's attendance drops below 90 percent, or in some cases 75 percent, of the days the class is offered. Under guidelines adopted by the board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit or a final grade lost because of absences.

**CPS** stands for Child Protective Services.

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

**DFPS** stands for the Texas Department of Family and Protective Services. **DPS** stands for the Texas Department of Public Safety.

**EOC (end-of-course) assessments** are state-mandated and are part of the STAAR program. Successful performance on EOC assessments are required for graduation. These examinations will be given in English I, English II, Algebra I, Biology, and U.S. History.

**ESSA** is the federal Every Student Succeeds Act.

**FERPA** refers to the federal Family Educational Rights and Privacy Act, which 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 years of age or older directs the school not to release directory information.

**IEP** stands for individualized education program and is the written record prepared by the ARD committee for a student with disabilities who is eligible for special education services.

**IGC** is the individual graduation committee, formed in accordance with state law, to determine a student's eligibility to graduate when the student has failed to demonstrate satisfactory performance on no more than two of the required state assessments.

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

**PGP** stands for personal graduation plan, which is required for high school students and for any student in middle school who fails a section on a state mandated test or is identified by the district as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

**PSAT** is the preparatory and readiness assessment for the SAT. It also serves as the basis for the awarding of National Merit Scholarships.

**SAT** refers to the Scholastic Aptitude Test, one of the two most frequently used college or university admissions examinations. The test may be required for admissions to certain colleges or universities.

**SHAC** stands for School Health Advisory Council, a group of at least five members, a majority of whom must be parents, appointed by the school board to help ensure that local community values and health issues are reflected in the district's health education instruction, as well as assist with other student and employee wellness issues.

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

**STAAR** is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments. **STAAR Alternate 2** is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

**STAAR Spanish** is an alternative state-mandated assessment administered to eligible students for whom a Spanish version of STAAR is the most appropriate measure of their academic progress.

**State-mandated assessments** are required of students at certain grade levels and in specified subjects. Except under limited circumstances, students must perform successfully on some state-mandated assessments to be promoted and students must pass the STAAR EOC assessments to graduate. Students have multiple opportunities to take the tests, if necessary, for promotion or graduation.

**Student Code of Conduct** is developed with the advice of the district-level committee and adopted by the board and identifies the circumstances, consistent with law, when a student may be removed from a classroom, campus, or district vehicle; sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP; and 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.

**TAC** stands for the Texas Administrative Code.

**TEA** stands for the Texas Education Agency, which oversees primary and secondary public education in Texas.

**TELPAS** stands for the Texas English Language Proficiency Assessment System, which assesses

the progress that English learners make in learning the English language and is administered for those who meet the participation requirements in kindergarten–grade 12.

**TSI** stands for the Texas Success Initiative, an assessment designed to measure the reading, mathematics, and writing skills that entering college-level freshmen students should have if they are to be successful in undergraduate programs in Texas public colleges and universities.

**TXVSN** stands for 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 are equivalent in rigor and scope to a course taught in a traditional classroom setting.

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



# APPENDIX

STUDENT DISCIPLINE  
FOF(LOCAL)

**Student Code of  
Conduct**

The board shall adopt a Student Code of Conduct for a district, with the advice of its district-level committee. The Student Code of Conduct must:

1. Specify the circumstances, in accordance with Education Code Chapter 37, Subchapter A, under which a student may be removed from a classroom, campus, disciplinary alternative education program (DAEP), or vehicle owned or operated by the district.
2. Specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a DAEP.
3. Outline conditions under which a student may be suspended, as provided by Education Code 37.005 [see FOB], or expelled, as provided by Education Code 37.007 [see FOD].
4. Specify that consideration will be given, as a factor in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), regardless of whether the decision concerns a mandatory or discretionary action, to:
  - a. Self-defense;
  - b. Intent or lack of intent at the time the student engaged in the conduct;
  - c. A student's disciplinary history; or
  - d. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
5. Provide guidelines for setting the length of removal to a DAEP or of expulsion. Except as provided by Education Code 37.007(e) (Gun-Free Schools Act [see FOD]), a district is not required to specify a minimum term of removal or expulsion.
6. Address the notification of the parent or guardian of a student's violation of the Student Code of Conduct that results in suspension, removal to a DAEP, or expulsion.
7. Prohibit bullying, harassment, and making hit lists and ensure that district employees enforce those prohibitions.

"Bullying" has the meaning provided by Education Code 37.0832. [See FFI]

"Harassment" means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

"Hit list" means a list of people targeted to be harmed using a firearm, as defined by Penal Code 46.01(3) [see FNCG]; a knife, as defined by Penal

STUDENT DISCIPLINE  
(FOF) LOCAL

Code 46.01(7) (any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument); or any other object to be used with intent to cause bodily harm.

8. Provide, as appropriate for students at each grade level, methods, including options, for:
  - a. Managing students in the classroom, on school grounds, and on a vehicle owned or operated by the district;
  - b. Disciplining students; and
  - c. Preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.

The methods adopted 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 admission, review, and dismissal (ARD) committee meeting has been held to review the conduct. [See FOF]

9. Include an explanation of the provisions regarding refusal of entry to or ejection from district property under Education Code 37.105 [see GKA], including the appeal process established under 37.105(h).

**Changes in SCOC** Once a Student Code of Conduct is promulgated, any change or amendment shall be approved by a board.

**Posting** The Student Code of Conduct must be posted and prominently displayed at each school campus or made available for review at the office of the campus principal.

*Education Code 37.001*

**Notice to Parents** Each school year, a district shall provide parents with notice of and information regarding the Student Code of Conduct. *Education Code 37.001(d)*

*Noncustodial  
Parent*

A noncustodial parent may request in writing that, for the remainder of the school year in which the request is received, a district provide that parent with a copy of any written notification that is generally provided to a student's parent or guardian, relating to student misconduct under Education Code 37.006 or 37.007. A district may not unreasonably deny the request. Notwithstanding this requirement, a district shall comply with any applicable court order of which the district has knowledge. *Education Code 37.0091*

**Copies to Staff** The district shall provide each teacher and administrator with a copy of Education Code Chapter 37, Subchapter A regarding student discipline and with a copy of the related local policy. *Education Code 37.018*

**Campus Behavior Coordinator** A person at each campus must be designated to serve as the campus behavior coordinator (CBC). The person may be the campus principal or any other campus administrator selected by the principal.

## STUDENT DISCIPLINE (FOF) LOCAL

The CBC is primarily responsible for maintaining student discipline and the implementation of Education Code Chapter 37, Subchapter A.

### Duties

The specific duties of the CBC may be established by campus or district policy. Unless the policy provides otherwise, duties imposed on a campus principal or other campus administrator by Education Code Chapter 37, Subchapter A must be performed by the CBC and a power granted to a campus principal may be exercised by the CBC.

### Notice to Parents

The CBC shall promptly notify a student's parent or guardian if the student is placed into in-school or out-of-school suspension, placed in a DAEP, expelled, or placed in a JJAEP or is taken into custody by a law enforcement officer.

A CBC must provide notice by promptly contacting the parent or guardian by telephone or in person; and making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.

If a parent or guardian entitled to notice has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, a CBC shall mail written notice of the action to the parent or guardian at the parent's or guardian's last known address.

If a CBC is unable or not available to promptly provide notice, the principal or other designee shall provide the notice.

*Education Code 37.0012*

### No Unsupervised Setting

Except for students who are suspended or expelled, no student may be placed in an unsupervised setting as a result of conduct for which a student may be placed in a DAEP. *Education Code 37.008(h)*

### Continuation of Disciplinary Action

If a district takes disciplinary action against a student and the student subsequently enrolls in another district or school before the expiration of the period of disciplinary action, the district or school taking the disciplinary action shall provide to the district or school in which the student enrolls, at the same time other records of the student are provided, a copy of the order of disciplinary action.

"Disciplinary action" means a suspension, expulsion, placement in an alternative education program, or other limitation in enrollment eligibility of a student.

"District or school" includes an independent school district, a home-rule school district, a campus or campus program charter holder, or an open-enrollment charter school.

*Education Code 37.022*

### Opportunity to Complete Courses

If a student is placed in in-school suspension or other alternative setting other than a DAEP, a district shall offer the student the opportunity to complete, before the beginning of the next school year, each course in which the student was enrolled at the time of removal. A district may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. *Education Code 37.021* [For DAEP notice requirements, see FOCA.]

**Seclusion**

place a student in seclusion. *Education Code 37.0021(c)*

“Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

*Education Code 37.0021(b)(2)*

This section and any rules or procedures adopted under this section apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a school district; or
2. Provides, as a school resource officer, a regular police presence on a school district campus under a memorandum of understanding between the district and a local law enforcement agency.

*Education Code 37.0021(h)*

**Exceptions**

This prohibition on seclusion does not apply to:

1. A peace officer performing law enforcement duties; or
2. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

**“Law Enforcement Duties”**

“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

*Education Code 37.0021(b)(4), (g)*

**Restraint Reports**

A district shall report electronically to TEA, in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities [see FOF]. *Education Code 37.0021(i)*

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body. *Education Code 37.0021(b)(1)*

**Corporal Punishment**

If the board adopts a policy under Education Code 37.001(a)(8) under which corporal punishment is permitted as a method of student discipline, a district educator may use corporal punishment to discipline a student unless the student’s parent or guardian or other person having lawful control over the student has previously provided a written, signed statement prohibiting the use of corporal punishment as a method of student discipline. *Education Code 37.0011(b)*

**Parent Statement** To prohibit the use of corporal punishment as a method of student discipline, each school year a student’s parent or guardian or other person having lawful control over the student must provide a separate written, signed statement to the board in the manner established by the board. The student’s parent or guardian or other person having lawful control over the student may revoke the statement provided to the board at any time during the school year by submitting a written, signed revocation to the board in the manner established by the board. *Education Code 37.0011(c)–(d)*

**Definition** “Corporal punishment” means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline. The term does not include physical pain caused by reasonable physical activities associated with athletic training, competition, or physical education or the use of restraint as authorized under Education Code 37.0021 [see FOF]. *Education Code 37.0011(a)*

**Use of Force to Maintain Discipline** The use of force, but not deadly force, against a student is justified if the teacher or administrator is entrusted with the care, supervision, or administration of the student when, and to the degree the teacher or administrator reasonably believes the force is necessary, to further the purpose of education or to maintain discipline in a group. *Penal Code 9.62*

**Videotapes and Recordings** A district employee is not required to obtain the consent of a child’s parent before the employee may make a videotape of the child or authorize the recording of the child’s voice if the videotape or recording is to be used only for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses. *Education Code 26.009(b)(1)* [See FNG]

**Reports**  
 Disciplinary Alternative Education Programs

For each placement in a disciplinary alternative education program (DAEP), a district shall annually report to the commissioner:

1. Information identifying the student, including the student’s race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
2. Information indicating whether the placement was based on:
  - a. Conduct violating the Student Code of Conduct;
  - b. Conduct for which a student may be removed from class by a teacher [see FOA and the Student Code of Conduct];
  - c. Conduct for which placement in a DAEP is required [see FOC and the Student Code of Conduct]; or
  - d. Conduct occurring while a student was enrolled in another district and for which placement in a DAEP is permitted by Education Code 37.008(j);
3. The number of full or partial days the student was assigned to the program and the number of full or partial days the student attended the program; and

## STUDENT DISCIPLINE (FOF)LOCAL

4. The number of placements that were inconsistent with the guidelines on length of placement in the Student Code of Conduct.

### Expulsions

For each expulsion, a district shall annually report to the commissioner:

1. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
2. Information indicating whether the expulsion was based on:
  - a. Conduct for which expulsion is required, including information specifically indicating whether a student was expelled for bringing a firearm to school; or
  - b. Conduct for which expulsion is permitted;
3. The number of full or partial days the student was expelled;
4. Information indicating whether:
  - a. The student was placed in a JJAEP;
  - b. The student was placed in a DAEP; or
  - c. The student was not placed in a JJAEP or other alternative education program; and
5. The number of expulsions that were inconsistent with the guidelines on length of expulsion in the Student Code of Conduct.

*Education Code 37.020*

**Students with Disabilities Under Section 504**

A district shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 C.F.R. 104.35(a)*

A district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the district would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*

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**Note:** The provisions below apply only to students eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

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**Students Receiving Special Education Services**

All disciplinary actions regarding students with disabilities must be determined in accordance with 34 C.F.R. 300.101(a) and 300.530–300.536; Education Code Chapter 37, Subchapter A; and 19 Administrative Code 89.1053 (relating to Procedures for Use of Restraint and Time-Out). *19 TAC 89.1050(k)*

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations. *Education Code 37.004*

The methods adopted in the Student Code of Conduct [see FO] for discipline management and for preventing and intervening in student discipline problems must provide that a student who is enrolled in the special education program 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)*

**DAEP Placement Not Solely for Educational Purposes**

A student with a disability who receives special education services may not be placed in a disciplinary alternative education program (DAEP) solely for educational purposes. A teacher in a DAEP who has a special education assignment must hold an appropriate certificate or permit for that assignment. *Education Code 37.004(c)–(d)*

**Removal for Ten Days or Less**

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational

setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*

Services During Removal

A district is required to provide services during the period of removal if the district provides services to a child without disabilities who is similarly removed. *34 C.F.R. 300.530(d)*

**Subsequent Removals of Ten Days or Less**

School personnel may remove the student for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see below). *34 C.F.R. 300.530(b)(1)*

Services During Removal

After a student has been removed from his or her current placement for ten school days in the same school year, during any subsequent removal of ten consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). *20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4)*

Notice of Procedural Safeguards

Not later than the date on which the decision to take the disciplinary action is made, a district shall notify the student's parents of the decision and of all procedural safeguards [see EHBAE]. *20 U.S.C. 1415(k)(1)(H)*

**Removals That Are a Change in Placement**

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review [see Manifestation Determination, below]. *Education Code 37.004*

"Change in Placement"

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than ten schooldays in a school year;
  - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and

- c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The district determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. The district's determination is subject to review through due process and judicial proceedings.

*34 C.F.R. 300.536*

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates a code of student conduct. *20 U.S.C. 1415(k)(1)(A)*

Manifestation Determination

Within ten school days of any decision to change the placement of a student because of a violation of a code of student conduct, a district, parents, and relevant members of the ARD committee (as determined by the parent and the district) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of the district's failure to implement the IEP.

If the district, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

*20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e)*

Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c)*

Expulsion

In a county with a juvenile justice alternative education program (JJAEP) [see FODA], a district must invite the administrator of the JJAEP or the administrator's designee to an ARD committee meeting convened to discuss the discretionary expulsion under Education Code 37.007 of a student with a disability. The district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. A copy of

the student's current IEP must be provided to the JJAEP representative with the notice. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP representative may participate in the meeting to the extent that the meeting relates to the student's placement in the JJAEP and implementation of the student's current IEP in the JJAEP. *19 TAC 89.1052*

*Services During Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)–(2)*

For a student with a disability who was expelled under a discretionary expulsion under Education Code 37.007, an ARD committee meeting must be convened to reconsider placement of the student in the JJAEP if the JJAEP provides written notice to the district of specific concerns that the student's education or behavioral needs cannot be met in JJAEP.

The district must invite the JJAEP administrator or the administrator's designee to the meeting and must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP may participate in the meeting to the extent that the meeting relates to the student's continued placement in JJAEP.

*19 TAC 89.1052*

Manifestation

If the district, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA), unless the district had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan (BIP) for the student; or

2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at Special Circumstances, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent and the district agree to a change in placement as part of the modification of the BIP.

*20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f)*

### **Special Circumstances**

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of TEA or a school district;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of TEA or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of TEA or the district.

*20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g)*

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2)*

### **Services During Removal**

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)*

### **Appeals**

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. A district that believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others may request a hearing. *20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151*

Placement During Appeals	<p>When an appeal has been requested by a parent or a district, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student’s assignment to the alternative setting, whichever occurs first, unless the parent and district agree otherwise. <i>20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533</i></p>
<b>Reporting Crimes</b>	<p>Federal law does not prohibit a district from reporting a crime committed by a student with a disability to appropriate authorities. If a district reports a crime, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the district reported the crime. A district may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). <i>20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535</i> [See FL]</p>
<b>Students Not Yet Identified</b>	<p>A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if a district had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. <i>20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a)</i></p>
District Knowledge	<p>A district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:</p> <ol style="list-style-type: none"> <li>1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the district, or to the teacher of the student, that the student was in need of special education and related services;</li> <li>2. The parent requested an evaluation of the student for special education and related services; or</li> <li>3. The student’s teacher, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of the district.</li> </ol> <p style="text-align: center;"><i>20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b)</i></p>
Exception	<p>A district shall not be deemed to have knowledge that the student had a disability if:</p> <ol style="list-style-type: none"> <li>1. The parent has not allowed an evaluation of the student;</li> <li>2. The parent has refused services; or</li> <li>3. The student has been evaluated and it was determined that the student did not have a disability.</li> </ol>

20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c)

If a district does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d)

**Behavior  
Management  
Techniques**

It is the policy of the state to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities. *Education Code 37.0021(a); 19 TAC 89.1053(j)*

**School Peace  
Officers**

This section and any rules or procedures adopted under this section apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a school district; or
2. Provides, as a school resource officer, a regular police presence on a school district campus under a memorandum of understanding between the district and a local law enforcement agency.

*Education Code 37.0021(h); 19 TAC 89.1053(l)*

**Exceptions**

Education Code 37.0021 (regarding use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above [see School Peace Officers] and by Education Code 37.0021(i) [see Restraint, Documentation, below];
2. Juvenile probation, detention, or corrections personnel; or
3. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

*“Law Enforcement Duties”*

“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

*Education Code 37.0021(b)(4), (g); 19 TAC 89.1053(l), (m)*

Further, Education Code 37.0021 does not prevent a student’s locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, “weapon” includes any weapon described under Education Code 37.007(a)(1). [See FNCG]

*Education Code 37.0021(f)*

Confinement

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

*Education Code 37.0021(a)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

“Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

*Education Code 37.0021(b)(2)*

Restraint

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

*19 TAC 89.1053(c)*

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others;  
or
2. Imminent, serious property destruction.

*19 TAC 89.1053(b)(1)–(2)*

*Training*

Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(d).

*Documentation*

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the documentation requirements set forth at 19 Administrative Code 89.1053(e).

A district shall report electronically to TEA, in accordance with standards provided by Commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by Commissioner rule for reporting the use of restraint involving students with disabilities.

*Education Code 37.0021(i)*

*Time-Out*

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student’s IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.
3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student’s IEP.

*19 TAC 89.1053(g)*

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

*19 TAC 89.1053(b)(3)*

*Training*

Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(h).

*Documentation*

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

*19 TAC 89.1053(i)*

## APPENDIX I: Freedom from Bullying Policy

**Note that school board policies may be revised at any time. For legal context and the most current copy of the local policy, visit:**

**<http://pol.tasb.org/Policy/Search/578?filter=ffi%20local>**

**Below is the text of the Harris County Department of education's policy FFI(LOCAL) as of the date that this Handbook was finalized for this school year.**

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	<p><b>Note:</b> This policy addresses bullying of Department students. For provisions regarding discrimination and harassment involving Department students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.</p>
BULLYING PROHIBITED	The Department prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of Department policy and is prohibited.
DEFINITION	<p>Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the Department and that:</p> <ol style="list-style-type: none"><li>1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or</li><li>2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.</li></ol> <p>This conduct is considered bullying if it:</p> <ol style="list-style-type: none"><li>1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and</li><li>2. Interferes with a student's education or substantially disrupts the operation of a school.</li></ol>
EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property,

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	theft of valued possessions, name calling, rumor spreading, or ostracism.
RETALIATION	The Department prohibits retaliation by a student or Department employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
EXAMPLES	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a Department investigation regarding bullying shall be subject to appropriate disciplinary action.
TIMELY REPORTING	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the Department's ability to investigate and address the prohibited conduct.
REPORTING PROCEDURES	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other Department employee.
STUDENT REPORT	
EMPLOYEE REPORT	Any Department employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
REPORT FORMAT	A report may be made orally or in writing. The principal or central office designee shall reduce any oral reports to written form.
PROHIBITED CONDUCT	The principal or central office designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the Department shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
INVESTIGATION OF REPORT	The principal or central office designee shall conduct an appropriate investigation based on the allegations in the report. The principal or central office designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

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CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten Department business days from the date of the initial report alleging bullying; however, the principal or central office designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or central office designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to Senior Director of Schools, Assistant Superintendent for Student Services, and the Superintendent or designee by the most expeditious means.</p>
NOTICE TO PARENTS	<p>If an incident of bullying is confirmed, the principal or central office designee shall promptly notify the parents of the victim and of the student who engaged in bullying.</p>
DEPARTMENT ACTION BULLYING	<p>If the results of an investigation indicate that bullying occurred, the Department shall promptly respond by taking appropriate disciplinary action in accordance with the Department's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
DISCIPLINE	<p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
CORRECTIVE ACTION	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the Department's policy against bullying.</p>
TRANSFERS	<p>The principal or central office designee shall refer to FDB for transfer provisions.</p>
COUNSELING	<p>The principal or central office designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p>
IMPROPER CONDUCT	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the Department may take</p>

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action in accordance with the Student Code of Conduct or any other appropriate corrective action.

CONFIDENTIALITY

To the greatest extent possible, the Department shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

APPEAL

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

RECORDS RETENTION

Retention of records shall be in accordance with CPC(LOCAL).

ACCESS TO POLICY  
AND PROCEDURES

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the Department's Web site, to the extent practicable, and shall be readily available at each campus and the Department's administrative offices.

Original Adoption: 8/21/12  
Revision(s): 2/26/13

## Bullying Complaint Report Form Schools Division

**Step 1:**

This report must be completed to file a complaint relating to an incident of alleged bullying (for the purpose of this form, bullying encompasses bullying, harassment, and discrimination).

**Step 2:**

Once completed, this form should be returned to the school Principal/designee of the school.

Complaint Name (last, first, middle)				
Victim Name (last, first, middle)				
Accused Name (last, first, middle)				
Administrator	Date of Incident			
Campus (or site where incident occurred)				

**Step 3:**

Upon receiving the Complaint Form, an investigation will be conducted to determine whether a violation of the Student Code of Conduct occurred; if so, the appropriate disciplinary action will be taken.

*Describe the location where the incident occurred:*

*Describe the incident:*

*List all witnesses' names and grades:*

*List evidence of incident (i.e.; attach evidence, if possible):*

**Step 4:** All of the information on this form is accurate and true:

\_\_\_\_\_  
Printed name of the person Completing the Bullying Complaint Report Form

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

\_\_\_\_\_  
Signature of Person Completing the Bullying Complaint Report Form

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

**Please attach any and all supporting documentation/evidence/ investigation.**

FOR OFFICE USE ONLY	
Date Received:	
Action Taken:	
Investigation Completed By:	
Follow Up Contact Made By:	Follow Up Contact Date:

**Step 5:** If you fear a student is in imminent danger, please contact the police immediately.

**Parental Consent  
Not Required**

An employee of a school district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used for a purpose related to the promotion of student safety as described by this policy. *Education Code 26.009(b)*

**Video Surveillance  
Upon Request to  
Promote Student  
Safety**

In order to promote student safety, on receipt of an authorized written request, a school district shall provide equipment, including a video camera, to the school in the district specified in the request.

Classroom or Other  
Setting

A school that receives equipment shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day, provided that:

1. A campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and
2. A campus that receives equipment as a result of the request by a board of trustees, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to Education Code 29.022

Administrative  
Coordinator

Each district shall designate an administrator at the primary administrative office of the district with responsibility for coordinating the provision of equipment to schools and campuses.

Authorized  
Requestors

The following people may request in writing that equipment be provided to a campus at which one or more children receive special education services in a qualifying classroom or setting:

1. A parent of a child who receives special education services for the campus at which the child receives those services;
2. The board of trustees for one or more specified campuses;
3. The principal or assistant principal for their campus; and
4. A staff member assigned to work with one or more children receiving special education services for the campus at which the staff member works.

*Processing  
the  
Request*

A written request must be submitted and acted on as follows:

1. A parent, staff member, or assistant principal must submit a request to the principal or the principal's designee of the campus addressed in the request, and the principal or designee must provide a copy of the request to the district's designated administrator;
2. A principal must submit a request by the principal to the district's designated administrator; and
3. A board of trustees must submit a request to the district's designated administrator, and the administrator must provide a copy of the request to the principal or the principal's designee of the campus addressed in the request.

A school shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements, for the remainder of the school year in which the campus received the request, unless the requestor withdraws the request in writing.

The video cameras must be capable of:

Video  
Cameras

1. Covering all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out; and
2. Recording audio from all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

Written  
Notice

Before a school activates a video camera in a classroom or setting, the school shall provide written notice of the placement to all school staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

If for any reason a campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request. Not later than the tenth school day before the end

Retention Period	<p>of each school year, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year submits a new request.</p> <p>A school district shall retain video recorded from a video camera for at least three months after the date the video was recorded.</p> <p>If a person requests to view a video recording from a video camera, a school district must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, the district or school shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.</p>
Gifts, Grants, and Donations	<p>A school district may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in classrooms or settings.</p>
No Waiver of Immunity	<p>The requirements described by this policy do not:</p> <ol style="list-style-type: none"><li>1. Waive any immunity from liability of a school district, or of district officers or employees; or</li><li>2. Create any liability for a cause of action against a school district or against district officers or employees.</li></ol>
No Monitoring	<p>A school district may not:</p> <ol style="list-style-type: none"><li>1. Allow regular or continual monitoring of video recorded under Education Code 29.022; or</li><li>2. Use video for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services.</li></ol>
Confidentiality	<p>A video recording of a student is confidential and may not be released or viewed except as provided below.</p> <p>A school district shall release a recording for viewing by:</p> <ol style="list-style-type: none"><li>1. An employee who is involved in an alleged incident that is documented by the recording and has been reported to the district, on request of the employee;</li><li>2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to the district or school, on request of the parent;</li></ol>
<i>Limited Release</i>	

3. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged or suspected abuse or neglect of a child under Family Code 261.406;
4. A peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioner's rule, or a human resources staff member designated by the board in response to a report of an alleged incident or an investigation of district personnel or a report of alleged abuse committed by a student; or
5. Appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording does not violate these confidentiality provisions.

*Duty to Report*

If a person described by item 4 or 5 above who views the video recording believes that the recording documents a possible violation under Family Code, Chapter 261, Subchapter E, the person shall notify DFPS for investigation in accordance with Family Code 261.406.

*Use in  
Disciplinary  
Actions Against  
District Personnel*

If any person described by item 3, 4, or 5 above who views the recording believes that the recording documents a possible violation of district policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student may be used as part of a disciplinary action against district personnel and shall be released at the request of the student's parent in a legal proceeding.

*FERPA*

State law does not limit the access of a student's parent to a record regarding the student under the Family Educational Rights and Privacy Act or other law.

District Policy

A school district policy relating to the placement, operation, or maintenance of video cameras under this section must:

1. Include information on how a person may appeal an action by the district or school that the person believes to be in violation of law or a policy adopted in accordance with the law, including the appeals process under Education Code 7.057;
2. Require that the district provide a response to a request not later than the seventh school business day after receipt of the request by the person to whom it must be submitted that au-

thorizes the request or states the reason for denying the request;

3. Require that a school begin operation of a video camera in compliance with this section not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the agency grants an extension of time;
4. Permit the parent of a student whose admission, review, and dismissal committee has determined that the student's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:
  - a. The date on which the current school year ends; or
  - b. The tenth school business day after the date of the placement determination by the admission, review, and dismissal committee; and
5. If a request is made by a parent in compliance with item 4, above, unless the agency grants an extension of time, require that a school begin operation of a video camera not later than the later of:
  - a. The tenth school day of the fall semester; or
  - b. The 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

Expedited  
Review

A school district, parent, staff member, or administrator may request an expedited review by the agency of the district's:

1. Denial of a request;
2. Request for an extension of time to begin operation of a video camera; or
3. Determination to not release a video recording.

If a school district, parent, staff member, or administrator requests an expedited review, the agency shall notify all other interested parties of the request.

If an expedited review has been requested, the agency shall issue a preliminary judgment as to whether the district is likely to prevail on the issue under a full review by the agency. If the agency determines that the district is not likely to prevail, the district must fully comply with this section notwithstanding an appeal of the agency's

decision. The agency shall notify the requestor and the district, if the district is not the requestor, of the agency's determination.

Governmental  
Record

A video recording under this section is a governmental record only for purposes of Penal Code 37.10.

Operation of  
Camera

These provisions apply to the placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.

Definitions

"Parent" includes a guardian or other person standing in parental relation to a student.

"School business day" means a day that campus or school district administrative offices are open.

"Self-contained classroom" does not include a classroom that is a resource room instructional arrangement under Education Code 42.151.

"Staff member" means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a self-contained classroom or other special education setting.

"Time-out" has the meaning assigned by Education Code 37.0021.

*Education Code 29.022*

## COMMUNICABLE DISEASES/CONDITIONS

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. The school nurse or the principal's office can provide information from the Texas Department of Health regarding these diseases.

Parents of a student with a communicable or contagious disease should phone the school nurse or principal so that other students who might have been exposed to the disease can be alerted.

Disease	Early Symptoms	Return to School
Conjunctivitis bacteria or viral (pink eye) 1-3 days- Bacterial 12 hours- 12 days- Viral	Red eye; usually some discharge from eyes; lids stick together, leaving dry crust on lids; itching.	Symptoms have subsided or are released by a physician.
Impetigo 4-10 days	Sores on face, nose, corner of mouth ears, legs, maybe else-where; lesion contain pus, becomes heavily crusted.	Sores are healed or adequately covered, or released by physician.
Influenza (flu) 1-3 days	Rapid onset of fever, chills, headache, sore throat, dry cough, lack of energy and muscle aching.	Fever- free for 24 hours
Mononucleosis 30-50 days	Fever, sore throat, enlarged lymph nodes, malaise.	Written by physician
Ringworm (scalp)	Localized scaly patches, usually red-rimmed on scalp; hair is short, broken; circular bald spot seen.	May attend school provided child is under treatment by physician.
Scabies	Linear burrows under skin usually in webs and fingers, on wrists, and/or abdomen. Severe itching.	May attend school provided child is under treatment by physician. All in household should be treated.
Scarlet fever and Strep Throat 1-3 days	Fever, sore throat often with enlarged, tender lymph nodes in neck. (Scarlet fever produces strains of bacteria cause a fine rash that appears 1-3 days after the onset of the sore throat).	Twenty-four hours after effective antibiotic treatment Has begun and fever subsides.
Bacterial Meningitis	Severe headache, high temperature, vomiting, sensitivity to bright lights, neck stiffness or joint pains, and drowsiness or confusion. There may be rash or tiny re-purple spots; may occur anywhere on body.	Release by doctor.



## HIGHPOINT SCHOOL CONTRABAND POLICY

I understand and agree to the following:

- Contraband is defined as anything that is not a house key, metro pass or school work. All contraband is to be immediately confiscated.
- Cash and change will be confiscated and will not be returned.
- All non-valuable contraband will be disposed of immediately (i.e. Combs, hairbrushes, do rags, gum, candy, etc.).
- Contraband of value may be returned to the parent within 5 days if the parent pays the required handling charge. This includes cell phones, pagers, beepers, PDAs and other electronic devices.
- The handling fee is as follows:
  - First incident = \$15.00
  - Second incident = \$30.00
  - Third incident = \$45.00
  - Fourth incident = \$60.00
- After 5 days, the contraband will be disposed of.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Printed Name

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

\_\_\_\_\_  
Highpoint Representative Signature



## HIGHPOINT SCHOOL: DRUG AND ALCOHOL TEST ROCEDURES

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

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_

District/School: \_\_\_\_\_

Approval is granted for my child to be tested at any time by an administrator/designee of Highpoint or HCDE License Chemical Dependency Counselor if there is a suspicion of any illegal and/or ethyl alcohol usage. I understand that a positive test will demote my child to **LEVEL I**. My child will remain at Highpoint until the following steps are completed:

- The student enrolls in a drug counseling class. A list of acceptable courses will be provided by Highpoint.
- The student must show proof of continuous class attendance and successful completion of the drug counseling program, and
- A negative drug test must be given upon release from Highpoint.

I understand that if I do not consent or if my child refuses to be tested, my child will face the same consequences as ***if he/she tested positive***.

If my child tests positive for illegal drugs/ethyl alcohol use, I understand that I have the right to have my child tested at a private facility **at my own expense**. ***I understand that Highpoint administration has the right to accept or refuse the results of the private testing.***

I understand that if a Highpoint administrator, counselor, teacher or nurse suspects that a student may be, or has been under the influence of illegal substances while enrolled at Highpoint, the administration may require that the student submit to a drug test.

I also understand that a positive test for being under the influence of illegal drugs/ethyl alcohol use will result in further disciplinary actions while enrolled in Highpoint. Those disciplinary actions may include but are not limited to:

- Highpoint Additional Discipline
- Citations
- Arrest
- Juvenile Justice Alternative Education Program

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

\_\_\_\_\_  
Student Signature



**ACADEMIC & BEHAVIOR SCHOOLS FIELD TRIP PERMISSION FORM**

Dear Parents:

The students assigned to the Academic & Behavior Schools will be taking a field trip to:

\_\_\_\_\_

on\_\_\_\_\_. This trip will be made by school bus. The adults who will accompany this trip are well qualified and will make every effort to ensure a safe trip. The field trip has been planned to accomplish the educational objectives for your child. It should be understood that the driver of the bus and/or Harris County Department of Education cannot legally be held responsible for any injuries which might be received during the field trip, either at the destination or in traveling to or from said destination. If you wish your child to participate in this field trip, it is necessary for you to sign your approval. It must be returned to the teacher/administrator within one (1) day of the trip.

\*\*\*\*\*

I/we certify that\_\_\_\_\_has permission to go on the field trips sponsored by the Academic and Behavior Schools. I herewith release the Harris County Department of Education from liability and from any and all claims against school authorities individually or collectively for any injuries which might be received during the field trip, either at the destination or in traveling to or from said destination.

\_\_\_\_\_  
Printed name of Parent/Guardian

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

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

## 2020-2021 Texas Minimum State Vaccine Requirements for Students Grades K - 12

This chart summarizes the vaccine requirements incorporated in the Texas Administrative Code (TAC), Title 25 Health Services, §§97.61-97.72. This document is not intended as a substitute for the TAC, which has other provisions and details. The Department of State Health Services (DSHS) is granted authority to set immunization requirements by the Texas Education Code, Chapter 38.

### IMMUNIZATION REQUIREMENTS

A student shall show acceptable evidence of vaccination prior to entry, attendance, or transfer to a public or private elementary or secondary school in Texas

Vaccine Required (Attention to notes and footnotes)	Minimum Number of Doses Required by Grade Level												NOTES	
	Grades k-6 <sup>th</sup>						Grade 7 <sup>th</sup>	Grades 8 <sup>th</sup> -12 <sup>th</sup>						
	1	2	3	4	5	6	7	8	9	10	11	12		
Diphtheria/Tetanus/Petrus (DTaP/DTP/DT/Td/Tdap)	5 doses or 4 doses						3 dose primary series and 1 booster dose of Tdap / Td within the last 5 years	3 dose primary series and 1 booster dose of Tdap / Td within the last 10 years						<p><b>For K – 6th grade:</b> 5 doses of diphtheria-tetanus- pertussis vaccine; 1 dose must have been received on or after the 4th birthday. However, 4 doses meet the requirement if the 4th dose was received on or after the 4th birthday.<sup>1</sup> For students aged 7 years and older, 3 doses meet the requirement if 1 dose was received on or after the 4th birthday.<sup>1</sup> For 7th grade: 1 dose of Tdap is required if at least 5 years have passed since the last dose of tetanus-containing vaccine.* For 8th – 12th grade: 1 dose of Tdap is required when 10 years have passed since the last dose of tetanus-containing vaccine.* *Td is acceptable in place of Tdap if a medical contraindication to pertussis exists</p>
Polio <sup>1</sup>							4 doses or 3 doses							<p><b>For K – 12th grade:</b> 4 doses of polio; 1 dose must be received on or after the 4th birthday. <sup>1</sup> However, 3 doses meet the requirement if the 3rd dose was received on or after the 4th birthday. <sup>1</sup></p>
Measles, Mumps, and Rubella <sup>1,2</sup> (MMR)							2 doses							<p><b>For K – 12th grade:</b> 2 doses are required, with the 1st dose received on or after the 1st birthday. Students vaccinated prior to 2009 with 2 doses of measles and one dose each of rubella and mumps satisfy this requirement.</p>
Hepatitis B <sup>2</sup>							3 doses							<p><b>For students aged 11 – 15 years:</b> 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax®) was received. Dosage (10 mcg /1.0 mL) and type of vaccine (Recombivax®) must be clearly documented. If Recombivax® was not the vaccine received, a 3-dose series is required.</p>
Varicella <sup>1,2,3</sup>							2 doses							<p><b>For K – 12th grade:</b> 2 doses are required with the 1st dose of received on or after the 1st birthday</p>
Meningococcal <sup>1</sup> (MCV4)								1 dose						<p><b>For 7th – 12th grade:</b> 1 dose of quadrivalent meningococcal conjugate vaccine is required on or after the student's 11th birthday. Note: If a student received the vaccine at 10 years of age, this will satisfy the requirement</p>
Hepatitis A <sup>1,2</sup>							2 doses							<p><b>For K – 10th grade:</b> 2 doses are required, with the 1st dose received on or after the 1st birthday</p>

**NOTE:** Shaded area indicates that the vaccine is not required for the respective grade.

1.Receipt of the dose up to (and including) 4 days before the birthday will satisfy the school entry immunization requirement.

2.Serologic evidence of infection or serologic confirmation of immunity to measles, mumps, rubella, hepatitis B, hepatitis A, or varicella is acceptable in place of vaccine.

3.Previous illness may be documented with a written statement from a physician, school nurse, or the child's parent or guardian containing wording such as: "This is to verify that (name of student) had varicella disease (chickenpox) on or about (date) and does not need varicella vaccine." This written statement will be acceptable in place of any and all varicella vaccine doses required.



## **ACADEMIC & BEHAVIOR SCHOOLS BOYS TOWN LEVEL SYSTEM**

The discipline management system employed at the ABS is based on the Boys Town Model motivation system. The system consists of three levels of skill development:

### **Level 1: Daily Points System: Acquisition Level**

- All students begin at this level.
- Students earn points for appropriate behavior and earn negative points for inappropriate behavior. Students are given an opportunity to earn points back by correcting inappropriate behavior. Points are recorded on a daily point card.
- 25-30 positive social interactions are used each day to ensure adequate teaching and practice of newly introduced skills.
- Students have an opportunity during the week to use accumulated points to spend on privileges, activities, items from the school store, or to purchase bonds in order to buy up to the next level. (Each bond is worth 6,000 points and it takes 100 bonds for a student to move to the next level.)
- The Daily Points Level I is designed for students who are learning appropriate behavior and social skills and need a great deal of structure, immediate feedback and short-term consequences.
- Once a student has purchased 100 bonds, they are able to apply to move to Level 2 Progress Level.

### **Level 2: Progress Level: Fluency Building Level**

- At the Progress Level, basic social skills have been learned and are being refined and practiced by the student. Basic social skills target areas are expanded upon.
- The 25-30 positive social interactions that were initially used are gradually decreased to 6-10 positive social interactions.
- Some of the structural aspects of the Daily Point System, Level 1, are faded out. Students at this level are able to negotiate points at the end of the day with their homeroom teacher.
- The use of points for purchasing privileges, activities, items from the school store while on Progress Level does not differ from the use of points on Daily Level 1. The only difference on Level 2, items “cost” less points than on Level 1.
- Once a student has purchased 100 bonds on Level 2, the student is able to complete the application process to move to the Merit Level, Level 3.

### **Level 3: Merit Level: Proficiency/Fluency Level**

- To apply for Merit Level, the student and his/her homeroom teacher will review the Merit expectations. During this time, the student must not receive an office referral for 10 school days prior to the completion of the application. The student understands that in order to complete and sign the Merit Contract, he/she also needs to complete a school service project (during school hours) for a specified period of time. The student's classroom teachers must sign the contract stating if they agree with the student progressing to Merit Level 3.
- Once the service project has been completed, the student and school administrators will sign a Merit System contract indicating that the student has purchased the necessary bonds, has not had an office referral for ten school days, and successfully completed the school service project.
- Under this contract, it is agreed the student shall remain on the Merit Level 3 as long as the following conditions are met:
  1. School staff does not have to refer the student to the office for a serious misbehavior or infraction of school rules.
  2. The student does not fail to accept feedback or refuses to follow instructions when corrected by a staff member.
  3. The student does not exhibit a repeated pattern of minor misbehaviors.
  4. The student carries the daily Merit Card for ten consecutive days.
  5. The students who are no longer required to carry the daily Merit Card is responsible for obtaining feedback from all teachers and meets to discuss progress with his/her homeroom teacher each week.
- Once the student is able to maintain appropriate behavior on the Merit System Level 3 for approximately 6-8 weeks, the student's school district representative will be contacted in order to schedule an ARD meeting to plan for the student's transition back to the home campus. The transition back to the home campus will be in accordance with the student's behavior intervention plan and the decision of the ARD committee.



## **HIGHPOINT LEVEL DISCIPLINE MANAGEMENT SYSTEM**

The Highpoint Discipline Management System is designed to instill self-discipline and to assist student in becoming better decision-makers. The program is based on the Love and Logic Solutions: Discipline, Responsibility and Academic Achievement. ([www.loveandlogic.com](http://www.loveandlogic.com)) Students enter on Level 1 and move up and/or down the level system depending on subsequent behaviors. All students are required to maintain a point sheet that is carried from class to class. Students who make adequate and sustained behavior improvement will return to their home campus. Students who do not make adequate progress or regress in their school behavior will remain in the Highpoint Program or be referred back to their home district for possible expulsion or placement in JJAEP.

**General descriptions of the levels are as follows:**

### **Level IV**

Students reach Level IV or Exit Level by successfully completing Levels I, II and III. During that time, student may not receive an office referral and must maintain passing grades and acceptable attendance and earn the required points daily by use of a behavior point sheet. Students on Level IV/Exit receive a variety of privileges as deemed appropriate by the Highpoint administration.

### **Level III**

Students reach Level III by successfully completing Level 1 and Level II. Level III students must maintain passing grades, acceptable attendance and earn the required points daily by use of a behavior point sheet. Students on Level III receive a variety of privileges as deemed appropriate by the Highpoint administration.

### **Level II**

Level II students have demonstrated they have learned the basic social skills and are practicing them on a consistent basis. Expanded social skills are targeted while on Level II. Level II students have their behavior monitored on a class by class basis by the use of a behavior point sheet. Students on Level II receive a variety of privileges as deemed appropriate by Highpoint administration.

### **Level I**

Students enrolling in the Highpoint School Discipline Program are immediately place on Level I. Level I students have their behavior monitored on a class by class basis by the use of a behavior point sheet. Students learn appropriate behavior and social skills while receiving immediate feedback, short term consequences and a great deal of structure.

## **LEVEL SYSTEM PROMOTION/DEMOTION**

### **EXIT**

- Maintained Level III status for the required time and approval by their homedistrict.
- Maintained Level IV status for the required time and approval by their homedistrict.
- Good attendance with no unexcused absences/office referrals for 15 days.
- Passing all classes.
- Pass required drug test.

### **UPGRADE TO LEVEL IV**

- Good attendance with no unexpected absences/office referrals for 15 days.
- Passing all classes
- Maintain required number of daily points for 10 days.

### **DOWNGRADE TO LEVEL III**

- More than one office referral within 15 days.
- Not maintaining the required number of points daily for 8 out of 10 consecutive days.

### **UPGRADE TO LEVEL III**

- Good attendance with no unexcused absences for 10 days.
- Passing all classes.
- No office referrals for 10 consecutive days.

### **DOWNGRADE TO LEVEL II**

- More than one office referral within 10 days.
- Not maintaining the required number of points daily for 8 out of 10 consecutive days.

### **UPGRADE TO LEVEL II**

- Good attendance with no unexcused absence for 10 days.
- Passing all classes.
- No office referrals for 10 days.

### **LEVEL I**

- All students enter on Level I

### **AUTOMATIC REMOVAL TO LEVEL I**

- Drug/alcohol/tobacco violation on any HCDE or home district property.
- Serious infraction as determined by Highpoint and or ISD administration



Physician's Request / Parent/Guardian's Consent for Administration of Prescription and Non-Prescription Medication at School and School-Related Activities

To the Principal \_\_\_\_\_ School Date: \_\_\_\_\_

Name of Student: \_\_\_\_\_ DOB: \_\_\_\_\_

Medical Authorization – To be completed by physician or authorized prescriber

Diagnosis: \_\_\_\_\_  Infectious  Non-Infectious

Name of medication: \_\_\_\_\_ Color (if applicable): \_\_\_\_\_

Form of medication to be given:

tablet  pill  capsule  liquid  inhalation  injection\*

other (specify): \_\_\_\_\_

(\*no injection will be given except in extreme emergency, such as allergy to wasp or bee sting or the like.)

Dosage (amount to be given): \_\_\_\_\_ Route: \_\_\_\_\_ Form: \_\_\_\_\_ Time(s) of Day: \_\_\_\_\_

Dates medication must be administered at school (select one): \_\_\_\_\_ Short term (from \_\_\_\_\_ date to \_\_\_\_\_ date)

\_\_\_\_\_ Every day at school \_\_\_\_\_ Episodic/emergency events ONLY

Serious reactions can occur if this medication is not given as prescribed: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, describe: \_\_\_\_\_

Serious reactions/adverse side effects from this medication may occur: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, describe: \_\_\_\_\_

Action/Treatment for reaction: \_\_\_\_\_

Special Handling Instructions: \_\_\_\_\_ Refrigeration \_\_\_\_\_ Keep out of sunlight \_\_\_\_\_ Other \_\_\_\_\_

Additional Remarks: \_\_\_\_\_

Physician/Licensed Provider's Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Parental Consent – To be completed by parent/guardian of student

I am the parent or guardian of \_\_\_\_\_. I give my permission for him/her to take the above-listed prescription medication(s) and the on-prescription medication listed below while at school or a school-related event or activity. I hereby acknowledge that I have read and understood HCDE's Policies and Procedures Relating to the Administration of Medications. I hereby release HCDE and its employees from any claims or liability connected with its reliance on this permission and agrees to indemnify, defend, and hold harmless from any claim or liability connected with such reliance. I authorize a representative of HCDE to share information regarding this medication with the above physician or licensed provider and to contact the above physician or licensed provider if necessary.

Parent/Guardian's Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Emergency Number: \_\_\_\_\_

**The following medications may be administered to this student as needed. A generic equivalent may be substituted for the brand listed.** No HCDE employee or volunteer, licensed or unlicensed, may provide original medication to a student. Only medication in its original container, provided by and requested by a parent/guardian may be dispensed.

Please select the non-prescription medication to be administered to your child and complete the remaining provisions below.

\_\_\_ **TYLENOL** – acetaminophen – 650 mg., two (2) tablets by mouth every 4 hours for discomfort or temperature elevation.

\_\_\_ **IMODIUM – LOPERAMIDE** – two (2) tablespoons or 1 tablet by mouth every 30 minutes for diarrhea, not to exceed 6.

\_\_\_ **ROBITUSSIN DM** – guaifenesin – two (2) teaspoons by mouth every 4 hours as needed for cough, not to exceed 12 teaspoons in 24 hours.

\_\_\_ **BENADRYL** – diphenhydramine – 25 mg., one (1) capsule or tablet by mouth every 4 hours for cold symptoms, itch or allergies.

\_\_\_ **PEPTO BISMOL** – bismuth subsalicylate – two (2) tablespoons by mouth every hour for diarrhea or upset stomach, not to exceed 8 doses in 24 hours.

\_\_\_ **MILK OF MAGNESIA** – magnesium salts – two (2) tablespoons daily for constipation. Drink 8 ounces of water after use.

\_\_\_ **TRIPLE ANTIBIOTIC OINTMENT** – apply topically to affected area 4 times per day for abrasions or skin breaks.

\_\_\_ **DESENEK** – tolnaftate – apply topically to affected area 2 times per day for rash.

**ADDITIONAL PRN MEDICATIONS:** \_\_\_\_\_

Dosage (amount to be given): \_\_\_\_\_ Route: \_\_\_\_\_ Form: \_\_\_\_\_ Time(s) of Day: \_\_\_\_\_

Dates medication must be administered at school (select one): \_\_\_\_\_ Short term (from \_\_\_\_\_ date to \_\_\_\_\_ date)



**ACADEMIC AND BEHAVIOR SCHOOLS  
REQUEST FOR CONFIDENTIAL INFORMATION**

---

Name of Student Date of Birth

---

Address Telephone

---

City State Zip code

I hereby authorize Harris County Department of Education and ABS to request from the named agency (individual) psychological, medical, educational, legal, family, and/or social information concerning my child. This information will be used in educational planning for my child.

---

Signature of Parent/Guardian Date

**DO NOT WRITE BELOW THIS LINE**

\*\*\*\*\*

To:

Name of School

Address

City

State

Zip Code

---

Please send/fax the requested information as soon as possible to:

**ABS East**  
7703 S. Loop East  
Houston, TX 77012

**ABS West**  
12772 Medfield Dr.  
Houston, TX 77082

713-242-8036  
Fax 713-645-5773  
Attn: School Counselor

713-339-9411  
Fax 713-978-7662  
Attn: School Counselor



**HIGHPOINT & FORTIS ACADEMY  
REQUEST FOR CONFIDENTIAL INFORMATION**

---

Name of Student Date of Birth

---

Address Telephone

---

City State Zip Code

I hereby authorize Harris County Department of Education and Highpoint School to request from the named agency (individual) psychological, medical, educational, legal, family, and/or social information concerning my child. This information will be used in educational planning for my child.

---

Signature of Parent/Guardian Date

**DO NOT WRITE BELOW THIS LINE**

\*\*\*\*\*

To:

Name of School

Address

---

City State Zip Code

Please send/fax the requested information as soon as possible to:

**Highpoint School**  
8003 E. Sam Houston Pkwy N.  
Houston, TX 77049  
713-696-2160  
Fax 713-696-1861  
Attn: School Counselor

**Fortis Academy**  
11902 Spears Rd  
Houston, TX 77067  
713-696-2195  
Fax 713-696-2196  
Attn: School Counselor



## REQUEST FOR FOOD ALLERGY/ANAPHYLACTIC INFORMATION

This form allows you to disclose whether your child has a severe food allergy that could result in a dangerous or anaphylactic reaction to the campus principal in order to enable the campus to take necessary precautions for your child’s safety. This information will be included in the development of the required Individualized Health Care Plan.

“Severe food allergy” means a dangerous or life-threatening reaction of the human body to a food-borne allergen introduced by inhalation, ingestion, or skin contact that requires immediate medical attention.

Please list any foods to which your child is allergic or severely allergic, as well as the nature of your child’s allergic reaction to the food.

<b>Food</b>	<b>Nature of allergic reaction to the food</b>

The Division will maintain the confidentiality of the information provided above and may disclose the information to teachers, school counselors, school nurses, and other appropriate school personnel only within the limitations of the Family Educational Rights and Privacy Act and Department policy.

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_

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

Parent/Guardian Name: \_\_\_\_\_  
(Print)

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

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Date: \_\_\_\_\_ Date form was received by the school: \_\_\_\_\_

## 2020–2021 STUDENT ASSESSMENT TESTING CALENDAR

Revised

July 31, 2019

DATES SUBJECT

TO CHANGE

### 2020 Assessments

Paper Administration Test Date(s)	Online Administration Test Date(s)	STAAR	Report Date(s)
Assessment Window Dec 8–Dec 11		Algebra I Biology U.S. History	TBD
Dec 8 (Tue)		English I	TBD
Dec 10 (Thu)		English II	TBD
Dec 11 (Fri)		All make-up sessions for <b>paper</b> and <b>online</b> STAAR EOC assessments scheduled to be administered Dec 8–11, 2020, must be completed by the end of this day.	

### 2021 Assessments

Test Date(s)	NAEP (selected sample)	Report Date(s)
Assessment Window Late Jan–Early Mar	Mathematics (Grades 4 and 8) Reading (Grades 4 and 8) Writing (Grades 4, 8, and 12)	N/A

## 2020–2021 STUDENT ASSESSMENT TESTING CALENDAR

Revised

July 31, 2019

DATES SUBJECT

TO CHANGE

Test Date(s)	TELPAS and TELPAS Alternate	Report Date(s)	
Assessment Window Feb 22–Apr 1	TELPAS Grades K–12 Listening, Speaking, Reading, and Writing TELPAS Alternate Grades 2–12 Listening, Speaking, Reading, and Writing	TBD	
Test Date(s)	STAAR Alternate 2	Report Date(s)	
Assessment Window Mar	STAAR Alternate 2 Grades 3–8 and EOC Assessments	TBD	
Paper Administration Test Date(s)	Online Administration Test Date(s)	STAAR	Report Date(s)
Apr 6 (Tue)	Apr 6 (Tue)	Grade 4 Writing Grade 7 Writing English I	TBD
Apr 6 (Tue)	Apr 6–Apr 9 Apr 13–Apr 16	Grade 5 Mathematics Grade 8 Mathematics	TBD
Apr 7 (Wed)	Apr 6–Apr 9 Apr 13–Apr 16	Grade 5 Reading Grade 8 Reading	TBD
Apr 8 (Thu)	Apr 8 (Thu)	English II	TBD
Apr 9 (Fri)	Apr 9 (Fri)	All make-up sessions for <b>paper</b> STAAR assessments scheduled to be administered Apr 6–8, 2021, must be completed by the end of this day. Make-up sessions for <b>online</b> STAAR assessments with a writing component (Grades 4 and 7 Writing and English I and English II) must be completed by Apr 9, 2021.	
	Apr 16 (Fri)	Make-up sessions for <b>online</b> STAAR assessments (without a writing component) scheduled to be administered Apr 6–9 and Apr 13–16, 2021, must be completed by the end of this day.	

## 2020–2021 STUDENT ASSESSMENT TESTING CALENDAR

Revised

July 31, 2019

DATES SUBJECT

TO CHANGE

Paper Administration Test Date(s)	Online Administration Test Date(s)	STAAR	Report Date(s)
May 4–May 7	May 4–May 7 May 11–May 14	Algebra I Biology U.S. History	TBD
May 6 (Thu)	May 11–May 14 May 18–May 21	Grade 8 Science	TBD
May 7 (Fri)	May 11–May 14 May 18–May 21	Grade 8 Social Studies	TBD
May 7 (Fri)		All make-up sessions for <b>paper</b> STAAR EOC assessments scheduled to be administered May 4–7, 2021, must be completed by the end of this day.	
	May 14 (Fri)	All make-up sessions for <b>online</b> STAAR EOC assessments scheduled to be administered May 4–7 and May 11–14, 2021, must be completed by the end of this day.	
May 11 (Tue)	May 11–May 14 May 18–May 21	Grades 3–4 Mathematics Grades 6–7 Mathematics <i>Grade 5 Mathematics (retest)</i> <i>Grade 8 Mathematics (retest)</i>	TBD
May 11 (Tue)	May 11 (Tue)	English III	TBD
May 12 (Wed)	May 11–May 14 May 18–May 21	Grades 3–4 Reading Grades 6–7 Reading <i>Grade 5 Reading (retest)</i> <i>Grade 8 Reading (retest)</i>	TBD
May 13 (Thu)	May 11–May 14 May 18–May 21	Grade 5 Science Algebra II	TBD
May 14 (Fri)	May 14 (Fri)	All make-up sessions for <b>paper</b> STAAR Grades 3–8 assessments scheduled to be administered May 6–13, 2021, must be completed by the end of this day. Make-up sessions for <b>paper</b> STAAR English III and Algebra II assessments scheduled to be administered May 11 & 13, 2021, must be completed by the end of this day. Make-up sessions for the <b>online</b> STAAR English III assessment must be completed by the end of this day.	
	May 21 (Fri)	Make-up sessions for <b>online</b> STAAR assessments scheduled to be administered May 11–14 and May 18–21, 2021, must be completed by the end of this day.	

## 2020–2021 STUDENT ASSESSMENT TESTING CALENDAR

Revised

July 31, 2019

DATES SUBJECT

TO CHANGE

Paper Administration Test Date(s)	Online Administration Test Date(s)	STAAR	Report Date(s)
Assessment Window Jun 22–Jun 25		Algebra I Biology U.S. History	TBD
Jun 22 (Tue)		<i>Grade 5 Mathematics (retest)</i> <i>Grade 8 Mathematics (retest)</i> English I	TBD
Jun 23 (Wed)		<i>Grade 5 Reading (retest)</i> <i>Grade 8 Reading (retest)</i>	TBD
Jun 24 (Thu)		English II	TBD
Jun 25 (Fri)		All make-up sessions for <b>paper</b> and <b>online</b> STAAR assessments scheduled to be administered Jun 22–25, 2021, must be completed by the end of this day.	



## TECHNOLOGY ACCEPTABLE USE AGREEMENT

I agree to the following:

HCDE technology hardware and software may only be used for legitimate education purposes. Under no circumstances may HCDE technology be used for any of the following, or similar activities:

- Any illegal activity;
- Harassment and/or threats;
- Obscene materials;
- Commercial activities; and/or
- Coping, altering and/or destroying:
  - Data;
  - Software; and/or
  - Equipment.

Violations of HCDE Acceptable Use guidelines may include, but are not limited to:

- Revocation of access to technology resources;
- Disciplinary action;
- Expulsion; or
- Legal action.

HCDE reserves the right to monitor and/or censor any and all technology activity.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Print Name

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

\_\_\_\_\_  
Campus Representative Signature



## USE OF STUDENT PROJECTS/PHOTOS/VIDEO IN DISTRICT PUBLICATIONS AND PRESS RELEASES TO MEDIA

Occasionally, Harris County Department of Education (HCDE) wishes to display or publish student artwork or special projects on the district's website and in district publications.

In addition, HCDE may send photos/videos/information to media about student accomplishments. It is my understanding that this photograph/video or portions thereof may be used for public view.

My agreement for the use of my child's projects, photos, video is given without financial remuneration, and I understand that this releases the photographer/ videographer/interviewer from any future claims, as well as from any liability arising from the use of said photo/video/interview.

- Release to Media \_\_\_\_\_ Yes \_\_\_\_\_ No
- Use of Video \_\_\_\_\_ Yes \_\_\_\_\_ No
- Publish Special Project \_\_\_\_\_ Yes \_\_\_\_\_ No

Child's Name: \_\_\_\_\_

Parent Printed Name: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Campus/Center: \_\_\_\_\_



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# **Student Code of Conduct**

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## **SCHOOLS DIVISION**

**2020-2021**

**Revised July 2019 Student Code of Conduct.**

Model Student Code of Conduct  
Texas Association of School Boards

# ACKNOWLEDGMENT

## *Student Code of Conduct*

Dear Student and Parent:

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

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

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

Thank you.

**James Colbert, Jr.**  
**HCDE County School Superintendent**

We acknowledge that we have received a copy of the Harris County Department of Education Student Code of Conduct for the **2020–2021** school year and understand that students will be held accountable for their behavior and will be subject to the disciplinary consequences outlined in the Code.

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

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

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

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

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

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

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

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



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## STUDENT CODE OF CONDUCT

### Accessibility

If you have difficulty accessing the information in this document because of disability, please contact *Brenda Mullins, Director of Curriculum and Compliance, 713-696-8218*.

### Purpose

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

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

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

This Student Code of Conduct has been adopted by the Harris County Department of Education Board of Trustees and developed with the advice of the district-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the board becomes effective for the next school year.

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinator and posted on the district's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

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

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

## SCHOOL DISTRICT AUTHORITY AND JURISDICTION

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

The district has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity on district transportation;
2. During lunch periods in which a student is allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or

- location;
4. For any school-related misconduct, regardless of time or location;
  5. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
  6. When a student engages in cyberbullying, as provided by Education Code 37.0832;
  7. When criminal mischief is committed on or off school property or at a school-related event;
  8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
  9. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
  10. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
  11. When the student is required to register as a sex offender.

### **Campus Behavior Coordinator**

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as-campus behavior coordinator. Contact information may be found at <https://hcde-texas.org/> and at <https://hcde-texas.org/schools>.

### **Threat Assessment and Safe and Supportive School Team**

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

### **Searches**

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and district policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. Refer to the district's policies at FNF(LEGAL) and FNF(LOCAL) for more information regarding investigations and searches.

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

Desks, lockers, district-provided technology, and similar items are the property of the district and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice.

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

## **Reporting Crimes**

The principal or campus behavior coordinator and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

## **Security Personnel**

To ensure sufficient security and protection of students, staff, and property, the board contracts police officers. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in policy CKE(LOCAL).T

## **‘Parent’ Defined**

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

## **Participating in Graduation Activities**

The district has the right to limit a student’s participation in graduation activities for violating the district’s Code.

Participation might include a speaking role, as established by district policy and procedures. Students eligible to give the opening and closing remarks at graduation shall be notified by the campus principal. Notwithstanding any other eligibility requirements, in order to be considered as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district’s Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct in violation of the district’s Code resulting in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

## **Unauthorized Persons**

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting, and the person persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district’s grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 39, for information regarding a student assigned to DAEP at the time of graduation.

## STANDARDS FOR STUDENT CONDUCT

Each student is expected to:

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

## GENERAL CONDUCT VIOLATIONS

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

### **Disregard for Authority**

Students shall not:

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

### **Mistreatment of Others**

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault see DAEP Placement and Expulsion.)
- Threaten a district student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See glossary for all three terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse,

whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.

- Engage in conduct that constitutes dating violence. (See glossary.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

### **Property Offenses**

Students shall not:

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

### **Possession of Prohibited Items**

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- Knuckles;
- \*A location-restricted knife;
- \*A club;
- \*A firearm
- A stun gun;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an

e-cigarette device;

- Matches or a lighter;
- A laser pointer for other than an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists.

For weapons and firearms see DAEP- Placement and Expulsion for Certain Offenses on page 43. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

### **Possession of Telecommunications or Other Electronic Devices**

Students shall not:

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

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

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page 28 and **Expulsion** on page 46 for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See glossary for “abuse.”)
- Abuse over-the-counter drugs. (See glossary for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See glossary for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

### **Misuse of Technology Resources and the Internet**

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.

- Use the Internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the right of another student at school.
- Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use e-mail or websites to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

### **Safety Transgressions**

Students shall not:

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

### **Miscellaneous Offenses**

Students shall not:

- Violate dress and grooming standards as communicated in the student handbook.
- Cheat or copy the work of another.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

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

## **DISCIPLINE MANAGEMENT TECHNIQUES**

Discipline shall be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management technique, including restorative practices. Discipline shall be based on the seriousness of the

offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

### **Students with Disabilities**

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the district law shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

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

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

### **Techniques**

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

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger Management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.
- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.

- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the **Placement and/or Expulsion for Certain Offenses** section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

### **Prohibited Aversive Techniques**

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

### **Notification**

The campus administrator/campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be

made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

### **Appeals**

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the campus behavior coordinator's office, or the central administration office or through *Policy On Line* at the following address: <http://pol.tasb.org/Home/Index/578>

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance.

## **REMOVAL FROM THE SCHOOL BUS**

A bus driver may refer a student to the principal's office or the campus behavior coordinator's office to maintain effective discipline on the bus. The principal or campus behavior coordinator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

## **REMOVAL FROM THE REGULAR EDUCATIONAL SETTING**

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

### **Routine Referral**

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

### **Formal Removal**

A teacher may also initiate a formal removal from class if:

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

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent; the student; the teacher, who removed the student from class and any other appropriate administrator.

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

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

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

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

### **Returning Student to Classroom**

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

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

## **OUT-OF-SCHOOL SUSPENSION**

### **Misconduct**

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

The district shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

A student below grade 3 or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or

- aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

### **Process**

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

Before being suspended a student shall have an informal conference with the campus behavior coordinator or appropriate administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension not to exceed three school days.

In deciding whether to order out-of-school suspension, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

### **Coursework During Suspension**

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

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.

### **DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP) PLACEMENT**

The DAEP shall be provided in a setting other than the student's regular classroom. An

elementary school student may not be placed in a DAEP with a 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.

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

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student’s disciplinary history.
4. A Disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct.,
5. A student’s status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student’s status as homeless.

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

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

### **Misconduct Identified in State Law**

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student’s consent.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Any criminal mischief, including a felony.

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

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

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

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Texas Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
  - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
  - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
  - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See glossary)
  - Engages in conduct that contains the element of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see glossary),
  2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
  3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

## **Sexual Assault and Campus Assignments**

If a student has been convicted of continuous sexual abuse of a young child or children or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault

against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus, the offending student shall be transferred to another campus in the district. If there is no other campus in the district serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

### **Process**

Removals to a DAEP shall be made by the campus administrator/campus behavior coordinator.

### **Conference**

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

At the conference, the campus behavior coordinator or appropriate administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

### **Consideration of Mitigating Factors**

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history.
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless

### **Placement Order**

After the conference, if the student is placed in the DAEP, the campus behavior coordinator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

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

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

### **Coursework Notice**

The parent or guardian of a student placed in DAEP shall be given written notice of the student's opportunity to complete a foundation curriculum course in which the student was enrolled at the

time of removal and which is required for graduation, at no cost to the student. The notice shall include information regarding all methods available for completing the coursework.

### **LENGTH OF PLACEMENT**

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

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

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

#### **Exceeds One Year**

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees, or

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

#### **Exceeds School Year**

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

For placement in a DAEP to extend beyond the end of the school year, the campus behavior coordinator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
2. The student has engaged in serious or persistent misbehavior (see glossary) that violates the district's Code.

#### **Exceeds 60 Days**

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

## APPEALS

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy Online at the following address: <https://pol.tasb.org/Home/Index/578>

Appeals shall begin at Level One with the campus principal.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

## RESTRICTIONS DURING PLACEMENT

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

The district shall provide transportation to students in a DAEP.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

### **Placement Review**

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

### **Additional Misconduct**

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

### **Notice of Criminal Proceedings**

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

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

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

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

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

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

### **Withdrawal during Process**

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

### **Newly Enrolled Students**

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

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district. The district may place the student in the district's DAEP or a regular classroom setting.

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

If the student was placed in a DAEP by a school district in another state for a period that exceeds

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

### **Emergency Placement Procedure**

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

### **Transition Services**

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

## **PLACEMENT AND/OR EXPULSION FOR CERTAIN OFFENSES**

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

### **Registered Sex Offenders**

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

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

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

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

### **Review Committee**

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

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

### **Newly Enrolled Student**

If a student enrolls in the district during a mandatory placement as a registered sex offender, the

district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

### **Appeal**

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

### **Certain Felonies**

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student **may** be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see glossary) of the Penal Code. The student must:

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

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

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

### **Hearing and Required Findings**

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

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

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

### **Length of Placement**

The student is subject to the placement until:

1. The student graduates from high school,

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

### **Placement Review**

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

### **Newly Enrolled Students**

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

## **EXPULSION**

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless

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

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 28)

### **Any Location**

A student may be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:
  - Aggravated assault.
  - Sexual assault.

- Aggravated sexual assault.
- Murder.
- Capital murder.
- Criminal attempt to commit murder or capital murder.
- Aggravated robbery.
- Breach of computer security.
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See glossary for “under the influence.”)
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary.)

### **Within 300 Feet of School**

A student may be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school’s real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.
- Continuous sexual abuse of a young child or children.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student’s person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**.)
- Possession of a firearm, as defined by federal law. (See **glossary**.)

### **Property of Another District**

A student may be expelled for committing any offense that is a state-mandated expellable

offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

### **While in DAEP**

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, despite documented behavioral interventions while placed in a DAEP. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Penal Code 21.07;
  - b. Indecent exposure under Penal Code 21.08;
  - c. Criminal mischief under Penal Code 28.03;
  - d. Hazing under Educational Code 37.152; or
  - e. Harassment under Penal Code 42.07(a)(1), of a student or district employee.

### **Mandatory Expulsion: Misconduct That Requires Expulsion**

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

#### **Under Federal Law**

Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

**Note:** Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle, or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

#### **Under the Penal Code**

Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:

- A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus, 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. [See policy FNCG(LEGAL).]
- A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as de-

fined in state law. (See **glossary**.)

- Behaving in a manner that contains elements of the following offenses under the Penal Code:
  - Aggravated assault, sexual assault, or aggravated sexual assault.
  - Arson. (See glossary.)
  - Murder, capital murder, or criminal attempt to commit murder or capital murder.
  - Indecency with a child.
  - Aggravated kidnapping.
  - Aggravated robbery.
  - Manslaughter.
  - Criminally negligent homicide.
  - Continuous sexual abuse of a young child or children.
  - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

### **Under Age Ten**

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

### **Process**

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

Until a hearing can be held, the campus behavior coordinator or other administrator may place the student in:

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

### **Hearing**

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

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

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

The hearing shall be conducted by the board of trustees of the home district and the decision to expel shall be made by the board,

### **Board Review of Expulsion**

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

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

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

### **Expulsion Order**

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

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

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

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

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

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

### **Length of Expulsion**

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

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

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

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

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

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

### **Withdrawal during Process**

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

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

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

### **Additional Misconduct**

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

### **Restrictions during Expulsion**

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

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

### **Newly Enrolled Students**

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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

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

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

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

### **Emergency Expulsion Procedures**

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

### **DAEP Placement of Expelled Students**

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

### **Transition Services**

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. See policies FOCA(LEGAL) and FODA(LEGAL) for more information.

## GLOSSARY

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

**Abuse** is improper or excessive use.

**Aggravated robbery** is defined in part by Penal Code 29.03(a) when a person commits robbery and:

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

**Armor-piercing ammunition** is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

**Arson** is defined in part by Penal Code 28.02 as:

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
  - a. Any vegetation, fence, or structure on open-space land; or
  - b. Any building, habitation, or vehicle:
    - 1) Knowing that it is within the limits of an incorporated city or town,
    - 2) Knowing that it is insured against damage or destruction,
    - 3) Knowing that it is subject to a mortgage or other security interest,
    - 4) Knowing that it is located on property belonging to another,
    - 5) Knowing that it has located within it property belonging to another, or
    - 6) When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly damages or destroys a building belonging to another, or
  - b. Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Penal Code §22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

**Breach of computer security** includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or

deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

**Bullying** is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.
3. Mastering and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

**Chemical dispensing device** is defined by Penal Code 46.01 as 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 defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

**Controlled substance** means a substance, including a drug, an adulterant, and a dilutant, listed in Schedule I through V or Penalty Group 1, 1A, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

**Criminal street gang** is defined by Penal Code 71.01 as 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 defined by Section 37.0832 of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

**Dangerous drug** is defined by Health and Safety Code 483.001 as a device or drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restrict use by or on the order of a licensed veterinarian.

**Dating violence** occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

**Deadly conduct** under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

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

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

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

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

**E-cigarette** means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

**Explosive weapon** is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

**False Alarm or Report** under Penal Code 42.06 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** is defined by federal law (18 U.S.C.-921 (a)) as:

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to excel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm weapon; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or

**Hit list** is defined in Section 37.001(b)(3) of the Education Code as 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.

**Improvised explosive device** is defined by Penal Code as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components.

**Indecent exposure** is defined by Penal Code 21.08 as an offense that occurs when a person exposes the person's anus or any part of the person's genitals with intent to arouse or gratify the sexual desire of any person, and is reckless about whether another is present who will be offended or alarmed by the act.

**Intimate visual material** is defined by Civil Practices and Remedies Code 98B.001 and Penal Code 21.16 as visual material that depicts a person with the person's intimate parts exposed or engaged in sexual conduct. "Visual material" means any film, photograph, video tape, negative, or slide of any photographic reproduction or any other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen.

**Location-restricted knife** is defined by Penal Code 46.01 as a knife with a blade over five and one-half inches.

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

**Look-alike weapon** means an item that resemble a weapon but is not intended to be used to cause serious bodily injury.

**Machine gun** as defined by Penal Code 46.01 is any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

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

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

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

**Prohibited weapon** under Penal Code 46.05(a) means:

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless that item is classified as a curio or relic by the U.S. Department of Justice:
  - a. An explosive weapon:
  - b. A machine gun:
  - c. A short-barrel firearm:
2. Armor-piercing ammunition:
3. A chemical dispensing device:
4. A zip gun:

grenade.

Such term does not include an antique firearm.

**Firearm silencer** is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.

**Graffiti** includes 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.

**Handgun** is defined by Penal Code 46.01 as any firearm that is designed, made, or adapted to be fired with one hand.

**Harassment** includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Section 37.001 (b) (2) of the Education Code; or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
  - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
  - b. Threatening in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
  - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; and
  - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

**Hazing** is defined by Section 37.151 of the Education Code as an intentional or reckless act, on or off campus, by one person alone or acting with others, directed against a student for the purpose of pledging, initiation into, affiliation with, holding office in, or maintaining membership in a student organization if the act meets the elements in Education Code 37.151. including:

1. Any type of physical brutality;
2. Any activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

5. A tire deflation device;
6. An improvised explosive device; or
7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transport, repairs, or sell the firearm silencer in compliance with federal law.

**Public Lewdness** is defined by Penal Code 21.07 as an offense that occurs when a person knowingly engages in an act of sexual intercourse, deviate sexual intercourse, or sexual contact in public place or, if not in a public place, is reckless about whether another person is present who will be offended or alarmed by the act.

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

**Reasonable belief** is that which an ordinary person of average intelligence and sound mind would believe, Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, including the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

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

**Serious misbehavior** means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
  - a. Public lewdness under Penal Code 21.07;
  - b. Indecent exposure under Penal Code 21.08;
  - c. Criminal mischief under Penal Code 28.03;
  - d. Hazing under Education Code 37.152; or
  - e. Harassment under Penal Code 42.07(a)(1), of a student or district employee.

**Serious or persistent misbehavior** includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

**Short-barrel firearm** is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

**Terroristic threat** is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

**Tire deflation device** is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

**Title 5 felonies** are those crimes listed in the Title 5 of the Penal Code that typically involve injury to a person and include:

- Murder, manslaughter, or homicide under Section 19.02,-.05
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05-06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or children under Section 21.02:
- Bestiality under Section 21.09:
- Improper relationship between educator and student under Section 21.12:
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18:
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09. [See FOC(EXHIBIT)]

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

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

**Zip gun** is defined by Penal Code 46.01 as 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.



# 2020-2021 Academic Calendar

1st Semester		
Students First Day	August 24, 2020	
Students Last Day (Early Release)	December 18, 2020	
2nd Semester		
Students First Day	January 5, 2021	
Students Last Day (Early Release)	June 3, 2021	
Holidays		
Labor Day	September 7, 2020	
Columbus Day	October 12, 2020	
Thanksgiving	November 23 - November 27, 2020	
Winter Break	December 20, 2020 - January 4, 2021	
Martin Luther King Day	January 18, 2021	
Presidents Day	February 15, 2021	
Spring Break	March 15, 2021 - March 19, 2021	
Good Friday	April 2, 2021	
Memorial Day	May 31, 2021	
Independence Day	July 5, 2021	
Staff Development No School for Students (See Inclement Weather Dates)		
Six Week Grading Period	Progress Report	Report Card
1st 6 Weeks 8/24/2020 - 10/2/2020	September 18, 2020	October 9, 2020
2nd 6 Weeks 10/5/2020 - 11/6/2020	October 23, 2020	November 13, 2020
3rd 6 Weeks 11/9/2020 - 12/18/2020	December 4, 2020	January 8, 2021
4th 6 Weeks 1/5/2021 - 2/19/2021	January 29, 2021	February 26, 2021
5th 6 Weeks 2/22/2021 - 4/16/2021	March 26, 2021	April 23, 2021
6th 6 Weeks 4/19/2021 - 6/3/2021	May 14, 2021	June 10, 2021
Testing Dates	Inclement Weather (Make-up Days)	
12/8/2020 - 12/10/2020	September 7, 2020	
4/6/2021 - 4/8/2021	October 12, 2020	
5/4/2021 - 5/7/2021	January 4, 2021	
5/11/2021 - 5/13/2021	February 29, 2021	
6/22/2021 - 6/24/2021	June 4, 2021	
Extended School Year Services: ABS East & ABS West		
June 14, 2021 through July 15, 2021 Monday through Thursday from 9:00am - 2:00pm		
Extended Year School Services: Fortis Academy		
June 15, 2021 through July 16, 2021 Tuesday through Friday from 9:00am - 2:00pm		

August 2020						
S	M	T	W	TH	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					
September 2020						
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27	28	29	30			
October 2020						
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November 2020						
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29	30					
December 2020						
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January 2021						
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31						

February 2021						
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March 2021						
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28	29	30	31			
April 2021						
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May 2021						
S	M	T	W	TH	F	S
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					
June 2021						
S	M	T	W	TH	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
July 2021						
S	M	T	W	TH	F	S
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## Schools Division

(435 Minutes per Instructional Day/255 Minutes per Early Dismissal Day)

**Academic and Behavior School-East**  
Donna Treviño-Jones, Principal  
7703 South Loop East  
Houston, TX 77012  
Tel: (713) 242-8036 Fax: (713) 645-5773

**Hours of Operation**  
Staff 7:30 a.m. to 3:30 p.m.  
Students 7:45 a.m. to 3:00 p.m.

**Academic and Behavior School-West**  
Dr. Victor Keys, Principal  
12772 Medfield  
Houston, TX 77082  
Tel: (713) 339-9411 Fax: (713) 978-7662

**Hours of Operation**  
Staff 7:30 a.m. to 3:30 p.m.  
Students 7:45 a.m. to 3:00 p.m.

**Fortis Academy**  
Dr. Anthony Moten, Principal  
11902 Spears Road  
Houston, TX 77067  
Tel: (713) 696-2195 Fax: (713) 696-2196

**Hours of Operation**  
Staff 7:30 a.m. to 3:30 p.m.  
Students 8:00 a.m. to 3:15 p.m.

**Highpoint School-East**  
Marion Cooksey, Principal  
8003 E. Sam Houston Pkwy N.  
Houston, TX 77049  
Tel: (713) 696-2160 Fax: (713) 696-1861

**Hours of Operation**  
Staff 7:45 a.m. to 3:45 p.m..  
Students 7:50 a.m. to 3:05 p.m.